



**AGENDA**

**FOR THE**

**ORDINARY MEETING**

**OF COUNCIL**

**TO BE HELD ON**

**TUESDAY, 17 DECEMBER 2013**

**PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING**

Members of the public are cautioned against taking any action on Council decisions, on items in this Agenda in which they may have an interest, until such time as they have been advised in writing by Council staff.

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# NOTICE OF MEETING

PLEASE BE ADVISED THAT THE  
  
ORDINARY MEETING OF COUNCIL

COMMENCING AT 4.00PM

WILL BE HELD ON

TUESDAY, 17 DECEMBER 2013

IN THE OCEAN ROOM AT THE IRWIN REC  
RIDLEY STREET, PORT DENISON WA

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Geoff Peddie  
Acting Chief Executive Officer

13 December 2013

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## **DISCLAIMER**

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

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## ORDINARY COUNCIL MEETING 17 DECEMBER 2013

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**AGENDA FOR ORDINARY COUNCIL MEETING  
TO BE HELD IN THE OCEAN ROOM, IRWIN REC  
ON TUESDAY, 17 DECEMBER 2013  
COMMENCING AT 4.00PM**

|                          |             |  |
|--------------------------|-------------|--|
| <b>PRESENT:</b>          | President   | Cr S C Chandler  |
|                          | Councillors | Cr I F West (Deputy President)<br>Cr K J Hepworth<br>Cr R J Porteus<br>Cr M T Smith<br>Cr B C Scott<br>Cr D R Kennedy<br>Cr M Leonard  |
|                          | Staff       | Mr G M Peddie – Acting Chief Executive Officer<br>Ms S van Aswegen – Director Planning and Infrastructure<br>Mr D Fotheringham – Manager Planning Services<br>Ms E Greaves – Executive Assistant<br>Miss L E Tunbridge – Research and Projects Officer |
| <b>GUESTS:</b>           |             | Mr Liam O'Neill – Account Executive CATALYSE Pty Ltd<br>to present on the results of the Community Perceptions<br>Survey   |
| <b>APOLOGIES:</b>        |             | -  |
| <b>LEAVE OF ABSENCE:</b> |             | -  |

- 
1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
  2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
  3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
  4. **PUBLIC QUESTION TIME**
  5. **APPLICATIONS FOR LEAVE OF ABSENCE**
  6. **PETITIONS**
  7. **CONFIRMATION OF MINUTES**
  - 7.1 **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 NOVEMBER 2013**
- 

A copy of the Minutes of the Ordinary Council Meeting held on 26 November 2013 has been provided to all Councillors under separate cover.

**COUNCIL MOTION:**

**MOVED:** Cr \_\_\_\_\_

**SECONDED:** Cr \_\_\_\_\_

***That the Minutes of the Ordinary Council Meeting, held on 26 November 2013, be confirmed as a true and accurate recording of that meeting.***

**8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

## 9. REPORTS

### CORPORATE AND COMMUNITY

CC01 – 12/13

**Subject:** Accounts for Payment  
**Reporting Officer:** Manager Corporate Services  
**Date of Report:** 10 December 2013  
**File Reference:** Minute Book  
**Voting Requirements:** Simple Majority

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#### Report Purpose:

To receive the list of accounts paid under delegated authority during November 2013.

#### Officer's Recommendation:

That the Accounts paid during November 2013, represented by Trust EFT Number 15384 and Cheques 3019 – 3023 totalling \$480.00. Municipal Cheque Numbers 30345-30380, EFT payment numbers 15305 – 15453 totalling \$692,979.50, Police Licensing Payment No's PL311013– PL271113 totalling \$40,926.55, Credit Card Payment \$980.46 and Vehicle Lease Payment \$1,707.03, be received.

#### Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of November 2013.

#### Officer's Comment:

Nil

#### Financial Implications:

Nil

#### Statutory Implications:

13. Lists of accounts
- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
    - (a) the payee's name;
    - (b) the amount of the payment;
    - (c) the date of the payment; and
    - (d) sufficient information to identify the transaction.
  - (3) A list prepared under sub-regulation (1) or (2) is to be —
    - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
    - (b) recorded in the minutes of that meeting.

#### Policy Implications:

Under Delegation C3 Council has delegated authority to the Chief Executive Officer to authorise all payments by Council.

#### Strategic Implications:

Strategic Community Plan – Outcome 4.2.1 *Ensure compliance whilst embracing innovation and best practice principles.*

**CORPORATE AND COMMUNITY**

**CC02 – 12/13**

**Subject:** Financial Statements for the Period ending 30/11/2013  
**Reporting Officer:** Manager Corporate Services  
**File Reference:** Minute Book  
**Date Prepared:** 10 December 2013  
**Voting Requirements:** Simple Majority

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**Report Purpose:**

To consider and receive the Monthly Financial Statements for the period 1 July 2013 to 30 November 2013.

**Officers Recommendation:**

**That the Monthly Financial Statement for the period 1 July 2013 to 30 November 2013 be received.**

**Background:**

The Monthly Financial Report to the 30 November 2013 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Major Variances
- Statement of Cash Flows
- Schedules 3 – 14 Budget vs Actuals Comparison
- Graphical Representation – Statement of Financial Activity
- Net Current Funding Position
- Cash and Investments
- Receivables
- Cash Backed Reserves
- Information on Borrowings
- Capital Disposals and Acquisitions
- Non Operating Grants and Contributions
- Trust Fund
- Budget Amendments
- Restricted Assets
- Port Denison Retirement Village Operating Statement

**Officers Comment:**

Nil.

**Financial Implications:**

Nil.

**Statutory Environment:**

The Local Government (Financial Management) Regulations provides as follows:

Section 34. Financial activity statement report

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -
  - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - (b) budget estimates to the end of the month to which the statement relates;

- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing -
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
  - (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
  - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown -
- (a) according to nature and type classification;
  - (b) by program; or
  - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be -
- (a) presented to the council -
    - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
    - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
  - (b) recorded in the minutes of the meeting at which it is presented.

**Policy Implications:**

Nil.

**Strategic Implications:**

SCP Outcome 4.2.1 Ensure compliance whilst embracing innovation and best practice principles  
SCP Outcome 4.3.3 Adopt best practice processes to achieve a high standard of governance and accountability.



**PLANNING AND INFRASTRUCTURE**

**PI01 – 12/13**

**Subject:** Supply of Prime Mover  
**Reporting Officer:** Manager Works  
**Date of Report:** 12 December 2013  
**File Reference:** PL.TE.7  
**Voting Requirements:** Simple Majority

**Report Purpose:**

To consider awarding Quotations for the “Supply of one Prime Mover Truck with the option of a 10cm<sup>2</sup> quick release body and Bull Bar”.

**Officer’s Recommendation:**

**That the quote submitted by Westrac Equipment for a CT610B day cab Prime Mover with all options, supplied by Dongara Body Builders except the suspension upgrade for the sum of \$268,585 be accepted, as it meets Council’s requirements and is also the most likely option of the twelve tenders received to maintain its value on future trades.**

**Background:**

Quotes were called on 11 November 2013 and closed on 25 November 2013 for the outright purchase of a prime mover truck, utilising the EQuotes panel. As part of the purchase, options were requested for the supply of a 10cm tipping body with quick release, manual wind up tarp, bull bar if required, air suspension and extra space cab. It was determined that the air suspension and extra space cab were not required and not added to the final cost.

Fourteen quotes were submitted from six suppliers, one of the quotes was non compliant and therefore not considered.

**Officer’s Comment:**

The following companies have submitted quotes for the supply of the prime mover:

| <b>Supplier</b>       | <b>Truck Purchase</b> | <b>Price with options</b> |
|-----------------------|-----------------------|---------------------------|
| Westrac               | \$219,000             | \$260,219                 |
| Westrac               | \$230,000             | \$271,219                 |
| Westrac               | \$216,500             | \$268,585                 |
| Westrac               | \$229,800             | \$281,885                 |
| DAF                   | \$183,790             | \$241,800                 |
| UD Nissan             | \$225,110             | \$225,110                 |
| UD Nissan             | \$179,590             | No Options                |
| *UD Nissan            | \$174,150             | Not Compliant             |
| Volvo Truck Centre    | \$204,990             | \$204,990                 |
| Volvo Truck Centre    | \$245,010             | \$245,010                 |
| WA Hino               | \$172,660             | \$226,880                 |
| Purcher International | \$188,000             | \$257,377                 |
| Purcher International | \$204,800             | \$274,177                 |
| Purcher International | \$194,500             | \$263,877                 |

Westrac Equipment have supplied two sets of quotes; one with the option of using a Perth bodybuilder and the second using Dongara Body Builders. All the suppliers have been judged according to pricing, after sale service, the ability to use local services, maintaining future value and input from the operators.

Council’s operators have test driven the Cat CT610B and also the UD GW 26H, their preferred truck was the Cat model.

**Financial Implications:**

2013/2014 Budget: Plant Replacement - \$220,000 allocation with the trade being worth approximately \$50,000 leaving a budget figure of \$270,000 for the prime mover and options.

**Statutory Environment:**

**Local Government Act 1995**

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

**Local Government (Administration) Regulations 1996**

11. When tenders have to be publicly invited

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
  - (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.

WALGA's purchasing service, EQuotes has been used to obtain quotations for the prime mover and it is therefore is exempt from the tender requirements, as per 2(B) above.

**Policy Implications:**

Nil

**Strategic Implications:**

SCP Outcome 4.2.2 – Implement the Integrated Planning Framework, including the Long Term Financial Plan, Workforce Plan, Asset Management Plan, Corporate Business Plan and Annual Budget.

**PLANNING AND INFRASTRUCTURE**

**PI02 – 12/13**

**Subject:** Tender 2 – 2013/14 Sale of Courier Utility  
**Reporting Officer:** Manager Works  
**Date of Report:** 3 December 2013  
**File Reference:** PL.DI  
**Voting Requirements:** Simple Majority

**Report Purpose:**

To consider awarding tenders for the disposal of one 1999 Ford Courier Utility with registration 1ATO776.

**Officer's Recommendation:**

**That the tender submitted by PC and GP Calver for the sum of \$1,520 including GST be accepted for Tender 2 – 2013/14 Sale of Courier Utility with registration 1ATO 776, as it meets Council's requirements.**

**Background:**

Tenders were called on the 12 November 2013 for the outright sale of one 1999 Ford Courier Utility, first purchased in 1999.

The vehicle was first intended for trading in 2009 however at that time there was little requirement to trade due to low usage. Since then there has been an increase in spraying activities and other requirements that may be facilitated with the use of such a vehicle therefore a new vehicle has been purchased and the old one made available for public tender.

The vehicle was not traded at the time of purchasing the new vehicle due to lack of interest by commercial traders. It was also thought that a private sale might return a better offer.

Advertising was run weekly in the Dongara Denison Local Rag from the 9 – 27 November 2013 which advised of the details of the vehicle, tender submission procedure and the closing date of 4pm, 2 December 2013.

**Officer's Comment:**

All received bids were opened after 4pm on Monday, 2 December 2013, and following a review of those bids;

| <b>Tender Submission Received By</b> | <b>Price</b> |
|--------------------------------------|--------------|
| PC and GP Calver                     | \$1,520      |
| Pickles Auctions                     | \$825        |

The tender submission provided by PC & GP Calver was determined as the preferred submission.

**Financial Implications:**

The sum of \$1,500 was allocated as a trade-in price for the Courier Utility in the 2013/2014 Budget.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

Nil.

**Strategic Implications:**

SCP Outcome 4.2.2 - Implement the Integrated Planning Framework, including the Long Term Financial Plan, Workforce Plan, Asset Management Plan, Corporate Business Plan and Annual Budget.

**PLANNING AND INFRASTRUCTURE**

**PI03 – 12/13**

**Subject:** Draft Dongara and Port Denison District Structure Plan  
**Reporting Officer:** Director Planning and Infrastructure  
**Date of Report:** 27 November 2013  
**File Reference:** LP.SU.2.1  
**Voting Requirements:** Simple Majority

**Report Purpose:**

To consider adoption of the final Draft Dongara and Port Denison District Structure Plan and associated District Water Management Strategy for advertising purposes.

**Officer's Recommendation:**

**That Council:**

1. **Determines that the Draft Dongara and Port Denison District Structure Plan is satisfactory for advertising.**
2. **Subject to (1), invites comment on the proposed Draft District Structure Plan for a period of 42 days by way of:**
  - (a) **A notice being placed in a local newspaper circulating within the district;**
  - (b) **A notice being placed in the Shire's Administration Centre and Library;**
  - (c) **A notice being placed on the Shire's internet website and Facebook page;**
  - (d) **A letter being sent to all landowners within the District Structure Plan Area;**
  - (e) **A letter being sent to all surrounding landowners that are considered to be affected by the proposed District Structure Plan;**
  - (f) **A letter being sent to all relevant state government agencies; and**
  - (g) **A letter being sent to all community groups in the Shire's database.**

**Background:**

In May of 2012 the Shire of Irwin received \$135,000 in funding from the Department of Planning through the Northern Planning Program – Local Government Assistance package to undertake a planning project of strategic significance within the Shire.

The funding was primarily provided in order for the Shire to appoint a consultant to prepare a District Structure Plan (DSP) for the Dongara and Port Denison urban areas. Additionally, components of the funding were provided to complete a District Water Management Strategy (DWMS) to accompany the structure plan and, as a separate project, a North Coast Development Analysis looking at the development potential of the coastal land north of town to the Shire boundary (corresponding with Policy Area E).

Through WALGA's preferred supplier system, GHD were selected as the consultants to undertake the project in May 2012. Since this time, GHD have been preparing the DSP and DWMS. Preparation of the document has included various site visits, a literature review, opportunities and constraints mapping, a community consultation workshop and stakeholder liaison.

On 26 February 2013 Council resolved to adopt the Draft DSP and on 15 May 2013 sought WAPC approval to advertise the document. On 12 August 2013 WAPC granted conditional approval to advertise the Draft DSP but subject to three modifications as outlined in the attachment to this report. GHD subsequently modified the document as directed by WAPC, with the final draft DSP now ready for Council consideration to determine whether it is satisfactory for advertising.

**The Proposal:**

A copy of the final Draft District Structure Plan along with the Community Engagement Outcomes report, Draft District Water Management Strategy and WAPC's consent to advertise can be found in the attachments to this agenda.

The format of the DSP has been closely aligned to the WAPC's Guidelines for structure plan preparation, although tailored slightly to suit the local and regional context. Essentially, section 4.0 'The Plan' and Figure 17 – the District Structure Plan map, provide the core of the document. This section sets out exactly what zones are intended by the plan, where they are located and how they coordinate with one another.

The following indicate of the main proposals presented in the DSP:

- Activity Centres:
  - o Recognition of the existing Dongara Town Centre as a District Centre and potential for this to expand on the southern side of the Irwin River;
  - o Expansion of the Port Denison Neighbourhood Centre along Point Leander Drive and a new, future Neighbourhood Centre north of Francisco Road to service the population catchment proposed in that area;
- Future Urban:
  - o Identification of four 'precincts' which will act as the future growth directions for Dongara and Port Denison. These include a St Dominics Precinct, a Race Course Estate Precinct, a Francisco Road North Precinct and a South Port Denison Precinct;
- Public Open Space:
  - o Identification of key future reserves, some of which will act as future district level parks;
- Industrial:
  - o Expansion of the existing Moore Road industrial area east to approximately opposite the Caltex roadhouse, and bounded by the current alignment of Brand Highway and the future highway realignment;
  - o The consolidation of the Port Denison Marine Based Industry zone to south of Russ Street, therefore deleting the proposed expansion of this zone north of Russ Street, as is currently provided for on the LPS No 5 Scheme maps;
- Community Infrastructure:
  - o Identification of a future primary school site in Precinct 3 to service the future population catchment north of Francisco Road;
- Basic Raw Materials:
  - o Identification of the land surrounding the Cockburn Cement operation as 'Basic Raw Materials' in recognition of the existing mining tenements over this area;
- Road Hierarchy:
  - o Identification of the current and proposed road linkages to ensure an efficient movement network based on the proposed growth pattern.

In addition, the document (under section 4.3) provides an estimate of the potential lot yield for each section of the DSP and ultimately a projected population figure. The lot yield, based on 70% developable area, equates to a total across the DSP area of 10,258 lots. Based on an average of 2.3 people per lot, the ultimate population would therefore result in a total of 23,195 people.

These figures are acknowledged as being quite high, however it should be noted this is the ultimate potential for the DSP at "total build out", should it be developed to its maximum extent. Based on historical development trends, its likely development will be gradual (the full potential will be beyond the expected life of the DSP at 10-15 years) and unlikely to reach the maximum densities provided for.

The separate Draft District Water Management Strategy has been prepared in accordance with the state government's Better Urban Water Management Guidelines. This document essentially outlines the objectives and methods for achieving best practice in water conservation and efficiency, water sensitive urban design, flood management, storm water management, ground water management and waste water management.

A water management strategy/plan is generally required by legislation to be prepared at each level of structure planning. This is to ensure sufficient consideration is given to protecting this valuable resource and its flow within the urban environment. The main aims of this document seek to ensure all new development adheres to best practice methods for urban water management and to acknowledge that older areas, particularly those draining directly into the Irwin River, should be considered for improvement as they are upgraded in the future.

**Officer's Comment:**

The Draft District Structure Plan and Draft District Water Management Strategy provide a logical and comprehensive plan to guide and coordinate the growth of the Dongara and Port Denison over the next 10-15 years. As provided for in section 2.2 of the WAPC's Structure Planning Guidelines, the DSP is not statutory in nature in that it does not dictate specific scheme provisions or zoning boundaries, but rather provides a guiding framework to ensure coordination of subsequent layers of more detailed planning and development is achieved. Much of the detail and refinement prior to subdivision or development will be done at the Local Structure Planning stage. The Shire's Scheme No 5 currently includes provisions to impose local structure planning prior to subdivision or development.

The DSP is also not intended to be a static document over its life of 10-15 years. Ideally it will be reviewed at 5 yearly intervals, as per Scheme review requirements, or amended to take advantage of new important opportunities. The DSP will also inform the review of the Local Planning Strategy 2008 that is currently in progress.

Where the DSP plays a key role therefore, is in providing the direction and intent to guide future land use and development decisions. This is evident in both the desire of the DSP to consolidate some existing urban areas with higher densities, and to allow for future expansion in other suitably identified areas. This applies particularly to the four future growth precincts, in that this document will provide a firm strategic basis for these areas to be considered for development. Alternatively, any urban expansion proposals which fall outside of these areas will find support difficult, as the strategic underpinning will be absent.

In this regard, the St Dominics precinct is seen as a key opportunity for expansion close to the existing town centre and the visual and recreational amenity afforded by its proximity to the Irwin River.

The Race Course Estate precinct has been identified as a blockage to further development to the north of town, arising from its low density and limited servicing. There is an opportunity therefore to increase the density in a location close to the town centre, provide services and allow the development front to open up.

In addition to this, the land to the north of Francisco Road is already experiencing considerable pressure to allow urban development. It would currently represent a leap-frogging of the Race Course estate if traditional residential development was permitted, however, it does represent an eventual logical northern corridor for future urban expansion.

Lastly, the area immediately adjoining the south of Port Denison has long been identified as an attractive expansion option, being close to the desirable attributes of the marina and South Beach, however is completely constrained by lime sand mining interests. This has been included on the basis that eventual urban development still represents the highest and best use of this land and should be the Shire's preferred option for this area.

It should be noted that although each precinct is numbered, it does not necessarily represent a staging plan. Current practice of the WAPC is that staging of development should not be dictated by government but by the market, which will inevitably be influenced by cost and viability of a project including, in particular, the provision of essential services.

Section 5.0 of the Draft DSP also includes some important considerations. Firstly, the document raises the possibility of imposing 'Development Contribution Areas'. This planning tool has two advantages in that one; it forces landowners to equitably share the costs of common infrastructure (drainage, utilities, schools, community facilities, etc) and secondly; it provides a mechanism for the local government to recoup some of the costs associated with providing district level services, particularly in this instance district public open space. This approach would require an amendment to the Shire's Local Planning Scheme No 5 to provide a statutory basis to be able to impose such provisions, in accordance with the WAPC's State Planning Policy 3.6, and the DSP again provides the strategic basis to support a future Scheme amendment for such provisions.

Lastly, the DSP also recommends pursuing a Memorandum of Understanding (MOU) between the Shire, the Department of Planning and the Department of Mines and Petroleum, specifically in relation to the constraints facing the expansion of Port Denison to the south. The MOU itself would be unlikely to force any party into any particular action, but may help facilitate a path forward in resolving the land use conflict and the eventual transition in land use from mining to urban.

In summary, the Draft Dongara and Port Denison District Structure Plan and Draft District Water Management Strategy provide a suitable platform from which the Shire can plan for and implement its urban expansion and consolidation direction. It will provide the Shire with an important 'front foot' position when considering future urban expansion proposals, as opposed to considering development in an ad hoc manner, and lastly provides the first step in the structure planning process which is becoming increasingly important in ensuring a quality planning outcome.

If Council adopt the plan for advertising purposes, it will be formally advertised and submissions sought, after which a schedule of submissions and any recommended modifications will be reported back to Council for final adoption and then be submitted to WAPC for final approval. The minimum statutory advertising period required is 21 days. However, to enable sufficient time for landowners and the community to review and comment on the Draft DSP, it is considered that a period of 42 days is more appropriate.

**Financial Implications:**

Advertising costs.

**Statutory Environment:**

Planning and Development Act 2005

**Policy Implications:**

Nil.

**Strategic Implications:**

SCP Outcome 1.7.1 – Develop and implement a District Structure Plan

**OFFICE OF THE CEO**

**CEO01 – 12/13**

**Subject:** Annual Meeting of Electors Minutes 2013  
**Reporting Officer:** Executive Assistant  
**Date of Report:** 9 December 2013  
**File Reference:** GV.CM.1  
**Voting Requirements:** Simple Majority

**Report Purpose:**

To consider the Minutes of the 2013 Annual Meeting of Electors and endorse any recommendations resolved from this meeting.

**Officer's Recommendation:**

**That Council note the Minutes of the 2013 Annual Meeting of Electors provided in the attachments booklet titled *CEO01 – 12/13 Annual Meeting of Electors 2013* and the only decision of the meeting as below;**

***MEETING OF ELECTORS RESOLUTION:***

***MOVED: Mr Aaron Wootton***

***SECONDED: Mr Peter Pendlebury***

***That the Shire of Irwin's Annual Report for the financial year ending 30 June 2013 be accepted.***

***CARRIED***

**Background:**

Council have historically been issued the minutes from the Annual Meeting of Electors as an attachment to the next Ordinary Council meeting following the Electors Meeting. The minutes have been received under 7. Confirmation of Minutes.

**Officer's Comment:**

To ensure Council are meeting their statutory requirement to consider decisions made at the Electors meeting and the preservation of those minutes, a standard has been set by presenting the minutes and recommendations from those minutes through an agenda report.

This practice will allow for the minutes to be recorded in the Minute Book as an attachment and clearly recognises that Council has considered the recommendations made by those present at the Electors meeting, even though historically the only resolution made at these meetings has been to accept the Annual Report.

It is recommended that the Annual Meeting of Electors and any recommendations to come out of these meetings be presented to council through an agenda report.

**Financial Implications:**

Nil

**Statutory Environment:**

Local Government Act 1995

**5.32. Minutes of electors' meetings**

The CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved;
- and



- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

**5.33. Decisions made at electors' meetings**

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
  - (a) at the first ordinary council meeting after that meeting; or
  - (b) at a special meeting called for that purpose,whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

**Policy Implications:**

Nil.

**Strategic Implications:**

SCP Outcome 4.2.1 Ensure compliance whilst embracing innovation and best practice principles.

**10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**12. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION**

Nil

**13. MATTERS BEHIND CLOSED DOORS**

Nil

**14. CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at

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