



AGENDA

FOR THE

SPECIAL MEETING
OF COUNCIL

TO BE HELD ON
TUESDAY, 8 APRIL 2014

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.

NOTICE OF MEETING

PLEASE BE ADVISED THAT THE

SPECIAL MEETING OF COUNCIL

COMMENCING AT 4.00PM

WILL BE HELD ON

TUESDAY, 8 APRIL 2014

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

The Council Forum will immediately follow the Special Meeting.



Darren Simmons
Chief Executive Officer

4 April 2014

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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AGENDA FOR SPECIAL COUNCIL MEETING TO BE HELD IN THE OCEAN ROOM AT THE IRWIN RECREATION CENTRE ON TUESDAY, 8 APRIL 2014 AT 4PM.

PRESENT:

Councillors Cr S C Chandler (Shire President)
Cr I F West (Deputy President)
Cr K J Hepworth
Cr D R Kennedy
Cr M Leonard
Cr R J Porteus
Cr B C Scott
Cr M T Smith

Staff Mr D J Simmons - Chief Executive Officer
Mr G M Peddie – Director Corporate and Community
Ms S van Aswegen – Director Planning and Infrastructure
Mr F A Neuweiler – Manager Community Safety
Mrs C M Palmer – Manager Community Services
Mrs H M Sternick – Manager Corporate Services
Mr D Fotheringham – Manager Planning Services
Mr L G Smith – Manager Recreation Services
Ms N Nelson – Manager Tourism and Library Services
Mr A S Wootton – Manager Works
Ms E Greaves – Executive Assistant

APOLOGIES:

Miss L E Tunbridge – Research and Projects Officer

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1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
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9. REPORTS

PLANNING AND INFRASTRUCTURE

PI 01 – 04/14S

Subject: Tender 3/2013-14 Construction of Seawall Tie-in
Reporting Officer: Manager Works
Date of Report: 28 March 2014
File Reference: FM.TE.4
Voting Requirements: Simple Majority

Report Purpose:

To consider awarding the tender for the construction of the Seawall Tie-in at Surf Beach Port Denison.

Officer's Recommendation:

That Council accepts the Tender received by WBHO Civil for the submitted price of \$294,078.45 exclusive of GST, for Tender 3/2013-14 Construction of Seawall Tie-in.

Background:

The three previous sections of the seawall construction project were undertaken by VDM Contracting in 2010. Since completing the initial construction phase of the seawall in 2012, VDM Contracting are now focusing their attention on alternative types of construction and, as a result, the Shire of Irwin are now looking to appoint a suitably qualified company to complete the final phase of the seawall construction.

Council has received six conforming tenders and one alternative tender for the construction of the Seawall Tie-in, which will complete the Seawall works from Grannies beach to Surf Beach.

Officer's Comment:

The Shire's consultants (MP Rogers & Associates) assessed the tenders in accordance with the selection criteria and recommended WBHO be considered as the successful tenderer. WBHO's operator has been active in and around the Geraldton area for 15 years doing similar construction works on most of the groynes and seawalls in the region, more recently works at Drummond Cove.

The Tenders that were received have been well below what the anticipated price of \$10,000 per lineal metre was and all but one was within the funding range that Council had budgeted for.

Company	Tender Type
WBHO Civil	Conforms
Central Earthmoving	Conforms
Central Earthmoving	Alternative
Yarnell Civil	Conforms
Lenane Holdings	Conforms
Insitu Construction	Conforms
Neo Infrastructure	Conforms

NOTE: Since the initial release of the Ordinary Council Meeting Agenda for this Special Meeting, the Shire has received advice from WALGA's Procurement Consultancy Service that it is recommended best practice to remove the "cost" column from the above table and it is therefore no longer included in the public Agenda and Minutes for this Item PI01.

Financial Implications:

This project is to be funded under the Royalties for Regions - Country Local Government Fund (Regional).

Statutory Environment:

Local Government (Functions and General) Regulations 1996

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 2.6.3 Maintain marine based infrastructure

PLANNING AND INFRASTRUCTURE

PI02 – 04/14S

Subject: Commercial Release of Genetically Modified Canola for Herbicide Tolerance
Reporting Officer: Director Planning and Infrastructure
Date of Report: 1 April 2014
File Reference: RM.PL
Voting Requirements: Simple Majority

Report Purpose:

For Council to explore and consider its philosophy on the commercial release of genetically modified canola in order to provide prudent advice to the Department of Health.

Officer's Recommendation:

That Council:

1. Acknowledges the correspondence received from the Department of Health regarding the release of genetically modified canola into the environment.
2. Provides advice to Administration regarding its philosophy on and the position it wishes to take regarding genetically modified food in general.
3. Requests the Department of Health to seriously consider the following two principles when preparing a Risk Assessment and Risk Management Plan associated with Monsanto's Licence Application DIR 127 for the commercial release of genetically modified canola;
 - a) Genetically modified crops are only approved if they are proven to be safe 'beyond reasonable doubt' using evidence from independent, long-term, published and peer reviewed studies - measuring indicators relevant to human health.
 - b) All genetically modified food is clearly labelled, including highly processed products such as oils, starches and sugars from GM crops and meat, milk, cheese and eggs from animals fed GM feed.
4. Requests an official Council Policy statement be drafted on genetically modified food to guide future considerations.

Councillor Recommendation:

That Council accepts the use of GMO material within our shire provided it has passed all state and federal government approval processes.

Attachments:

[Monsanto GMO Email](#)

[Monsanto GMO Summary of Licence](#)

[Monsanto GMO Q&A](#)

Background:

The Department of Health (Department) received a licence application (DIR 127) from Monsanto Australia Ltd (Monsanto) for the commercial release of genetically modified (GM) canola into the environment. The *Gene Technology Act 2000* sets out the process the Department, as the Gene Technology Regulator, must follow in evaluating the application. Following an initial screening of the application, the Department is seeking advice on matters relevant to the preparation of a Risk

Assessment and Risk Management Plan (RARMP) from a broad range of experts, agencies and authorities, including all local government councils in Australia.

The Department realises that local government councils do not usually have in-house specialist scientific advice available to them. The purpose in consulting at this early stage is therefore to make Council aware of the application and to seek comment from people who are familiar with the areas where the proposed release could take place.

Copies of the Summary of Licence Application DIR 127 and relevant Questions and Answers have been attached to this report for Council's consideration.

Officer's Comment:

GM food has been widely accepted in countries such as Argentina, Brazil, Canada, India and China. However, several countries have banned GM food, including Germany, Ireland, Switzerland, Austria, France, Germany, Hungary, Luxembourg, Greece, Bulgaria, Poland, Italy, Mexico, Bhutan and Russia. Significant restrictions on the use of GM organisms exist in other countries such as Australia and the United States of America.

In Australia, GM canola is prevalent in the states of Western Australia, Victoria and New South Wales and to a lesser extent in Tasmania, South Australia and South Queensland.

Crops such as canola, corn and soybeans are favoured for its propensity to be successfully genetically modified and canola, in particular, has become a lucrative investment for organisations such as Monsanto. Monsanto is believed to be the world's largest supplier of genetically modified food seeds.

It is widely accepted that the name "canola" was adopted by the board of the Rapeseed Association of Canada in the 1970s. The "Can" part is derived from the word Canada and "ola" refers to oil. Canola was developed through conventional plant breeding from rapeseed, an oilseed plant used by ancient civilizations as a fuel. The word "rape" in rapeseed comes from the Latin word *rapum* meaning turnip. Typical variants of rapeseed are turnip, cabbage, mustard and Brussels sprouts and many other vegetables related to the two natural canola variants commonly grown, which are cultivars of *Brassica napus* and *Brassica rapa*. The change in name serves to distinguish it from natural rapeseed oil, which has much higher erucic acid content, a non pleasant taste and unappealing green colour neither appreciated by consumers nor livestock, hence the decision to genetically modify it. Since then many different variants of GM organisms, food and seed have been introduced to the market in a quest to find the most herbicide tolerant and profitable strains.

The topic of GM food is a controversial one, with opinions typically either strongly in favour or against. In reality, at this stage, very little about GM food is known and understood by the general public, with arguments for and against mainly occurring between scientists and health activists. The following is a simple reflection of the two different schools of thought:

In favour of GM food

Some scientists believe they are altering and augmenting the genetic makeup of food crops to increase crop yields by making the plants pest resistant, herbicide tolerant, disease resistant, cold, drought, salinity tolerant, etc and to improve the nutrition of the crop and/or to provide pharmaceutical properties via the crop to the end consumer. These crops are producing what is now commonly known as GM food. According to this philosophy, the value of GM food is purely financial in nature.

Against GM food

Those against genetically modified food maintain that avoiding GM food reduces the market and value of GM produce and will slow its introduction into the farming systems and food. According to them, GM food has been shown to reduce biodiversity in the eco-systems in which it is grown and

they have many questions about transgenic material seeping into and affecting the DNA of the surrounding flora and fauna with unknown consequences for the eco-system.

The following two areas of concern have activists questioning and avoiding GM food.

1. Human health risks

Research into the health risks associated with humans consuming GM food is surprisingly thin and has revealed the following health concerns:

- Gene transfer – the single study into the possibility of altered GM food genes transferring to genes of human gut bacteria has shown that they are transferring. The ramifications of the gene transfer from the DNA of our food to ourselves is largely unresearched and prudence alone would suggest that for GM food to be deemed safe the implication of these “gene transfers” will have to be thoroughly studied prior to further commercial release of GM products.
- Allergies – by mixing genes to improve the nutritional value of plants, GM food appears to have increased the likelihood of increased allergies. For example, a year after the release of GM soy in the United Kingdom, it was found soy allergies increased by 10-15 per cent in a single year.
- New diseases – the introduction of a brand of GM amino acid supplements (L-Tryptophan) in the 1980's resulted in a deadly epidemic, Eosinophilia-myalgia syndrome, that according to the Centre for Disease Control killed approximately 100 people, permanently disabled 1,500 and caused between 5,000 and 10,000 to fall ill.

2. Environmental hazards of GM crops

- Manufactured in labs - GM crops leave the labs where they are made, to be grown on farms across the world, thereby making farmers dependent on the seeds supplied by the manufacturer, in this case Monsanto.
- Unintended transfer of transgenes through cross-pollination – plants cross-pollinate each other and GM plants are no different. However, the prospect of, for example, herbicide resistant GM crops cross breeding with weeds to create a herbicide resistant super weed, has many farmers and environmentalists concerned.
- Unknown effects on other organisms (e.g. soil microbes) – plants grown in an ecosystem consisting of many other (often inter-dependent) organisms. The impact on these organisms has largely been overlooked in studies of the environmental impact of GM crops.
- Loss of flora and fauna biodiversity – studies have shown that pollen from pest resistant GM crops are drifting to surrounding plants and decimating insect species living on non-GM plants, such as bees.

In summary

With the increased focus and concern about GM and Genetically Engineered (GE) food, food producers, policy makers and regulators need to decide whether to allow GM or GE crop ingredients into products and brands on markets within their sphere of control. Decisions in this regard will have to be taken after serious and objective consideration of the impacts on communities they represent and on the natural environment they are custodians of.

Those companies that actively avoid GM and GE ingredients will often indicate this on their packaging. Currently there is no certain way for consumers to ensure that their groceries are GM free, as labelling is not required for most products containing GM ingredients. In the absence of clear and robust evidence for or against GM crops, controversy and uncertainty will continue to dominate this field of research.

In light of the above, one possible way forward with this particular request for advice is to request the Department to adopt the following principles during the preparation of the RARMP relevant to Monsanto's Licence Application DIR 127:

- GM crops are only approved if they are proven to be safe 'beyond reasonable doubt' using evidence from independent, long-term, published and peer reviewed studies - measuring indicators relevant to human health.
- All GM foods are clearly labelled, including highly processed products such as oils, starches and sugars from GM crops and meat, milk, cheese and eggs from animals fed GM feed.

Financial Implications:

Nil

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil – a Council Policy is needed to guide future considerations

Strategic Implications:

SCP Outcome 1.1 – Supports exiting industries, facilitates new development and promotes economic growth

SCP Outcome 1.4 – Planned economic growth to maintain a high quality of life for our residents

SCP Outcome 2.2 – Manage and protect the coastal environment and the Irwin River environment

SCP Outcome 2.3 – Conserve and protect our natural and built environment through land-use management, planning and development strategies

SCP Outcome 4.1 – A well informed and engaged community

SCP Outcome 4.3 – A local government that is respected, professional and accountable

SCP Outcome 4.5 – Strong advocates representing the Shire's interests

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 _____.