



AGENDA

FOR THE

ORDINARY MEETING
OF COUNCIL

TO BE HELD ON

TUESDAY, 25 NOVEMBER 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
ORDINARY MEETING OF COUNCIL

COMMENCING AT 4.00PM

WILL BE HELD ON

TUESDAY, 25 NOVEMBER 2014

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



Darren Simmons
Chief Executive Officer

20 November 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 ORDINARY COUNCIL MEETING
TO BE HELD IN THE OCEAN ROOM, IRWIN REC
ON TUESDAY, 25 NOVEMBER 2014
COMMENCING AT 4.00PM**

PRESENT:	Presiding Member	Cr S C Chandler (Shire President)
	Councillors	Cr I F West (Deputy President) – <i>via phone at Shire of Perenjori</i> Cr K J Hepworth Cr D R Kennedy - <i>via phone at City of Fremantle</i> 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 H M Sternick – Manager Corporate Services Mr D Fotheringham – Manager Planning Services Miss L E Tunbridge – Research and Projects Officer Ms E Greaves – Executive Assistant Mr A Hayat – Planning Officer Mrs C L Seymour – Rating and Finance Officer
	Apologies	Nil

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 28 OCTOBER 2014**

A copy of the Minutes of the Ordinary Council Meeting held on 28 October 2014 has been provided to all Councillors under separate cover and a hyperlink is provided below.

COUNCIL MOTION:

MOVED: Cr _____

SECONDED: Cr _____

That the Minutes of the Ordinary Council Meeting, held on 28 October 2014, be confirmed as a true and accurate recording of that meeting.

[Minutes of Ordinary Council Meeting held on 28 October 2014](#)

[Attachment Booklet of Ordinary Council Meeting held on 28 October 2014 – Part 1 \(DCC\)](#)

[Attachment Booklet of Ordinary Council Meeting held on 28 October 2014 – Part 2 \(DPI and CEO\)](#)

[Attachment Booklet of Ordinary Council Meeting – CC03 Annual Report](#)

[Attachment Booklet of Ordinary Council Meeting – PI04 Local Structure Plan](#)

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

9. REPORTS

CORPORATE AND COMMUNITY

CC01 – 11/14

Subject: Accounts for Payment
Reporting Officer: Manager Corporate Services
File Reference: Minute Book
Voting Requirements: Simple Majority

Report Purpose:

To receive the list of accounts paid under delegated authority during October 2014.

Officer's Recommendation:

That the Accounts paid during October 2014, represented by Trust Cheque 3047 totalling \$560.00 Municipal Cheques 30678-30708, EFT 16703-16885 totalling \$759,409.03 Police Licensing PL260914 – PL291014 totalling \$50,735.60, Credit Card Payments \$2,827.92 and Vehicle Lease \$853.51, be received.

Attachment:

[Accounts for Payment – October 2014](#)

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of October 2014.

Officer's Comment:

Nil

Stakeholder Engagement:

Nil

Financial / Resource Implications:

Nil

Statutory Environment:

Local Government (Financial Management) Regulations 1996

13. Payments from Municipal fund or Trust fund by CEO, CEO's duties as to etc.

- (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.

Risk Implications:

This report covers past events therefore the risk implications are low.

Strategic Implications:

Strategic Community Plan 2012-2022

Strategy 4.2.1 Ensure compliance whilst embracing innovation and best practice principles.

CORPORATE AND COMMUNITY

CC02 – 10/14

Subject: Financial Statements for the Period ending 31/10/2014
Reporting Officer: Manager Corporate Services
File Reference: Minute Book
Voting Requirements: Simple Majority

Report Purpose:

To receive the Monthly Financial Statements for the period 1 July 2014 to 31 October 2014.

Officers Recommendation:

That the Monthly Financial Statement for the period 1 July 2014 to 31 October 2014 as outlined in the Attachments Booklet – November 2014 under separate cover, be received.

Attachment:

[Financial Statements for the Month Ending 31 October 2014](#)

Background:

The Monthly Financial Report to the 31 October 2014 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:

The financial position to the end of October 2014 is detailed in the attached report and summarised as follows relative to year to date budget expectations:

Operating Revenue	\$6,039,306	1.8% negative variance
Operating Expenditure	\$2,636,436	3.4% positive variance
Net Operating	\$3,402,870	
Capital Revenue	\$32,712	0.0% nil variance
Capital Expenditure	\$327,200	0.6% negative variance
Cash at Bank – Municipal	\$4,141,557	
Cash at Bank – Reserve	\$3,704,534	
Total Funds Invested	\$7,203,255	
Net Rates Collected	79.78%	

Receivables Outstanding \$161,816

The attached report provides explanatory notes for items greater than 10% or \$5,000. This commentary provides Council with an overall understanding of how the financial position is situated in relation to the adopted budget.

Stakeholder Engagement:

Nil

Financial / Resource Implications:

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month.

Statutory Environment:

Local Government Act 1995 - Section 6.4

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

Risk Implications:

Due to the monthly financial statements reporting past events the risk implications are low.

Strategic Implications:

Strategic Community Plan 2012-2022

Strategy 4.2.1 Ensure compliance whilst embracing innovation and best practice principles

Strategy 4.3.3 Adopt best practice processes to achieve a high standard of governance and accountability.

PLANNING AND INFRASTRUCTURE

PI01 – 11/14

Subject: Irwin River Estuary Management Plan
Reporting Officer: Director Planning and Infrastructure
File Reference: LP.PL.9
Voting Requirements: Simple Majority

Report Purpose:

To present to Council the Irwin River Estuary Management Plan (IREMP) for final adoption.

Officer's Recommendation:

That Council adopts the Irwin River Estuary Management Plan (August 2014), as prepared by Land Insights and provided under separate cover in the Attachments Booklet – November 2014.

Attachment:

[Attachment A - Schedule of Submissions](#)

[Attachment B - Irwin River Estuary Management Plan – August 2014](#)

Background:

At its meeting held on 24 September 2014, Council resolved the following:

COUNCIL DECISION AND OFFICER'S RECOMMENDATION 080914:

MOVED: Cr Hepworth

SECONDED: Cr Kennedy

That Council consents to the Draft Irwin River Estuary Management Plan (August 2014), as prepared by Land Insights and provided under separate cover in the Attachments Booklet – September 2014, being advertised for a period of 21 days to invite public comment, subject to the following change being made to the draft document prior to advertising:

- 1. Amend the Draft Irwin River Estuary Management Plan (August 2014) on the bottom of page 17, to provide for the upgrade of the main pedestrian pathways to enable access all year round and make subsequent changes throughout the document, where necessary, to reflect this change.**

VOTING DETAILS:

CARRIED 7/0

Officer's Comment:

The amended Draft IREMP was publicly advertised for a period of 21 days and the closing date for submissions was 22 October 2014. Three public submissions were received.

In addition the amended draft IREMP was circulated to the following State Government Agencies to invite comments:

- Department of Agriculture and Food (DAFWA)
- Department of Parks and Wildlife (DPAW)
- Department of Planning (DoP)
- Department of Transport (DoT)
- Department of Water (DoW)
- Northern Agricultural Catchment Council (NACC)
- Tourism WA

Comments were received from NACC, DPAW and DoW.

Attachment A to the report summarises all comments received as well as Land Insight's and Shire officers' response to those comments. In general the IREMP has been well received and only minor amendments were required. Amendments to the draft IREMP have been completed and the final IREMP is now ready for adoption.

Stakeholder Engagement:

Stakeholders were consulted as part of the first stage of the project to determine their visions, aspirations, opinions and ideas on the future management of the river.

On 9 April 2014, a working group of the Tidy Towns and Sustainable Committee joined Land Insights and the Director Planning and Infrastructure on a site visit to discuss the preparation of the IREMP and to identify opportunities and constraints of the project area. A cross-functional information gathering workshop with relevant Shire officers took place on 10 April 2014.

Letters were sent to the following specifically identified stakeholders inviting them to provide input into the proposed project:

- New Norcia Benedictine Community
- Yamatji Land and Sea Council
- Northern Agricultural Catchments Council

A community survey was prepared and made available online and in hardcopy form. A notice was placed in the local newspaper, on the Shire's website and both the Shire of Irwin and Land Insight's Facebook pages. The survey closed on 16 June 2014 and a total of 20 responses were received. The results of the survey have been summarised in the IREMP. In general, feedback from the community reflected significant respect for this natural area and a keen desire to keep the river and estuary environment as natural as possible with a need for low key recreational facilities.

Financial/Resource Implications:

As per 2014/15 Budget allocation. Implementation of the specific actions in the IREMP will be considered as part of future budget deliberations.

Statutory Environment:

Local Government Act 1995

Policy Implications:

F2 Purchasing - Requests for Quotations were invited in line with this purchasing policy.

Risk Implications:

The Irwin River and estuary environment is an important icon and fragile natural area with an important function in the Shire and requires careful management. For various reasons a degree of degradation is already occurring. The area is highly valued and well used by the community and without proper management practices in place, there is a likelihood of further environmental degradation occurring with moderate financial, compliance, reputational and environmental consequences. The risk is therefore considered high.

Strategic Implications:

Strategic Community Plan 2012-2022

Strategy 2.2.4 Review and implement an Irwin River Estuary Management Plan, including noxious weed eradication.

PLANNING AND INFRASTRUCTURE

PI02 – 11/14

Subject: Green Infrastructure Strategy
Reporting Officer: Manager Planning Services
File Reference: LP.PL.10
Voting Requirements: Simple Majority

Report Purpose:

To consider publicly advertising the proposed Green Infrastructure Strategy.

Officer's Recommendation:

That Council resolves to publicly advertise the proposed Green Infrastructure Strategy for a period of 21 days.

Attachment:

[Attachment A - Green Infrastructure Strategy Summary](#)

[Attachment B - Background Report & Strategy](#)

Background:

Planning and Infrastructure Services have produced a Green Infrastructure Strategy. The strategy has been produced entirely in-house by Shire Officers with no external assistance from consultants.

The strategy has been developed from a policy review of the Shire's strategic planning documents, which identified the need to improve the quality of natural and built environments; improve the way we manage our green networks; and improve our approach to sustainability. A number of other documents from other local governments, state agencies and other sources were also reviewed.

The basic principles of the proposed strategy were then discussed with Shire Officers and the Sustainable (Tidy Towns) Committee. The result includes the Summary (Attachment A) and the Background Report and Strategy (Attachment B). The background report clearly demonstrates that the strategy is well-aligned with the Shire's Strategic Community Plan.

Officer's Comment:

The strategy will enable the Shire to develop an integrated network of multifunctional green spaces and corridors underpinned by easily maintained, economically and environmentally sustainable engineering solutions. The strategy will also enable the Shire to lead by example and provide a basis for encouraging and guiding the community and our partners (e.g. the Sustainability Committee) to design and implement sustainable projects and initiatives. It operates by providing a strategic context to achieve the following vision:

"The Shire of Irwin is underpinned by a sustainable infrastructure framework that supports a healthy environment and enables our community and economy to grow in sustainable ways".

The strategy will be implemented through the application of two new Council Policies for Street Trees and Verges, a proposed Local Planning Policy for Water Sensitive Urban Design and a range of projects and initiatives. The likely timeline for the projects and initiatives will be over the next 3-5 years, with most of the verge treatment works and public open space works being carried out through the Works Budget. Rationalising of public open spaces and water savings are expected to save operational costs. Over time it may be possible to use these savings to implement future works/community projects.

Future projects and initiatives can lead to further savings by reducing waste, and reducing water and energy consumption and costs for the Shire and residents.

With regard to the proposed Street Tree and Verge policy, Officers considered a request to encourage the planting of Norfolk Island Pines in the following areas: White Tops Drive, the

Foreshore Grannies Beach, Ocean Drive, Northshore. However, this request was not supported as the planting of Norfolk Island Pines all along the coastline would detract from the Shire of Irwin's authenticity and aspirations for improving our branding, character and setting. Norfolk Island Pines are already synonymous with a long list of coastal towns across the country e.g. Jurien Bay, Cervantes, Lancelin, Busselton, Esperance, Ceduna, Streaky Bay, Port Lincoln, Paynesville etc. That said, it would still be possible to plant those trees in appropriate locations if the merit of having them there can be demonstrated.

Stakeholder Engagement:

It is proposed that the strategy be publicly advertised for a period of 21 days.

Financial/Resource Implications:

Advertising costs have been accounted for within Planning Services 2014-15 budget allocation.

Statutory Environment:

Local Planning Scheme No. 5.

Policy Implications:

The strategy proposes two new Council policies. If the policies are adopted, the Council Policy Manual will need to be updated.

Risk Implications:

The likelihood of risk arising from Council advertising the proposed strategy expected to be rare and the consequences would be insignificant. Therefore, the risk is low.

Strategic Implications:

Strategic Community Plan 2012-2022

Strategy 1.1 Supports existing industries, facilitates new development and promotes economic growth.

Strategy 2.4 Our natural assets and open spaces are accessible and amenable.

Strategy 3.1 High quality and well maintained community infrastructure.

Strategy 4.1 A well informed and engaged community.

PLANNING AND INFRASTRUCTURE

PI03 – 10/14

Subject: Proposed Road Closure of a Portion of Piggery Lane
Reporting Officer: Planning Officer
File Reference: RD.RO
Proponent: Wellard Agri Limited
Voting Requirements: Simple Majority

Report Purpose:

To consider Wellard Agri Limited's request to close a portion of Piggery Lane (see Attachment A).

Officer's Recommendation:

That Council resolves to refuse Wellard Agri Limited's request to close a portion of Piggery Lane due to;

- a) **the potential adverse impacts on the heritage and community values associated with the road; and,**
- b) **the Department of Mines and Petroleum non-support of the proposed road closure, which is important for access to petroleum operations.**

Attachment:

[Attachment A – Wellard's Formal Request and Additional Information](#)

[Attachment B – Map of Old North Road including Piggery Lane](#)

[Attachment C – Department of Mines and Petroleum submission](#)

[Attachment D – Letter from AWE](#)

Background:

At its meeting held on 28 October 2014, Council resolved the following:

COUNCIL DECISION 141014:

MOVED: Cr Hepworth

SECONDED: Cr West

That Council lay item PI05 Proposed Road Closure of a Portion of Piggery Lane on the table for a future Council meeting.

VOTING DETAILS:

CARRIED 6/0

After considering the Shire's recommendation to refuse the above road closure at the last Ordinary Meeting of Council held on the 28 of October 2014, Council resolved to lay the item on the table and to consider new information at the Council Forum on 11 November 2014. Wellard's formal road closure request and additional information is included in Attachment A.

Attachment B shows the area of the Old North Road which includes Piggery Lane. The map was generously provided by Dr. Nancy Broad, and is the only map at the Shire's disposal which shows the portion of the Old North Road which applies to Wellard's proposal.

Officer's Comment:

During the advertising period, two objections were received from Shire residents with the first in relation to potential adverse impacts on the heritage and community values of the road, and the second objection in relation to potential adverse impacts on the value of the submitters' property and adverse impacts on the road network.

Submissions by the Irwin District Historical Society and the Shire's Heritage Advisory Committee highlighted the heritage value of Piggery Lane. The Shire's Heritage Advisor did not support the road

closure, due to its inclusion in the Shire's Municipal Inventory of Heritage Places (Place no. 114, Management Category 5), high significance to the region and potential adverse impacts on tourism.

The Department of Mines and Petroleum (DMP) does not support the road closure as the proposal is over a granted petroleum lease, and the road is used for access to the petroleum operations (Attachment C). DMP note that a change of land ownership could mean that access to this road is no longer guaranteed.

A mining company, AWE, have also recently made a submission on the proposed road closure (Attachment D). AWE do not object to the road closure, as long as it does not affect their access rights. If the road closure is approved, AWE request:

- preservation of access rights 24 hours per day, 7 days per week, 365 days per year;
- the gate should be located in a safe place i.e. so staff do not have to cross railway tracks; and
- the road closure does not negatively impact on Department Fire and Emergency Services (DFES), St John's Ambulance and Irwin Bushfire Brigade.

In consideration of submissions by Shire residents, the Shire's Heritage Advisory Committee and Heritage Advisor, DMP and AWE, Shire Officers do not support the proposed road closure due to:

1. the potential adverse impacts on heritage and community values; and
2. DMP's non-support of the application, due to potential access issues.

Stakeholder Engagement:

The Shire met its requirements under S.158 of the *Land Administration Act (LAA)* by advertising the proposal in the Midwest Times for 35 days, and notifying adjoining landowners, public authorities and the Shire's Heritage Advisor.

Financial/Resource Implications:

Allowance for future maintenance requirements may need to be considered in a future budget.

Statutory Environment:

Land Administration Act 1997

Policy Implications:

Nil.

Risk Implications:

As the road reserve is currently maintained by the Shire, the likelihood of risk arising from Council refusing Wellard's request is expected to be rare and the consequences would be insignificant. Therefore the risk is low.

Strategic Implications:

Strategic Community Plan 2012-2022;
Strategy 2.1 Recognise and retain our places of heritage value.
Strategy 2.1.1 Promote and maintain the Municipal Inventory of Heritage Places

PLANNING AND INFRASTRUCTURE

PI04 – 11/14

Subject: Initiation of Proposed Scheme Amendment 17
Reporting Officer: Manager Planning Services
File Reference: LP.PL.2.17
Voting Requirements: Simple Majority

Report Purpose:

To consider a proposal to amend the Shire of Irwin Local Planning Scheme No 5, by rezoning Lots 15, 16 and 17 Francisco Road, Bonniefield from “General Farming” to “Development”.

Officer’s Recommendation:

That Council, in pursuance of Section 75 of the Planning and Development Act 2005, resolves to initiate proposed Scheme Amendment 17 to rezone Lots 15, 16 and 17 Francisco Road, Bonniefield from “General Farming” to “Development” by:

- 1. forwarding the proposed amendment, as presented in the Attachment Booklet – November 2014, to the Western Australian Planning Commission; and**
- 2. subject to the Western Australian Planning Commission’s response, publicly advertising and referring the modified planning scheme and the summary of proposed modifications and reasons to the relevant service authorities for a period of 42 days.**

Attachment:

[Proposed Planning Scheme No 5 Amendment 17](#)

Background:

In August 2012, Council agreed to support Planning Scheme Amendment 10 to rezone the subject land and land to the east (Lots 4, 5 and 10 Brand Highway) to Rural Residential. Following advice from the Western Australian Planning Commission (WAPC) that the land would be better used for residential purposes (rather than rural residential purposes), Council later determined not to proceed with Amendment 10.

In August 2013, Amendment 15 was gazetted to rezone Lots 4, 5 and 10 to the Development zone. Council supported this amendment, to allow for a logical extension of the existing Racecourse Estate, which is currently at capacity, while allowing for the land to be integrated into a future urban development of Lots 15, 16 and 17 Francisco Road for higher density residential development, once demand arises and servicing constraints are resolved. Council recently adopted a local structure plan for Lots 4, 5 and 10, which may result in the creation of 80-85 new R2.5 lots.

The current rezoning application is effectively following a similar process to Amendment 15. The purpose of the Development zone is:

- a. to identify areas requiring comprehensive planning prior to subdivision and development; and
- b. to coordinate subdivision, land use and development in areas requiring comprehensive planning.

Prior to development, the Development zone requires approval of a local structure plan, which would then guide future subdivision. The applicant’s amendment report demonstrates an indicative local structure plan for the area. This indicative plan is not under consideration and would not form part of an approved Development zone.

Officer’s Comment:

The proposed Development zone would allow for consideration of ‘future residential’ land, which is inconsistent with the current Local Planning Strategy (2007). However, it is consistent with the Shire’s adopted District Structure Plan (DSP) 2014, which identifies the land for ‘future residential’. It is also consistent with the Draft Local Planning Strategy (LPS), which has been informed by the DSP.

The applicant's amendment report indicates that the intention is to stage land release in accordance with demand. The DSP and Draft LPS also recommend staging the release of residential land. If the subject land is rezoned to the Development zone, it will be consistent with this recommendation, as no development could happen without the approval of a local structure plan. This means that the staging of residential land release for this site can be controlled through the local structure planning process, rather than the rezoning process i.e. the Development zone can remain undeveloped until such time that it is determined land release is appropriate.

Stakeholder Engagement:

It is proposed to publicly advertise the amendment and refer it to the relevant service authorities for a period of 42 days.

Financial/Resource Implications:

Advertising costs have been accounted for within Planning Services 2014-15 budget allocation.

Statutory Environment:

Planning and Development Act 2005.

Policy Implications:

Nil.

Risk Implications:

The likelihood of risk arising from Council determining to initiate the amendment is expected to be rare and the consequences would be insignificant. Therefore the risk is low.

Strategic Implications:

Strategic Community Plan 2012-2022

Strategy 1.1.1 – Implement an efficient and effective approvals process.

PLANNING AND INFRASTRUCTURE

PI05 – 10/14

Subject: Memorandum of Understanding for the Memorial Park.
Reporting Officer: Planning Officer
File Reference: A7223
Proponent: Dongara Sub Branch Returned and Services League (RSL)
Voting Requirements: Simple Majority

Report Purpose:

To approve a Memorandum of Understanding (MOU) between the Shire of Irwin and the Dongara Sub Branch RSL for the use and management of the Memorial Park.

Officer's Recommendation:

That Council resolves to approve the Memorandum of Understanding between the Shire of Irwin and the Dongara Sub Branch Returned and Services League (RSL) for the use and management of the premises known as the Memorial Park, located at 40 Moreton Terrace, Dongara.

Attachment:

[Attachment A – Location Plan](#)

[Attachment B – Memorandum of Understanding \(MOU\)](#)

Background:

The memorial park is a Shire owned local reserve located at 40 Moreton Terrace, Dongara (see Attachment A). The Shire maintains the park, with the RSL maintaining the Memorial (Catafalque) and the dedications on the eastern boundary limestone wall. This is a relatively small site that is likely to remain a public park for the foreseeable future.

At the Council Forum on 11 November 2014 officers received a request to modify the MOU to ensure that the RSL seek Shire approval before adding dedications to the limestone wall.

Officer's Comment:

Officers consider the RSL as an appropriate body for determining dedications and requiring Shire approval may be perceived as adding unnecessary bureaucracy.

The proposed MOU outlines the responsibilities of both parties with regards to maintenance and management of the premises. The MOU will also remove the need for the RSL to notify the Shire whenever they propose additions to the memorial or the limestone wall (see Attachment 2). For these reasons, Shire Officers support the proposed MOU.

Stakeholder Engagement:

The Manager Community Safety and Planning Officer have been in discussions with the RSL in regards to the MOU. The maintenance and utilities arrangements were agreed between both parties, and the term of 15 years with the option of a further 15 years was suggested by Council on the Forum held 11 November 2014.

Financial/Resource Implications:

Nil.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil.

Risk Implications:

As the reserve is currently maintained by the Shire, the likelihood of risk arising from Council approving the MOU is expected to be rare and the consequences would be insignificant. Therefore the risk is low.

Strategic Implications:

Strategic Community Plan 2012-2022;
Strategy 2.1 - Recognise and retain our places of heritage value
Strategy 2.3.2 - Continue to maintain Shire reserves

PLANNING AND INFRASTRUCTURE

PI 06 – 11/14

Subject: Transfer Station Fees for the Disposal of Tyres
Reporting Officer: Manager Community Safety
File Reference: WM.SP.1
Voting Requirements: Absolute Majority

Report Purpose:

To set fees for the disposal of tyres for the 2014/15 financial year.

Officer's Recommendation:

That Council;

- 1) adopts the following Fees and Charges for the disposal of tyres at the Transfer Station:

Tyre Type	Unit Rate	Charge \$; incl. GST
Motor Car	Per tyre	5.50
4 Wheel Drive	Per tyre	7.00
Truck	Per tyre	15.00
Super Single	Per tyre	25.00
Tractor small; up to 1m high	Per tyre	37.00
Tractor large; over 1m – 2m high	Per tyre	94.00

- 2) gives public notice of its intention of setting the above Fees and Charges in accordance with Section 6.19 of the Local Government Act 1995.

Background:

Tyres are generally a problematic waste as they facilitate mosquito breeding, they are flammable and they take up a lot of space in a landfill due to their shape. In the past they have been buried on site at the Dongara Refuse site in accordance with the licensing requirements set by the Department of Environmental Regulation.

Recently a couple of tyre recyclers were approached for a quote for the removal of used tyres from the refuse site to reduce volume being taken up by this waste and to implement a better waste management practice. 'Tyrecycle' submitted the most competitive price list and officers opened an account with this service provider. Tyres will now be removed by the contractor on a needs basis and processed off site.

Stakeholder Engagement:

The owners of the local 'Tyre Power' business were consulted and they subsequently agreed to open an account of their own with the recycling provider to reduce the amount of used tyres being deposited at the transfer station.

Officer's Comment:

Due to the uncertainty of the costs associated with the recycling of tyres this item was left off the Schedule of Fees and Charges submitted at the Special Council meeting held on the 12 August 2014.

Financial Implications:

Proposed fees:

Tyre Type	Unit Rate	Charge \$; incl. GST
Motor Car	Per tyre	5.50
4 Wheel Drive	Per tyre	7.00

Truck	Per tyre	15.00
Super Single	Per tyre	25.00
Tractor small; up to 1m high	Per tyre	37.00
Tractor large; over 1m – 2m high	Per tyre	94.00

Statutory Environment:

Local Government Act 1995, Sections:

6.16 Imposition of Fees and Charges

6.17 Setting Level of Fees and Charges

6.19 Local Government to give notice of Fees and Charges-

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

(a) its intention to do so; and

(b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications:

N/A

Risk Implications:

There is a medium risk that tyres will be dumped in nature reserves if the Shire of Irwin will not accept used tyres at the transfer station.

Strategic Implications:

Strategic Community Plan 2012-2022

Strategy 2.3.8 - Investigate regional recycling opportunities.

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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