

I certify that this copy of the Minutes is a true and correct record of the meeting held on 25 November 2008  
*Signed:* .....  
Presiding Elected Member  
  
Date:.....



**MINUTES FOR ORDINARY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS ON  
TUESDAY, 25 NOVEMBER 2008  
COMMENCING AT 4.00PM**

**THERE ARE NO ATTACHMENTS TO THIS COPY OF THE COUNCIL MINUTES. TO VIEW THE ATTACHMENTS, PLEASE CONTACT THE SHIRE OFFICE ON [cdadmin@irwin.wa.gov.au](mailto:cdadmin@irwin.wa.gov.au)**

<b>PRESENT:</b>	President	Cr R K Parsons (Chairperson)
	Councillors	Cr S C Chandler (Deputy Shire President) Cr G C Bass Cr G L Dean-Gundill Cr R J Gillam Cr K J Hepworth Cr R T McClurg Cr L W Wheeler
	Staff	Mr B E Jones – Chief Executive Officer Mr G M Peddie – Director, Corporate Services (Minute Taker) Mr F A Neuweiler – Manager, Community Development Mr G F Coaker – Town Planner
<b>GUESTS:</b>		Mrs D Thurn (4.00pm – 4.45pm)
<b>APOLOGIES:</b>		-
<b>LEAVE OF ABSENCE:</b>		Cr R W Roberts

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

The Shire President declared the meeting open at 4.00pm and welcomed all those in attendance to the proceedings.

**2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

Cr R W Roberts – Leave of Absence.

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. PUBLIC QUESTION TIME**

**4.1 Mrs Diane Thurn – Westfire**

Mrs Thurn advised that Westfire had written to the Department of Consumer Protection and Employment, expressing their concern at a gas installation in Dongara.

Mrs Thurn also asked a number of questions regarding the 2008/09 Budget.

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6. PETITIONS**

Nil

**7. CONFIRMATION OF MINUTES**

**7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 NOVEMBER 2008**

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A copy of the Minutes of the Ordinary Council Meeting held on 11 November 2008 has been provided to all Councillors under separate cover.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Bass**

***That the Minutes of the Ordinary Council Meeting, held on 11 November 2008, be confirmed as a true and accurate recording of that meeting.***

**VOTING DETAILS:**

**CARRIED  
8/0**

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

**8.1 HMAS Sydney**

Attended a service in Geraldton for HMAS Sydney on Wednesday 19<sup>th</sup> November 2008.

**8.2 Northern Zone – Meeting**

Attended the WALGANCZ Meeting in Mingenew with the Chief Executive Officer on Tuesday 25<sup>th</sup> November 2008.

**8.3 Passing of Cr Gregorini**

Council were respectfully informed of the passing of Cr Charlie Gregorini, Mayor of the City of Swan, on 20 November 2008.

## 9. REPORTS

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### CEO.388

**Subject:** Review of Wards and Representation  
**Reporting Officer:** Chief Executive Officer  
**File Reference:** AC.3  
**Date Prepared:** 10 November 2008  
**Voting Requirements:** Simple Majority

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#### **Issue:**

To endorse the discussion paper for the Shire's review of wards and representation.

#### **Body / Background:**

At the ordinary Council meeting held on Tuesday 28 October 2008 Council passed the following resolution:

##### *That Council:*

- *Undertake a review of its ward and representational system*
- *Request the CEO to prepare a discussion paper to outline the various options and explain the five factors against which the options will be assessed. The discussion paper to be endorsed by Council prior to giving public notice*
- *Agree that the discussion paper should canvass the option of a no ward system and reducing the number of Councillors, and*
- *Forward correspondence to the LGAB apologising for not responding to their correspondence of December 2007 and advising of the current situation*

#### **Officer's Comment:**

A copy of a discussion paper has been prepared and is attached for Council consideration.

#### **Financial Implications:**

Nil

#### **Statutory Environment:**

Review required in accordance with the local government act provisions.

#### **Policy Implications:**

Nil

#### **Officer's Recommendation:**

That Council endorse the discussion paper on the review of wards and representation for the Shire of Irwin, as presented.

**COUNCIL MOTION:**

**Moved Cr Bass, seconded Cr Chandler**

***That Council endorse the discussion paper on the review of wards and representation for the Shire of Irwin, as presented, with the addition of Option 3, which states:***

***“Maintain the current ward system, with 9 Councillors. Adjust the ward boundaries to retain similar ratios of electors to Councillors.”***

**VOTING DETAILS:**

**CARRIED  
8/0**

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**CEO.389**

**Subject:** 22 Waldeck Street Residence  
**Reporting Officer:** Chief Executive Officer  
**File Reference:** AM.7  
**Date Prepared:** 12 November 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To consider options for the disposal of 22 Waldeck Street Dongara.

**Body / Background:**

22 Waldeck Street was offered for sale by public tender. At the close of tenders on Thursday 6 November 2008 no tenders had been received.

**Officer's Comment:**

The sale by tender of 22 Waldeck Street was advertised extensively, including advertising in the Geraldton Guardian, North West Times and two feature advertisements in the Real Estate section of the West Australian. This advertising generated little interest.

Council now needs to consider our options regarding disposal of this property:

Should we list it for sale with all local real estate agents, notwithstanding the current market? What do we do with the property while waiting for it to sell?

Should we lease the property and attempt to sell at a later date?

**Financial Implications:**

Council has included sale proceeds of \$500,000 for the sale of 22 Waldeck Street in the 2008/09 Budget. If Council does not sell the house we will need to source this money from other avenues to retain a balanced budget.

**Statutory Environment:**

Section 3.58 of the local government act and regulation 30(2a) of the local government (functions and general) regulations deal with the disposition of property:

*3.58. Disposing of property*

- (1) In this section —  
*dispose* includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
*property* includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
  - (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned;
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include-
- (a) the names of all other parties concerned;
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

*Local Government (Functions and General) Regulations*

*30. Dispositions of property to which section 3.58 of Act does not apply*

- (2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —
- (a) put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government;
  - (b) the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable;

**Policy Implications:**

Nil

**Officer's Recommendation:**

That Council:

- List 22 Waldeck Street for sale with all local Real Estate Agents,
- OR
- Advertise the availability of 22 Waldeck Street for lease for a period of \_\_\_\_years at a weekly rental of \$\_\_\_\_\_

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**COUNCIL MOTION:**

**Moved Cr Hepworth, seconded Cr Dean-Gundill**

***That Council list 22 Waldeck Street for sale with all local Real Estate Agents at a minimum of \$525,000 for an initial period of three (3) months.***

**VOTING DETAILS:**

**CARRIED  
8/0**

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**CEO.390**

**Subject:** Plan for Future and Corporate Plan  
**Reporting Officer:** Chief Executive Officer  
**File Reference:** AA.3.3  
**Date Prepared:** 14 November 2008  
**Voting Requirements:** Absolute Majority

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**Issue:**

To consider adopting the draft Plan for the Future and Corporate Plan, as presented.

**Body / Background:**

A draft Plan for the Future 2009 – 2020 and a draft Corporate Plan 2008 – 2012 has been prepared for Council consideration.

**Officer's Comment:**

The draft Plan for the Future was previously provided to Councillors and the draft Corporate Plan is included with the attachments.

The Plan for the Future is a statutory requirement (see statutory environment below) and the Corporate Plan is an internal management plan.

**Financial Implications:**

The Plan for the Future and Corporate Plan were both produced in-house by Council staff and therefore there are no additional costs beyond normal operations.

**Statutory Environment:**

The relevant section of the local government act is:

*5.56. Planning for the future*

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

The relevant clauses of the local government (administration) regulations are:

*19C. Planning for the future — s. 5.56*

- (1) In this regulation and regulation 19D —  
*plan for the future* means a plan made under section 5.56.
- (2) A local government is to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).
- (3) A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan.
- (4) A local government is to review its current plan for the future of its district every 2 years and may modify the plan, including extending the period of the plan.
- (5) A council is to consider a plan, or modifications, submitted to it and is to determine whether or not to adopt the plan, or the modifications, as is relevant.
- (6) If a plan, or modified plan, is adopted by the council then the plan or modified plan is to apply to the district for the period of time specified in the plan.

- (7) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future of the district, and when preparing any modifications of a plan.
- (8) A plan for the future of a district is to contain a description of the involvement by the electors and ratepayers in the development of the plan, and any modifications of the plan.
- (9) A local government is to ensure that a plan for the future made in accordance with this regulation applies in respect of each financial year after the financial year ending 30 June 2006.

*19D. Notice of plan to be given*

- (1) After a plan for the future, or modifications to a plan, are adopted under regulation 19C the local government is to give local public notice in accordance with subsection (2).
- (2) The local public notice is to contain —
  - (a) notification that —
    - (i) a plan for the future of the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
    - (ii) details of where and when the plan may be inspected; or
  - (b) where a plan for the future of the district has been modified —
    - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for a the period specified in the plan; and
    - (ii) details of where and when the modified plan may be inspected.

**Policy Implications:**

Nil

**Officer's Recommendation:**

That Council:

- 1. Adopt the Corporate Plan 2008 – 2012, as presented.
- 2. Adopt the draft Plan for the Future, as previously circulated, for the purpose of seeking public comment. A copy of the draft Plan for the Future to be made available to the public with submissions received being presented to Council for consideration.

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**COUNCIL MOTION:**

**Moved Cr Dean-Gundill, seconded Cr Wheeler**

***That Council:***

- 1. Adopt the Corporate Plan 2008 – 2012, as presented.***
- 2. Adopt the draft Plan for the Future, as previously circulated, for the purpose of seeking public comment. A copy of the draft Plan for the Future to be made available to the public with submissions received being presented to Council for consideration.***

**VOTING DETAILS:**

**CARRIED  
8/0**

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**CEO.391**

**Subject:** Public Open Space Contributions  
**Reporting Officer:** Chief Executive Officer  
**File Reference:** RS.2 / BC.1/7  
**Date Prepared:** 18 November 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To consider the utilisation of public open space contributions held in Trust.

**Body / Background:**

At 30 June 2008 the Shire of Irwin held \$194,930 in public open space contributions.

Section 154 of the Planning and Development Act deals with the use of money received in lieu of open space (see statutory environment below).

**Officer's Comment:**

It is recommended that Council apply to the Minister to allocate the public open space monies held in Trust towards the costs of construction of the Indoor Recreation Centre in accordance with section 154(2)(c).

The reasons for this recommendation are:

- The new Indoor Recreation Centre will service all residents within the Shire as well as residents from neighbouring Shires, not just those people living in close proximity.
- The new Indoor Recreation Centre adds to the quality of life of all Irwin residents and enhances the value of all properties within the Shire.
- There is little point in trying to provide parks and recreation grounds in rural residential and rural small holdings subdivisions. A far better outcome is achieved by having high quality centralised recreation facilities that everyone can access.

**Financial Implications:**

Allocates monies from the Trust Fund to the Municipal Fund to utilise on the new Indoor Recreation Centre.

**Statutory Environment:**

Section 154 of the Planning and Development Act states:

*154. How money received in lieu of open space is to be dealt with*

- (1) All money received by a local government under section 153 is to be paid into a separate account of the trust fund of the local government established under section 6.9 of the *Local Government Act 1995*.
- (2) The money is to be applied —
  - (a) for the purchase of land by the local government for parks, recreation grounds or open spaces generally, in the locality in which the land included in the plan of subdivision referred to in section 153 is situated;
  - (b) in repaying any loans raised by the local government for the purchase of any such land;
  - (c) with the approval of the Minister, for the improvement or development as parks, recreation grounds or open spaces generally of any land in that locality vested in or administered by the local government for any of those purposes; or

- (d) with the approval of the Commission, in reimbursing an owner (the “first owner”) of land included in a joint subdivision agreement for land that has been set aside and vested for parks, recreation grounds or open space where —
  - (i) the first owner set aside a greater proportion of land than another owner (the “second owner”); and
  - (ii) as a consequence, the local government and the Commission approved of the second owner paying to the local government a sum in lieu of land being set aside for that purpose and that sum, or the relevant proportion of that sum, being reimbursed to the first owner for the excess proportion of land set aside by the first owner.
- (3) If interest is earned from the investment of moneys held under subsection (1), that money is to be applied for a purpose set out in subsection (2).

**Policy Implications:**

Nil

**Officer’s Recommendation:**

That Council request the approval of the Minister to utilise all funds held in Trust as Public Open Space Contributions towards the construction of the new Indoor Recreation Centre, in accordance with section 154(2)(c) of the Planning and Development Act.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr McClurg**

***That Council request the approval of the Minister to utilise all funds held in Trust as Public Open Space Contributions towards the construction of the new Indoor Recreation Centre, in accordance with section 154(2)(c) of the Planning and Development Act.***

**VOTING DETAILS:**

**CARRIED  
8/0**

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**CEO.392**

**Subject:** Prohibited Burning Times  
**Reporting Officer:** Chief Executive Officer  
**File Reference:** AF.3/2  
**Date Prepared:** 17 November 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To consider changing the prohibited burning times for the Shire of Irwin.

**Body / Background:**

The power to declare prohibited burning times has been delegated by the Minister to the CEO of FESA. Standardised prohibited burning time dates have been established for different zones of the State and local governments and FESA are empowered to change the dates for any particular year if seasonal conditions warrant.

If a local government wants to permanently amend its prohibited burning times the procedure is as follows:

- Council passes a resolution and then forwards correspondence to the FESA Regional Director, requesting the change.
- If the FESA Regional Director decides not to endorse the request he must advise the local government stating the reasons for the decision. If he supports the request he must forward a copy of his recommendation to the FESA CEO.
- If the CEO agrees with the recommendation she will advise the local government and arrange for the new times to be published in the government gazette.

**Officer's Comment:**

The current prohibited burning times for the Shire of Irwin are from 1 November to 31 January each year. Notwithstanding this the Shire has advertised the prohibited burning times as from 1 December to 31 January each year in our annual Fire break Notice in recent years.

At the Annual General Meeting of the Irwin Bushfire Brigades held on Wednesday 1 October 2008 the following resolution was passed:

*That the meeting generally agree that the preferred burning times for the Shire should be from 1 December to 28 February. The Shire to undertake further consultation and make a recommendation to Council accordingly.*

Information on this matter was included in the Shire News and no feedback has been received from the community.

**Financial Implications:**

Nil

**Statutory Environment:**

Section 17 of the Bushfires Act 1954 deals with prohibited burning times as shown below:

*17. Prohibited burning times may be declared by Minister*

- (1) The Minister may, by declaration published in the *Gazette*, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the declaration and may, by subsequent declaration so published, vary that declaration or revoke that declaration either absolutely or for the purpose of substituting another declaration for the declaration so revoked.
- (2) Where by declaration made under subsection (1) prohibited burning times have been declared in respect of a zone of the State then, subject to such variations (if any) as are made under that subsection from time to time, those prohibited burning times shall have effect in respect of that zone in each year until that declaration is revoked.
- (3) A copy of the *Gazette* containing a declaration published under subsection (1) shall be received in all courts as evidence of the matters set out in the declaration.
- (4) Where the Authority considers that burning should be carried out on any land, the Authority may suspend the operation of a declaration made under subsection (1), so far as the declaration extends to that land, for such period as it thinks fit and specifies and subject to such conditions as may be prescribed or as it thinks fit and specifies.
- (5) The Authority may authorise a person appointed by it to regulate, permit or define the class of burning that may be carried out, and the times when and conditions under which a fire may be lit, on the land referred to in subsection (4) during the period of suspension granted under that subsection.
- (6) In any year in which the Authority considers that seasonal conditions warrant a variation of the prohibited burning times in a zone of the State the Authority may, by notice published in the *Gazette*, vary the prohibited burning times in respect of that year in the zone or a part of the zone by —
  - (a) shortening, extending, suspending or reimposing a period of prohibited burning times; or
  - (b) imposing a further period of prohibited burning times.
- (7)
  - (a) Subject to paragraph (b), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district the local government may, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by —
    - (i) shortening, extending, suspending or reimposing a period of prohibited burning times; or
    - (ii) imposing a further period of prohibited burning times.
  - (b) A variation of prohibited burning times shall not be made under this subsection if that variation would have the effect of shortening or suspending those prohibited burning times by, or for, more than 14 successive days.

**Policy Implications:**

Nil

**Officer's Recommendation:**

That Council apply to FESA to change the prohibited burning times for the Shire of Irwin from the 1 November – 31 January to the 1 December – 28 February.

**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Dean-Gundill**

*That Council apply to FESA to change the prohibited burning times for the Shire of Irwin from the 1 November – 31 January to the 1 December – 28 February.*

**VOTING DETAILS:**

**CARRIED  
8/0**

**DCS.312**

**Subject:** Construction of Pedestrian Bridge  
**Reporting Officer:** Director Corporate Services  
**File Reference:** ET.3  
**Date Prepared:** 17 November 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To consider the future of the construction of the pedestrian bridge.

**Body / Background:**

The 2008/09 budget includes provision for the construction of a pedestrian bridge over the Irwin River for a total cost of \$530,000. It is to be funded as follows:

- |   |           |
|---|-----------|
| • Grant – Mid west Development Commission               | \$ 50,000 |
| • Grant – Mid West Gascoyne Area Consultative Committee | \$145,000 |
| • Grant – Regional Infrastructure Funding Programme     | \$155,000 |
| • Contribution – LWP Property Group                     | \$ 50,000 |
| • Municipal Funds                                       | \$130,000 |

Mr Sam Nejad from Structere Consulting Chartered Engineers who has previously provided advice in regards to the concept design has forwarded a fee proposal for the structural design and drawings of \$39,000 ex GST. This fee includes liaison with Council officers in relation to solving construction problems during the project, however, does not include the following:

- Temporary works design or drawings
- Shop or fabrication drawings
- Surveying
- Project supervision
- Geotechnical investigation

**Officer's Comment:**

The project cost estimate was produced by Council's Special Projects Officer at the time using the unit costs applicable as at February 2007. Since that time costs have escalated for the materials to be used and contractors required. The current day price of construction is therefore unknown, however it is likely to be substantially more than the estimated cost of nearly two years ago.

To obtain a market cost to undertake the project Council would need to seek tenders from companies qualified and willing to undertake the project. To facilitate the advertising of tenders a structural design and working drawings need to be prepared at a cost of approximately \$40,000. Council consideration is sought, therefore, as to whether to accept Structere's fee to prepare the drawings and test the market by advertising for tenders. In the event that the tender prices received are not accepted by Council it may be considered that the fee paid for the drawings was a wasted opportunity to use the funds for another purpose.

**Financial Implications:**

A summary of the financial costs and funding sources is noted above. If Council resolves not to proceed with the project municipal funds of \$130,000 will be surplus to the budget and may be reallocated to other projects.

**Statutory Environment:**

Nil.

**Policy Implications:**

Nil

**Officers Recommendation:**

That Council resolve not to proceed with the construction of a pedestrian bridge over the Irwin River, as per provisions in the 2008/09 budget.

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**COUNCIL MOTION:**

**Moved Cr Gillam, seconded Cr Dean-Gundill**

***That Council resolve not to proceed with the construction of a pedestrian bridge over the Irwin River, as per provisions in the 2008/09 budget.***

**VOTING DETAILS:**

**CARRIED  
8/0**

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**DCS.313**

**Subject:** Appointment of Fire Weather Officer  
**Reporting Officer:** Director Corporate Services  
**File Reference:** AF.3  
**Date Prepared:** 6 November 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To appoint Mr Steve Brindal as a Fire Weather Officer for the Irwin North Brigade area.

**Body / Background:**

The Chief Fire Control Officer, Mr Peter Summers, has advised that he has received the resignation of Mr Piers Blake as Fire Weather Officer for the 2008/09 fire season. Following an approach from Mr Summers, Mr Steve Brindal has expressed his interest in undertaking the role.

**Officer's Comment:**

**Financial Implications:**

**Statutory Environment:**

Section 38 (6) of the Bush Fires Act provides the following

- (c) An approved local government may appoint to the office of fire weather officer such number of senior bush fire control officers as it thinks necessary.
  - (ca) Where more than one fire weather officer is appointed by a local government the local government shall define a part of its district in which each fire weather officer shall have the exclusive right to exercise the power conferred by paragraph (h).
  - (cb) An approved local government may appoint one or more persons, as it thinks necessary, to be the deputy or deputies, as the case may be, of a fire weather officer appointed by the local government and where 2 or more deputies are so appointed they shall have seniority in the order determined by the local government.
  - (cc) Where the office of a fire weather officer is vacant or whilst the occupant is absent or unable to act in the discharge of the duties of the office, any deputy appointed in respect of that office under paragraph (cb) is, subject to paragraph (cd), entitled to act in the discharge of the duties of that office.
  - (d) The local government shall give notice of an appointment made under paragraph (c) or (cb) to the Authority and cause notice of the appointment to be published at least once in a newspaper circulating in its district and the Authority shall cause notice of the appointment to be published once in the *Government Gazette*.

- (h) A fire weather officer of an approved local government, or a deputy of that fire weather officer while acting in the place of that officer, may authorise a person who has received a permit under section 18(6)(a), to burn the bush in the district of the local government notwithstanding that for any day, or any period of a day, specified in the notice the fire danger forecast issued by the Bureau of Meteorology in Perth, in respect to the locality where the bush proposed to be burnt is situated, is “extreme” or “very high”, and upon the authority being given the person, if he has otherwise complied with the conditions prescribed for the purposes of section 18, may burn the bush.

**Policy Implications:**

Nil

**Officer’s Recommendation:**

That Mr Steve Brindal be appointed as the Fire Weather Officer for the Irwin North brigade area in accordance with Section 38(6)(cb) of the Bush Fire act.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Gillam**

***That Mr Steve Brindal be appointed as the Fire Weather Officer for the Irwin North brigade area in accordance with Section 38(6)(cb) of the Bush Fire act.***

**VOTING DETAILS:**

**CARRIED  
8/0**

**DCS.314**

**Subject:** Irwin Recreation Centre  
**Reporting Officer:** Director Corporate Services  
**File Reference:** RS.2  
**Date Prepared:** 18 November 2008  
**Voting Requirements:** Absolute Majority

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**Issue:**

To consider funding for the construction of the car parking, installation of landscaping and provision of furniture and equipment at the completion of construction of the Recreation Centre.

**Body / Background:**

The extension and upgrade of the Irwin Recreation Centre will be completed by In-Situ Construction and Maintenance on or about the contract completion date of 12 December 2008. There are some minor variations to the contract sum accepted at tender with some savings as well as additional items.

Provision has been made in the budget for the remainder of the contract and transfer of retention monies, architects and engineering fees, variations known at the time, upgrading of existing toilets and change rooms, Shire staff works, playground equipment, furniture and provision for headworks.

As the project has progressed and Council's Sport and Recreation Facilities Committee has met to consider the operations of the Centre a number of other items have been identified to ensure that the Centre operates at its optimum efficiency. These items include:

- Construction of additional parking, including lighting
- Equipping the function centre with furniture and curtains
- Provision of crockery, cutlery, glassware and tableware in the function centre as well as cooking equipment for the kitchen
- Computer point of sale for the entry, gymnasium, office and kiosk
- Cleaning equipment
- Gymnasium equipment

**Officer's Comment:**

The 2008/09 budget makes provision for expenditure at the Recreation Centre for the year of \$4,339,500. With the additional requirements described above the new estimated expenditure required will be approximately \$4,902,500, leaving a requirement of \$563,000 to be funded. It is suggested that this amount can be funded as follows and is subject to discussion in relation to other reports:

- Public Open Space contributions  
(Subject to Council and ministerial approval) \$194,000
- Reallocation of bridge funding  
(Subject to Council approval) \$130,000
- Shire Building Reserve \$239,000

The additional items being requested are necessary for the Centre to operate in accordance with the design being constructed. It is important that each area be sufficiently furnished and equipped to ensure that it can be used for the purpose provided. The completion of the car park, landscaping and external signage is essential to provide a functional and welcome entry to the Centre.

The Committee has resolved that the gymnasium be operated by Council staff rather than leased to an external operator and therefore the gym equipment should be purchased or leased by Council. Similarly for the Function Centre to operate effectively it is necessary to purchase sufficient furniture, fittings and equipment to be able to rent out the facility for weddings, conferences, functions etc. Contact is being made with breweries in regards to the supply of bar equipment.

A number of the amounts are estimates and subject to confirmation.

**Financial Implications:**

As noted above in the Officer's comments.

**Statutory Environment:**

The Local Government Act provides as follows:

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* *Absolute majority required.*

- (1a) In subsection (1) —  
**additional purpose** means a purpose for which no expenditure estimate is included in the local government's annual budget.

**Policy Implications:**

Nil

**Officer's Recommendation:**

That an additional allocation of \$563,000 be made to the Recreation Centre Upgrade budget in 2008/09 to be funded as follows:

- Public Open Space contributions  
(Subject to Council and ministerial approval) \$194,000
- Reallocation of bridge funding  
(Subject to Council approval) \$130,000
- Shire Building Reserve \$239,000



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**F.350**

**Subject:** Financial Statements for the Period ending 31/10/2008  
**Reporting Officer:** Accountant/Senior Administration Officer  
**File Reference:** Minute Book  
**Date Prepared:** 12 November 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To consider and receive the Monthly Financial Statements for the period 1 July 2008 to 31 October 2008.

**Body / Background:**

The Monthly Financial Report to the 31 October 2008 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Rate Setting Statement
- Income Statement by Program
- Income Statement by Nature & Type
- Balance Sheet
- Statement of Changes in Equity
- Cash Flow Statement
- Disposal of Assets
- Information on Borrowings
- Reserve Funds
- Net Current Assets
- Rating Information
- Trust Fund Summary
- Statement of Bank Reconciliations
- Capital Works Program
- Restricted Assets Statement
- Schedules 3 – 14 Budget vs Actuals Comparison
- APU Operating Statement

**Officer's 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.

**Officer's Recommendation:**

That the Monthly Financial Statement for the period 1 July 2008 to 31 October 2008 be received.

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**COUNCIL MOTION:**

**Moved Cr Dean-Gundill, seconded Cr Wheeler**

***That the Monthly Financial Statement for the period 1 July 2008 to 31 October 2008 be received.***

**VOTING DETAILS:**

**CARRIED  
8/0**

**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**

A Confidential Item (CEO.393) will be discussed.

**COUNCIL MOTION:**

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*Moved Cr Chandler, Seconded Cr Dean-Gundill*

*That Council proceeds behind closed doors in order to discuss an item of a confidential nature (CEO.393).*

**VOTING DETAILS:**

**CARRIED  
8/0**

**COUNCIL MOTION:**

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*Moved Cr Chandler, Seconded Cr Dean-Gundill*

*That Council comes out from behind closed doors.*

**VOTING DETAILS:**

**CARRIED  
8/0**

**14. CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 5.17pm.

<p>I certify that this copy of the Minutes is a true and correct record of the meeting held on 25 November 2008 Signed: ..... Presiding Elected Member Date:.....</p>
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