



AGENDA

FOR THE

ORDINARY MEETING
OF COUNCIL

TO BE HELD ON

TUESDAY, 28 NOVEMBER 2017

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, 28 NOVEMBER 2017

IN THE COUNCIL CHAMBERS,
11-13 WALDECK STREET, DONGARA WA



Darren Simmons
Chief Executive Officer

23 November 2017

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.

INDEX-ORDINARY COUNCIL MEETING 28 NOVEMBER 2017

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	1
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	1
3.	ELECTION OF DEPUTY PRESIDENT	1
4.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
5.	PUBLIC QUESTION TIME	1
6.	APPLICATIONS FOR LEAVE OF ABSENCE	1
7.	PETITIONS AND DEPUTATIONS	1
8.	CONFIRMATION OF MINUTES	2
8.1	MINUTES OF ORDINARY COUNCIL MEETING HELD 24 OCTOBER 2017	2
9	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	2
10.1	OFFICER REPORTS	3
CEO01 – 11/17	Accounts for Payment	3
CEO02 – 11/17	Financial Statements for the Period ending 31 October 2017	5
CEO03 – 11/17	Council Delegates to Committees	8
CEO04 – 11/17	2016/17 Annual Report and Auditor's Report	13
CEO05 – 11/17	Local Government Extraordinary Election 2018	17
CEO06 – 11/17	Council Meeting Dates 2018	20
CEO07 – 11/17	Governance Review Program	23
DCPI01 – 11/17	Scheme Amendment No. 18 – Lot 55 (formerly Lot 51) Indian Ocean Drive, Arrowsmith	25
DCPI02 – 11/17	Skate Park Concept Design and Community Information Session	29
DCPI03 – 11/17	Tender 1-2017/18 TV Radio Broadcasting	31
10.2	COUNCIL COMMITTEE REPORTS	33
11.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	33
12.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	33
13.	URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION	33
13.1	Confidential Staff Matter – CEO Update	33
15.	MATTERS BEHIND CLOSED DOORS	33
16.	CLOSURE	33



AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD IN THE COUNCIL CHAMBERS, 11-13 WALDECK STREET, DONGARA ON TUESDAY, 28 NOVEMBER 2017 AT 4.00PM

PRESENT: Councillors Cr M T Smith (President)
Cr S F Gumley
Cr M Leonard
Cr I Scott
Cr K L Wilson
Cr I F West
Cr B Wyse

Staff Mr D J Simmons – Chief Executive Officer
Mr G M Peddie – Director Planning, Community & Infrastructure
Mrs H M Sternick – Manager Customer Services
Mr B P Jeans – Manager Regulatory Services
Ms L E Tunbridge – Coordinator Organisational Performance

- 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
- 3. ELECTION OF DEPUTY PRESIDENT**

On the Shire President's request, the Chief Executive Officer has been authorised to conduct the Election of Deputy President.

Nominations are to be lodged in writing, indicating consent of the nominee, prior to or at the Meeting. (Proforma nomination form provided under separate cover).

- 4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Mr Rossiter raised the following question at the 24 October 2017 Ordinary Council meeting which was taken on notice. A copy of the response provided to Mr Rossiter is also provided below:

Why has it taken so long for Aged Persons Unit #15 to be renovated and were local trades approached to quote?

Response: As the scope of work covers multiple trades, qualified builders were requested to quote as per the Shire's Purchasing Policy. The initial quotation period was 5 weeks, but due to a lack of response the quotation period was extended an additional 3 weeks and hence the delay. 2 additional builders were invited to quote. The duration of the renovation work is 8 weeks.

- 5. PUBLIC QUESTION TIME**
- 6. APPLICATIONS FOR LEAVE OF ABSENCE**
- 7. PETITIONS AND DEPUTATIONS**

Nil.

8. CONFIRMATION OF MINUTES

8.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 24 OCTOBER 2017

A copy of the Minutes of the Ordinary Council Meeting held on 24 October 2017 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 24 October 2017, be confirmed as a true and accurate recording of that meeting.

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

10.1 OFFICER REPORTS

OFFICE OF THE CEO

CEO01 – 11/17

Subject: Accounts for Payment
Reporting Officer: Manager Customer Services
Responsible Executive: Chief Executive Officer
File Reference: Minute Book
Voting Requirements: Simple Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To receive the list of accounts paid under delegated authority during October 2017.

Officer's Recommendation:

That Council receives the Accounts paid during October 2017 as presented in Attachment Booklet – November 2017, represented by:

Payment Type/Numbers	Total Amount
EFT 21640 - 21798	\$700,795.21
Muni Cheques 31578 - 31600	\$66,470.12
Trust Cheques 3143 - 3146	\$1,550.00
Direct Debit - Credit Card	\$953.41
Direct Debit - Click Super	\$45,269.44
Direct Debit - Transport – PL280917 – PL271017	\$74,766.90
Grand Total	\$889,805.08

Attachment:

[Accounts for Payment – October 2017](#)

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of October 2017.

Officer's Comment:

Nil

Stakeholder Engagement:

Nil

Financial / Resource Implications:

Nil

Statutory Environment:

The Local Government (Financial Management) Regulations 1996 provides as follows:

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:

The likelihood of risk arising from accounts for payment is expected to be rare and the consequences would be insignificant. Therefore the risk is low.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.3 Adopt and follow better practice processes

OFFICE OF THE CEO

CEO02 – 11/17

Subject: Financial Statements for the Period ending 31 October 2017
Reporting Officer: Manager Customer Services
Responsible Executive: Chief Executive Officer
File Reference: Minute Book
Voting Requirements: Simple Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To consider and receive the Monthly Financial Statements for the period 1 July 2017 to 31 October 2017.

Officers Recommendation:

That the Monthly Financial Statement for the period 1 July 2017 to 31 October 2017 be received, as provided in Attachment Booklet – November 2017.

Attachment:

[Financial Statements for the Month Ending 31 October 2017.](#)

Background:

The Monthly Financial Report to the 31 October 2017 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Summary Information and Graphs
- Statement of Financial Activity by Program
- Statement of Financial Activity by Nature & Type
- Statement of Cash Flows
- Statement of Capital Acquisitions and Capital Funding
- Significant Accounting Policies
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables

- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants and Contributions
- Trust Fund
- Detailed of Capital Acquisitions
- Detailed Accounts by Program
- Restricted Assets
- Port Denison Retirement Village Financial Activity

Officers Comment:

The financial position to the end of October 2017 is detailed in the attached report and summarised as follows relative to year to date budget expectations:

Operating Revenue	\$6,740,717	2.4% negative variance
Operating Expenditure	(\$2,318,314)	26.3% positive variance
Net Operating	\$4,422,403	
Capital Revenue	\$291,206	41.0% negative variance
Capital Expenditure	\$634,477	122.7% positive variance
Cash at Bank – Municipal	\$3,252,940	
Cash at Bank – Reserve	\$1,960,818	
Total Funds Invested	\$2,681,052	
Net Rates Collected	73.57%	
Non Rates Receivables Outstanding	\$299,673	

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:

It is considered that any risk associated with the monthly financial statements would be insignificant or minor and unlikely in measures of consequence due reporting past events and therefore the risk rating would be low.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.3 Adopt and follow better practice processes

OFFICE OF THE CEO

CEO03 – 11/17

Subject: Council Delegates to Committees
Reporting Officer: Coordinator Executive Services
Responsible Executive: Chief Executive Officer
File Reference: GV.CO.2
Voting Requirements: Absolute Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person’s rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

For Council to consider appointing Councillor, community and staff delegates to Committees of Council and on various external committees.

Officer’s Recommendation:

That Council;

1. **Appoints the following Committee delegates;**

Committee	Council Vacancies and existing appointments	Expressions of Interest
SHIRE OF IRWIN AUDIT COMMITTEE	Cr _____, Cr _____, Cr _____ and Cr _____, Case Officer: Coordinator Organisational Performance (COP)	Cr West Cr Gumley Cr Leonard Cr Wyse Cr Smith (Proxy)
SHIRE OF IRWIN BUSH FIRE ADVISORY COMMITTEE	Cr _____, Cr _____, Chief Executive Officer (or his nominee), Community Emergency Services Manager (CESM), Community Ranger and Chief Bush Fire Control Officer. Case Officer: Community Emergency Services Manager (CESM)	Cr Smith

IRWIN ROADWISE COMMITTEE	Cr _____, Cr _____, Sarah Page (Main Roads), Samantha Adams (Regional Roadwise Officer), Kate McConkey (SDERA), Coordinator Technical Services and representatives of the Dongara Volunteer Fire Brigade, Dongara Police and Dongara Lions. Case Officer: Coordinator Technical Services	Cr Wilson Cr Gumley
LOCAL EMERGENCY MANAGEMENT COMMITTEE	Cr _____, Cr _____, Chief Executive Officer and Community Emergency Services Manager (CESM). Case Officer: Community Emergency Services Manager	Cr Smith Cr Leonard Cr West
PORT DENISON MARITIME ADVISORY GROUP	Cr _____ and Chief Executive Officer	Cr Smith
MIDWEST REGIONAL ROAD GROUP COMMITTEE	Cr _____ and Chief Executive Officer (or his nominee).	Cr West Cr Leonard
AUSTRALIAN COASTAL COUNCILS ASSOCIATION INC.	Chief Executive Officer	n/a
NORTHERN COUNTRY ZONE OF WA LOCAL GOVERNMENT ASSOCIATION COMMITTEE	Cr _____, Cr _____, and Chief Executive Officer (Proxy).	Cr West
MID-WEST/ WHEATBELT JOINT DEVELOPMENT ASSESSMENT PANELS	Cr West and Cr Leonard, and Cr Smith, Cr _____, as Proxy Delegates.	Cr Scott
MID WEST INDUSTRY ROAD SAFETY ALLIANCE	Chief Executive Officer (or his nominee) and Manager Technical Services	n/a
RURAL HEALTH WEST	Chief Executive Officer	n/a

2. Establishes the following new Advisory Committees of Council;

3.

SHIRE OF IRWIN COMMUNITY ASSISTANCE SCHEME AND EVENTS COMMITTEE	Cr _____, Cr _____, Director Planning, Community and Infrastructure, Manager Community Capacity, and two community members. Case Officer: Community Officer	Cr Wilson Cr Gumley
SHIRE OF IRWIN SUSTAINABLE ENVIRONMENT COMMITTEE (Suggested name only)	Cr _____, Cr _____, Cr _____, Manager Regulatory Services, Regulatory Support Officer, Trish Parker, Mary Yewers, Kylie Bessen, Jenny Fox and 2 x NACC members. Case Officer: Regulatory Support Officer	Cr Wilson Cr Gumley Cr Leonard

4. Disbands the following Committees of Council;

SHIRE OF IRWIN ASSET MANAGEMENT COMMITTEE

SHIRE OF IRWIN COMMUNITY ASSISTANCE SCHEME (REPLACED)

SHIRE OF IRWIN ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

SHIRE OF IRWIN EVENTS COMMITTEE (REPLACED)

SHIRE OF IRWIN HERITAGE ADVISORY COMMITTEE

SHIRE OF IRWIN TIDY TOWNS SUSTAINABLE COMMITTEE (REPLACED)

Background:

In light of the recent local government elections and therefore changes to Council, there is a requirement for Council to appoint delegates to each Council and external committee to ensure appropriate representation.

Each Committee has a responsible case officer who will facilitate any appropriate administrative tasks, including additional community representatives to be formerly appointed under Local Government Act 1995 s5.10 until the full delegations list is considered again. Any matters relating to a Committee without an appointed case officer should be referred to the staff delegate in the first instance or Coordinator Executive Services if the CEO is the appointed delegate.

Officer's Comment:

Councillors have been provided an opportunity to consider these appointments and have been asked to forward any interests prior to the meeting.

The staff and community member appointments have been named (position titles) to clarify the current representation and outline any new appointments that are recommended. However, Councillor appointments have been left blank for Council to consider at this meeting.

The Shire of Irwin Roadwise Committee invites the Dongara Volunteer Fire Brigade, Dongara Police and Dongara Lions Club to send a representative to each meeting. Through the Office of Road Safety, a Regional Roadwise Officer is appointed to the region (employed by the City of Greater Geraldton) who also sits on this Committee.

In regards to the Local Emergency Management Committee and Bush Fire Advisory Committee it is recommended that the Committees themselves make a recommendation to Council on appropriate members for Council to appoint to the Committee.

It has been recommended that the Shire of Irwin Asset Management Advisory Committee be disbanded, with any decisions to be presented to the whole of Council.

The Community Assistance Scheme Committee was formed to evaluate scheme applications lodged under the Shire of Irwin Community Assistance Scheme and make recommendations to Council for approval. Many of the applications relate to proposed events therefore it was felt appropriate to combine the two Committees. A recommendation has been provided to disband the substantive Committees and a replacement is proposed.

The Economic Development Advisory Committee did not facilitate the desired outcomes for Council and therefore it is proposed that those responsibilities would be incorporated internally, with more effective community engagement methods to be investigated and adopted as required.

The Heritage Advisory Committee has had little reason to meet over the last couple of years, with their main task to assess Heritage Award nominations. Due to lack of support for the Awards program it is proposed that it be run biannually.

Due to the Tidy Towns Sustainable Committee having a much broader, more environmental-focus it was considered appropriate to rebrand this Committee. Therefore a recommendation to disband the current Committee and create a new one has been made for clarity.

Financial Implications:

Nil

Statutory Environment:

Local Government Act 1995;

5.9. Types of committees

- (1) *In this section —*
other person means a person who is not a council member or an employee.
- (2) *A committee is to comprise —*
- (a) *council members only;*
 - (b) *council members and employees;*
 - (c) *council members, employees and other persons;*
 - (d) *council members and other persons;*
 - (e) *employees and other persons; or*
 - (f) *other persons only.*

5.10. Appointment of committee members

- (1) *A committee is to have as its members —*
- (a) *persons appointed by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
 - (b) *persons appointed to be members of the committee under subsection (4) or (5).*
- (2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*
- (3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*
- (4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the president to be a member of the committee.*
- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his wish —*
- (a) *to be a member of the committee; or*
 - (b) *that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

5.11. Tenure of committee membership

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*

- (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*
 - (b) *the person resigns from membership of the committee;*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day, whichever happens first.*
- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —*
- (a) *the term of the person's appointment as a committee member expires;*
 - (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day, whichever happens first.*

Policy Implications:

Nil

Strategic Implications:

Strategic Community Plan 2017-2027

Strategy 4.1.2 Utilise contemporary communication strategies and tools to enhance public participation

Strategy 4.1.3 Maintain effective working relationships with relevant stakeholders

OFFICE OF THE CEO

CEO04 – 11/17

Subject: 2016/17 Annual Report and Auditor's Report
Reporting Officer: Coordinator Executive Services / Manager Customer Services
File Reference: CM.RE.1 / FM.AD.16.17
Voting Requirements: Absolute Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To consider and accept the Shire of Irwin Annual Report for the year ending 30 June 2017.

Officer's Recommendation:

That Council;

1. receives the Audit Report from Council's Auditors, Moore Stephens, for the year ending 30 June 2017;
2. accepts the 2016/17 Annual Report, as presented in Attachment Booklet – November 2017, for the year ended 30 June 2017;
3. holds the Annual Electors Meeting at 5.30pm on Tuesday, 12 December 2017 in the Function Room at the Irwin Recreation Centre; and
4. holds the 12 December 2017 Ordinary Council Meeting in the Function Room at the Irwin Recreation Centre at 4pm.

Attachment:

2016/17 Annual Report

Background:

The Local Government Act 1995 requires Councils to prepare and accept an Annual Report for each financial year by 31 December after that financial year.

The Annual Report highlights the Shire of Irwin's achievements from the Strategic Community Plan in the 2016/17 Financial Year.

The Local Government Act 1995 requires Council to hold a general meeting of electors once every financial year and not more than 56 days after accepting the annual report from the previous financial year. Council traditionally holds the Annual Meeting of Electors following the Ordinary

Council Meeting in November. However, the Audit Report was not available as early this year, therefore the Electors meeting is proposed to be held following the scheduled 12 December 2017 Ordinary Council meeting.

Officer's Comment:

The Annual Report, prepared in accordance with the requirements of the Local Government Act, is enclosed with the agenda papers for Councillors' perusal, consideration and acceptance.

Council's Auditors, Moore Stephens, have completed an audit of Council's financial records and have forwarded an audit report to the Shire President as well as a management letter.

The audit report is included in the annual report with no matters, in the opinion of the auditors, to indicate significant adverse trends in the financial management practices of the Shire and no other matters indicating non-compliance with Part 6 of the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 or applicable financial controls of any other written law. An adverse trend in the financial position of the Shire has been raised.

The 2016/17 Annual Report will report against the previously adopted Strategic Community Plan 2012-2022. However, from this point on the newly adopted Strategic Community Plan 2017-2027 will be used.

Stakeholder Engagement:

Once the Annual Report has been accepted, Council is required to give local public notice of the availability of the Annual Report as soon as practicable.

Financial/Resource Implications:

There are no financial or budget implications.

Statutory Environment:

- *The Local Government Act 1995 Section 5.53 provides that the Annual Report is to contain the following:*
 - *A report from the Shire President;*
 - *A report from the Chief Executive Officer;*
 - *An overview of the plan for the future of the district made in accordance with Section 5.56, including major initiatives that are proposed to commence or continue in the next financial year,*
 - *The financial report for the financial year;*
 - *Such information as may be prescribed in relation to the payments made to employees;*
 - *The auditor's report for the financial year;*
 - *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - *the number of complaints recorded in the register of complaints; and*
 - *(ii) how the recorded complaints were dealt with; and*
 - *(iii) any other details that the regulations may require;**and*
 - *Such other information as may be prescribed;*
- *The Local Government Act 1995 Section 7.2 provides:*
 - *The accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by each local government.*

- *The Local Government Act 1995 Section 7.12A provides:*
- (3) *A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —*
 - (a) *determine if any matters raised by the report, or reports, require action to be taken by the local government; and*
 - (b) *ensure that appropriate action is taken in respect of those matters.*
 - (4) *A local government is to —*
 - (a) *prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and*
 - (b) *forward a copy of that report to the Minister,*
by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.
- *The Local Government (Audit) Regulations Section 10 provides:*
1. *An auditor's report is to be forwarded to the persons specified (Mayor or President, CEO and Minister) within 30 days of completing the audit.*
 2. *The report is to give the auditor's opinion on —*
 - a. *the financial position of the local government; and*
 - b. *the results of the operations of the local government*
 3. *The report is to include —*
 - a. *any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government;*
 - b. *any matters indicating non-compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law;*
 - c. *details of whether information and explanations were obtained by the auditor; and*
 - d. *a report on the conduct of the audit;*
 - e. *the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —*
 - (i) *the asset consumption ratio; and*
 - (ii) *the asset renewal funding ratio.*
 4. *Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified (Mayor or President, CEO and Minister) with the auditor's report.*
- *The Local Government Act 1995 Section 5.27 and 5.29 provides:*
- 5.27. Electors' general meetings*
- (1) *A general meeting of the electors of a district is to be held once every financial year.*
 - (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*

5.29. Convening electors' meetings

(1) The CEO is to convene an electors' meeting by giving —

(a) at least 14 days' local public notice; and

(b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.

(2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

Policy Implications:

Nil.

Risk Implications:

The likelihood of risk arising from Council accepting the annual report is expected to be rare and the consequences would be insignificant due to informing on last financial year events, therefore the risk implications are low.

The likelihood of risk arising from failure to conduct an Annual Meeting of Electors will result in non-compliance with the requirements of the Act is expected to be rare and the consequences would be moderate, therefore the risk implications are low.

Strategic Implications:

Strategic Community Plan 2017 – 2027

Strategy 4.1.1 Enhance the Shire's profile through marketing initiatives and community engagement

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

Strategy 4.2.2 Embrace the Integrated Planning and Reporting Framework

OFFICE OF THE CEO

CEO05 – 11/17

Subject: Local Government Extraordinary Election 2018
Reporting Officer: Coordinator Executive Services
Responsible Executive: Chief Executive Officer
File Reference: GV.EL.1
Voting Requirements: Absolute Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To consider appointing the Western Australian Electoral Commissioner to conduct a postal extraordinary election resulting from the passing of the late Cr Barrye Thompson and the subsequent vacancy.

Officer's Recommendation:

That Council;

1. Declares, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the extraordinary election to be held on 9 March 2018 (Polling Day);
2. Decides, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election; and
3. Allocates an additional \$15,500 excluding GST for the extraordinary election costs, as estimated by the WA Electoral Commission, to account 101120 Election Expenses and adjusts the 2017/18 Budget accordingly.

Attachment:

[Letter from Electoral Commission regarding Extraordinary Election](#)

Background:

With the recent, sad loss of Cr Barrye Thompson, a decision in regards to the vacancy is required in order for Council to continue to effectively conduct business.

Section 4.9 (1) of the Local Government Act 1995 outlines that Council must determine a date for the extraordinary election within one month after the vacancy occurs.

Following contact with the Western Australian Electoral Commission (WAEC), correspondence has been received outlining the processes that Council should consider, including whether to appoint the Electoral Commissioner to be responsible for undertaking the extraordinary election and to conduct the election by postal vote.

The current procedure required by the *Local Government Act 1995* is that written agreement must be obtained before the vote by Council is taken to appoint the Electoral Commissioner to conduct the election. To facilitate the process the Electoral Commissioner has provided correspondence serving as agreement to be responsible for the conduct of the extraordinary elections in 2018 for the Shire of Irwin in accordance with section 4.20(4) of the *Local Government Act 1995*. The Commissioner's agreement is subject to the proviso that the Shire of Irwin also wishes to have the election undertaken by the Western Australian Electoral Commission as a postal election.

Officer's Comment:

The Shire of Irwin has a long, and relatively successful, history of conducting postal elections, with the 2017 ordinary local government election seeing a 50% participation rate.

Council does have a number of options to consider, which have been summarised below:

Vacancy remains unfilled

Subject to Council resolution, the *Local Government Act 1995*, section 4.17(3)(4A) provides for a position to remain unfilled. However, the reduction in Councillor seats may risk the ability to make absolute majority decisions, particularly should there be any absences. Given that the term expiry is October 2019, it is felt appropriate that the vacancy be filled.

In-person election

Council may elect to run the election in-person. This may have a lesser financial impact on ratepayers. However, it is anticipated that participation would be significantly lower and could place the burden on individual ratepayers to attend an in-person election. The administrative resources required of staff may also increase any cost estimates already provided for.

Postal election to be run by Electoral Commission

It is recommended that Council agree to the Electoral Commission running the 2018 extraordinary election via postal vote due to the experience of the WAEC, their independence and impartiality in the process, and convenience and participation rates for voters. Advantages are outlined below;

Advantages for electors

- Convenience of casting a vote in their own homes – particularly for disabled and aged voters and those without access to transport.
- Provision of candidate profiles to each elector to assist in their decision-making.
- Time to contact candidates and make an informed decision.
- Reduced costs in time and travel in casting a vote.

Advantages for candidates

- Availability of an experienced Returning Officer "at arm's length" from Local Government business.
- Detailed candidates' guides prepared by the Electoral Commission.
- An opportunity to reach all eligible electors at no cost through the candidate profile.
- Confidence that the election is being run by the State's independent Electoral Commission.
- Elected candidates have an increased support base.

Advantages for the Local Government

- All eligible electors are given information about the election.
- Electors can vote more easily as there are virtually no barriers to voting.

- Elections are seen to be conducted by the impartial Western Australian Electoral Commission.
- The workload for the CEO is reduced in an area that is not core business.
- The vast majority of elector and candidate enquiries are received and resolved by either the Returning Officer or the Electoral Commissioner
- Elected Councillors have a high level of support from the local community.

The attached letter outlines a proposed timeline for the election which commences the process in January 2018 to allow for the appropriate statutory notifications and administrative arrangements. Although the WAEC's letter refers to a suggested Election date of 28 February 2018, it is recommended that the Election Day be set for 9 March 2018 which provides for the nomination period to occur towards the end of January and thereby minimising any affect the school holiday period may have on participation.

Financial/Resource Implications:

It has been estimated by the Electoral Commission, based on postage costs, response rates, amount of vacancies etc, that the cost to run a postal election is approximately \$17,000.

In comparison, to run an in-person election it is estimated that the costs would equate to approximately \$7,000 (based on advice from other local governments).

These estimates do not account for local government staff costs.

Statutory Environment:

Local Government Act 1995 s4.9(1), s4.20(4) and s4.61(2)

Policy Implications:

Nil

Risk Implications:

The most significant risks to consider is the impact on resources (financial and human). These risks could have moderate consequences however as Council have previously agreed to allow the Electoral Commission to run the elections by postal vote with success, the recommended option is unlikely to have an affect therefore the overall risk rating is moderate.

Strategic Implications:

Strategic Community Plan 2017-2027

Strategy 4.2.4 Promote programs to encourage participation in elections.

OFFICE OF THE CEO

CEO06 – 11/17

Subject: Council Meeting Dates 2018
Reporting Officer: Coordinator Executive Services
Responsible Executive: Chief Executive Officer
File Reference: GV.CM.1
Voting Requirements: Simple Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

For Council to consider and set its meeting dates for 2018.

Officer's Recommendation:

That Council hold its 2018 Forum and Ordinary Meetings in accordance with the following schedule;

MONTH	COUNCIL FORUM	COUNCIL ORDINARY MEETING
January	N/A	N/A
February	13	27
March	13	27
April	10	24
May	8	22
June	12	26
July	10	24
August	14	28
September	11	25
October	9	23
November	13	27
December	N/A	11

Meetings will commence at 5:00pm and will be held in the Council Chambers at 13 Waldeck Street, Dongara.

Background:

In the past, Council has held its Ordinary Council Meetings on the fourth Tuesday of each month except for January and December. In 2017 there was no Council Forum or Council Meeting scheduled for January and no Council Forum in December.

As per the Local Government (Administration) Regulations 1996, Council are required to set the meeting dates for next 12 months and make them available to the local public.

12. Meetings, public notice of (Act s. 5.25(1)(g))

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months.

Officer's Comment:

As per last year's schedule, it is suggested that there be no Council Meeting in January.

The 2017 December Ordinary Meeting was scheduled for the second Tuesday in December, as the third Tuesday fell in the Shire's final business week before the Christmas break and staff felt this may not leave sufficient time to take appropriate action in regards to any Council decisions and prepare the Minutes. It is therefore recommended that the meeting be held on the second Tuesday (11 December) again 2018.

It is common practice of local governments within Western Australia to not hold a meeting in January due to the reduced service demand, minimal work's programming and decreased staff levels resulting from staff utilising their annual leave entitlements.

The approval of accounts for payment and financial statements normally provided in January would be scheduled for consideration at the February 2018 meeting. In regards to the presentation of statements of financial activity to Council, the Local Government (Financial Management) Regulations 1996 Section 6.4, states the following;

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

(a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

(b) recorded in the minutes of the meeting at which it is presented.

With the setting of meeting dates it is also appropriate to give consideration to the start time for these meetings to ensure it provides a majority of the community members an opportunity to attend. It has been proposed to adjust the meeting times to 5pm.

Stakeholder Engagement:

Staff were consulted internally in regards to any events or potential risks that may affect any of the proposed dates, however there were none identified.

Financial / Resource Implications:

Minor advertising costs will be incurred to provide local public notice of meeting dates.

Statutory Environment:

Local Government Act 1995

Local Government (Administration) Regulations 1996

Local Government (Financial Management) Regulations 1996

Policy Implications:

Nil

Risk Implications:

To ensure compliance with relevant legislation and maximise notice to the community a list of dates has been prepared for Council to consider. Therefore this is a low risk matter with effective controls in place.

Strategic Implications:

Strategy Community plan 2017-2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

OFFICE OF THE CEO

CEO07 – 11/17

Subject: Governance Review Program
Reporting Officer: Coordinator Executive Services
Responsible Executive: Chief Executive Officer
File Reference: GV.CM.1
Voting Requirements: Simple Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

For Council to consider participation in the Department of Local Government, Sport and Cultural Industries' (DLGSC) Governance Review Program.

Officer's Recommendation:

That Council agrees to participate in the Department of Local Government, Sport and Cultural Industries' Governance Review Program to assist in making improvements in their governance policies, strategic planning procedures and processes.

Attachment:

[Governance Review Program Outline](#)

Background:

The Governance Review Program has been developed to assist Councils in improving governance practices and processes to facilitate informed decision making.

In the Department's introduction letter outlines that the 2017/18 Reviews will focus on governance probity, transparency and accountability, and consolidation of procedures and processes, particularly in the areas of financial performance, resources, risk mitigation and efficiency in the performance of the local governments' functions.

Local governments are given the opportunity to self asses their performance against other local governments through the completion of a survey (individual responses will remain confidential), which is aimed at elected members but will require some senior management input.

The survey will address the areas of:

- The role of council;

- The council's role in strategy and risk;
- Council size, composition and skills;
- The role of the Mayor – President;
- The relationship between the council and management;
- Council culture and dynamics;
- Effective use of council meetings;
- Council meeting papers.

Officer's Comment:

In 2015 the Shire participated in the Department's Better Practice Review, similar benchmarking program that focused on internal processes for good governance. This resulted in a number of improvements for the organisation. The Shire also received recognition for a number of initiatives that were considered better practice within the industry.

Similarly this program could provide new insights and improved awareness of good governance from an elected member perspective.

Stakeholder Engagement:

Nil.

Financial / Resource Implications:

The Governance Review Program is fully funded through the Department of Primary Industries and Regional Development's Country Local Government Fund (CLGF) as part of the Department of Local Government, Sport and Cultural Industries' Local Government Capacity Building Program.

Statutory Environment:

Local Government Act 1995

Policy Implications:

The Program may identify areas for policy improvement.

Risk Implications:

Improved governance practices will reduce the likelihood and severity of any risks associated with compliance and reputation. Therefore this is a low risk matter with effective controls in place.

Strategic Implications:

Strategy Community plan 2017-2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

PLANNING, COMMUNITY AND INFRASTRUCTURE

DPCI01 – 11/17

Subject: Scheme Amendment No. 18 – Lot 55 (formerly Lot 51) Indian Ocean Drive, Arrowsmith
Reporting Officer: Manager Regulatory Services
Responsible Executive: Director Planning, Community and Infrastructure
File Reference: LP.PL.2.18; A8591
Voting Requirements: Simple Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

For Council to consider its support to amend the Local Planning Scheme to rezone Lot 55 (formerly Lot 51) Indian Ocean Drive, Arrowsmith from 'General Farming' to 'Special Use: Tourist Site' to facilitate the development of a tourist accommodation and associated uses.

Officer's Recommendation:

That Council, pursuant to section 75 of the *Planning and Development Act 2005*, resolve to:

1. **Supports Amendment No.18, as presented in Attachment 1 of the Attachment Booklet – November 2017, to Local Planning Scheme No.5 with modifications to address issues raised in the submissions, set out in Attachment 3, in accordance with Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015.**
2. **Forwards the amendment documentation to the Western Australian Planning Commission for determination in accordance with Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015.**
3. **Advises those who lodged a submission of Council's decision accordingly.**

Attachment:

Attachment 1 – [Scheme Amendment documentation](#)
Attachment 2 – [Schedule of Submissions](#)
Attachment 3 – [Proposed modifications list](#)

Background:

Council at its 26 April 2017 Ordinary Council Meeting resolved to initiate the proposed Scheme Amendment for referral to the Environmental Protection Authority (EPA) and subsequent public advertising.

During the advertising process the subject property (Lot 51) was subdivided for the purpose of road widening of Indian Ocean Drive across the frontage of the lot. This resulted in the subject property changing from Lot 51 to Lot 55. The Amendment documentation has been updated to reflect this.

The subject property (Lot 55) is 148.55ha and is vacant farming land with scattered vegetation. There is an existing cleared area which is the proposed site for tourism development. The property sits on the eastern side of Indian Ocean Drive, opposite North Knobby Head approximately 40km south of Dongara.

The Amendment seeks to facilitate tourism development through the rezoning of the site to a Special Use Zone 'Tourist Site'. The concept plan of the development supporting this Amendment, which will form part of a Local Development Plan considered at a later stage, proposes the following development in line with the proposed Special Use Zone:

- 56 Caravan Sites;
- 8 Chalets;
- 3ha of camping ground;
- 2 Staff Quarters;
- 1 Manager's Residence;
- Convenience shop;
- Restaurant facilities; and
- A Fuel Outlet (fuel bowsers).

Whilst this concept plan is only for indicative purposes at this stage of the process, it informs the proposed development ambitions of the site as a result of the Amendment.

Officer's Comment:

The Amendment proposal for tourism accommodation is consistent with the strategic objectives of the site in the Shire's adopted Local Planning Strategy and meets the intent of the State Government's initiatives to facilitate tourism development along Indian Ocean Drive for the growing self-drive market.

The Applicant has addressed the relevant matters to be considered as required by the Indian Ocean Drive Guideline and State Planning Policies. All agency comments and requirements have been considered and addressed accordingly. For these reasons it is recommended that Council support the Amendment to rezone the site.

Stakeholder Engagement:

As required by the Planning and Development Act 2005, the Shire referred the Scheme Amendment to the EPA. The EPA's advice was to not assess the proposed Scheme Amendment. Following EPA's advice, this granted the Shire approval to proceed with public consultation.

The Amendment was advertised in accordance with Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015 for a period no less than 42 days. Advertising commenced 16 August 2017 and closed 4 October 2017 (a 2 day extension was granted), being a total period of 49 days.

A total of 8 submissions were received, consisting of 6 agency submissions and 2 public submissions. All submissions and responses to submissions are listed in Attachment 2.

The 2 public submissions objected to the proposed Scheme Amendment for the reasons of business competition to other nearby service stations and creating a traffic hazard from the increase in traffic on the 'dangerous Indian Ocean Drive'. It should be noted the Applicant's intent of the proposed fuel outlet is not for general public and only for use by residents of the tourism development.

All of the 6 agencies did not object to the Amendment but provided comments and recommendations. It should be noted that following further liaison between Main Roads WA and the Applicant, Main Roads WA revised their initial submission to now support the Amendment subject to a condition be inserted into the Special Use zone stating that a Transport Impact Assessment be carried out at Local Development Plan stage. The Officer Recommendation reflects this recommending a modification to the Amendment.

The Applicant provided a letter from Tourism Western Australia dated 3 June 2016 in the Amendment documentation stating that the proposal has the potential in enhancing tourism accommodation options for the self-drive market. This has been noted and reflects the Shire's strategic objectives, as well as many other regional strategies and plans.

In summary it is considered the issues and matters raised in the submissions have been addressed in support of this Amendment.

Financial/Resource Implications:

Nil

Statutory Environment:

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Irwin Local Planning Scheme No. 5

Policy Implications:

State

State Planning Policy 3.7 - Planning in Bushfire Prone Areas 2015

Planning Bulletin 49/2014 – Caravan Parks

Indian Ocean Drive Planning Guideline 2014

The Guideline is an operation policy which guides the location, siting and design of land uses and development in the locality of the road. The Guideline sets out issues to be considered at scheme amendment and development stages of planning. More specifically Section 5.2.1 sets out guidelines for tourism development along Indian Ocean Drive.

The Applicant has submitted a landscape character assessment which takes into consideration views of the site from Indian Ocean Drive. The Amendment addresses the matter of visual impact on the landscape by proposing conditions on the development siting and building design.

Risk Implications:

The Officer's recommendation complies with the relevant legislation. The likelihood of any risk occurring from Council supporting the Scheme Amendment is expected to be rare and the consequences insignificant.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 1.1.3 Encourage adequate and appropriately zoned land to support commerce and industry.

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

Shire of Irwin Local Planning Strategy 2017

Policy Area H

PH1.2

Strategies – Provide for tourism facilities in appropriate locations which respond to the sensitive dune system.

Actions

1.2.1 – Further investigations in consideration of the character and environmental values of the natural area to be undertaken by the landowner/s to justify any development of tourist traveller facilities and appropriate ancillary uses.

The Strategy identifies the subject lot as “potentially being suitable for tourism accommodation facilities subject to further investigations being progressed by the landowner”. The Applicant has addressed the environmental and character values with the submission of a landscape character assessment, fauna and flora survey, hydrogeological study, environmental capability assessment and bushfire management plan. The land uses and conditions proposed in this Amendment are considered to protect and be compatible with these values.

State

Mid West Regional Planning and Infrastructure Framework 2015
Draft Guilderton to Kalbarri Sub-regional Planning Strategy 2017

PLANNING, COMMUNITY AND INFRASTRUCTURE

DPCI02 – 11/17

Subject: Skate Park Concept Design and Community Information Session
Reporting Officer: Manager Community Capacity
Responsible Executive: Director Planning, Community and Infrastructure
File Reference: A7126
Voting Requirements: Simple Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To endorse the concept designs and authorise for staff to inform the community about the future plans at the skate park and BMX track location also referred to as the South Precinct.

Officer's Recommendation:

That Council:

1. **Notes that an information session, to report on the results of the community consultation concerning the skate park / youth precinct located south of the Irwin Recreation Centre, is scheduled for 5 December 2017 at 5:30pm in the Function Room at the Irwin Recreation Centre; and**
2. **Endorses the Skate Park Concept Plan as presented in the Attachment Booklet – November 2017 in order for costings for stage one detailed working drawings to be obtained.**

Attachment:

[Concept Design Report](#)
[Estimate of cost](#)

Background:

The Shire has completed concept designs and have estimated costs for the development of the proposed Youth Precinct, completed by CONVIC. The community were very involved in the consultation process of what to include in the design, taking the existing skate park and BMX track to a holistic integration of active recreation, landscaping provision, supporting infrastructure, circulation and access leading to an overall Youth precinct for all ages.

The concept design and estimated costs have stayed in house to this point, there has been no further consultation with the community.

Officer's Comment:

It is important the Shire now shares the final concept design and the community are made aware of the costs that the Shire need to find in order for it to come to fruition. The officer recommends an information session be held prior to end of school term in the evening at the Irwin Recreation Centre. This session will also explain to the community that this project will need to be staged as finance is sourced.

This financial year the allocation in the budget will go towards getting a Landscape Architect to draw up detailed designs of the topography ready for installation of grass, some landscaping, mainly the buffer area in between the holiday units and the site, removing the existing BMX track and installing the pathways (in marl) and possibly the terrace walls.

The Shire will work with Lotterywest and any other funding sources for the remainder of proposed works within the Plan.

Stakeholder Engagement:

Consultation began with a community online survey which asked several questions providing for feedback on the extension of the overall site. Public workshops were held on the 7 February 2017 to gather input from users. Sketch designs were presented to the community on the 26 March 2017 and more detailed information from users was provided. The project was discussed at the June, September and November Council Forums. These community workshops took place at the Dongara District High School and Irwin Recreation Centre plus an initial meeting with Councillors occurred on-site.

Financial/Resource Implications:

As per 2017/18 Budget

Statutory Environment:

Local Government Act 1995

Policy Implications:

C5 Community Engagement and Public Consultation Policy

Risk Implications:

The reputational risk of consulting with the community is insignificant and unlikely, therefore the overall risk rating is low.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 2.2.3 Identify, provide and manage Shire assets (including community infrastructure, Shire controlled reserves and freehold land) in accordance with agreed service levels.

Strategy 3.2.3 Support community-initiated projects and activities.

Strategy 4.1.1 Enhance the Shire's profile through marketing initiatives and community engagement.

Strategy 4.1.2 Utilise contemporary communication strategies and tools to enhance public participation.

PLANNING, COMMUNITY AND INFRASTRUCTURE

DPCI03 – 11/17

Subject: Tender 1-2017/18 TV Radio Broadcasting
Reporting Officer: Projects Officer
Responsible Executive: Director Planning, Community and Infrastructure
File Reference: GS.PR .16
Voting Requirements: Simple Majority

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To consider the tenders received for the supply, installation and commissioning of associated equipment to provide a television and radio retransmission to the communities of Dongara and Port Denison.

Officer's Recommendation:

That Council awards Tender 1-2017/18 for the supply and install TV/Radio broadcasting infrastructure to Mitchell and Brown Communications for the tendered price of \$174,444.69 exclusive of GST.

Attachment:

[Tender Document 1-2017/18 TV Radio Broadcasting](#)

Confidential - Shire of Irwin Decision Matrix (provided under separate confidential cover)

Background:

A test antenna was mounted at the 30m level on the existing transmission tower in Port Denison. Reception of the Geraldton television transmitters was evaluated using an automated measurement system for a 10 day period between the 24 March and 2 April 2017. Testing established that signal levels from Geraldton:-

- Agreed with calculated levels during "normal" atmospheric conditions,
- Were subject to extended periods of signal enhancement due to duct propagation,
- Experienced deep fading and almost complete loss of signal at times,
- Reception during periods of warm to hot weather is likely to be severely affected.

Measurements found that the reception quality of the Geraldton television transmitters is not reliable and use of a translator cannot be recommended and re-transmission is required to be sourced from the VAST satellite system.

The supply and installation of TV and radio broadcasting equipment through this tender is required to provide free to air TV and radio to residents and businesses in Dongara and Port Denison.

Officer’s Comment:

At the close of tender submissions on 23 October 2017, two tenders were received that were subsequently assessed by Manager Technical Services, Manager Community Capacity and Projects Officer in accordance with the predetermined selection criteria as set out in the tender document. Based on the criteria, Mitchell and Brown Communications was considered the successful tenderer. Mitchell and Brown Communications will also meet a criteria of the Regional Grant Scheme that “Council uses products from the Region for the Project wherever reasonably practicable using an open and competitive process”.

The return tender documents from Mitchell and Brown Communications were thorough and complete providing evidence of understanding, experience, health and safety obligations, training and appropriate licences. In comparison, the return tender documents from the other tenderer were incomplete, stating that evidence/documentation would be supplied on award of tender.

Stakeholder Engagement:

Nil.

Financial/Resource Implications:

The project is funded by the:-

- Midwest Development Commission Regional Grant Scheme (\$84,500),
- SBS Self-help subsidy scheme (\$45,500), and
- Shire of Irwin (\$44,444).

Statutory Environment:

Local Government Act 1995

Local Government (Functions and General) Regulations 1996.

Policy Implications:

C13 Purchasing

Risk Implications:

Any risk associated with awarding the tender to the recommended firm is considered to be minor and unlikely, resulting in a low risk rating.

Strategic Implications:

Strategic Community Plan 2017-2027

Strategy 1.1.2 Partner with and advocate on behalf of commerce and industry to improve local infrastructure and services.

9.2 COUNCIL COMMITTEE REPORTS

Nil.

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

13. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

13.1 Staff Matters – CEO Update

14. CLOSURE

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

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