



MINUTES

FOR THE

ORDINARY COUNCIL MEETING

HELD ON

TUESDAY 26 FEBRUARY, 2019



DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Irwin for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Irwin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Irwin warns that anyone who has any application or request with the Shire of Irwin must obtain and should rely on WRITTEN CONFIRMATION of the outcome of the application or request of the decision made by the Shire of Irwin.

A handwritten signature in black ink, appearing to read "Shane Ivers", is positioned above the printed name and title.

Shane Ivers
CHIEF EXECUTIVE OFFICER (Acting)



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I certify that this copy of the Minutes is a true and correct record of the meeting held on
26 February 2019
Signed:
Presiding Elected Member
Date:.....



MINUTES OF THE ORDINARY COUNCIL MEETING

held in the Council Chambers on
Tuesday 26 February 2019 at 6.00pm

Members Present

Councillor M T Smith
Councillor B Wyse
Councillor A J Gillam
Councillor S F Gumley
Councillor M Leonard
Councillor I Scott
Councillor I F West
Councillor K L Wilson

President
Deputy President

Staff Present

Mr S D Ivers
Mr B Jeans
Mrs D K Chandler
Miss N A M'Leane

Chief Executive Officer (Acting)
Manager Regulatory Services
Governance & Executive Coordinator
Regulatory & Governance Officer

Apologies

Nil.

Approved Leave of Absence

Nil.

Gallery

Mr Geoff Vivian (Geraldton Newspapers), Mr D Higgins, Mr J Arden, Mr J Rossiter

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors, Staff and Guests and opened the meeting at 6.00pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

As noted above.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the 27 November 2018 Ordinary Council Meeting, Mr Rossiter asked Council: Does the Irwin Shire Council realise that since Batavia Health took control of the Dongara Medical Centre from Dr Ghi, that it will have cost the ratepayers over \$1M by the time the present 10 year subsidy has finished?

The response provided at the 11 December 2018 Ordinary Council Meeting was: To allow sufficient time to gather information required to respond to this question, a response will be provided at the next Ordinary Council Meeting.

Response: After taking into consideration the costs associated with the transfer of 290 Point Leander Drive, rates subsidised over 10 years, GP Services financial retainer over 10 years, general purpose grant funds received from the federal government and the cost of the construction of the carpark, it has been calculated that the cost of the subsidy is perceived to be approximately \$65,000 per year over a 10 year period.

Please note that the current actual monetary cost to the Shire each year is approximately \$2,800. This is after the rates and the GP services financial retainer are offset by the grant funds received from the Federal Government. This is considered to be a fair contribution for the purpose of retaining GP services in the community and is a minimal amount compared to what other regional Councils may contribute.

4. PUBLIC QUESTION TIME

Mr Rossiter asked Council how the perceived cost of \$65,000 per year was calculated.

Response: The Shire President advised that this question will be taken on notice so that further information can be provided to him.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Cr West requested a Leave of Absence for the 26 March 2019 Ordinary Council Meeting.

COUNCIL DECISION 010219:

MOVED: Cr Leonard

SECONDED: Cr Wyse

That Council grant Cr West a leave of absence for the 26 March 2019 Ordinary Council Meeting.

VOTING DETAILS:

CARRIED 8/0

6. PETITIONS AND DEPUTATIONS

Nil.

7. CONFIRMATION OF MINUTES

7.1. MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 DECEMBER 2018

A copy of the Minutes of the Ordinary Council Meeting held on 11 December 2018 has been provided to all Councillors under separate cover.

COUNCIL DECISION 020219:

MOVED: Cr Gumley

SECONDED: Cr Scott

That the Minutes of the Ordinary Council Meeting, held on 11 December 2018, be confirmed as a true and accurate recording of that meeting.

VOTING DETAILS:

CARRIED 8/0

7.2. MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 12 FEBRUARY 2019

A copy of the Minutes of the Ordinary Council Meeting held on 12 February 2019 has been provided to all Councillors under separate cover.

COUNCIL DECISION 030219:

MOVED: Cr Leonard

SECONDED: Cr Gillam

That the Minutes of the Special Council Meeting, held on 12 February 2019, be confirmed as a true and accurate recording of that meeting.

VOTING DETAILS:

CARRIED 8/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Functions and Events

- | | |
|-------------|---|
| 26 January | The Shire President attended the 2019 Australia Day Citizenship Awards Breakfast held at the Dongara Denison Surf Life Saving Club and presented nominees and winners with their awards. |
| 4 February | The 2018 Annual Electors Meeting was held at the Irwin Recreation Centre Function Room. It was well attended by 13 members of the community. |
| 6 February | Both the Shire President and CEO met with Nick Dunstan and Amanda Keely of Beach Energy to discuss the development of a community engagement program. Beach Energy is a joint venture partner with Mitsui in both the Waitsia and Beharra Springs gas fields. |
| 13 February | The Shire President and CEO met with Grant Woodhams in relation to the 2019 Denison Foreshore Sprint and Midwest Show and Shine. |

WALGA Quarterly Report

To improve engagement with WALGA members and their respective communities, WALGA have prepared and issued quarterly reports in regards to services accessed, professional development opportunities and events, and industry matters that WALGA may be advocating on. I wish to table the Overview Report for Quarter 4 (October to December 2018) provided by WALGA, available in Attachment Booklet – February 2019.

9. REPORTS
9.1. Officer Reports

CORPORATE AND COMMUNITY

CC01 – 02/19

Subject: Accounts for Payment
Author: S Clarkson, Finance Officer
Responsible Officer: S Ivers, Acting 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 December 2018 and January 2019.

OFFICER'S RECOMMENDATION AND COUNCIL DECISION 040219:

MOVED: Cr Scott

SECONDED: Cr Gillam

That Council receives the Accounts paid during December 2018 and January 2019 as presented in Attachment Booklet – February 2019, represented by:

Payment Type/Numbers	Total Amount
EFT 23616 – 23892	\$2,194,002.36
Muni Cheques - 31855 – 31879	\$106,442.90
Direct Debit – Solar Panel Repayments 11/18	\$3,895.32
Direct Debit – Credit Card	\$3,142.98
Direct Debit – Superannuation	\$61,433.34
Direct Debit - Transport – PL031218 – PL290119	\$99,971.90
Grand Total	\$2,468,888.80

VOTING DETAILS:

CARRIED 8/0

Attachment:

Accounts for Payment – December 2018 and January 2019

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of December 2018 and January 2019.

Officer's Comment:

Nil

Stakeholder Engagement:

Nil

Financial / Resource Implications:

Nil

Statutory Environment:

Local Government (Financial Management) Regulations 1996:

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

Policy Implications:

Under Delegation CEO3 Council has delegated authority to the Chief Executive Officer to authorise all payments by Council.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

CORPORATE AND COMMUNITY

CC02 – 02/19

Subject: Financial Statements for the Period ending 31 December 2018
Author: Jim Dillon, Consultant
Responsible Officer: S Ivers, Acting 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 2018 to 31 December 2018.

OFFICER'S RECOMMENDATION AND COUNCIL DECISION 050219:

MOVED: Cr West **SECONDED: Cr Leonard**

That the Monthly Financial Statement for the period 1 July 2018 to 31 December 2018 be received, as provided in Attachment Booklet – February 2019.

VOTING DETAILS: **CARRIED 8/0**

Attachment:

Financial Statements for the Month Ending 31 December 2018.

Background:

The Monthly Financial Report to the 31 December 2018 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

Officers Comment:

The financial position to the end of December 2018 is detailed in the attached report and summarised as follows relative to year to date budget expectations:

Operating Revenue	\$7,085,273	1.6% positive variance
Operating Expenditure	\$5,027,937	7.8% negative variance
Net Operating	\$2,057,336	
Capital Revenue	\$1,208,840	21.8% negative variance
Capital Expenditure	\$1,317,168	53.1% positive variance
Cash at Bank – Municipal	\$2,045,153	
Cash at Bank – Reserve	\$1,655,469	
Total Funds Invested	\$3,700,622	
Net Rates Collected	80.69%	
Rates Receivables Outstanding	\$1,050,419	
Non Rates Receivables Outstanding	\$233,848	

The attached report provides explanatory notes for items greater than 10% or \$10,000. 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.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

CORPORATE AND COMMUNITY

CC03 – 02/19

Subject: Financial Statements for the Period ending 31 January 2019
Author: Jim Dillon, Consultant
Responsible Officer: S Ivers, Acting 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 2018 to 31 December 2018.

OFFICER'S RECOMMENDATION AND COUNCIL DECISION 060219:

MOVED: Cr Gumley

SECONDED: Cr Wyse

That the Monthly Financial Statement for the period 1 July 2018 to 31 January 2019 be received, as provided in Attachment Booklet – February 2019.

VOTING DETAILS:

CARRIED 8/0

Attachment:

Financial Statements for the Month Ending 31 January 2019.

Background:

The Monthly Financial Report to the 31 January 2019 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

Officers Comment:

The financial position to the end of December 2018 is detailed in the attached report and summarised as follows relative to year to date budget expectations:

Operating Revenue	\$7,213,875	1.8% positive variance
Operating Expenditure	\$5,790,724	8.0% negative variance
Net Operating	\$1,423,151	
Capital Revenue	\$1,208,840	30.7% negative variance
Capital Expenditure	\$1,800,982	77.0% positive variance
Cash at Bank – Municipal	\$1,561,444	
Cash at Bank – Reserve	\$1,658,000	
Total Funds Invested	\$3,219,444	
Net Rates Collected	82.94%	
Rates Receivables Outstanding	\$928,591	
Non Rates Receivables Outstanding	\$111,909	

The attached report provides explanatory notes for items greater than 10% or \$10,000. 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.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

CORPORATE AND COMMUNITY

CC04 – 02/19

Subject: Request to write off rates – 51 Brennand Road, Dongara
Author: S Bonny, Finance Officer - Payroll & Rating
Responsible Officer: S Ivers, Acting Chief Executive Officer
File Reference: RV.RT.3 A628
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.
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Report Purpose:

To consider writing off a portion of rates outstanding on 51 Brennand Road, Dongara.

OFFICER'S RECOMMENDATION AND COUNCIL DECISION 070219:

MOVED: Cr Wyse

SECONDED: Cr Gillam

That Council, by Absolute Majority, write off the portion of rates and Emergency Services Levy (ESL), totalling \$791.00 on 51 Brennand Road, Dongara being assessment A628.

VOTING DETAILS:

CARRIED 8/0

Background:

On 25 July 2018, Council received an electronic advice of sale for 51 Brennand Road, Dongara. The Shire is required to respond to the advice of sale advising the Settlement Agent of any outstanding rates on a property due to be sold. At the time of the request, due to an internal system error, the sum of outstanding rates advised on the response did not include the portion of pensioner concession that one of the owners was entitled to. Therefore, sufficient funds were not held by the Settlement Agent to cover the rate payment in full, in the event that the concession was not paid by the Office of State Revenue.

When the pensioner concession was claimed by the Shire of Irwin, it was rejected by the Office of State Revenue as the owner was deceased prior to 1 July of the rating year. The surviving owner is not eligible for a concession therefore leaving a balance due and payable of \$791.00. As the property sale settled on 10 September 2018, the Settlement Agent is no longer holding funds and the rates were apportioned at settlement. This outstanding balance is not a debt of the new owner and remains outstanding.

Officer's Comment:

The property ownership details cannot be updated internally until the outstanding balance is paid. As this was an administrative oversight and at no fault to the new owners, it is recommended that the balance be written off.

Stakeholder Engagement:

The previous owner is aware of this outstanding balance. The new owners are unaware of the outstanding balance. There has been no further communication with either owners until after Council have made a decision regarding the outstanding balance.

Financial/Resource Implications:

The total outstanding rates and associated charges are \$791.00. Should Council wish to write off the rates and ESL, this will be shown as an expense in this financial year.

Statutory Environment:

Local Government Act 1995

s6.47 Concessions

Subject to the Rates and Charges (Rebates and Deferrals) Act 1992, a local government may at the time of imposing a rates or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

**Absolute majority required.*

Policy Implications:

Nil.

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

CEO01 – 02/19

Subject: Local Government Elections 2019
Author: D Chandler, Governance & Executive Officer
Responsible Officer: S Ivers, Acting 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.
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- 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 election for the 2019 local government elections, together with any other election or polls which may be required.

OFFICER'S RECOMMENDATION AND COUNCIL DECISION 080219:

MOVED: Cr Leonard

SECONDED: Cr Gumley

That Council, by Absolute Majority;

- 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 2019 ordinary elections together with any other elections or polls which may be required; and**
- 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.**

VOTING DETAILS:

CARRIED 8/0

Attachment:

Attachment 1 – Correspondence from the Western Australian Electoral Commission

Background:

Local government ordinary elections are held on the third Saturday in October every two years. The next local government ordinary elections will be held on 19 October 2019.

The Shire has the option of facilitating a voting in person election day or running the election via postal vote.

The Electoral Commissioner is responsible for conducting all local government postal elections in Western Australia and can also conduct voting in person elections on request under the *Local Government Act 1995*. By making the Electoral Commissioner responsible for these elections, the Shire of Irwin ensures that elections are conducted independently and with impartiality.

For the Shire to facilitate a voting in person election day, several local government staff plus externally appointed staff would be required to host the election at the Irwin Recreation Centre on the specified election date for residents to cast their vote in person.

Postal elections for local government in WA were first trialled by four (4) local governments in 1995. This has increased over the years to 85 local governments in 2017.

For the Shire to run a postal election, a local Returning Officer will need to be appointed and one local government staff member will be required to work in the polling place on election day. All eligible electors will receive a postal voting package around three weeks prior to polling day. The package will include a list of candidates, ballot papers, instructions on how to vote and a declaration.

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 ordinary elections in 2019 for the Shire of Irwin in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required. This 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:

Postal voting historically has a much higher participation rate (response rate for previous Shire of Irwin postal election being approximately 55%) than election days with voting in person, as postal voting is more convenient for many electors.

It is recommended that Council agree to the Electoral Commissioner running the 2019 Shire of Irwin ordinary election, and other required election or poll via postal vote due to the experience of the WAEC, their independence and impartially 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
- Economies of scale can reduce some of the costs (advertising).
- Elected Councillors have a high level of support from the local community.

Financial/Resource Implications:

The Commission is required to conduct local government elections on a full cost recovery basis which may vary depending on factors such as the cost of materials and number of replies received.

The basis for charges is all materials at cost and a margin on staff time only. Should a significant change in this figure become evident prior to or during the election the Shire will be advised as early as possible.

The actual costs for the 2017 Elections were \$17,816. It has been recommended by the Electoral Commission that \$21,000 be considered for the 2019/20 Budget, based on the following assumptions:

- 2,700 electors;
- response rate of approximately 55%
- 4 vacancies
- count to be conducted at the offices of the Shire of Irwin;
- appointment of a local Returning Officer;
- regular Australia Post delivery service

Costs not incorporated in this estimate include any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns, one local government staff member to work in the polling place on election day and any additional postage rate increase by Australia Post.

Statutory Environment:

Local Government Act 1995 s4.20(4): *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

** Absolute majority required.*

Local Government Act 1995 s4.61(2): *The local government may decide* to conduct the election as a postal election.*

** Absolute majority required.*

Policy Implications:

Nil

Strategic Implications:

Strategic Community Plan 2012 - 2022

Strategy 4.3.2 Continue to promote programs to encourage greater participation in elections.

OFFICE OF THE CEO

CEO02 – 02/19

Subject: Amendment to Delegation CEO3 – Payment Authorisation
Author: D Chandler, Governance & Executive Officer
Responsible Officer: S Ivers, Acting Chief Executive Officer
File Reference: GV.AU.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:

To consider amending Council to CEO Delegation CEO3 – Payment Authorisation.

OFFICER'S RECOMMENDATION AND COUNCIL DECISION 090219:

MOVED: Cr Scott

SECONDED: Cr Wyse

That Council, by Absolute Majority, adopts the amended Delegation CEO3 – Payment Authorisation, as per Attachment 2 provided in Attachment Booklet – February 2019.

VOTING DETAILS:

CARRIED 8/0

Attachment:

Attachment 1 – Current Delegation CEO3 Payment Authorisation
Attachment 2 – Amended Delegation CEO3 Payment Authorisation

Background:

Council reviewed the Delegations Register at the 26 June 2018 Ordinary Council Meeting. It is a requirement under s5.18 and s5.46 of the Local Government Act 1995 to keep a register of delegations and to review the delegations at least once every financial year.

The Shire of Irwin's current Council to CEO Delegation, CEO3 – Payment Authorisation, (Attachment 1) makes references to specific officer roles. As sub-delegation of a Council delegation is at the complete discretion of the CEO, this level of detail is not required in a Council to CEO delegation.

Whilst the probity controls proposed in the 'procedure' of the existing delegation are appropriate and meet the requirements for internal controls, it is inappropriate that officers have been specified by the council when making its delegation to the CEO.

Officer's Comment:

There will be another full review of the Delegations Register by the end of the current financial year, but before this is undertaken, it is recommended to Council to amend the CEO3 – Payment Authorisation delegation to remove the references to specific officer roles as this will simplify it to only delegate the statutory function (as per Attachment 2).

Financial/Resource Implications:

Nil.

Statutory Environment:

Local Government Act 1995 s5.18

Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

Local Government Act 1995 s5.46

Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Policy Implications:

Nil

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 principles.

OFFICE OF THE CEO

CEO03 – 02/19

Subject: Review of Council Committees
Author: D Chandler, Governance & Executive Coordinator
Responsible Officer: 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 review the existing Committees of Council and consider the disbanding of certain committees.

Officer's Recommendation:

That Council disbands the following Committees of Council;

- **ASSET MANAGEMENT ADVISORY COMMITTEE**
- **IRWIN ROADWISE COMMITTEE**
- **SUSTAINABLE ENVIRONMENT COMMITTEE**

The Officer's Recommendation was moved to motion by Cr Leonard and seconded by Cr Gillam.

Formal debate followed with elected members speaking either for or against the motion.

Cr Wilson moved an amendment to the motion to allow for the Sustainable Environment Committee to remain in place as it has proven to add value to the community. The amended motion was seconded by Cr Gumley.

The new substantive motion was put to vote.

AMENDED SUBSTANTIVE MOTION AND COUNCIL DECISION 100219:

MOVED: Cr Gumley

SECONDED: Cr Wyse

That Council disbands the following Committees of Council;

- **ASSET MANAGEMENT ADVISORY COMMITTEE**
- **IRWIN ROADWISE COMMITTEE**

VOTING DETAILS:

CARRIED 8/0

Attachment 1 to this report will be amended to reflect Council's decision and distributed to Councillors.

Attachment:

Attachment 1 – Amended Council Delegates to Committees as at February 2019

Background:

Council currently operates the following Committees:

- Audit Committee
- Asset Management Advisory Committee
- Bushfire Advisory Committee
- Community Assistance Scheme and Events (CASE) Committee
- Irwin Roadwise Committee
- Local Emergency Management Committee (LEMC)
- Sustainable Environment Committee

Council currently have representation on the following external Committees:

- Midwest Regional Road Group Committee
- Midwest Industry Road Safety Alliance
- Midwest / Wheatbelt Joint Development Assessment Panels
- Northern Country Zone of WA Local Government Association (NCZWALGA) Committee
- Port Denison Maritime Advisory Group

The responsibilities and tasks undertaken by these committees have been reviewed and recommendations are made to streamline certain processes, reduce duplication and preserve staff.

Officer's Comment:

To maximise productivity and efficiency within the organisation, it is proposed that the ASSET MANAGEMENT ADVISORY COMMITTEE be disbanded with any decisions to be presented to the whole of Council where appropriate.

It is proposed to disband the IRWIN ROADWISE COMMITTEE as the Shire of Irwin is appropriately represented on the external committee for Midwest Industry Road Safety Alliance (MWIRSA) which includes a regional road safety initiative.

It is proposed that the SUSTAINABLE ENVIRONMENT COMMITTEE be disbanded and the responsibilities be incorporated internally. Environmental issues requiring Council decisions will be referred to the whole of Council as appropriate.

The COMMUNITY ASSISTANCE SCHEME AND EVENTS (CASE) COMMITTEE will remain in place in accordance with Council's Financial Assistance Funding Policy (C7).

The AUDIT COMMITTEE will remain in place as legislated in the *Local Government Act 1995*.

The Shire of Irwin BUSH FIRE ADVISORY COMMITTEE will remain in place in accordance with the *Bush Fires Act 1954*. This committee plays an important role in the community by effectively communicating all matters relating to the prevention, control and extinguishing of bush fires and currently meets on an annual basis.

The Shire of Irwin LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) will remain in place as it is a requirement under the *Emergency Management Act 2005*. This committee currently meets quarterly.

The external committees listed above will remain in place to ensure appropriate Shire representation:

Financial Implications:

It is anticipated that by disbanding these committees, there will be an indirect, positive financial benefit through the preservation of staff time.

Statutory Environment:

Local Government Act 1995;

7.1A. Audit committee

- (1) *A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.*

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.*

Bush Fires Act 1954;

67. Advisory committees

- (1) *A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.*

Local Emergency Management Act 2005;

38. Local emergency management committees

- (1) *A local government is to establish one or more local emergency management committees for the local government's district.*

Policy Implications:

Financial Assistance Funding Policy (C7)

Strategic Implications:

Strategic Community Plan 2017-2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.2.3 Adopt a risk and asset management approach

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OFFICE OF THE CEO

CEO04 – 02/19

Subject: Annual Electors Meeting 2018
Author: D Chandler, Governance & Executive Coordinator
Responsible Officer: S Ivers, Acting 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:

To consider the Minutes of the 2018 Annual Meeting of Electors held Monday 4 February 2019, and endorse any recommendations resolved from the meeting.

OFFICER'S RECOMMENDATION AND COUNCIL DECISION 110219:

MOVED: Cr Leonard

SECONDED: Cr West

That Council notes the Minutes of the 2018 Annual Meeting of Electors provided in the Attachments Booklet – February 2019 and the only decision of the meeting as below;

MEETING OF ELECTORS RESOLUTION:

MOVED: Cr Wilson

SECONDED: Cr Wyse

That the Shire of Irwin's Annual Report for the financial year ending 30 June 2018 be accepted.
CARRIED

VOTING DETAILS:

CARRIED 8/0

Attachment:

Minutes of the Annual Electors Meeting 2018

Background:

Council have historically been issued the minutes and advised of any recommendations from the Annual Meeting of Electors by presenting the minutes through an agenda report at the next Ordinary Council meeting following the Electors Meeting.

Officer's Comment:

The practice of including the Minutes and relevant recommendations from the Annual General Meeting of Electors within an agenda report ensures Council are meeting their statutory obligation to consider decisions made at the Electors meeting and preserves those Minutes within the Minute Book.

The only recommendation to come out of the 2018 Annual Meeting of Electors was to accept the 2017/18 Annual Report. Any comments or enquiries raised during General Business at the meeting were recorded and included into the Shire's Customer Requests system for follow up.

Stakeholder Engagement:

A public notice was issued to advise the community of the Electors Meeting and availability of the 2017/18 Annual Report. This was published in the Dongara Denison Local Rag, electronically on the Shire of Irwin website and Facebook page and displayed in the Public Noticeboard at the Dongara Library.

Statutory Environment:

Local Government Act 1995

5.32. *Minutes of electors' meetings*

The CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and*
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.*

5.33. *Decisions made at electors' meetings*

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

Policy Implications:

Nil

Strategic Implications:

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

CEO05 – 02/19

Subject: Green Space Initiative Community Consultation Results & Recommendations
Author: P Ruffles, Projects Supervisor & D Chandler, Governance & Executive Coordinator
Responsible Officer: S. Ivers, Acting Chief Executive Officer
File Reference: CR.CO
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:

Seeking Council's approval to proceed with the Green Space Initiative Car Parking Proposal and the preservation of the historically significant structures that form part of the Fishermen's Hall.

Officer's Recommendation:

That Council approves the Foreshore Car Parking Plan as per the design provided as Attachment 1 in Attachment Booklet – February 2019, to allow commencement of the tendering process.

The Officer's Recommendation was moved to motion by Cr Wilson and seconded by Cr Wyse.

Cr Leonard moved an amendment to the motion as a result of Council's site visit to the Port Denison Foreshore earlier in the day, in relation to this item. The amendment was seconded by Cr Gillam.

AMENDMENT:

MOVED: Cr Leonard

SECONDED: Cr Gillam

That Council approves the Foreshore Car Parking Plan as per the design provided as Attachment 1 in Attachment Booklet – February 2019, to allow commencement of the tendering process, with the following changes:

- 1. Chain 0-60: postpone construction**
- 2. Chain 380-440: modify design to allow 90 degree parking facing foreshore.**

The new substantive motion was put to vote.

AMENDED SUBSTANTIVE MOTION AND COUNCIL DECISION 120219:

MOVED: Cr Leonard

SECONDED: Cr Gillam

That Council approves the Foreshore Car Parking Plan as per the design provided as Attachment 1 in Attachment Booklet – February 2019, to allow commencement of the tendering process, with the following changes:

- 3. Chain 0-60: postpone construction**
- 4. Chain 380-440: modify design to allow 90 degree parking facing foreshore.**

VOTING DETAILS:

CARRIED 8/0

With the preservation of the historically significant structures forming part of the Fishermen's Hall, two options arose from the community consultation sessions. Therefore, two alternative recommendations have been prepared for Council's consideration and selection:

Officer's Recommendation A:

That Council preserves the heritage significance of the Fishermen's Hall by removing the original, historically significant timbers and storing them for future use in the foreshore development, post-demolition of the Fishermen's Hall.

OR

Officer's Recommendation B:

That Council preserves the heritage significance of the Fishermen's Hall by dismantling and keeping only the historically significant timbers in the vicinity of the current location to allow an open visual aspect as part of the foreshore development.

Officer's Recommendation B was moved to motion by Cr Wyse and seconded by Cr Scott.

Formal debate followed with elected members speaking for and against the motion.

Cr Leonard moved an amendment to the motion to improve clarity around the removal and preservation of the Fishermen's Hall and associated future budget considerations. Cr Wyse seconded the amendment.

AMENDMENT:

MOVED: Cr Leonard

SECONDED: Cr Wyse

That Council;

- 1. Dismantle and remove the Fishermen's Hall;**
- 2. Preserve the heritage significance of the Fishermen's Hall by removing and storing the historically significant timbers and other heritage items for the potential future use in the Shire, that will reflect the full (~125 year) history of the Bond Store/ Fishermen's Hall and its place in the history of our district; and**
- 3. Accept that all costs and actions relating to dismantling and removal of the Fishermen's Hall and the repurposing of heritage items be subject to funding provisions within future budgets, 2019-20 onwards.**

Before the amendment was put to vote, Cr West moved that the item be adjourned to the 26 March 2019 Ordinary Council Meeting to allow officers to present the Fishermen’s Hall removal and preservation as a stand-alone item.

MOTION TO DEFER 130218:

MOVED: Cr West

SECONDED: Cr Gillam

That Council adjourn the item relating to the Fishermen’s Hall until the 26 March 2019 Ordinary Council Meeting to allow officers to present the Fishermen’s Hall removal and preservation as a stand-alone item.

VOTING DETAILS:

LOST 2/6

As the motion to defer was Lost, the amended substantive motion was put to vote.

AMENDED SUBSTANTIVE MOTION AND COUNCIL DECISION 140219:

MOVED: Cr Gillam

SECONDED: Cr Wilson

That Council;

- 4. Dismantle and remove the Fishermen’s Hall;**
- 5. Preserve the heritage significance of the Fishermen’s Hall by removing and storing the historically significant timbers and other heritage items for the potential future use in the Shire, that will reflect the full (~125 year) history of the Bond Store/ Fishermen’s Hall and its place in the history of our district; and**
- 6. Accept that all costs and actions relating to dismantling and removal of the Fishermen’s Hall and the repurposing of heritage items be subject to funding provisions within future budgets, 2019-20 onwards.**

VOTING DETAILS:

CARRIED 7/1

Cr West requested that his vote against the amended substantive motion be recorded in these minutes.

Attachments:

- Attachment 1 – Foreshore Car Parking Design
- Attachment 2 - Heritage Findings Report
- Attachment - CONFIDENTIAL - Community consultation collated results

Background:

Foreshore Car Parking Plan

The Shire developed a Port Denison Foreshore concept masterplan back in 2013 and later revised it in 2016, but was unsuccessful in its bid for funding. Work commenced in the second half of 2018 to simplify the masterplan into affordable packages where the majority of the low cost activities could be funded internally over an extended period and the high cost activities packaged such that they are attractive to external funding grant opportunities. A major theme of the simplified masterplan is to protect the iconic family friendly foreshore greenspace and any proposed improvement elements enhancing this major theme.

One of the first opportunities to deliver a high cost package is to combine the scheduled Regional Road Group (RRG) funded resealing works due this financial year for Point Leander Drive together

with any proposed on-street parking. Previous masterplans were reviewed and it was noted that there was some on-street parking, but referring to the design provided as Attachment 1, an obvious opportunity to enhance the foreshore greenspace was to convert the current carparks to on-street parking. Early design work suggested that the number of both car parks and long bays could be increased whilst increasing the foreshore greenspace by approximately 5000 square metres. This would also improve vehicle and pedestrian interaction in terms of safety, and eliminate the costly maintenance renewal of these car parks, which is currently well overdue.

On this basis, the design was progressed to a sufficient level such that it could be presented to Council for discussion. The design was presented to Councillors at the Asset Management Advisory Committee Meeting held 13 November 2018. Councillors supported the concept provided that the Shire held community consultation sessions to engage with, and receive feedback, from the community. Two (2) community consultation sessions were held in December 2018 and resulted in positive engagement with the community.

Fishermen's Hall

The former Custom and Excise Shed (Bond Store) was built in 1894 of timber frame and corrugated iron cladding. The structure included a loading bay on the east side and was connected to the nearby jetty (second jetty, built 1867, Place No. 83) with a horse drawn railway. Some of these rails are still under the carpark to the west of the building.

In the mid 1890s, Port Denison went into decline with the opening of the Midland Railway line and the shed fell into disrepair. With the formation of the Denison Progress Association in the 1940s with Herbert Cole as president, the shed was renovated with repairs to the wooden floor. The building was used for social functions and dances. Two rainwater tanks were added to the west side and during the summer months the hall was used for holiday accommodation.

In the 1970s the Dongara Professional Fishermen's Association leased the building from the Shire of Irwin and made repairs to the building. In the early 1990s, the Association made major renovations to the building which included the replacement of the corrugated iron cladding with concrete blocks and the addition of bullnose verandas. The original internal structural timbers were retained.

Heritage Listing

The Fishermen's Hall Place Record No. 70 (formerly Place 72) has been proposed to be downgraded from a Management Category 2 to a 3 during the 2017 review owing to "diminished heritage value" (as per Attachment 2 – Heritage Findings Report).

The Statement of Significance reads as follows:

The Fishermen's Hall, the former Bond Store, has historic significance given its connection to the development of sea transport in the district, especially the remnants of the nearby second jetty (Place No. 83) with which it is visually linked. The building also has social significance for its connection to the Dongara Professional Fishermen's Association since the 1970s and its use for social functions for many years."

Management Category 3 means that the Fishermen's Hall is "SIGNIFICANT AS AN INDIVIDUAL BUILDING OR PLACE". The encouragement is to retain and preserve if possible:

- Endeavour to preserve the significance of the place through provisions of the Town Planning Scheme with encouragement to the owner to preserve the place.
- Photographically record the place prior to any major redevelopment.

Officer's Comment:

The community consultation results (provided as a CONFIDENTIAL attachment) have been summarised and show that 3% (80 individuals) of town residents either attended the consultation sessions or formally put forth their opinion with respect to the Green Space Initiative including the Fishermen's Hall and car parking proposal. Compared to previous Shire community consultation sessions, attendance exceeded expectations.

Foreshore Car Parking Plan

A feedback form was provided and 38 people responded to the Car Parking Plan proposal. These comments can be summarised as:-

- Oppose the idea – 21% (8 people)
- Support the idea – 45% (17 people)
- Concerns/Questions/Comments – 34% (13 people)

Of the concerns/questions and comments the following trends were noted:-

- Is there enough long bay parking?
- Will the carparks be wide enough for 4x4?
- Is there a loss of available parking?
- There are enough lawn areas already.
- More green space will be good.
- Would prefer angle parking.

In summary, there was a high level of indifference with less than 50% of the attendees providing comment and of those that did comment, the majority were in favour of the proposal.

The recommendation is to proceed tendering the proposed car parking plan and to report back to Council the results from the tendering process and recommendations to complete the project. Regional Road Group approval also will be required as there may be some changes to the original funding application, but the scope of these changes will not be known until the results from the tendering process have been received.

Fishermen's Hall

The following questions were asked with the responses collated:

Question 1: Should the Fishermen's Hall be kept - Yes or No?

Response: Fifty two (52) people voted and 87% of these people voted "Yes".

Question 2: What is your connection with the Hall?

Response: Thirty-six (36) people commented. These comments are summarised as follows:-

- 44% (16 people) indicated a connection with public use (birthday parties, weddings, events)
- 31% (11 people) indicated a connection with the Lions Club (meetings, book sale)
- 22% (8 people) indicated a connection with the Professional Fishermen's Association (meetings, functions)
- 3% (1 person) had no connection with the Hall

Question 3: What should the Fishermen's Hall be used for and how would you fund it?

Response: Forty one (41) people commented. These comments are summarised as follows:-

Use:-

- Public Use (hire) – 52% (21 people)
- History/Museum – 29% (12 people)
- Lions Club Headquarters – 14% (6 people)
- Tourist Centre – 4% (2 people)

Funded:-

- No comments – 52% (21 people)
- Grants and hire fees – 41% (17 people)
- Private business – 5% (2 people)
- Shire to fund – 2% (1 person)

A feedback form was provided and 46 people responded to the Fishermen's Hall proposal to remove. These comments are summarised as follows:-

- Preserve (and re-use) the original material of the building – 59% (27 people)
- Leave it primarily how it is – 26% (12 people)
- Completely demolish it – 15% (7 people)

From these results it is clear that the majority of those in attendance would like to see the history of the Fishermen's Hall preserved in some way. The most significant trend identified from the comments was with regards to the preservation of the original timbers of the 'Bond Store'. The proposed use for these timbers were for a new structure that included ideas such as:-

- Open air pavilion
- Closed building for hire
- Heritage museum
- Tourist bureau

The recommendation is to preserve the heritage value of the Fishermen's Hall through the preservation of the historically significant timbers, being the original Bond Store timbers, which includes the rafters and the rope clad uprights as well as the uprights currently concealed in the walls of the building.

Two different recommendations have been made for Council's consideration. Both recommendations achieve the majority outcome of the consultation sessions, being the preservation of the heritage value of the Fishermen's Hall in some way.

Stakeholder Engagement:

Community consultation sessions were held at the Fishermen's Hall on 10 and 15 December 2018 in accordance with Council's Community Engagement and Public Consultation Policy.

Feedback was collected using a variety of techniques and has now been collated, analysed and summarised as per the Confidential attachment to this report.

Financial/Resource Implications:

Foreshore Car Parking Plan

The Shire have received funding approval from Regional Road Group for the maintenance renewal work of Point Leander Drive. Upon Council approval of the Foreshore Car Parking design, officers will commence the tendering process. Once tenders have been received and evaluated, officers will seek Regional Road Group approval for possible changes and then present to Council the final project together with the appropriate funding strategy to complete the work should there be any shortfall not covered by the Regional Road Group funding.

The maintenance renewal costs associated with the existing carpark affected by this change would no longer be required and Council would no longer have costs associated with depreciation.

Fishermen's Hall

The Fishermen's Hall currently costs Council approximately \$25,000 per year as per the tables below:

Table 1 Fishermen’s Hall Expenditure

Item	Cost per annum (inc GST)
Basic Maintenance	\$5,100
Depreciation	\$21,000
Utilities	\$1,300
Insurance	\$1,600
TOTAL	\$29,000

Table 2 Fishermen’s Hall Income

Item	Income
Hire (1/10/2014 - 1/12/2018)	\$15,581.00 total \$3,900 per annum (average)

In the event of the removal of the Fishermen’s Hall, Council would need to consider costs associated with dismantling the building. After dismantling, costs associated with maintenance would be significantly decreased and Council would no longer have costs associated with depreciation, utilities and insurance, along with no further income borne from hire fees.

Statutory Environment:

Local Government Act 1995

2.7. Role of council

(1) The council —

(a) governs the local government’s affairs; and

(b) is responsible for the performance of the local government’s functions.

Policy Implications:

C5 Community Engagement and Public Consultation Policy

C17 Asset Management

C18 Depreciation and Capitalisation of Assets

P18 Public Open Space

P23 Asset Management Policy

Strategic Implications:

Irwin 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 3.2.1 Recognise places of cultural and heritage value.

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

9.2. 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

Nil.

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

14. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.43pm.

An electronic copy of the Minutes are available for download from the Shire's website <http://www.irwin.wa.gov.au/Agendas-Minutes.aspx>

<p>I certify that this copy of the Minutes is a true and correct record of the meeting held on 26 February 2019 <i>Signed:</i> Presiding Elected Member Date:.....</p>
