



AGENDA

FOR THE

ORDINARY MEETING
OF COUNCIL

TO BE HELD ON

TUESDAY, 29 APRIL 2014

PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING

Members of the public are cautioned against taking any action on Council decisions, on items in this Agenda in which they may have an interest, until such time as they have been advised in writing by Council staff.

NOTICE OF MEETING

PLEASE BE ADVISED THAT THE

ORDINARY MEETING OF COUNCIL

COMMENCING AT 4.00PM

WILL BE HELD ON

TUESDAY, 29 APRIL 2014

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

Suzette van Aswegen
Acting Chief Executive Officer

24 April 2014

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

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**AGENDA FOR ORDINARY COUNCIL MEETING
TO BE HELD IN THE OCEAN ROOM, IRWIN REC
ON TUESDAY, 29 APRIL 2014
COMMENCING AT 4.00PM**

PRESENT:	President	Cr S C Chandler
	Councillors	Cr I F West (Deputy President) Cr R J Porteus Cr M T Smith Cr B C Scott Cr M Leonard
	Staff	Ms S van Aswegen – Acting Chief Executive Officer Mr G M Peddie – Director Corporate and Community Mrs J M O’Keeffe – Acting Manager Corporate Services Mr F Neuweiler – Manager Community Safety Mr D J Fotheringham – Manager Planning Services Mr L G Smith – Manager Recreation Services Mr A S Wootton – Manager Works Miss L E Tunbridge – Research and Projects Officer Ms E Greaves – Executive Assistant
LEAVE OF ABSENCE		Cr K J Hepworth Cr D R Kennedy
APOLOGIES:		Mr D J Simmons - Chief Executive Officer Mrs H M Sternick – Manager Corporate Services

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1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
 2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
 3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
 4. **PUBLIC QUESTION TIME**
 5. **APPLICATIONS FOR LEAVE OF ABSENCE**

Cr K J Hepworth and Cr D R Kennedy have been approved a Leave of Absence for the 29 April 2014 Ordinary Council Meeting.

6. **PETITIONS**
 7. **CONFIRMATION OF MINUTES**
 - 7.1 **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MARCH 2014**
-

A copy of the Minutes of the Ordinary Council Meeting held on 25 March 2014 has been provided to all Councillors under separate cover and a hyperlink is provided below.

COUNCIL MOTION:

MOVED: Cr _____

SECONDED: Cr _____

That the Minutes of the Ordinary Council Meeting, held on 25 March 2014, be confirmed as a true and accurate recording of that meeting.

[Minutes of Ordinary Council Meeting held on 25 March 2014](#)

[Attachment Booklet of Ordinary Council Meeting held on 25 March 2014](#)

7.2 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 8 APRIL 2014

A copy of the Minutes of the Special Council Meeting held on 8 April 2014 has been provided to all Councillors under confidential separate cover.

COUNCIL MOTION:

MOVED: Cr _____

SECONDED: Cr _____

That the Minutes of the Special Council Meeting held on 8 April 2014, which includes the removal of the “Cost” column from the table provided in the Officer’s Comment of Agenda Item PI01 – 04/14S (due to advice received from WALGA’s Procurement Consultancy Service that it is recommended best practice for this information to be provided to Council under confidential separate cover), be confirmed as a true and accurate recording of that meeting.

[Minutes of Special Council Meeting held on 8 April 2014](#)

[Attachment Booklet of Special Council Meeting held on 8 April 2014](#)

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

9. REPORTS

CORPORATE AND COMMUNITY

CC01 – 04/14

Subject: Accounts for Payment
Reporting Officer: Manager Corporate Services
Date of Report: 14 March 2014
File Reference: Minute Book
Voting Requirements: Simple Majority

Report Purpose:

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

Officer's Recommendation:

That the Accounts paid during March 2014, represented by Municipal Cheque Numbers 30471-30500, EFT payment numbers 15882-16029 totalling \$637,560.09, Police Licensing Payment No's PL270214-PL270314 totalling \$48,966.90, Credit Card Payment \$952.62 and Vehicle Lease Payment \$853.51, as outlined in the Attachments Booklet – April 2014 under separate cover, be received.

Attachment:

[Accounts for Payment – March 2014](#)

Background:

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

Officer's Comment:

Nil

Financial Implications:

Nil

Statutory Implications:

13. Lists of accounts
- (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.

Strategic Implications:

Strategic Community Plan – Outcome 4.2.1 *Ensure compliance whilst embracing innovation and best practice principles.*

CORPORATE AND COMMUNITY

CC02 – 04/14

Subject: Financial Statements for the Period Ending 31/03/2014
Reporting Officer: Manager Corporate Services
File Reference: Minute Book
Date Prepared: 10 April 2014
Voting Requirements: Simple Majority

Report Purpose:

To consider and receive the Monthly Financial Statements for the period 1 July 2013 to 31 March 2014

Officers Recommendation:

That the Monthly Financial Statement for the period 1 July 2013 to 31 March 2014 as outlined in the Attachments Booklet – April 2014 under separate cover, be received.

Attachment:

[Financial Statements for the Period Ending 31/03/2014](#)

Background:

The Monthly Financial Report to the 31 March 2014 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Major Variances
- Statement of Cash Flows
- Schedules 3 – 14 Budget vs Actuals Comparison
- Graphical Representation – Statement of Financial Activity
- Net Current Funding Position
- Cash and Investments
- Receivables
- Cash Backed Reserves
- Information on Borrowings
- Capital Disposals and Acquisitions
- Non Operating Grants and Contributions
- Trust Fund
- Budget Amendments
- Restricted Assets
- Port Denison Retirement Village Operating Statement

Officers Comment:

Nil

Financial Implications:

Nil

Statutory Environment:

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

Section 34 Financial activity statement report

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing -
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown -
- (a) according to nature and type classification;
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be -
- (a) presented to the council -
 - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
 - (b) recorded in the minutes of the meeting at which it is presented.

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 4.2.1 Ensure compliance whilst embracing innovation and best practice principles
SCP Outcome 4.3.3 Adopt best practice processes to achieve a high standard of governance and accountability.

CORPORATE AND COMMUNITY

CC03 – 04/14

Subject: Budget Review 2013/14
Reporting Officer: Manager Corporate Services
File Reference: FM.BU.13.14
Date Prepared: 3 April 2014
Voting Requirements: Absolute Majority

Report Purpose:

To consider the budget review for the financial year 2013/14 and to determine whether or not to adopt the review, any parts of the review or any recommendations made in the review.

Officers Recommendation:

That Council adopts the review of the Shire of Irwin 2013/14 Budget as outlined in the Attachments Booklet – April 2014 under separate cover.

Attachment:

[Budget Review 2013/14](#)

Background:

Regulation 33A of the Local Government (Financial Management) Regulation 1996 requires Council to conduct a review of its budget between six and nine months into a financial year. The Regulation requires that the results be submitted to Council to determine whether to adopt the review and recommendations made. Within 30 days of the review a copy of the review and determination is to be provided to the Department of Local Government.

Officers Comment:

The Manager Corporate Services has undertaken a detailed review of the Shire of Irwin Annual Budget for 2013/14 and forecast the final results for the full year to 30 June 2014 based on actual results to 28 February 2014.

Attached is a Rates Setting Statement projecting the estimated position as at 30 June 2014, which indicates an anticipated current net asset position of approximately \$60,530 at year end.

The estimated expenditure as at 30 June 2014, as highlighted in the attached Statement, can mainly be attributed to Schedule 10 – Community Amenities, Schedule 11 – Recreation & Culture, Schedule 12 – Transport. These items include;

- Veolia invoices for the disposal of commercial and residential waste from November 2013 to June 2014 (not yet received);
- Recruitment expenses and additional salaries relating to Town Planning as a result of the earlier than anticipated appointment of Director Planning and Infrastructure and the payment of outstanding leave for the outgoing staff member;
- consultancy fees relating to the preparation of the Local Planning Strategy review;
- interest on existing loans (#90,91,93 & 94);
- depreciation of buildings and roads; and
- town and rural road maintenance.

Whilst the anticipated current net asset position of \$60,530 at 30 June 2014 is at a lower level compared to recent years, it is indicative of the degree of works and services the Shire is currently undertaking.

The Director Corporate and Community will provide a presentation at the Ordinary Council Meeting outlining various items within the Budget Review in more detail.

Financial Implications:

As noted in the review.

Statutory Environment:

33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must -
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
**Absolute majority required.*
- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 4.2.1 Ensure compliance whilst embracing innovation and best practice principles
SCP Outcome 4.3.3 Adopt best practice processes to achieve a high standard of governance and accountability.

CORPORATE AND COMMUNITY

CC04 – 04/14

Subject: Emergency Services Volunteer Discount Policy
Reporting Officer: Manager Recreation Services
Date of Report: 22 April 2014
File Reference: CR.SP
Voting Requirements: Simple Majority

Report Purpose:

To present to Council for consideration a Policy outlining the scope for the provision of Emergency Services Volunteer discount memberships when joining the gymnasium at the Irwin Recreation Centre.

Officer's Recommendation:

That Council adopts Policy E15 Emergency Services Volunteer Discount as per below;

E15 EMERGENCY SERVICES VOLUNTEER DISCOUNT

PURPOSE

To regulate the conditions for the granting of Irwin Recreation Centre gym discounts of 50% to Emergency Services volunteers and to provide guidance in identifying eligible volunteers within the Emergency Services wishing to apply.

Emergency Services volunteers play a unique role in protecting people and property and assisting community members in physical need or distress, at times of potential personal danger and often the commitment of many unforeseen hours. These volunteer roles also require a certain degree of physical fitness, which gives the community the opportunity to enhance this requirement as well as supporting and acknowledging their valued contributions.

POLICY

This policy covers active volunteers within our Emergency Services and is limited to Bush Fire Brigades, Fire and Rescue Units, St John Ambulance and Dongara Sea Search and Rescue. All Emergency Services groups must operate within the Shire of Irwin and all eligible volunteers reside in the Shire of Irwin.

Emergency Services volunteer memberships are charged at 50% of the Irwin Shire Council's Fees and Charges set out in the Annual Budget.

A single membership is only valid for the person that purchased it, they are not transferrable. A membership can only be suspended for a set period of time upon the receipt of a doctor's certificate and through consultation with Irwin Recreation Centre management.

Bush Fire Brigades

All eligible members must be a volunteer of a local Bush Fire Brigade, actively involved in the fighting of fires and fire control exercises. All members must have their Irwin Recreation Centre gym applications endorsed by their Bush Fire Brigade captain. All applications must be signed off by the Shire of Irwin's Community Emergency Services Manager.

Fire and Rescue Units

All eligible members must be volunteers of Dongara Fire and Emergency, actively involved in fighting structural fires and road rescue. All members must have their Irwin Recreation Centre gym applications endorsed by their Fire and Rescue captain. All applications must be signed off by the Fire and Rescue secretary.

Note: All volunteers with Fire and Emergency also volunteer within the Bush Fire Brigade.

St John Ambulance

All eligible members must be volunteers of St John Ambulance Irwin District Sub Centre, actively involved in the delivery of ambulance services in the Irwin community. All members must have their Irwin Recreation Centre gym application endorsed and signed off by the Community Paramedic for the Mid West South.

Dongara Sea Search and Rescue

All eligible members must be volunteers of Dongara Sea Search and Rescue actively involved in the delivery of Sea Search and Rescue operations. Identified active members are limited to radio operators, skippers and crews.

This policy does not cover social members, boat owner members, committee members or social committee members.

All members must have their Irwin Recreation Centre gym application endorsed and signed off by the Dongara Sea Search and Rescue Commander.

Background:

The Shire of Irwin has an excellent record in supporting and recognising volunteers within our community. The Shire of Irwin Strategic Community Plan (SCP) 2012 – 2022 outlined the desire for “community groups and volunteers to be acknowledged and supported.”

There are many worthy volunteers within our community in areas from passive recreations and sporting clubs to community services in service clubs, local rag and charities shop. Emergency Services volunteers play a unique role in our community protecting people and property and assisting community members in physical need or distress, at times of potential personal danger and often the commitment of many unforeseen hours. These volunteer roles also require a certain degree of physical fitness, which gives the community the opportunity to enhance this requirement as well as supporting and acknowledging their valued contributions.

At its March 2014 ordinary meeting council endorsed the concept of an Emergency Services Volunteer discount for the use of the Irwin Rec Gymnasium, however requested the Policy be drafted before adopting the proposal.

Officer’s Comment:

Through communication with the St John Ambulance over their First Responders rollout the question was asked by the Community Paramedic for the Mid West South, looking after the volunteers of Dongara, if the Shire would consider offering volunteers a discount to use the gym facilities at the Irwin Rec. According to the Community Paramedic, “St John Ambulance do a health benefit for paid staff but not a lot for volunteers, these guys do an amazing job and I am always looking for ways to reward them.”

Whilst it is not envisaged that many volunteers will take up the memberships, this offer is another means of communicating our appreciation and acknowledgement of the great service our Emergency Services Volunteers provide our community. The offer may also have the benefit of assisting our emergency services in the recruitment of new volunteers.

Financial Implications:

As the suggested groups represent a new client base Council could generate additional revenue.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Policy developed for Council consideration.

Strategic Implications:

SCP Outcome 3.7 Community groups and volunteers are acknowledged and supported.

CORPORATE AND COMMUNITY

CC05 – 04/14

Subject: Recreation Needs Analysis
Reporting Officer: Manager Recreation Services
Date of Report: 22 April 2014
File Reference: RC.PL
Voting Requirements: Simple Majority

Report Purpose:

To present to Council the Shire of Irwin Recreation Needs Analysis Final Report for consideration.

Officer's Recommendation:

That Council adopts the Recreation Needs Analysis prepared by A Balanced View Leisure Consultants, as provided in the Attachments Booklet – April 2014 under separate cover.

Background:

The Community Engagement Process undertaken in the development of the Shire of Irwin Strategic Community Plan (SCP) 2012 – 2022 outlined the community desire for Arts, Culture and Recreation to be recognized and supported.

Advertising of the Shire of Irwin Recreation Needs Analysis Consultants Brief resulted in 13 submissions, of these A Balanced View Leisure Consultancy Services (ABV) were appointed. The brief included a facilities audit and an extensive community consultation process. The process consisted of one on one interviews with sporting clubs as well as our less active recreation clubs and groups, opportunities for community members through contact sessions and also an online survey.

The Draft Shire of Irwin Recreation Needs Analysis prepared by A Balanced View Leisure Consultancy Services was presented to Council at the 11 February 2014 Council Forum.

With Council's consent through their February 2014 ordinary meeting the Draft Recreation Needs Analysis Report was advertised for a period of 35 days for public comment and all submissions were considered in the amended Final Report.

Officer's Comment:

The 35 day public comment period of the Draft Recreation Needs Analysis resulted in 14 written submissions being received. As a result of this feedback 7 key changes were made to the final report and 4 changes to recommendations. Of the 14 submissions 4 were received from Dongara Clubs. A further 2 verbal submissions from larger clubs stating they are happy with the content having had the opportunity to represent the interests of their clubs through the initial public consultation process.

The Recreation Needs Analysis final report is a well presented and detailed document that will form the foundation of our long term Recreation Facilities and Services Plan.

Financial Implications:

The Recreation Needs Analysis was funded from the 2013/14 Budget.

Statutory Environment:

Local Government Act 1995

Policy Implications:

The Recreation Needs Analysis findings will assist in creating the foundations of our long term Recreation Plan which will guide Council's future long term decision making for Recreation Facilities and Services.

Strategic Implications:

SCP Outcome 3.6.6 Undertake Recreation Needs Analysis.

SCP Outcome 3.1.4 Conduct a needs analysis and feasibility study for Aquatic facilities.

SCP Outcome 3.3.5 Investigate options for a hydro-therapy pool as part of a broader Aquatic Facilities Needs Analysis.

PLANNING AND INFRASTRUCTURE

PI 01 – 04/14

Subject: Dongara Hotel Motel Car Park Maintenance
Reporting Officer: Director Planning and Infrastructure
Date of Report: 15 April 2014
File Reference: A493
Voting Requirements: Simple Majority

Report Purpose:

To consider agreeing to a 50% contribution towards the Dongara Hotel Motel car parking maintenance program on a one-off, ex gratia basis, as requested by the owner.

Officer's Recommendation:

That Council contributes 50% of the quoted figure of \$3,550 excluding GST towards the Dongara Hotel Motel parking area maintenance program on a one-off, ex gratia basis and as an interim measure to ensure the adequate provision of public parking in the Dongara Town Centre in the short term, pending the outcomes of the Town Centre Revitalisation Plan.

Background:

The current owner Mr Robert Galluccio purchased the Dongara Hotel Motel in 2004. It is understood that Council had an unwritten agreement with the previous owner Mr Lloyd Richardson to contribute towards the car park maintenance cost to offset the use by the general public and tourists parking in the area. For example, in 2003/2004 the Council spent approximately \$37,000 to re-surface the entire car parking area.

Mr Galluccio recently approached the Shire with a request to honour the informal agreement by contributing 50% towards a planned car parking area maintenance proposal.

Officer's Comment:

The request for contribution is for 50% of the quoted figure of \$3,550 plus GST. Although the area that he is requesting contribution for is located outside the general car parking area along the main street and more towards the rear of the premises in front of the bottle shop, these works will contribute to and ensure the provision of adequate public parking in the town centre in the short term. This, in turn, will allow the Town Centre Revitalisation planning work to be completed in the interim, with appropriate measures to deal with public parking in the town centre in the medium to longer term.

Financial Implications:

2013/2014 Budget

Statutory Environment:

Nil

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 1.1.2 – Partner and negotiate with industry and commerce to improve local infrastructure.

SCP Outcome 2.5 – Our Town Centres are attractive, accessible and inviting, whilst maintaining their unique character.

PLANNING AND INFRASTRUCTURE

PI02 – 04/14

Subject: Brookfield Rail Revised Interface Agreement
Reporting Officer: Director Planning and Infrastructure
Date of Report: 16 April 2014
File Reference: RD.AG
Voting Requirements: Simple Majority

Report Purpose:

To consider the revised Interface Agreement between the Shire of Irwin (Shire), Brookfield Rail and Main Roads WA.

Officer's Recommendation:

That Council:

- 1. Accepts the Interface Agreement for public road and rail crossing at grade interfaces between Brookfield Rail Pty Ltd, the Shire of Irwin and Main Roads WA, as presented in the Attachment Booklet – April 2014 under separate cover.**
- 2. Authorises the Chief Executive Officer to sign the Interface Agreement on its behalf.**

Attachment:

[Brookfield Rail Interface Agreement](#)

Background:

The *Rail Safety Act 2010*, which came into effect on 1 February 2014, requires Road Managers and Rail Infrastructure Managers to enter into an Interface Agreement (Agreement) for all road/rail interfaces.

The draft pro-forma Agreement, which had been developed by Brookfield Rail in conjunction with a nominated working group, was distributed to all relevant local governments within the Brookfield Rail Network, for their consideration and comments. An updated version, which more clearly sets out the objectives of the Agreement and identifies the responsibilities of each party, has now been made available to all relevant local governments for official review and consideration.

Officer's Comment:

The Agreement is the direct result of enforced changes to legislation by the State Government. WALGA acted as a common point of contact for all local governments affected by the new legislation. With the exception of Shire specific information, such as contact details and Schedule 1, the Agreement is in a standard format supplied to all local governments.

The main purpose of this Agreement is to provide a comprehensive framework within which all relevant parties with responsibility of managing safety risks next to at grade intersections can operate and cooperate jointly and effectively. It clearly sets out and explains the responsibility of each party in relation to the interfaces as listed in Schedule 1 of the Agreement.

The Agreement does not reflect any cost associated with maintenance or compliance and these costs would need to be addressed by the individual parties through their respective Annual Budget processes.

The Agreement only relates to public roads, in which case the Shire is the responsible 'Road Manager', as defined by the *Rail Safety Act 2010*. At grade intersections on all other roads will require similar Agreements with the responsible Road Managers of those roads.

Financial Implications:

Provision for all maintenance and compliance cost associated with the interfaces will be made through the Annual Budget process.

Statutory Environment:

Rail Safety Act 2010

Local Government Act 1995 – the following sections apply to the execution of this Agreement:

9.49A. *Execution of documents*

- (1) *A document is duly executed by a local government if —*
 - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*

5.43. *Limits on delegations to CEO*

A local government cannot delegate to a CEO any of the following powers or duties —

- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government.*

Policy Implications:

Nil

Strategic Implications:

- SCP Outcome 2.6 Physical assets are maintained efficiently and effectively
- SCP Outcome 3.8 Maintain our safe community
- SCP Outcome 4.2 Effective governance, sound management and prudent financial responsibility

PLANNING AND INFRASTRUCTURE

PI03 – 04/14

Subject: Discussion Paper on Road Network at Dongara Downs
Proponent: Shire of Irwin
Reporting Officer: Manager Planning Services
Date of Report: 22 April 2014
File Reference: LP.PL.6
Voting Requirements: Simple Majority

Report Purpose:

To consider a discussion paper on the potential for a road network for the Dongara Downs area.

Officer's Recommendation:

That Council:

1. Approves the Discussion Paper, as presented in the Attachment Booklet – April 2014 under separate cover, as a means to commence dialogue with the affected landowners; and
2. Authorises the Shire's officers to commence a consultation process with the affected landowners.

Attachment:

[Dongara Downs Discussion Paper – April 2014](#)

Background:

The Land

The subject land known as Dongara Downs is generally located to the north and east of Wye Farm Road.

The Proposal

After considering a request from a landowner in the area, Councilors agreed at the Council Forum on 8 October 2013 to investigate potential improvements to the road network in the area. Landvision (planning consultants) were engaged and provided four options.

Officer's Comment:

A discussion paper has been prepared for Council's consideration as the first step in a process to consider providing an improved road network in the Dongara Downs area. Should Council be satisfied with the appropriateness of the Discussion Paper, it is recommended that as a way forward Shire officers commence a consultation process with the affected landowners in this regard.

Financial Implications:

There are no financial implications associated with consideration of the report.

Statutory Environment:

Under the Local Planning Strategy, the aim for this area is to preserve and protect land, for continuing sustainable agriculture. The relevant strategies are to:

- retain existing agricultural areas in the General Farming zone of Local Planning Scheme No. 5; and
- support boundary rationalisation only for the purposes of farm management, consolidation and/or boundary realignment in accordance with State Planning Policy 2.5 and Development Control Policy 3.4

Under Local Planning Scheme (LPS) No. 5, each lot requires a permanent legal access to a constructed road. The land is currently zoned General Farming.

Policy Implications:

There are no policy implications associated with consideration of the report.

Strategic Implications:

SCP Outcome 4.2.1 Ensure compliance whilst embracing innovation and best practice principles

PLANNING AND INFRASTRUCTURE

PI04 – 04/14

Subject: Shire of Irwin Bicycle Plan 2014
Reporting Officer: Manager Works
Date of Report: 16 April 2014
File Reference: RD.DE.1
Voting Requirements: Simple Majority

Report Purpose:

To present to Council the Draft Shire of Irwin Bicycle Plan 2014 for consent to advertise.

Officer's Recommendation:

That Council consents to the Draft Shire of Irwin Bicycle Plan 2014, as prepared by Hames Sharley Consultants and provided under separate cover in the Attachments Booklet – April 2014, being advertised for a period of 14 days for public comment.

Attachment:

[Shire of Irwin Bicycle Plan 2014](#)

Background:

The community engagement process undertaken in the development of the Shire of Irwin Strategic Community Plan (SCP) 2012-2022 outlined a community need for more pathways to be constructed through the town sites of Dongara/Port Denison.

Council were successful in gaining a grant for the sum of \$15,000 from the Department of Transport and contributed \$15,000 of their own funding for this Plan. Tenders were called in early October 2013 for the works on the Bicycle Plan. Upon the submission deadline being reached the Shire received three proposals for the Bicycle Plan. Through an evaluation process using selection criteria, Hames Sharley's submission was chosen as the best fit and value for the Council's Bicycle Plan.

A community consultation session was held in late November 2013 with only three members of the public attending. Hames Sharley consultants, through their brief, also had meetings with the various stakeholders throughout Dongara/ Port Denison and conducted a saddle survey of the current pathways throughout the townships.

The original draft was also sent to the Department of Transport for their comments. These comments were integrated into the document to prepare this final draft for public comment.

Officer's Comment:

The Plan, while being a reflection of community needs, is also an important tool for Council to gain future funding from the Department of Transport. Considering the poor attendance at the public forum in November 2013, Hames Sharley have put together a good document that can be used to create all the townships future needs for pathways.

Financial Implications:

Budget 2013/14 Allocation

Statutory Environment:

Local Government Act 1995

Policy Implications:

The Bicycle Plan will assist Council in creating a better path network and additionally more opportunity to gain funding from the Department of Transport.

Strategic Implications:

SCP – 2.4.3 Review and Update the Shared Footpath and Cycle Network Plan.

PLANNING AND INFRASTRUCTURE

PI06 – 04/14

Subject: Casual Ranger Authorisation
Reporting Officer: Manager Community Safety
Date of Report: 22 April 2014
File Reference: PE.AU
Voting Requirements: Simple Majority

Report Purpose:

To authorise Peter Manners to exercise the powers conferred on him by the Dog Act 1976.

Officer's Recommendation:

That Council authorises Mr Peter Manners to carry out the following functions under the Dog Act 1976:

To register dogs; investigate complaints relating to animal matters; issue warning notices; infringements; impound dogs and subsequently release dogs; seize, detain and dispose of dogs in accordance with the provisions of that Act.

Background:

Previously Mrs Michelle English was employed as Casual Ranger. She is unable to carry out her duties for a considerable period of time and Mr Manners was appointed to that position.

To enable Shire officers to carry out their duties in accordance with the Dog Act 1976 Council needs to formally authorise the selected staff member, as no provision for delegations is made by this legislation.

Officer's Comment:

The employment of a Casual Ranger will ensure that an authorised officer is available at all times to carry out the prescribed duties under the Dog Act.

Financial Implications:

Annual Budget 2013/2014

Statutory Environment:

Section 29 (1) of the Dog Act 1976 –

A local government shall, in writing, appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by this Act.

Policy Implications:

Nil

Strategic Implications:

Outcome 3.8.6 Continue to provide a ranger service.

PLANNING AND INFRASTRUCTURE

PI07 – 04/14

Subject: Tender 3/2013-14 Construction of Seawall Tie-in
Reporting Officer: Manager Works
Date of Report: 22 April 2014
File Reference: FM.TE.4
Voting Requirements: Simple Majority

Report Purpose:

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

Officer's Recommendation:

That Council:

1. **Accepts the Tender received by WBHO Civil for the submitted price of \$294,078.45 exclusive of GST, for Tender 3/2013-14 Construction of Seawall Tie-in.**
2. **Authorises the Chief Executive Officer to negotiate any price variances due to cost increases that may arise from postponing the works until October 2014.**

Attachment:

Tender 3/2013-14 Construction of Seawall Tie-in – Assessment Matrix (provided to Councillors under confidential separate cover)

Background:

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

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

Officer's Comment:

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

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

Of the six tenderers only one is based in the Irwin Shire but cost was considered prohibitive, three tenderers are Geraldton Based companies, two of those have the best tendered pricing and the last two are Perth based companies, whose pricing is reflective of a company having to mobilise from a greater distance.

Company	Base	Tender Type
WBHO Civil	Geraldton	Conforms
Central Earthmoving	Geraldton	Conforms
Central Earthmoving	Geraldton	Alternative
Yarnell Civil	Perth	Conforms
Lenane Holdings	Geraldton	Conforms
Insitu Construction	Dongara	Conforms

Neo Infrastructure	Perth	Conforms
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It should be noted that the timing of the seawall tie-in at this time of the season can lead to extra risk for both the contractor and the Council with the chance of winter storms impeding and or creating damage to the built structure, which in turn could mean cost overruns on the tendered sum. Although these works will always have a certain amount of risk involved, early October has always been the best time of the year to carry out works along the coast, with low tides and less chance of storm events. Due to the potential for unforeseen cost increases occurring between April and October, it is recommended that the Chief Executive Officer be authorised to negotiate any price variances, if required.

Financial Implications:

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

Statutory Environment:

Local Government (Functions and General) Regulations 1996

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 2.6.3 Maintain marine based infrastructure

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

12. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. CLOSURE

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