



**AGENDA**

**FOR THE**

**ORDINARY MEETING**  
**OF COUNCIL**

**TO BE HELD ON**

**WEDNESDAY, 24 SEPTEMBER 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

WEDNESDAY, 24 SEPTEMBER 2014

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



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Geoff Peddie  
Acting Chief Executive Officer

19 September 2014

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## **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 WEDNESDAY, 24 SEPTEMBER 2014 COMMENCING AT 4.00PM

|                 |                  |   |
|-----------------|------------------|---|
| <b>PRESENT:</b> | Presiding Member | Cr S C Chandler (Shire President)   |
|                 | Councillors      | Cr I F West (Deputy President)<br>Cr K J Hepworth<br>Cr D R Kennedy<br>Cr M Leonard<br>Cr R J Porteus<br>Cr B C Scott<br>Cr M T Smith   |
|                 | Staff            | Mr D J Simmons - Chief Executive Officer<br>Mr G M Peddie – Director Corporate and Community<br>Ms S van Aswegen – Director Planning and Infrastructure<br>Mrs H M Sternick – Manager Corporate Services<br>Mr D Fotheringham – Manager Planning Services<br>Mr L G Smith – Manager Recreation Services<br>Ms N M Nelson – Manager Tourism and Library Services<br>Miss L E Tunbridge – Research and Projects Officer<br>Ms E Greaves – Executive Assistant<br>Mrs A Davis – Customer Service Officer<br>Miss T Raymond – Customer Service Officer<br>Mrs S Pratt-King – Operations Support Officer |

- 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
- 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Mr Rossiter was provided a written response in regards to the matters he raised at the Ordinary Council Meeting held Tuesday, 26 August 2014. An excerpt of the response is provided below;

#### **Seat at Granny's Beach**

*The concrete seat at Granny's Beach was removed for repairs, as per our correspondence dated 17 March 2014. However, upon closer inspection the seat was found to be irreparable due to the onset of concrete cancer. A site visit further revealed that there are three contemporary seats in the nearby vicinity which, together with the grassed area, provide ample seating opportunity for beachgoers. In light of this, a decision has been made not to replace the concrete seat at this point in time.*

#### **Unit 8 at the Port Denison Retirement Village**

*Unit 8 has been offered to 4 applicants since it was last vacated however the first 3 applicants did not accept the offer. A fourth applicant accepted the offer recently and moved in on 21 August 2014. Each offer and acceptance process, including the collation of appropriate documentation can take weeks to complete, hence the long vacancy period.*

- 4. PUBLIC QUESTION TIME
- 5. APPLICATIONS FOR LEAVE OF ABSENCE
- 6. PETITIONS
- 7. CONFIRMATION OF MINUTES
- 7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 AUGUST 2014

A copy of the Minutes of the Ordinary Council Meeting held on 26 August 2014 has been provided to all Councillors under separate cover and a hyperlink is provided below.

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**COUNCIL MOTION:**

**MOVED: Cr \_\_\_\_\_**

**SECONDED: Cr \_\_\_\_\_**

***That the Minutes of the Ordinary Council Meeting, held on 26 August 2014, be confirmed as a true and accurate recording of that meeting.***

[Minutes of Ordinary Council Meeting held on 26 August 2014](#)

[Attachment Booklet of Ordinary Council Meeting held on 26 August 2014](#)

- 8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

## 9. REPORTS

### CORPORATE AND COMMUNITY

CC01 – 09/14

**Subject:** Accounts for Payment  
**Reporting Officer:** Manager Corporate Services  
**Date of Report:** 15 September 2014  
**File Reference:** Minute Book  
**Voting Requirements:** Simple Majority

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#### Report Purpose:

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

#### Officer's Recommendation:

That the Accounts paid during August 2014, represented by Trust Cheques 3036 - 3039 totalling \$3,360.00 Municipal Cheques 30629 - 30645, EFTs 16547 - 16567 totalling \$196,166.06 Police Licensing PL300714 – PL270814 totalling \$52,775.70 and Vehicle Lease \$853.51, be received.

#### Attachment:

Accounts for Payment – August 2014

#### Background:

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

#### Officer's Comment:

Nil

#### Stakeholder Engagement:

Nil

#### Financial / Resource Implications:

Nil

#### Statutory Environment:

Local Government (Financial Management) Regulations 1996

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

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

**Policy Implications:**

Under Delegation C3 Council has delegated authority to the Chief Executive Officer to authorise all payments by Council.

**Risk Implications:**

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

**Strategic Implications:**

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

**CORPORATE AND COMMUNITY**

**CC02 – 09/14**

**Subject:** Financial Statements for the Period ending 31/08/2014  
**Reporting Officer:** Manager Corporate Services  
**File Reference:** Minute Book  
**Date Prepared:** 16 September 2014  
**Voting Requirements:** Simple Majority

**Report Purpose:**

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

**Officers Recommendation:**

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

**Attachment:**

Financial Statements for the Month Ending 31 August 2014

**Background:**

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

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

**Officers Comment:**

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

|                          |             |                         |
|--------------------------|-------------|-------------------------|
| Operating Revenue        | \$5,587,884 | 0.5% negative variance  |
| Operating Expenditure    | \$1,106,508 | 19.1% positive variance |
| Net Operating            | \$4,481,376 |                         |
| Capital Revenue          | \$32,712    | 0.0% nil variance       |
| Capital Expenditure      | \$71,578    | 3.2% negative variance  |
| Cash at Bank – Municipal | \$1,669,943 |                         |
| Cash at Bank – Reserve   | \$3,704,534 |                         |



|                         |             |
|-------------------------|-------------|
| Total Funds Invested    | \$4,697,912 |
| Net Rates Collected     | 16.62%      |
| Receivables Outstanding | \$83,200    |

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

**Stakeholder Engagement:**

Nil

**Financial / Resource Implications:**

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

**Statutory Environment:**

Local Government Act 1995 - Section 6.4

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

Section 34 Financial activity statement report

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -
  - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - (b) budget estimates to the end of the month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing -
  - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
  - (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
  - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown -
  - (a) according to nature and type classification;
  - (b) by program; or
  - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be -
  - (a) presented to the council -
    - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
    - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
  - (b) recorded in the minutes of the meeting at which it is presented.

**Policy Implications:**

Nil

**Risk Implications:**

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

**Strategic Implications:**

Strategic Community Plan Outcomes;

4.2.1 Ensure compliance whilst embracing innovation and best practice principles

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

**CORPORATE AND COMMUNITY**

**CC03 – 09/14**

**Subject:** Non Commercial Camping Policy  
**Reporting Officer:** Manager Library and Tourism Services  
**Date of Report:** 24 September 2014  
**File Reference:** CM.PO.1  
**Voting Requirements:** Simple Majority

**Report Purpose:**

That Council consider adopting a Non Commercial Camping Policy for the Shire of Irwin.

**Officer's Recommendation:**

**That Council adopts the Non Commercial Camping Policy as provided under separate cover in the Attachments Booklet – September 2014.**

**Attachment:**

[Y:\EXECUTIVE\COUNCIL\Reports\\_Council\2014\09\\_September\ATTACH\\_Camping\\_Policy.pdf](Y:\EXECUTIVE\COUNCIL\Reports_Council\2014\09_September\ATTACH_Camping_Policy.pdf)

**Background:**

Action 1.4 of the Tourism Development Plan is to 'establish an RV site next to the Brand Highway opposite Irwin Crescent, including a Waste Dump Point'. To date the Waste Dump Point has been installed and is operational and the next step is to open the site up to self contained travellers for a 24 hour rest stop and become an RV Friendly Town.

**Officer's Comment:**

It is anticipated that encouraging visitors in fully self contained vehicles into the town centre for an overnight stay, that may not otherwise stop, would result in an increase in visitor numbers and visitor spend, which would provide an economic benefit to Dongara – Port Denison.

To provide clear guidance for Council officers and visitors it was decided to develop a policy for non-commercial camping within the Shire of Irwin. A working group met in July to discuss what content would be within the document and the resulting draft policy defines the locations and associated conditions of camping for the public within the Shire of Irwin. It will provide clear direction to Council officers and the general public. Information will be placed on the Shire website, on signs throughout the specific locations and flyers at the Visitors Centre, to ensure there is no illegal camping.

**Stakeholder Engagement:**

Community, Tourism and Council stakeholder workshops were held during the development of the Tourism Development Plan 2013-2018 and the draft plan was available for public comment for a period of 42 days prior to adoption. Draft plans were available on the Shire website, at the Administration Building and the Visitors Centre.

Council officers consulted in preparation of this policy include:

- Director Corporate and Community
- Director Planning and Infrastructure
- Manager Tourism and Library Services
- Manager Community Safety
- Manager Planning Services
- Manager of Works

**Financial/Resource Implications:**

It is anticipated that funding may become available through Tourism WA from Royalties for Regions monies for identified actions included in the Western Australian Caravan and Camping Action Plan 2013-2018 for improvements to rest areas and overflow facilities for which the Shire could apply.

**Statutory Environment:**

Litter Act 1979

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping Grounds Regulations 1997

11. *Camping other than at a caravan park or camping ground*
- (1) A person may camp –*
  - (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area;*
  - (c) for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve;*
  - (d) on any land which is –*
    - (i) held by State instrumentally in freehold or leasehold; or*
    - (ii) dedicated, reserved, or set apart under the Land Administration Act 1997 or any other written law, and placed under the care, control or management of a State instrumentality;*
  - (e) on any unallocated Crown Land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the Land Administration Act 1997, or a person authorised by the Minister to give permission under this paragraph.*

**Policy Implications:**

A new Non Commercial Camping Policy

**Risk Implications:**

The existing controls rating is inadequate to cover camping guidelines within the Shire of Irwin and it is likely that camping visitors will need to understand Councils guidelines therefore the risk to adopting this policy is moderate.

**Strategic Implications:**

Strategic Community Plan Outcomes;

- 1.3.5 Investigate the provision of a Waste Dump Point.
- 2.2.2 Review, regulate and monitor access to our natural assets.
- 2.3.2 Continue to maintain Shire reserves.
- 2.3.12 Support and promote efficient use of resources.
- 4.1.3 Continue to monitor and update communication strategies.
- 4.2.1 Ensure compliance whilst embracing innovation and best practice principles.

Tourism Development Plan Outcome;

- 1.4 Establish and RV and caravan site next to the Brand Highway opposite Irwin Crescent including a Waste Dump Point.

**CORPORATE AND COMMUNITY**

**CC04 – 09/14**

**Subject:** Aquatic Facilities Feasibility Study  
**Reporting Officer:** Manager Recreation Services  
**Date of Report:** 16 September 2014  
**File Reference:** RC.PL  
**Voting Requirements:** Simple Majority

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**Report Purpose:**

To present to Council the Shire of Irwin Aquatic Facilities Feasibility Study draft report for comment and consent for advertising.

**Officer's Recommendation:**

**That Council consents to the draft Aquatic Facilities Feasibility Study report, as prepared by A Balanced View Leisure Consultants, being advertised for a period of 28 days for public comment, and thereafter consider any submissions and the final receipt of the amended document.**

**Attachment:**

[Shire of Irwin Aquatic Facilities Feasibility Study Draft Report](#)  
[Appendix 1 Shire of Irwin Aquatics Family/Household Survey](#)  
[Appendix 2 Shire of Irwin Aquatics Individuals Survey](#)  
[Appendix 3 Construction Cost Estimate Report](#)

**Background:**

Community members and groups have been lobbying Council for many years for an aquatic facility.

The community engagement process undertaken in the development of the Shire of Irwin Strategic Community Plan (SCP) 2012 – 2022 outlined the community's desire for Arts, Culture and Recreation to be recognised and supported. Strategy 3.1.4 of the adopted SCP, being to "Conduct a Needs Analysis and Feasibility Study for Aquatic Facilities" and strategy 3.3.5, to "Investigate options for a hydro-therapy pool as part of a broader Aquatic Facilities Needs Analysis" are important indicators for the long term planning in achieving community desired outcomes.

The Shire of Irwin engaged A Balanced View Leisure Consultancy Services to undertake the Aquatic Facilities Needs Analysis and Feasibility Study with the task of using social, financial and environmental indicators to recommend and justify if an aquatic facility should be considered in Irwin within the next 10 years and in what form.

The consultants brief was inclusive of consideration of the "traditional" facilities (indoor and outdoor), an ocean pool option and also including a hydro-therapy pool.

The consultants were also asked to review aquatic facilities in similar sized communities including catchments and proximity to the ocean that would have some relevance to the Shire of Irwin.

Following the community engagement period and using the information gathered from the consultation and from other documents and research that was undertaken, a Balanced View Leisure Consultancy Services prepared the Shire of Irwin Draft Aquatic Facilities Needs Analysis and Feasibility Study, which was presented to Council at their Council Forum on 9 September 2014.

**Officer's Comment:**

Although the Shire of Irwin currently has no indoor or outdoor pool provision it does benefit from access to pristine beaches and regional facilities in Geraldton. There has however been a sustained local interest in the establishment of a "traditional" aquatic facility within the Shire from sections of the community.

A Balanced View Leisure Consultancy Services have presented an excellent draft report, addressing the brief in detail and providing a long term staging guide for the planning of future Aquatic Facilities.

**Stakeholder Engagement:**

The community consultation process undertaken was extensive and included;

- Face to face informal “drop in” sessions with the consultant for community members- 34 community members attended.
- The opportunity for community members to complete a survey (individual or household) - 222 in total were received.
- The opportunity to make a public submission - 4 public submissions were received.

**Financial/Resource Implications:**

The recommended consultant’s submission was within the budgeted amount in the 2013/2014 budget.

**Statutory Environment:**

Local Government Act 1995.

**Policy Implications:**

The Aquatic Studies findings will assist in guiding Council’s future long term decision making for Recreation Facilities and Services.

**Risk Implications:**

The advertising of the Draft Aquatic Facilities Feasibility Study will enhance the Shire of Irwin’s reputation as a pro active and community focussed local government.

**Strategic Implications:**

Strategic Community Plan Outcome 3.1.4 Conduct a Needs Analysis and Feasibility Study for Aquatic facilities.

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

**PLANNING AND INFRASTRUCTURE**

**PI01 – 09/14**

**Subject:** Town Centre Revitalisation Plan 2014  
**Reporting Officer:** Manager Works  
**Date of Report:** 10 September 2014  
**File Reference:** LP.PL.4  
**Voting Requirements:** Simple Majority

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**Report Purpose:**

To present to Council for their consideration, the final Town Centre Revitalisation Plan.

**Officer's Recommendation:**

**That Council adopt the final Town Centre Revitalisation Plan, as prepared by GHD Consultants and provided under separate cover in the Attachments Booklet – August 2014.**

**Attachment:**

[Town Centre Revitalisation Plan 2014– August 2014](#)

**Background:**

The community engagement process undertaken in the development of the Shire of Irwin Strategic Community Plan (SCP) 2012-2022 outlined a need for the development of a Town Centre Revitalisation Plan.

Council allocated \$70,000 in the 2013/14 budget for the planning stage of the Town Centre Revitalisation Plan and on 3 October 2013 tenders were invited from prospective consultants to undertake an investigation into the Town Centre precinct incorporating a community consultation process to produce detailed concept plans.

GHD Pty Ltd was selected as the successful tender and undertook an initial project visioning consultation in November 2013. The consultation process involved direct communication with all business owners within the Town Centre to establish project goals and objectives. Key stakeholders were also contacted via phone and email to establish individual meetings. For key stakeholders not available for individual meetings and for the general community a workshop was held on 30 November 2013. 18 Members of the community attended this meeting.

Following a review of the existing planning documents, the initial project visioning consultation, and a site analysis, two concept options were developed. These options addressed the key objectives and visions highlighted during the first round of consultation.

A second community consultation workshop was held on 22 February 2014, including a presentation of the two concept options followed by individual group sessions with a GHD facilitator to allow the community to give direct feedback. The two initial concept options were then advertised for a period of three weeks for public comment.

The final Draft Town Centre Revitalisation Plan is a hybrid of the initial two concept options taking into consideration the feedback from various stakeholders, business owners, the Shire of Irwin and community members.

With Councils consent the final Draft Town Centre Revitalisation Plan was advertised for public comment for a period of 28 days. No comments were received during this time and as such no amendments have been made to the final Town Centre Revitalisation Plan.

**Officer's Comment:**

The final Town Centre Revitalisation Plan provides a solid strategic direction for future planning within the town centre precinct and will aid any future funding opportunities.

**Stakeholder Engagement:**

Consultation was undertaken in the preparation of the final Town Centre Revitalisation Plan with the Shire of Irwin, key business owners along with two community consultation workshops held in November 2013 and February 2014.

**Financial/Resource Implications:**

The Town Centre Revitalisation Plan was funded in the 2013/14 budget. Various funding mechanisms may be applicable to the implementing the Town Centre Revitalisation Plan.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

The adoption of the final Town Centre Revitalisation Plan will provide future direction for the town centre precinct over the next twenty years.

**Risk Implications:**

The consequences of adopting the final Town Centre Revitalisation Plan are insignificant and the likelihood of there being significant consequences is rare, therefore the risk implications are low.

**Strategic Implications:**

Strategic Community Plan- Outcome 2.5.1 Develop a Town Centre Revitalisation Plan.



**PLANNING AND INFRASTRUCTURE**

**PI02 – 09/14**

**Subject:** Bushfire Contribution in Lieu of Fire Management Plan  
**Reporting Officer:** Planning Officer  
**Proponent:** Landwest  
**Date of Report:** 12 September 2014  
**File Reference:** WAPC.146806  
**Voting Requirements:** Simple Majority

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**Report Purpose:**

To request Council to notify Land West that the Shire agrees to accept \$1500 for bushfire contributions in lieu of a Fire Management Plan to satisfy condition 3 of the Western Australian Planning Commission (WAPC) Approval 146806 for the subdivision of Lots 8 Ellery Road and Lot M354 Brand Highway, Yardarino.

**Officer's Recommendation:**

**That, under Council Policy P2 – Bushfire Contributions, Council agrees to accept \$1,500 for bushfire contributions in lieu of a Fire Management Plan required by condition 3 of subdivision approval 146806, as provided under separate cover in the Attachments Booklet – September 2014.**

**Attachment:**

[WAPC.146806 Subdivision Approval](#)

**Background:**

Lots 8 Ellery Road and M354 Brand Highway are located south east of the Dongara and Port Denison Town sites, at the intersection of Kailis Drive and Brand Highway. The subdivision application 146806 was approved by the WAPC on 14 December 2012. The subdivision creates 3 lots from 2.

Landwest have applied to clear conditions 2, 3, 4, 5 and 6 of 146806). For condition 3, they have requested that the Shire accept \$1,500 in lieu of a Fire Management Plan being prepared and approved.

Lot C is 1971ha. Under Council Policy P2, Council sets the amount that the developer contributes toward the costs of ongoing Bushfire Control associated with subdivisions containing lots of 40ha and over. If approved, the \$1,500 will be held in a Restricted Account to be used only for bushfire infrastructure purposes.

The applicant has provided a cheque for \$1,500. They have also confirmed in writing that they will prepare a Section 70a (a notice on future titles) advising that a 20m Bushfire Protection Zone (BPZ) will be maintained for all buildings (existing and future) on all lots, and that for the lot containing the existing house, the landowner will make available a water tank for fire fighting purposes – with 50mm male cam-lock fitting.

**Officer's Comment**

Given the commitments made by the applicant in regards to the BPZ's and the water tank, officers recommend that Council approves the \$1,500 Bushfire Contribution in lieu of a Fire Management Plan.

If Council resolves to accept the financial contribution, Officers will be in a position to progress with the clearance of the subdivision conditions under delegated powers.

**Stakeholder Engagement:**

A site inspection was conducted by the Shire's Planning Officer and the Community Emergency Services Manager, who agreed to support the waiver of a Fire Management Plan provided that;

- a) The Applicant makes the \$1,500 contribution towards fire management infrastructure;
- b) The Applicant complies with the Shires Firebreak requirements and DFES' 20m "Building Protection Zone" (as outlined in the *Prepare. Act. Survive.* publication); and,
- c) The Applicant also makes available a separate water source (i.e. tank) for firefighting purposes – preferably with 50mm male cam-lock fitting.

**Financial/Resource Implications:**

The monies received will be held in a separate account for "Restricted Assets – Fire Fighting Contributions" and will be used towards the cost of fire suppression facilities and equipment and any other fire prevention measures that may be determined by Council.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

Council Policy P2 Bushfire Contributions

**Risk Implications:**

The likelihood of risk arising from Council accepting \$1,500 for bushfire contributions in lieu of a Fire Management Plan in this instance is expected to be rare and the consequences would be insignificant. Therefore the risk is low.

**Strategic Implications:**

Strategic Community Plan Outcome 3.8 Maintain our safe community.

**PLANNING AND INFRASTRUCTURE**

**PI03 – 09/14**

**Subject:** Draft Irwin River Estuary Management Plan  
**Reporting Officer:** Director Planning and Infrastructure  
**Date of Report:** 15 September 2014  
**File Reference:** LP.PL.9  
**Voting Requirements:** Simple Majority

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**Report Purpose:**

To present to Council the Draft Irwin River Estuary Management Plan (IREMP) for its consent to advertise.

**Officer's Recommendation:**

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

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

**Attachment:**

[Draft Irwin River Estuary Management Plan – August 2014](#)

**Background:**

The review of the Irwin River Estuary Coastal Management Plan 2005 commenced in March 2014 when two 'Requests for Quotes' were invited from suitably qualified professionals in line with Council's Purchasing Policy. Two high quality submissions were received from Land Insights and Ecoscape respectively. An in-house assessment panel consisting of the Manager Community Safety, Manager Planning Services and Director Planning and Infrastructure evaluated the submissions against a set of specific selection criteria. On 28 March 2014 Land Insights was appointed as the successful consultant to undertake the review.

**Officer's Comment:**

The Draft IREMP is a research based document that offers a slightly different approach and methodology to the Irwin River Estuary Coastal Management Plan 2005. It not only focuses on the conservation and environmental values, as well as the recreation and social values of the study area, but also describes the land use planning context and in this regard offers important information regarding land tenure and reserve management issues. The Draft IREMP defines objectives and strategies for each of the value areas, which provide the over-arching management framework. Under each strategy heading, it identifies detailed actions that are measurable with a recommended timeframe for implementation.

**Stakeholder Engagement:**

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

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

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

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

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

Once prepared the Draft IREMP was circulated to the Tidy Towns and Sustainable Committee. Comments received from individual members of the Committee were generally in favour of the Draft IREMP, with recommended changes summarised in the following table:

|    | <b>Recommended Change</b>  | <b>Officer’s Response</b>   |
|----|--|---|
| 1. | Keep reference to Criddle House and Delmage House general in nature.   | These two places are listed on the Shire’s Municipal Inventory and need to be reflected as part of the historical background. Since it is merely a description of the history, Shire officers are satisfied that no commitment has been made in the report that would compromise the Shire in any way during the implementation of the IREMP. |
| 2. | The current state of the main pathways is not adequate and should be upgraded over a period of time with the view to make it more accessible all year round. | Supported. The Draft IREMP on the bottom of page 17 reaffirms the limitations of the current pathways to provide access all year round and provides for the upgrade of main pathways after major flows and flooding events. The Draft IREMP can be changed to reflect the need to upgrade the main pathways to enable access all year round.  |

**Financial/Resource Implications:**

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

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

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

**Risk Implications:**

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

**Strategic Implications:**

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

**OFFICE OF THE CEO**

**CEO 01 – 09/14**

**Subject:** Council Meeting Dates 2015  
**Reporting Officer:** Executive Assistant  
**Date of Report:** 3 September 2014  
**File Reference:** GV.CM.1  
**Voting Requirements:** Simple Majority

**Report Purpose:**

For Council to consider and set its meeting dates for 2015

**Officer's Recommendation:**

**That Council hold its 2015 Forum and Ordinary Meetings in accordance with the following schedule;**

| <b>MONTH</b> | <b>COUNCIL FORUM</b> | <b>COUNCIL ORDINARY MEETING</b> |
|--------------|----------------------|---------------------------------|
| January      | N/A                  | N/A                             |
| February     | 10                   | 24                              |
| March        | 10                   | 24                              |
| April        | 14                   | 28                              |
| May          | 12                   | 26                              |
| June         | 9                    | 23                              |
| July         | 14                   | 28                              |
| August       | 11                   | 25                              |
| September    | 8                    | 22                              |
| October      | 13                   | 27                              |
| November     | 10                   | 24                              |
| December     | N/A                  | 15                              |

**Meetings will commence at 4:00pm and will be held in the Ocean Room at the Irwin Recreation Centre, Port Denison until the Council Chambers are available at 13 Waldeck Street, Dongara which will then become the regular venue.**

**Background:**

As per the standard 2014 schedule, Council held its Ordinary Council Meetings on the fourth Tuesday of each month, except for January which had no meeting scheduled and for December it was held on the third Tuesday. In 2014 there was no Council Forum or Council Meeting scheduled for January and no Council Forum in December. The same structure is proposed for 2015.

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

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

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
- (a) *the ordinary council meetings; and*
  - (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*
- are to be held in the next 12 months.*

**Officer's Comment:**

It is envisaged that the Council Chambers will be renovated and available for use towards the end of the 2014/2015 financial year and allowance has been made for this.

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

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

The approval of accounts for payment and financial statements normally provided in January would be scheduled for consideration at the February 2015 meeting. In regards to the presentation of statements of financial activity to Council, the Local Government (Financial Management) Regulations 1996 Section 6.4, states the following;

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

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- (b) recorded in the minutes of the meeting at which it is presented.*

**Stakeholder Engagement:**

Manager Community Safety was consulted regarding availability of the Council Chambers.

**Financial / Resource Implications:**

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

**Statutory Environment:**

Local Government Act 1995  
Local Government (Administration) Regulations 1996  
Local Government (Financial Management) Regulations 1996

**Policy Implications:**

Nil

**Risk Implications:**

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

**Strategic Implications:**

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

**SHIRE PRESIDENT**

**SP01 – 09/14**

**Subject:** Chief Executive Officer's Annual Performance Review and Contract of Employment Renewal  
**Reporting Officer:** Shire President  
**Date of Report:** 17 September 2014  
**File Reference:** PE.RE.SIM01  
**Voting Requirements:** Absolute Majority

**Report Purpose:**

For Council to complete the annual performance review of the Chief Executive Officer (CEO) and consider entering into a new contract of employment (contract) with the CEO.

**Shire President's Recommendation:**

**That Council:**

- 1. Having undertaken the Chief Executive Officer's 2014 annual performance review, congratulates the Chief Executive Officer on receiving an outstanding review and for his leadership of the Shire's administration over the past year;**
- 2. Agrees to amend the Chief Executive Officer's remuneration package by awarding a 3% increase in accordance with the Salaries and Allowances Tribunal 2014 Local Government CEO Total Reward Package Determination and the general 2014 Shire staff wage increase;**
- 3. Offers the CEO a further five (5) year term following expiry of his existing contract on 5 September 2015 under a new WALGA model CEO contract of employment incorporating relevant employment conditions and key performance criteria; and**
- 4. Authorises the Shire President to execute the CEO's new contract of employment on behalf of Council.**

**Attachment:**

*DRAFT CEO Contract 2015 – 2020 provided under confidential separate cover to Elected Members*

**Background:**

The CEO commenced employment with the Shire of Irwin on 6 September 2010 on a five (5) year contract term (Term) expiring on 5 September 2015.

In accordance with the CEO's existing contract, Council and/or the CEO shall initiate discussions not later than twelve (12) months prior to the expiry of the Term for the parties to enter into a new Contract for a further term with Council making a decision to finalise those discussions not later than nine (9) months prior to the expiry of the term.

In addition, Council has statutory and contractual obligations to conduct an annual performance review of the CEO. It is on this basis that Council at its meeting held on 26 August 2014 resolved:

**SHIRE PRESIDENT'S RECOMMENDATION AND COUNCIL DECISION 150814:**

**MOVED: Cr Scott**

**SECONDED: Cr West**

**That Council, in accordance with the Chief Executive Officer's existing contract of employment, authorizes the Shire President to initiate discussions with the Chief Executive Officer in respect to conducting an Annual Performance Review and agreeing on a new employment contract.**

**VOTING DETAILS:**

**CARRIED 5/0**

Arising from Council's resolution, the CEO was invited to provide a written submission outlining his assessment of his performance for the year under.

**Shire President's Comment:**

Following receipt of and subsequent circulation to Councillors of the the CEO's written submission, I felt it appropriate to provide an opportunity for Councillors and the CEO to discuss the submission content and other matters relating the CEO's employment and Shire operations.

The Council Forum held on 9 September 2014 provided this opportunity with all Councillors and the CEO being in attendance. The CEO spoke to his submission and numerous questions were asked by Councillors and answers given by the CEO. Councillors also took the opportunity to comment on issues of concern in order to assist the CEO in his role.

From the discussion, it was evident that Councillors were more than satisfied with the CEO's performance to date and, with the CEO indicating his strong desire to remain in office, also willing to appoint him for a further five year term following expiry of his existing contract on 5 September 2015.

Therefore, it is recommended that Council formally resolves to finalise the CEO's annual performance review, offer the CEO a new WALGA model CEO contract of employment incorporating relevant employment conditions and key performance criteria, (a copy has been provided to Councillors as a confidential attachment) and authorise the Shire President to execute the contract on Council's behalf.

**Financial Implications:**

The CEO's submission seeks a 3% increase in the CEO's Remuneration package which has been provided for in the Shire's 2014/15 Budget.

**Statutory Environment:**

Local Government Act 1995.

**Policy Implications:**

Nil.

**Strategic Implications:**

Applicable across the entire Strategic Community Plan 2012-2022 and associated integrated planning framework.



**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 \_\_\_\_\_.