



# AGENDA

and

## Notice of Special Council Meeting

to be held on

**Monday 6 November 2023**

at

**6.00pm**

in the

**Shire of Irwin Council Chambers**

11-13 Waldeck Street, Dongara

*The purpose of the meeting is to consider replacing the playground located south of the foreshore, below the Obelisk.*

5.50pm – Agenda Briefing

6.00pm – Special Council Meeting

Shane Ivers  
**Chief Executive Officer**

01 November 2023

## Disclaimer

The Shire of Irwin advises that the purpose of an Ordinary Council Meeting is to discuss and, where possible, make resolutions about items appearing in the agenda. No person should rely or act on the basis of any decision, advice or information provided by a Member or Officer, or on the content of any discussion occurring during the course of the meeting. No person should rely on the decisions made by Council until formal written advice of the Council is received by that person.

The Shire of Irwin expressly disclaims any liability for any loss or damage 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.

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# SPECIAL COUNCIL MEETING

to be held on

at 6.00pm

## **AGENDA**

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

### **Members**

Councillor M Leonard	President
Councillor B Wyse	Deputy President
Councillor P Summers	
Councillor A Gillam	
Councillor I Scott	
Councillor H Palmer	
Councillor E Tunbridge	

### **Staff**

Mr S Ivers	Chief Executive Officer
Ms P Machaka	Manager Finance
Mr M Jones	Acting Manager of Operations

### **Apologies**

### **Approved Leave of Absence**

- 3. DECLARATION OF PURPOSE OF MEETING**

*The purpose of the meeting is for Council to consider;*

- Foreshore South Playground upgrades replace the playground located south of the foreshore, below the Obelisk*

- 4. DECLARATIONS OF INTEREST**

- 5. PUBLIC QUESTION TIME**

## 6. OFFICER REPORTS

### 6.1. ID01-10/23S Foreshore South Playground

INFRASTRUCTURE AND OPERATIONS		ID01-10/23S
<b>Subject:</b>	ID01-10/23S Foreshore South Playground	
<b>Author:</b>	M Jones, Acting Manager Operations	
<b>Responsible Officer:</b>	S Ivers, Chief Executive Officer	
<b>File Reference:</b>	1.0021	
<b>Voting Requirements:</b>	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 seek Council approval to replace the playground located south of the foreshore, below the Obelisk, and approve the expenditure of the cost of the new playground to the value \$34,920 excluding GST which was not captured in the 2023-2024 Annual Budget.

#### Background:

The current playground was installed at the foreshore over 20 years ago. The playground is currently shut down due to public safety concerns as the internal structure has deteriorated to such a point that the repair cost would exceed the cost of installing a new playground. A new playground was not captured in the 2023/2024 annual budget however due to unforeseen circumstances the playground is now in urgent need of replacement. Any funding opportunities that arise in the future could potentially cover the cost of the new playground. The cost associated with the removal of the existing playground will come from the current playground maintenance budget.

#### Officer's Comment:

Given that the age of the playground has extended beyond its useful life, is located in a highly corrosive environment and the cost to repair would exceed the cost of installing a new playground, it is recommended that the playground is replaced.

Two quotes have been sourced based on the existing dimensions that comply with fall zones of the current perimeter of the playground. Although a new playground has been captured in the Foreshore master plan, this new playground could potentially be moved to replace another aging playground upon the installation of the main foreshore playground. The playground has a high level of use by tourists and the local community due to popularity of the location. The Shire will remove the existing playground, footings and softfall. The Shire will also install new softfall and provide temporary fencing for the playground contractor during installation.

**Consultation:**

The conditions and safety concerns of our playgrounds were identified as a high priority for the community during our community consultation sessions.

**Statutory Environment:**

Local Government Act 1995:

Section 6.8 – Expenditure from municipal fund not included in annual budget.

**Policy Implications:**

CPO1 Localised Purchasing.

C20 Purchasing.

**Financial/Resource Implications:**

Initial funding will be from the Asset Management Reserve, but the Shire will apply for external funding. If successful in the application for funding, these funds will be used to replenish the Asset Management Reserve.

**Strategic Implications:**

Our Brilliant Future - Strategic Community Plan 2021 – 2031.

Strategy 2.1.3 - Identify, provide and manage Shire assets (including community infrastructure, Shire controlled reserves and freehold land) in accordance with agreed service levels.

**Attachments:**

*Attachment Booklet – Special Council Meeting November 2023*

*Attachment 1 – Quote*

*Attachment 2 – Design*

*Attachment 3 – Current Playground Image*

**Officer Recommendation:**

**OFFICER RECOMMENDATION:**

**That Council, by Absolute Majority in accordance with s6.8 of the *Local Government Act 1995* approves the additional transfer of funds to the value of \$34,920 excluding GST from the Asset Management Reserve to the Municipal Fund and amend the 2023/24 Budget accordingly, for the replacement of the Foreshore South Playground.**

**7. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**

**8. CLOSURE**

