



12.4 Infrastructure Directorate

APPENDICES

ORDINARY COUNCIL

MEETING

TO BE HELD

24th June 2026
Commencing at 5:00pm

AT

ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

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~ Large Print
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Upon request.

ENQUIRIES:

26 June 2025

Andre Schonfeldt
Chief Executive Officer
Shire of Dardanup
1 Council Drive
EATON WA 6232

Dear Andre,

RE: Jetties extending below the high-water mark of the Collie River from the Shire of Dardanup side

The Shire of Harvey has received legal advice from McLeods Lawyers regarding responsibility for infrastructure in the Collie River (copy of the advice attached).

The advice confirms our understanding that:

1. The Municipal boundary between the Shire of Harvey and the Shire of Dardanup is marked by the southern high-water mark of the Collie River.
2. Jetties established by the Shire of Dardanup extend below this high-water mark, placing them partly within the Shire of Harvey's district.
3. Section 3.53(3) of the Local Government Act 1995 (LG Act 1995) states that facilities partially within two or more districts should be controlled and managed as agreed by the Local Governments or as directed by the Minister for Local Government.
4. Jetties below the high-water mark are considered "otherwise unvested facilities" and are legally under the care, control, and management of the Shire of Harvey unless an agreement or Ministerial direction states otherwise.

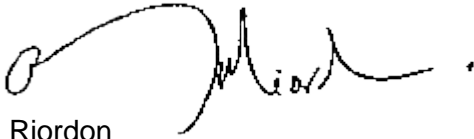
McLeods Lawyers recommend that the Shire of Harvey and the Shire of Dardanup should reach an agreement on the management of the jetties. If no agreement is reached, the matter should be referred to the Minister for Local Government for direction.

The Shire of Harvey seeks to establish a formal agreement with the Shire of Dardanup to transfer management of the jetties on the southern side of the Collie River, enabling the Shire of Dardanup to oversee their care and maintenance.

If the Shire of Dardanup is agreeable with this proposal, the Shire of Harvey will arrange for a draft agreement to be prepared for review between the two local governments.

If you have any questions or concerns, please contact the Shire's Acting Director Sustainable Development, Dale Putland at dalep@harvey.wa.gov.au or via telephone on 0409358234

Kind regards

A handwritten signature in black ink, appearing to read 'Annie Riordon', with a large, sweeping initial 'A'.

Annie Riordon
Chief Executive Officer

RISK ASSESSMENT TOOL

OVERALL RISK EVENT: Collie River Jetties Ownership

RISK THEME PROFILE:

1 - Asset Sustainability Practices

Choose an item.

10 - Management of Facilities, Venues, Events and Services

Choose an item.

RISK ASSESSMENT CONTEXT: Operational

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Five jetty structures are likely considered "otherwise unvested facilities" and are legally under the care, control, and management of the Shire of Harvey.	Minor (2)	Almost Certain (5)	Moderate (5 - 11)	Council is requested to consider formally recognising ownership of the structures and enter into an agreement to formalise their ownership and ongoing care and management.	Insignificant (1)	Rare (1)	Low (1 - 4)
REPUTATIONAL	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
PROPERTY	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.

INSTALL CURVE ALIGNMENT MARKERS (D4-6) V SIZE B WITH 18M SPACING AS SHOWN (16)

GUIDE POSTS •
10M SPACING OUTSIDE CURVE (15)
20M SPACING INSIDE CURVE (9)
150M SPACING ON STRAIGHT (3)



HENRY ROAD

PILE ROAD

JOEL COURT

4.1

11.6

4.2

4.3

4.4

4.5

0.1

125M W BEAM BARRIER
EXTENSION



PREPARE PAVEMENT 1M BACK FROM SEAL EDGE (50M²).
INSTALL SMK WITH 100MM DEEP KEY 0.5M BACK FROM SEAL EDGE (50M).
TACK COAT AND ASPHALT SEAL BETWEEN EXISTING SEAL AND KERB (25M²).
INSTALL CONTINUOUS WHITE LINE ALONG EXISTING SEAL EDGE (55M)

BACKFILL KERB WITH COMPACTED GRAVEL GRADED AWAY FROM ROAD.

INSTALL SMK WITH 100MM DEEP KEY 0.5M BACK FROM EXISTING WHITE LINE (29M).

BACKFILL KERB WITH COMPACTED GRAVEL GRADED AWAY FROM ROAD.

RECONSTRUCT PAVEMENT AND ASPHALT SEAL PATCH (20M²)



HENTY ROAD

PILE ROAD

RISK ASSESSMENT TOOL

OVERALL RISK EVENT: *Failure to submit grant applications, or the deferral applications for the recommended road projects leading to deteriorating road conditions, increased maintenance costs and a continued risk to road user safety and property flooding.*

RISK THEME PROFILE:

- 1 - Asset Sustainability Practices
- 2 - Business and Community Disruption

RISK ASSESSMENT CONTEXT: Strategic

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	Additional serious or fatal road accidents occurring on Pile Road at the intersection with Henty Road due to identified unsafe conditions	Catastrophic (5)	Rare (1)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	Roads in poor condition are not renewed in a timely manner resulting in high maintenance costs to ensure roads user safety.	Minor (2)	Likely (4)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	Roads in poor condition are not identified for renewal resulting in road failures and closures impacting the road network service.	Minor (2)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Increased likelihood of personal injury or property damage claims arising from untreated road defects, unsafe conditions or flooding.	Major (4)	Rare (1)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Shire's reputation and public confidence are impacted due to perceived poor decision-	Major (4)	Rare (1)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
	making, asset failures, or ineffective use of public funds.							
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
PROPERTY	Flooding of private properties if drainage issues at the intersection of Hamilton Rd and Hale St are not addressed	Moderate (3)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.

FERGUSON ROAD COMMUNITY WORKING GROUP

INSTRUMENT OF APPOINTMENT & TERMS OF REFERENCE

2026

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1 AIMS

This Terms of Reference establishes the Ferguson Road Community Working Group.

The Ferguson Road Community Working Group aims to provide a structured and collaborative mechanism for local stakeholders, community members and the Shire of Dardanup administration to contribute to future planning and prioritisation of road/traffic/landscaping improvements in the area.

The Working Group will provide input into future traffic management, pedestrian safety, road safety and streetscape improvements along Ferguson Road, Dardanup.

The Working Group will ensure that community perspectives and local knowledge are considered alongside technical and operational advice before recommendations are presented to Council.

2 OBJECTIVES

The Objectives of the Ferguson Road Community Working Group is to:

2.1 Act in an advisory capacity on matters relating to community and cultural services, with specific focus on:

- Reviewing existing traffic conditions and identifying safety risks affecting motorists, pedestrians, schoolchildren, residents and visitors along Ferguson Road (limited to the area between the railway line and Little Street);
- Consider potential traffic calming measures, pedestrian crossing treatments and other initiatives aimed at improving road and pedestrian safety;
- Identify landscaping and vegetation placement opportunities that enhance streetscape amenity while supporting clear sightlines, pedestrian visibility and positive public safety outcomes;
- Engage with affected community members and relevant stakeholders regarding identified safety concerns and potential improvement options; and
- Provide recommendations to the Chief Executive Officer regarding priority safety initiatives and potential infrastructure improvements within the Ferguson Road precinct.

2.2 Provide advice and make recommendations relating to:

2.2.1 The formulation of a community and Council vision with regards to community services and culture; and

2.2.2 The development and implementation of relevant initiatives and programs.

3 MEMBERSHIP

3.1 The Ferguson Road Community Working Group will be disbanded upon completion of its purpose and following Council's consideration of the final report and recommendations.

3.2 Community Representation: Membership will be sought from local residents of the Shire of Dardanup Community. A maximum of six (6) community representatives will be appointed from across the Shire.

3.3 Participating Organisational Representation:

Membership will be sought from the following Organisations:

- Local Ferguson Road businesses;
- Our Lady of Lourdes School Dardanup parents/family members;
- Our Lady of Lourdes School Dardanup employees;
- Dardanup and Districts Residents Association Inc.;
- Relevant Shire officers;
- Main Roads Western Australia; and
- Other stakeholders identified by the Chief Executive Officer as having a direct interest in the Ferguson Road precinct.

3.4 Elected Members:

Council shall nominate three (3) Elected Members to the Working Group. All other Elected Members will be notified of all meetings and may attend Working Group meetings but are not entitled to vote on matters.

3.5 Shire Officers:

The Chief Executive Officer shall appoint an officer to manage the Working Group. In normal circumstances this is the Director Infrastructure. Shire staff attending the Working Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Working Group and shall not vote.

3.6 Presiding Member and Deputy Presiding Member:

One of the elected Members shall be appointed by Council as the Presiding Member and another as the Deputy Presiding Member of the Working Group. The Presiding Member shall ensure that the Working Group operates in accordance with the Terms of Reference at all times.

3.7 Working Group Support:

The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Working Group secretariat is also responsible for arranging the meeting venue, refreshments and coordinating any presentations.

3.8 Specialist Advice:

Individuals and groups may be invited to attend Working Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Working Groups will meet on an ad hoc basis as required to progress with the Ferguson Road designs and or implementation of projects identified within the plans. Extraordinary meetings may be called by the Presiding Member in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Working Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least 5 days prior to each meeting.
- 4.4 The Director shall ensure that detailed meeting notes of all meetings are kept and shall, not later than 5 days after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Working Group shall have one vote. If the vote of the members present are equally divided, the Presiding Member is to cast a second vote.
- 4.6 Working Group members may list matters for consideration by tabling matters at least ten (10) days prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Working Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the agenda.
- 4.7 Meeting notes will form a record for the Shire of Dardanup but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report prepared by the appropriate Officer and taken to the next Council meeting. Meeting notes will be presented to Council via the Information Bulletin.

5 QUORUM

- 5.1 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not.

6 DELEGATIONS

- 6.1 The Working Group performs an advisory function and does not have any delegated authority.

7 CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.

- 7.3 If a member discloses a financial or proximity interest in a matter under consideration by the Working Group and wishes to remain and participate in the meeting, the Member is to inform the Presiding Member that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Working Group may have exposure to confidential or personal information and if so, they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 At the first meeting of the Working Group, a Confidential Agreement will be provided to members for their review and execution.
- 8.3 Members of the Working Group will be advised when matters are deemed Confidential by the Presiding Member. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Presiding Member following the meeting.
- 8.4 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- 8.5 Should a breach of Confidentiality be made by a Working Group member, the Chief Executive Officer will remove the respective member from the Working Group.
- 8.6 Members are not to speak to the media in their capacity as Working Group Members and any comments on social media are to be in their personal capacity and not in their capacity as a Working Group member.

9 CODE OF CONDUCT

- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Working Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of a Working Group member.

RISK ASSESSMENT TOOL**OVERALL RISK EVENT:** Ferguson Road Community Working Group Terms of Reference**RISK THEME PROFILE:**

4 - Document Management Processes

3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)

RISK ASSESSMENT CONTEXT: Strategic

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
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FINANCIAL IMPACT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	The Terms of Reference provide guidance to Committee members by setting roles, responsibilities, operations, tenure and obligations, in accordance with any specific legislative requirements.	Moderate (3)	Rare (1)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	The Shire has a good reputation for following best practice in Governance and Probity.	Moderate (3)	Rare (1)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
PROPERTY	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.