



MINUTES

of the

Ordinary Council Meeting

held

Tuesday 24 May, 2022

in the

Council Chambers
11-13 Waldeck Street, Dongara

I certify that this copy of the Minutes is a true and correct record of the meeting held on Tuesday 24 May, 2022

Signed:
Presiding Elected Member

Date:

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.

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

Shane Ivers
CHIEF EXECUTIVE OFFICER

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ORDINARY COUNCIL MEETING

held

Tuesday 24 May, 2022

at 6.00pm

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor I M Scott	Deputy Shire President
Councillor A J Gillam	
Councillor M Leonard	
Councillor H M Palmer	
Councillor E Tunbridge	
Councillor B Wyse	

Staff

Mr S D Ivers	Chief Executive Officer
Mrs D K Chandler	Acting Manager Corporate & Community
Mr B Jeans	Manager Development
Ms N A M'Leane	Development & Executive Officer
Ms F Boksmati	Community Development Officer
Mr G Nadarajah	ICT Supervisor

Guests

Mr Mikey Fiorucci (<i>via Teams</i>)	Office of the Auditor General
Mr Michael Fay (<i>via Teams</i>)	Pitcher Partners

Approved Leave of Absence

Councillor M T Smith	Shire President
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Apologies

Councillor G S Eva

Gallery

J Arden, Premier Circle
I West, Bygrave Drive
S Bligh-Lee, Francisco Road
J Sharman, Springfield Drive
M White, Reeve Terrace

The Deputy Shire President obtained verbal consensus from Council to proceed with item CEO01-05/22 (Annual Meeting with Council's Appointed Auditor) as the next order of business due to time limitations.

OFFICE OF CEO		CEO01-05/22
Subject:	CEO01-05/22 Annual Meeting with Council's Appointed Auditor	
Author:	D Chandler, A/Manager Corporate & Community	
Responsible Officer:	S Ivers, Chief Executive Officer	
File Reference:	3.0199	
Voting Requirements:	Simple Majority	

Council Role:

- ☐ **Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Report Purpose:

To meet with Council's appointed auditor via teleconference.

Background:

The 2020/21 Annual Report containing the Annual Financial Report was adopted by Council at the 26 April 2022 Ordinary Council Meeting with the date set for the 2020/21 Annual Electors Meeting being Tuesday 24 May 2022.

In accordance with section 7.12A of the *Local Government Act 1995*, a local government is to meet with the auditor of the local government at least once in every year. It is therefore considered appropriate that this meeting coincides with the Annual Electors Meeting.

Officer's Comment:

The Shire of Irwin's 2020/21 audit was conducted by the Office of the Auditor General (OAG) who contracted Pitcher Partners as field auditors. Mikey Fiorucci, OAG has been invited to attend the meeting via teleconference to provide comment on the audit process, findings and answer questions from Council.

Consultation:

The 2020/21 Audit Exit Meeting was held on Thursday 17 March 2022 attended by Mikey Fiorucci (OAG), Michael Fay (Pitcher Partners), Korena Xie (Pitcher Partners), Daniel Fu (Pitcher Partners), Cr Isabelle Scott (Audit Committee Chairperson), Cr Grant Eva (Audit Committee Member), Cr Michael Leonard (Audit Committee Member), Shane Ivers (CEO), Danika Chandler (A/Manager Corporate & Community), Stephanie Clarkson (A/Senior Finance Officer) and Natalie M'Leane (Development & Executive Officer).

The 2020/21 Annual Financial Statement and Auditor General's Audit Opinion were received and accepted by the Shire of Irwin Audit Committee on 17 March 2022.

Statutory Environment:

Local Government Act 1995

- Section 7.12A: Duties of local government with respect to audits

Policy Implications:

Nil.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 - 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and best practice principles.

Strategy 4.3.2 Adopt and follow better practice processes.

Attachments:

Attachment Booklet – May 2022

CEO01-05/22 Attachment 1: 2020/21 Annual Report

COUNCIL DECISION 010522:

MOVED: Cr Gillam

SECONDED: Cr Palmer

That Council suspends Clause 10.2 of the *Shire of Irwin Meeting Procedures Local Law 2016* at 6.00pm, in order for Mr Mikey Fiorucci, Office of the Auditor General and Mr Michael Fay, Pitcher Partners, to provide a verbal report on the Shire's Annual Financial Statement for the year ending 30 June 2021.

VOTING DETAILS:

Carried 6/0

The Deputy Shire President welcomed Mikey Fiorucci, Office of the Auditor General (OAG) and Michael Fay, Pitcher Partners via Microsoft Teams video conference.

Mikey Fiorucci presented Council with an overview of the Shire of Irwin's 2020/21 Annual Financial Statement and Audit Report noting the following points:

- *The OAG issued a qualified Audit Opinion*
- *No matters of significant non-compliance with any key pieces of legislation*
- *Two significant adverse trends were identified in the Asset Sustainability Ratio and Operating Surplus Ratio being that they are below the Department of Local Government, Sport and Cultural Industries' benchmark*
- *Final findings included some minor improvements required in the internal financial processing and procedures, however nothing significant.*
- *Overall, a very successful audit outcome, Mikey thanked the Shire for their cooperation with Pitcher Partners.*

Michael Fay, Pitcher Partners added the following points:

- *Michael noted Pitcher Partners were appointed late in the process and appreciated the cooperation and support provided by the Shire and is looking forward to working with the Shire again on the 2021/22 audit process.*
- *As a result of the late 2020/21 performance audit, Michael noted that they realise that not all management letter findings will necessarily be addressed in time for the 2021/22 performance audit.*

The Deputy Shire President thanked Mikey Fiorucci and Michael Fay for their attendance.

Mickey Fiorucci and Michael Fay left the meeting at 6.07pm.

COUNCIL DECISION 020522:

MOVED: Cr Leonard

SECONDED: Cr Tunbridge

That Council reconvenes under the *Shire of Irwin Meeting Procedures Local Law 2016* at 6.08pm.

VOTING DETAILS:

Carried 6/0

Officer Recommendation:

COUNCIL DECISION 030522:

MOVED: Cr Palmer

SECONDED: Cr Gillam

That Council notes the verbal report provided by Mr Mikey Fiorucci, Office of the Auditor General and Michael Fay, Pitcher Partners in regard to the Shire of Irwin's Annual Financial Statement for the year ending 30 June 2021.

VOTING DETAILS:

Carried 6/0

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Mr Ian West, Bygrave Drive, Port Denison: Have Council considered how the proposed current loan application for \$1.29M for plant will increase the Shire's debt and have an impact on Council's future borrowing capacity?

Response: The Deputy Shire President explained that extensive planning relating to future spending has been conducted as part of the Shire's integrated planning and reporting, hence the current borrowing proposal is supported by the forecasting in the Long Term Financial Plan (LTFP).

The CEO added that by borrowing less funds as indicated in the LTFP now, the Shire can lock in a very low fixed interest rate with WA Treasury Corporation. Borrowings in the future could be subject to significantly higher interest rates.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS AND DEPUTATIONS

Nil.

7. CONFIRMATION OF MINUTES

7.1. Minutes of the Ordinary Council Meeting held 26 April 2022

A copy of the minutes of the 26 April 2022 Ordinary Council Meeting have been provided to all Councillors under separate cover.

COUNCIL DECISION 040522:
MOVED: Cr Wyse SECONDED: Cr Tunbridge
That the Minutes of the Ordinary Council Meeting, held 26 April 2022, as previously circulated, be adopted as a true and accurate recording of that meeting.
VOTING DETAILS: Carried 6/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Functions, Meetings & Events

12 May 2022	The Shire President and CEO met with representatives of Mitsui E&P.
19 May 2022	Councillors and Staff attended the 2022/23 Draft Budget Workshop.
21 May 2022	The Deputy Shire President, Councillors, CEO and Staff attended the Shire of Irwin's National Volunteer Week event at the Denison Bowling Club.

9. REPORTS

9.1. Officer Reports

CORPORATE AND COMMUNITY		CC01-05/22
Subject:	CC01-05/22 Accounts for Payment	
Author:	S Clarkson, A/Senior Finance Officer	
Responsible Officer:	D Chandler, A/Manager Corporate & Community	
File Reference:	Minute Book	
Voting Requirements:	Simple Majority	

Council Role:

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Report Purpose:

To receive the list of accounts paid under delegated authority during April 2022.

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of April 2022.

Officer's Comment:

Nil.

Consultation:

Nil.

Statutory Environment:

The Local Government (Financial Management) Regulations 1996 provides as follows:

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 CEO101 Council has delegated authority to the Chief Executive Officer to authorise payments from the municipal or trust fund.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2022

CC01-05/22 Attachment 1: Accounts for Payment – April 2022

Officer Recommendation:

COUNCIL DECISION 050522:

MOVED: Cr Leonard

SECONDED: Cr Gillam

That Council receives the Accounts paid during April 2022 as presented in Attachment Booklet – May 2022, represented by:

Payment Type/Numbers	Total Amount
EFT 28657 – 28757	\$307,612.95
Muni Cheques – 32102 – 32105	\$5,795.33
Direct Debit – Telstra	\$663.20
Direct Debit – WA Treasury Corporation	\$137,512.51
Direct Debit – Solar Panel Repayments	\$1,947.66
Direct Debit – Credit Card	\$4,680.31
Direct Debit – Land Use Agreement	\$1,041.66
Direct Debit – Rental Charges	\$2,600.00
Direct Debit – Superannuation	\$32,124.07
Grand Total	\$493,977.69

VOTING DETAILS:

Carried 6/0

CORPORATE AND COMMUNITY		CC02-05/22
Subject:	CC02-05/22 Monthly Financial Statements for the Period Ended 30 April 2022	
Author:	S Clarkson, A/Senior Finance Officer	
Responsible Officer:	D Chandler, A/Manager Corporate & Community	
File Reference:	Minute Book	
Voting Requirements:	Simple Majority	

Council Role:

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Report Purpose:

To consider and receive the Monthly Financial Statements for the period 1 July 2021 to 30 April 2022.

Background:

The Monthly Financial Statements to 30 June 2022 are prepared in accordance with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* and includes the following statutory reports:

- Statement of Financial Activity by Nature & Type
- Explanation of Material Variances
- Net Current Funding Position

The Statements also include various other financial information not required by legislation, but for Council information.

Officer's Comment:

The financial position to the end of April 2022 is detailed in the attached report and summarised as follows relative to year to date budget expectations:

30/04/2022		YTD Budget	YTD Actual	Variance YTD to Budget
Operating Revenue		6,927,606	9,124,233	32%
Operating Expenditure		(8,894,887)	(9,700,984)	9%
Net Operating		(1,967,281)	(576,751)	
Non-Operating Revenue		10,000	0	-100%
Non-Operating Expenditure		(1,750,935)	(2,390,976)	37%
Net Non-Operating		(1,740,935)	(2,390,976)	
Cash at Bank			1,799,123	
Cash at Bank Restricted			580,285	
Reserve Bank			1,485,467	
Total Cash Funds			3,864,875	

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

Consultation:

Nil.

Statutory Environment:

Local Government Act 1995

- *Section 6.4 Financial report*

Local Government (Financial Management) Regulations

- *Section 34 Financial activity statement report provides as follows:*

- (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.

Financial/Resource Implications:

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

Strategic Implications:

Our Brilliant Future - Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2022

CC02-05/22 Attachment 1: Financial Statements for the Period Ended 30 April 2022

Officer Recommendation:

COUNCIL DECISION 060522:

MOVED: Cr Gillam

SECONDED: Cr Leonard

That Council receives the Monthly Financial Statements for the period 1 July 2021 to 30 April 2022 as provided in Attachment Booklet – May 2022.

VOTING DETAILS:

Carried 6/0

CORPORATE AND COMMUNITY		CC03-05/22
Subject:	CC03-05/22 Differential Rates 2022/23	
Author:	D Chandler, A/Manager Corporate & Community	
Responsible Officer:	S Ivers, Chief Executive Officer	
File Reference:	3.0683 Differential Rates	
Voting Requirements:	Simple Majority	

Council Role:

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Report Purpose:

To consider the proposed rates in the dollar for differential rating to be advertised prior to the adoption of the 2022/23 Budget.

Background:

There is provision under the *Local Government Act 1995* to impose differential rates within the local government's boundaries and in considering this imposition, there are certain statutory obligations that the local government must comply with:

- Before any consideration to the Budget, the local government is required to give local public notice of its intention to impose differential rates;
- The local government must provide information of each new rate or minimum payment;
- Electors or ratepayers are invited to make submissions in respect of the proposed rate or minimum payment. This submission period must be for a minimum of 21 days; and
- Application must be made to the Minister for Local Government, Heritage, Culture and the Arts seeking approval to impose a differential rate that is more than twice the lowest rate.

The Shire of Irwin historically has used differential rates to levy a higher rate in the dollar for Mining Tenements than other Unimproved Valuation (UV) properties. This practice is common within local governments.

A draft budget workshop was held on Thursday 19 May 2022 where Councillors reviewed the projected changes in operating revenue and expenditure, along with efficiency measures, proposed capital works and projects. The differential rates will directly influence Council's ability to fund expenditure requirements in the 2022/23 Budget.

Officer's Comment:

For Council to meet the requirements of the Act it is required to advertise the proposed differential rates within timeframes to meet the 21 day minimum advertising period before the budget is adopted.

An overall increase of 4.5% on the actual revenue raised in the 2021/22 financial year will just meet requirements of the 2022/23 Budget. The 4.5% increase partially accounts for the current 5.1% inflation rate.

Differential rating allows Council to maintain a degree of equity between rates levied on all unimproved value assessments within the Shire of Irwin rate base whilst providing income annually to allow for the service requirements of all property owners. The reasoning for levying the higher rate in the dollar can be found in the attachment - Statement of Objects and Reasons.

It is worth noting that while both UV Rural and UV Mining are based on “Unimproved Values” provided by the Valuer General, the *Valuation of Land Act 1978* prescribes different methods of calculating each one.

The unimproved valuation of land utilised for rural purposes is the capital amount that the property (not including improvements) might reasonably be expected to realise upon sale.

The unimproved valuation of land used for mining tenements is calculated on the annual rent per hectare multiplied by a factor, the amount of which depends on the number of hectares and type of lease held. They therefore have no relativity and cannot be compared.

Unimproved Valuations

Landgate has advised that the total unimproved valuation for the Shire of Irwin has increased by an overall average of approximately 14.72% to \$140,591,200.

The Valuer’s comments also suggest that there is a possibility of a slight change to this figure due to the effect of interim valuations.

In the letter, the Valuer also makes the following comments:

“OVERALL VARIATION TO UNIMPROVED VALUATIONS

The market for broadacre rural properties has continued to improve on the back of low interest rates, relatively good seasonal conditions, and strong commodity prices.

The impact of the Covid19 pandemic has seen increased interest in rural smallholdings which has taken up excess supply in the market and seen prices improve after decreases in recent years.

Some variations to individual assessments may have occurred either as a product of the valuation process and/or inclusion of updated information such as soil types.”

It should be noted that individual property values will change by more or less than the average increases reported above and therefore when rate notices are issued they will not necessarily reflect a 4.5% increase in rates on their property.

Gross Rental Valuations

Landgate provided a new Gross Rental Valuation (GRV) which took effect as of 1 July 2019. The next revaluation will occur approximately 2023.

Mining Valuations

Landgate will not provide the Mining Valuation Roll until July / August 2022, therefore the rates in the dollar are based on current valuations. Interim valuations will be undertaken when the new UV Mining Valuation Roll is received.

The proposed rate in the dollar has been calculated by using the actual rates raised as at 1 July 2021 and then adjusted by any full year equivalent increase or decrease for interims received for the year.

The proposed rates of \$5,926,056 includes the 4.5% increase on 2021/22 rates and interim revenue of \$27,032. Due to the increase in UV valuations, the rates in the dollar decreased slightly with the

minimum rate remaining unchanged from 2021/22. The draft budget is still being finalised and is subject to change due to the end of financial year processes.

2022/23 Proposed Rates Revenue		
Gross Rental Value (GRV)	3,337,848	56%
Unimproved Value (UV)	2,079,282	35%
Unimproved Value (UV) Mining	508,928	9%
	\$5,926,058	100%

Consultation:

Once adopted, the proposed differential rates together with the objects of imposing differential rates and reasons for each rate category must be advertised for a minimum period of 21 days. This period of advertising allows ratepayers to consider the proposed rates and make any submissions to Council. The advertising process does not prevent Council from amending the rate in the dollar at budget adoption.

Statutory Environment:

Local Government Act 1995

- Section 6.33 Differential general rates
- Section 6.36 Local government to give notice of certain rates

Policy Implications:

In accordance with the Department of Local Government and Communities' Rating Policy – Differential Rates, Council must demonstrate that consideration has been given to the key values of Objectivity, Fairness and Equity, Consistency, Transparency and Administrative Efficiency.

Objectivity

The land on which differential general rates has been rated according to one or more of the following land characteristics:

- zoning
- land use
- vacant land

Where there has been a change to the boundaries of the district within the past five years, the land on which differential general rates apply may also be rated according to one or more of the following land characteristics:

- whether or not it is situated in a town-site
- whether or not it is situated in a particular part of the district.

The local government has proposed a differential general rate which is more than twice the lowest differential rate.

Fairness and Equity

The Council of the local government has reviewed its expenditure and considered efficiency measures as part of its budget deliberations. This is to be reflected in the council minutes when it adopts the budget strategy and endorses objects and reasons for each differential rating category and each minimum payment.

The objects of imposing differential rates and reasons for each proposed differential general rate are set out by the local government in a publicly available document.

These objects and reasons clearly explain why each differential general rate is proposed to be imposed.

The objects and reasons clearly explain why it is proposed to set the differential general rate at that particular rate.

If a category of ratepayer is significantly contributing to the local government's revenue through fees, charges and other payments, the local government has not used these same costs as the justification for the difference in differential general rate.

If there are fewer than thirty ratepayers who will be subject to the differential general rate, each affected ratepayer has been informed in writing by the local government of:

- the terms of this policy (through the provision of a copy of this document to the ratepayer)
- the local government's objects of and reasons for proposing to impose the differential general rates
- the differential general rate that will apply to the ratepayer's property; and
- the differential general rate that applied in the previous year for comparison

and was given at least 21 days to make submissions to the local government on the proposal.

The ratepayers' submissions, if any, and the local government's response to each ratepayer's submission (as recorded in the minutes of the Council meeting at which the response was adopted) have been provided to the Minister.

Consistency

The local government has rated similar properties that are used for the same purpose in the same way.

The proposed differential rates align with the rating strategy in the Corporate Business Plan and Long Term Financial Plan or the council of the local government has detailed its reasons for deviating from that rating strategy.

The local government has reviewed and considered rates proposed in neighbouring or similar local government districts in the rating strategy.

Transparency and administrative efficiency

The local government has:

- prepared and made publicly available a document clearly describing the object of and reason for each differential general rate;
- given public notice in a newspaper circulating generally throughout the district and exhibited to the public on a notice board at the local government's office and at every local government library in the district (refer to Rating Policy – Giving Notice)
- published the notices after 1 May in the relevant year.

The public notice published by the local government contained:

- details of each differential general rate that the local government intends to impose
- an invitation for submissions to be made by an elector or ratepayer
- a closing date for submissions which is at least twenty one days after the day on which the notice is published
- advice on the time and place where a document containing the objects of and reasons for the differential general rates can be inspected.

The council of the local government has:

- considered each ratepayer submission (if any)
- resolved to make the application provided the Minister with the minutes and agenda papers relevant to these matters.

Financial/Resource Implications:

The Shire's principle source of income is through rates. It is an essential part of the budget process that the Council consider the level of rates that need to be raised in the context of funding the annual budget. It must also be noted that as other income, such as fees and charges are fixed by external legislation, there is very little scope for the Shire to increase this revenue source to keep up with the rising costs of

service provision and reduction of grant funding, therefore, these increasing costs must be borne by increases in rates.

Strategic Implications:

Our Brilliant Future - Strategic Community Plan 2021 - 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2022

CC03-05/22 Attachment 1: Statement of Objects and Reasons 2022/23

Officer Recommendation:

COUNCIL DECISION 070522:

MOVED: Cr Leonard

SECONDED: Cr Wyse

That Council:

- 1) Adopts the following rates in the dollar and minimum rates for the differential rating categories specified for the 2022/23 financial year:

<u>Rate Category</u>	<u>Rate in Cents in the Dollar</u>	<u>Minimum Rates</u>
<i>Gross Rental Valuations</i>		
General Rate	11.6140	\$1050
<i>Unimproved Valuations</i>		
General Differential Rate	1.4743	\$1050
Mining Differential Rate	19.7240	\$1050

- 2) Approves the advertising of its intention in accordance with Section 6.36 of the *Local Government Act 1995*;
- 3) Endorses the Statement of Objects and Reasons, as presented in Attachment Booklet – May 2022 under separate cover; and
- 4) Confirms that expenditure has been reviewed and the following efficiency measures have been considered as part of budget deliberations:

Efficiency Measures:

- Service levels and core business
- Process improvement strategy to increase efficiencies
- Rural roads infrastructure improvement strategy
- Asset management strategy
- Improve utility efficiencies for future savings

VOTING DETAILS:

Carried 6/0

CORPORATE AND COMMUNITY		CC04-05/22
Subject:	CC04-05/22 Request to waive hire fees – Tennis Club	
Author:	F Boksmati, Community Development Officer	
Responsible Officer:	D Chandler, A/Manager Corporate Community	
File Reference:	3.0706	
Voting Requirements:	Absolute Majority	

Council Role:

- ☐ **Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☒ **Executive** The substantial direction setting and oversight role of the Council e.g. performance of the Local Government's function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☐ **Legislative** Includes adopting local laws and local planning schemes.
- ☐ **Review** When Council reviews decisions made by Officers.
- ☐ **Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

For Council to consider waiving a portion of the season package fee for the Dongara Tennis Club (the Club).

Background:

The Dongara Tennis Club has been invoiced for an annual season package fee of \$5,495 including GST for the use of the facilities at the Irwin Recreation Centre, including the hire of the Ocean Room and tennis courts for the 2021/22 season.

In 2020/21, the Dongara Tennis Club was invoiced for an annual season package fee of \$5,495 and at the 27 April 2021 Ordinary Council Meeting, Council approved a reduction in fees of \$2,500 for the 2020/21 season.

Officer's Comment:

The Shire received a letter from the Dongara Tennis Club on 25 April 2022 requesting that the season package fees be reduced due to the Club having only 29 members paid up for the 2022/23 season with an average of 12 players turning up to play each week. This is an increase of only 2 members from the previous 2021/22 season. In addition, the Club has taken all opportunities to fundraise including at the 2021 Show and Shine and the Drive-In to assist with meeting club costs. Further information is outlined in the correspondence provided as Attachment 1 and Attachment 2.

The Club's income is insufficient to cover costs associated with equipment, Tennis West affiliation fees, responsibility to upgrade/maintain the fence and the Shire's season package fee. With minimal change to the Club's membership revenue and expenses from the 2020/21 season, the Club is therefore requesting that their long-term overall costs be reviewed and that the 2021/22 season package fee be reduced by \$2,500 including GST, to ensure long term sustainability of the Club and their continued ability to promote the sport within the Shire of Irwin.

Council has delegated authority to the Chief Executive Officer to waive fees up to a value of \$1,000 including GST, however given this request exceeds this limit, it is presented to Council for consideration. It is recommended that Council grant this request to the Dongara Tennis Club to ensure long term sustainability of the Club, the promotion of the sport within the Shire of Irwin and the continued use of the tennis courts at the Irwin Recreation Centre with ongoing season package fees reviewed each year as part of the budget process.

It is also recommended that a review of the season package fees be undertaken as part of the setting of fees and charges in the 2022/23 Annual Budget and future budgets, subject to an annual internal review of the Club's membership figures and until it is determined that they have reached a point of independent sustainability.

Consultation:

The Club has previously consulted with the Shire's Coordinator Recreation Services and the Shire's Community Development Officer.

Statutory Environment:

Local Government Act 1995

- s.6.12 Power to defer, grant discounts, waive or write off debts

Register of Delegations - Council to CEO

- CEO120 Defer, Grant Discounts, Waive or Write off Debts

Policy Implications:

Nil.

Financial/Resource Implications:

Subject to Council approving this request, the Dongara Tennis Club will be invoiced \$2,795 including GST for the 2021/22 season package.

Strategic Implications:

Our Brilliant Future - Strategic Community Plan 2021 – 2031

1.1.1 Identify and support services, events and programs for building capacity, social inclusion and wellbeing (including those catering for families, youth and seniors)

1.2.2 Support the strong sporting culture that shapes the Shire of Irwin's identity and lifestyle

Attachments:

Attachment Booklet – May 2022

CC04-05/22 Attachment 1: Letter from the Dongara Tennis Club

CC04-05/22 Attachment 2: Dongara Tennis Club Summary of Information

Officer Recommendations:

COUNCIL DECISION 080522:

MOVED: Cr Wyse

SECONDED: Cr Tunbridge

That Council, by Absolute Majority, grants the Dongara Tennis Club's request for a waiver of fees by reducing the 2021/22 season package fee by \$2,500 including GST.

VOTING DETAILS:

Carried by Absolute Majority 6/0

COUNCIL DECISION 090522:

MOVED: Cr Gillam

SECONDED: Cr Leonard

That Council authorises the Chief Executive Officer to undertake a review of the season package fee for the 2022/23 Schedule of Fees and Charges in the Annual Budget and for future budgets, subject to an annual internal review of the Dongara Tennis Club's membership figures until it is determined that they have reached a point of independent sustainability.

VOTING DETAILS:

Carried 6/0

INFRASTRUCTURE & DEVELOPMENT		ID01-05/22
Subject:	ID01-05/22 Delegated and Authorised Actions for April 2022 – Development	
Author:	B Jeans, Manager Development	
Responsible Officer:	S Ivers, Chief Executive Officer	
File Reference:	3.00125	
Voting Requirements:	Simple Majority	

Council Role:

- ☐ **Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☒ **Executive** The substantial direction setting and oversight role of the Council e.g. performance of the Local Government's function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☐ **Legislative** Includes adopting local laws and local planning schemes.
- ☐ **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 inform Council of officer actions made under delegated authority and authorisation in the Development department.

Background:

To increase transparency this report has been prepared for Council and includes actions performed under delegated authority and authorisation for:

- Development Approvals issued;
- Subdivision Clearances issued;
- Building Permits issued; and
- Health Approvals issued.

Officer's Comment:

The table in Attachment 1 outlines the actions performed within the Development department under delegated authority or authorisation for the period 1 April 2022 – 30 April 2022.

The table in Attachment 2 provides further details in relation to actions performed under delegated authority and has been provided to Councillors under separate confidential cover.

Consultation:

Nil.

Statutory Environment:

Local Government Act 1995

Planning and Development Act 2005

- Part 10 Div. 2

Shire of Irwin Local Planning Scheme No.5

THESE MINUTES ARE YET TO BE CONFIRMED

- Clause 11.3

Public Health Act 2016

Building Act 2011

Policy Implications:

Nil.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 - 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2022

ID01-05/22 Attachment 1: Table of Delegated Actions for April 2022, Development

CONFIDENTIAL Attachment Booklet – May 2022

ID01-05/22 Attachment 2: Detailed Table of Delegated Actions for April 2022, Development

Officer Recommendation:

COUNCIL DECISION 100522:

MOVED: Cr Palmer

SECONDED: Cr Gillam

That Council receives the Delegated and Authorised Actions for April 2022 as set out in Attachment 1 in Attachment Booklet – May 2022.

VOTING DETAILS:

Carried 6/0

9.2. Committee Reports

9.2.1. Shire of Irwin Audit Committee Meeting 19 May 2022

The minutes of the Shire of Irwin Audit Committee Meeting held Thursday 19 May 2022 have been provided as Attachment 9.2.1 in Attachment Booklet – May 2022.

COUNCIL DECISION 110522:

MOVED: Cr Leonard

SECONDED: Cr Palmer

That Council receive the Minutes of the Shire of Irwin Audit Committee Meeting held Thursday 19 May 2022 provided as Attachment 9.2.1 in Attachment Booklet – May 2022.

VOTING DETAILS:

Carried 6/0

COUNCIL DECISION 120522:

MOVED: Cr Gillam

SECONDED: Cr Palmer

That Council endorses the 2021/22 Audit Plan provided as Attachment 9.2.1 in Attachment Booklet – May 2022.

VOTING DETAILS:

Carried 6/0

9.2.2. Community Assistance Scheme and Events Committee Meeting 18 May 2022

The minutes of the Community Assistance Scheme and Events Committee Meeting held Wednesday 18 May 2022 have been provided as Attachment 9.2.2 in Attachment Booklet – May 2022.

COUNCIL DECISION 130522:

MOVED: Cr Palmer

SECONDED: Cr Wyse

That Council receive the Minutes of the Community Assistance Scheme and Events Committee Meeting held Wednesday 18 May 2022 provided as Attachment 9.2.2 in Attachment Booklet – May 2022.

VOTING DETAILS:

Carried 6/0

COUNCIL DECISION 140522:

MOVED: Cr Tunbridge

SECONDED: Cr Wyse

That Council approves the following funding allocation for the Community Assistance Scheme and pre-approve its allocation from the 2022/2023 financial year budget.

ORGANISATION	PROJECT DESCRIPTION	GRANT
Dongara Professional Fisherman's Association Inc	Towards costs relating to the 2023 Blessing of the Fleet event	\$5,000
	TOTAL	\$5,000

VOTING DETAILS:

Carried 6/0

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

12. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

Nil.

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

13.1. CC-05/22

The matter at CC05-05/22 is to be considered behind closed doors in accordance with Section 5.23(2)(c) of the *Local Government Act 1995* as it relates to a contract entered into by the local government and which relates to a matter to be discussed at the meeting.

COUNCIL DECISION 150522:	
MOVED: Cr Tunbridge	SECONDED: Cr Wyse
That Council close the meeting to the public at 6.28pm in accordance with Section 5.23(2)(c) of the <i>Local Government Act 1995</i> as it relates to a contract entered into by the local government and which relates to a matter to be discussed at the meeting.	
VOTING DETAILS:	Carried 6/0

The matter is to be considered and voted on behind closed doors.

COUNCIL DECISION 170522:	
MOVED: Cr Wyse	SECONDED: Cr Tunbridge
That Council reopen the meeting to the public at 6.33pm.	
VOTING DETAILS:	Carried 6/0

COUNCIL DECISION 180522:	
MOVED: Cr Palmer	SECONDED: Cr Leonard
That Council adopts the Confidential Schedule.	
VOTING DETAILS:	Carried 6/0

14. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.33pm.

An electronic copy of the Minutes are available for download from the Shire's website.
<https://www.irwin.wa.gov.au/council/council-meetings/2022-council-meetings>