



MINUTES

Special Council Meeting

held on

Tuesday 8 August 2023

at

6.00pm


in the

Shire of Irwin Council Chambers

11-13 Waldeck Street, Dongara

The purpose of the meeting was for Council to adopt the 2023/24 Annual Budget.

I certify that this copy of the Minutes is a true and correct record of the meeting held on Tuesday 22 August 2023

Signed: 
Presiding Elected Member

Date: 28 September 2023

Disclaimer

The Shire of Irwin advises that the purpose of a Special Council Meeting is to discuss and 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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MINUTES

of the

SPECIAL COUNCIL MEETING

held on

Tuesday 8 August 2023

at 6.00pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed Councillors, Staff and members of the Gallery then declared the meeting open at 6.00pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor M T Smith	President
Councillor I Scott (via TEAMS)	Deputy President
Councillor B Wyse	
Councillor G Eva	
Councillor M Leonard (via TEAMS)	
Councillor E Tunbridge (via TEAMS)	
Councillor A J Gillam	

Staff

Mr S D Ivers	Chief Executive Officer
Ms P Machaka	Manager Finance
Mrs J Morgan	Executive Assistant

Apologies

Councillor H Palmer

Approved Leave of Absence

Nil

Gallery

Jon Arden

3. DECLARATION OF PURPOSE OF MEETING

The purpose of the meeting is for Council to adopt the 2023/24 Annual Budget.

4. DECLARATIONS OF INTEREST

Nil

5. PUBLIC QUESTION TIME

Nil

6. OFFICER REPORTS

6.1 Officer's Reports

OFFICE OF CEO	CEO01-08/23
Subject:	CEO01-08/23 Shire of Irwin 2023/24 Annual Budget
Author:	P Machaka, Manager Finance
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.0200
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 and adopt the Shire of Irwin Annual Budget ("Budget") for the 2023/24 financial year together with supporting schedules, including imposition of rates and minimum payments, adoption of fees and charges, setting of elected members fees for the year and other consequential matters arising from the budget papers.

Background:

The Shire of Irwin 2023/24 Budget has been compiled based on the principles contained in the Strategic Community Plan 2021-2031 and the Shire of Irwin Strategic Resource Plan 2022-2037. The 2023/24 Budget has been prepared in accordance with the presentations made to Councillors at the two (2) budget workshops held 18 May 2023 and 11 July 2023.

The proposed differential general rates were approved by Council on 23 May 2023 and advertised for public comment. One submission was received by 22 June 2023 when the public comment period closed and was considered by Council at the 27 June 2023 Ordinary Council Meeting.

At the 27 June 2023 Ordinary Council Meeting, Council resolved to make application to the Minister for Local Government to seek approval under s.6.33(3) of the *Local Government Act 1995* to impose a differential rate for UV Mining properties at more than twice the rate of UV Rural properties. Ministerial approval was received on 25 July 2023.

Officer's Comment:

The Budget has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The main features of the 2023/24 Budget include:

1. A 5.9% increase on rate revenue which applies to all differential general rate categories. The rate in the dollar for Mining and GRV is set to increase by 8.3% and 4.5% respectively, while the UV rate in the dollar is set to decrease by 11.7%.
2. Penalty interest is set at 7% and instalment interest at 5.5%, the same as the prior financial year.
3. Household and commercial waste charges and charges for depositing refuse at the Shire of Irwin Transfer Station are proposed to increase to \$377, an increase of 9.9% and 6.2% respectively. These are itemised separately in the 2023/24 Budget Schedule of Fees and Charges.
4. The operating budget includes an overall increase in estimated expenditure of 4% compared to 2022/23 budget (although individual line items may vary from this based on specific factors affecting each of these) and continues the focus on improved service delivery to the community.
5. A capital works program totalling \$11M for investment in infrastructure, land and buildings, plant and equipment and furniture and equipment is planned. Noteworthy projects include:
 - \$4M for the proposed Milo Crossing upgrade carried forward from the 2022/23 financial year. \$3.2M of grant funding is being sought from the Federal Government plus \$600k from other sources.
 - \$1.4M for Foreshore development works; \$700K funding is being sought from Lotterywest and \$700K will be funded by a combination of reserves and Local Road and Community Infrastructure grant monies.
6. The Net Current Assets opening position at 1 July 2023 is an estimated surplus of \$974K, which includes an advance receipt of the 2023/24 Financial Assistance grant totalling \$813K. The Net Current Assets closing position is an estimated surplus of \$549.
7. Budgeted transfers to Reserves include:
 - \$4,769 to the Staff Entitlement Reserve;
 - \$7,134 to the Port Denison Foreshore Redevelopment Reserve;
 - \$79 to the Rec Centre Equipment Reserve;
 - \$37 to the Sanitation Reserve
 - \$922 to the Coastal Management Reserve
 - \$2,062,376 to the Asset Management Reserve
 - \$273 to the Plant Replacement Reserve
 - \$727 to the Tourism Reserve

8. Budgeted transfers from Reserves include:
 - \$549,066 from the Asset Management Reserve
 - \$250,000 from the Port Denison Foreshore Development Reserve
9. Principal additional grant funding for the year is estimated to be received from:
 - Regional Road Group - \$978K
 - Roads to Recovery - \$201K
 - Local Roads & Community Infrastructure Stimulus Funding - \$396K
 - Lotterywest - \$700K
 - Department of Fire & Emergency Services - \$500K
 - Federal Bridges Renewal Program & Industry Contributions - \$3.2M
10. New borrowings for 2023/24 amount to \$1.029M, \$929K for plant and equipment and \$100K for a self supporting loan for a community group.
 - Budgeted disposal of assets amounts to \$2.2M consisting mainly of the Shire's land assets.

Consultation:

Internal consultation with all departments, followed by officer meetings at various times since April 2023.

Two budget workshops with elected members were held on 18 May 2023 and 11 July 2023.

Statutory Environment:*Local Government Act 1995*

- Section 6.2(1) Local government to prepare annual budget
- Section 6.12(1) Power to defer, grant discounts, waive or write off debts
- Section 6.16 Imposition of fees and charges
- Section 6.32 Rates and service charges
- Section 6.45(3) Options for payments of rates or service charges
- Section 6.50 Rates or service charges due and payable
- Section 6.51 Accrual of interest on overdue rates or service charges

Local Government (Financial Management) Regulations 1996

- Regulation 68 Maximum interest component prescribed
- Regulation 70 Maximum rate of interest prescribed (Act s. 6.51)

Policy Implications:

Strategic Community Plan 'Our Brilliant Future' 2021-2031

Shire of Irwin Strategic Resource Plan 2022-2037

Financial/Resource Implications:

Specific financial implications are outlined in the Officer's Comment section of this report and are itemised in the Shire of Irwin 2023/24 Budget presented to Council for adoption.

Strategic Implications:

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 (SCM) – 8 August 2023

CEO01-08/23 Attachment 1: Shire of Irwin 2023/24 Annual Budget

OFFICER RECOMMENDATION AND COUNCIL DECISION

010823

MOVED: Cr Eva

SECONDED: Cr Wyse

PART A – MUNICIPAL FUND BUDGET FOR 2023/24

That Council, by Absolute Majority and pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, adopts the Shire of Irwin 2023/24 Annual Budget, as presented in Attachment Booklet (SCM) - 8 August 2023.

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

That Council, by Absolute Majority;

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above and pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995*, imposes the following differential general rates and minimum payments on Gross Rental and Unimproved Values:

- 1.1 General Rates

- | | |
|---------------------------------|-----------------------------|
| • Residential (GRV) | 12.1370 cents in the dollar |
| • Commercial / Industrial (GRV) | 12.1370 cents in the dollar |
| • Rural (UV) | 1.3019 cents in the dollar |
| • Mining (UV) | 21.361 cents in the dollar |

- 1.2 Minimum Payments

- | | |
|---------------------------------|---------|
| • Residential (GRV) | \$1,050 |
| • Commercial / Industrial (GRV) | \$1,050 |
| • Rural (UV) | \$1,050 |
| • Mining (UV) | \$1,050 |

2. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, nominates the following due dates for payment in full or by instalments:

- | | |
|---|-------------------|
| • Issue Date | 14 August 2023 |
| • <u>Option 1</u> – to pay in full by the due date: | 18 September 2023 |
| • <u>Option 2</u> – to pay in two instalments | |
| 1 st half instalment due date: | 18 September 2023 |
| 2 nd half instalment due date: | 23 November 2023 |
| • <u>Option 3</u> – to pay in four instalments | |
| 1 st quarterly instalment due date: | 18 September 2023 |
| 2 nd quarterly instalment due date: | 23 November 2023 |
| 3 rd quarterly instalment due date: | 25 January 2024 |
| 4 th quarterly instalment due date: | 28 March 2024 |

3. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$5 for each instalment after the initial instalment is paid (i.e. 3 x instalments = \$15.00).

4. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.

5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and

Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, adopts an interest rate of 7% for rates (and service charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.

PART C – FEES AND CHARGES FOR 2023/24

That Council, by Absolute Majority and pursuant to Section 6.16 of the *Local Government Act 1995*, adopts the Schedule of Fees and Charges as provided in the Shire of Irwin 2023/24 Annual Budget, presented in Attachment Booklet (SCM) - 8 August 2023.

PART D – ELECTED MEMBERS' FEES AND ALLOWANCES FOR 2023/24

That Council, by Absolute Majority;

1. Pursuant to Section 5.99 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Administration) Regulations 1996*, adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:
 - Shire President \$10,000
 - Councillors \$ 7,688
2. Pursuant to Section 5.98(5) of the *Local Government Act 1995* and Regulation 33 of the *Local Government (Administration) Regulations 1996*, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
 - Shire President \$20,000
3. Pursuant to Section 5.98A of the *Local Government Act 1995* and Regulation 33A of the *Local Government (Administration) Regulations 1996*, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
 - Deputy Shire President \$5,000

PART F – MATERIAL VARIANCE REPORTING FOR 2023/24

That Council, by Absolute Majority and in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* and *AASB 1031 Materiality*, adopts the level to be used in statements of financial activity in 2023/24 for reporting material variances, to be 10% or \$10,000, whichever is the greater.

VOTING DETAILS:

Carried: 7/0

For: Cr Smith, Cr Scott, Cr Gillam, Cr Wyse, Cr Eva, Cr Tunbridge, Cr Leonard

Against: Nil

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

Nil

8. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.06pm.