



# AGENDA

## Special Council Meeting

to be 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 is for Council to adopt the 2023/24 Annual Budget.*

6.00pm – Special Council Meeting

Shane Ivers  
**Chief Executive Officer**

28 July 2023

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## 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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## Council Meeting Information

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time-to-time Council may form a Committee, Working Party or Steering group to examine specific subjects and then report to Council.
3. Generally, all meetings are open to the public; however, from time-to-time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. **Public Question Time:** It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Presiding Member. If presenting questions to Council please note the following, as guided by the *Shire of Irwin Meeting Procedures Local Law 2016*:
  - Public Question Time occurs early in the meeting so please arrive at least 5 minutes before the advertised meeting start time (Ordinary Meetings are scheduled for a **6.00pm** start, unless otherwise advised).
  - Record your full name and suburb of residence on the Attendance Form available in the public seating area.
  - When invited by the Presiding Member to ask your question/s, please state your full name for the benefit of the minute taker and those present.
  - Only questions can be addressed to Council, not statements.
  - A minimum of 15 minutes is allocated to Public Question Time. A member has 2 minutes to submit a question.
  - You may ask up to 2 questions before other members of the public will be invited to ask their questions to ensure all have an equal and fair opportunity to ask questions.
  - The Presiding Member may elect for written questions to be responded to as normal business correspondence.
  - The Presiding member may decide that a question shall not be responded to where:
    - the same or similar question has been asked at a previous meeting and a response has already been provided;
    - a statement has been made and is not reformed into a question; or
    - a question is offensive or defamatory in nature and is not reformed into a question.
  - A question may be taken on notice by Council for a later response. Responses will be provided in writing to the member and a summary will be included in the agenda of the next meeting of Council.
  - Members of the public are encouraged to raise matters relating to operations and administration through the Shire's

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Customer Request system.

- At a Special Meeting of Council, only questions relating to the purpose of that meeting may be raised.
  - Should you wish to provide written questions prior to the meeting so that an appropriate response can be prepared, please submit them at least 72 hours prior to the Council meeting at which you wish them to be presented.
5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant** or **in common with a significant number of electors** or **ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.
  6. **Members of staff**, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The Officer must declare that interest and generally the Presiding Member will advise the Officer if he/she is to leave the meeting.
  7. Agendas are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting.
  8. Agendas for Ordinary Meetings are available to the public from the Shire of Irwin Administration Centre and on the website [www.irwin.wa.gov.au](http://www.irwin.wa.gov.au) seventy-two (72) hours prior to the meeting.
  9. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council and ideally received written confirmation of the outcome. Please note the Disclaimer in the Agenda (page 3).
  10. Public Inspection of Unconfirmed Minutes (Reg 13): A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection at the Shire of Irwin Administration Centre and on the website [www.irwin.wa.gov.au](http://www.irwin.wa.gov.au) within ten (10) working days after the Meeting.

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# SPECIAL COUNCIL MEETING

to be held on

**Tuesday 8 August 2023**

at 6.00pm

## **AGENDA**

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

### **Members**

Councillor M T Smith

President

Councillor I Scott

Deputy President

Councillor B Wyse

Councillor G Eva

Councillor M Leonard

Councillor E Tunbridge

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**

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- 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**

- 5. PUBLIC QUESTION TIME**

## 6. OFFICER REPORTS

### 6.1 Officer's Reports

<b>OFFICE OF CEO</b>	<b>CEO01-08/23</b>
<b>Subject:</b>	<b>CEO01-08/23 Shire of Irwin 2023/24 Annual Budget</b>
<b>Author:</b>	<b>P Machaka, Manager Finance</b>
<b>Responsible Officer:</b>	<b>S Ivers, Chief Executive Officer</b>
<b>File Reference:</b>	<b>3.0200</b>
<b>Voting Requirements:</b>	<b>Absolute Majority</b>

#### 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:

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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 amount 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:**

**OFFICER RECOMMENDATION:**

**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.**

**OFFICER RECOMMENDATION:**

**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
- Option 1 – to pay in full by the due date: 18 September 2023
- Option 2 – to pay in two instalments
  - 1<sup>st</sup> half instalment due date: 18 September 2023
  - 2<sup>nd</sup> half instalment due date: 23 November 2023
- Option 3 – to pay in four instalments
  - 1<sup>st</sup> quarterly instalment due date: 18 September 2023
  - 2<sup>nd</sup> quarterly instalment due date: 23 November 2023
  - 3<sup>rd</sup> quarterly instalment due date: 25 January 2024
  - 4<sup>th</sup> 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.

**OFFICER RECOMMENDATION:**

**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.

**OFFICER RECOMMENDATION:**

**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

**OFFICER RECOMMENDATION:**

**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.

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

**8. CLOSURE**

