SHIRE OF IRWIN
DONGARA-PORT DENISON
A BRILLIANT BLEND

MINUTES

Ordinary Council Meeting

held on

Tuesday 23 July, 2024

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, 23 July 2024

Signed: .....
Presiding Elected Member

Date: 28 August 2024

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MINUTES

of the

ORDINARY COUNCIL MEETING

held

Tuesday, 23 July 2024

Prior to the commencement of the Ordinary Council Meeting, Cr Jeffrey Melsom was sworn in as a Shire of Irwin Councill by Robyn Parsons JP.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors, Staff and Gallery Members to the July Ordinary Council Meeting then declared the Meeting open at 6.00pm.

The Shire President additionally welcomed Cr Melsom to his first Shire of Irwin Ordinary Meeting of Council.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor M Leonard	President
Councillor B Wyse	Deputy President
Councillor I Scott	
Councillor A J Gillam	
Councillor E Tunbridge	
Councillor P Summers	
Councillor J Melsom	

Staff

Mr S D Ivers	Chief Executive Officer
Miss P Machaka	Manager Finance
Mr M Connell	Manager Development
Ms F Boksmati	Acting Manager Community Services
Mr M Jones	Manager Operations
Ms S Mearns	Acting Executive Assistant

Guests

Nil

Apologies

Mr S Stubbs	Community Emergency Services Manager

Approved Leave of Absence

Nil

Gallery

Bruce Baskerville – “Indiaview”, Port Denison

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. DECLARATIONS OF INTEREST

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS AND DEPUTATIONS

Nil

8. CONFIRMATION OF MINUTES AND TABLING OF AGENDA FORUM NOTES

8.1 Minutes of the Ordinary Council Meeting held 25 June 2024

The Minutes of the Ordinary Council Meeting held 25 June 2024 have been provided to all Councillors under separate cover.

COUNCIL DECISION	**020724**
MOVED: Cr Wyse	**SECONDED: Cr Gillam**
That Council confirms the Minutes of the Ordinary Council Meeting held 25 June 2024.	
VOTING DETAILS:	**CARRIED: 7/0**
For:	**Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**
Against:	**Nil**

8.2 Minutes of the Special Council Meeting held 16 July 2024

The Minutes of the Special Council Meeting held 16 July 2024 have been provided to all Councillors under separate cover.

COUNCIL DECISION	**030724**
MOVED: Cr Tunbridge	**SECONDED: Cr Scott**
That Council confirms the Minutes of the Special Council Meeting held 16 July 2024.	
VOTING DETAILS:	**CARRIED: 7/0**
For:	**Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**
Against:	**Nil**

8.3 Agenda Forum Notes 16 July 2024

At the Agenda Forum held 16 July 2024, Shire Officers presented background information and answered questions on Items to be considered at the July Ordinary Council Meeting. Notes from the Agenda Forum are included in the *Attachment Booklet – July 2024*.

COUNCIL DECISION	**040724**
MOVED: Cr Wyse	**SECONDED: Cr Gillam**

That Council receives the Agenda Forum notes from the Agenda Forum held on 16 July 2024 with the following amendment to ID04-07/24:

"Councillors discussed the potential increase to the rate commercial parties would be charged who would be wishing to lease airport space in the future. Consideration therefore should be made to reviewing proposed lease values between commercial and private lessees".

VOTING DETAILS: **CARRIED: 7/0**

For: **Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**

Against: **Nil**

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

27 June 2024	The Shire President and CEO met with (Managing Director & Chief Executive Officer) Ken Yamamura and Tim Meehan (Vice President Operations) of Mitsui E&P.
27 June 2024	The Shire President and CEO attending the MWDC Monthly Catch-Up Meeting in Geraldton
3 July 2024	CEO attended the Shire of Irwin Work Health and Safety Committee Meeting
9 July 2024	The Shire President, Councillors and CEO attended the Councillor Budget Workshop
10 July 2024	Shire President met with Sandra Carr MLC
11 July 2024	CEO attended a meeting with Ian McCane – RoadWise
12 July 2024	The Shire President, Deputy Shire President and CEO attended the ballot count for the Extraordinary Election

10. REPORTS

10.1 Officer Reports

CORPORATE AND COMMUNITY	CC02-07/24
Subject:	**CC 02-07/24 Accounts for Payment**
Author:	**S Clarkson, Senior Finance Officer**
Responsible Officer:	**P Machaka, Manager Finance**
File Reference:	**2.00057**
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 the 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 receive the list of accounts paid under delegated authority during June 2024.

Background:
A list of accounts paid under delegated authority is attached showing all payments made during the month of June 2024.

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 – July 2024
CC02-07/24 Attachment 1 Accounts for Payment – June 2024

COUNCIL DECISION **050724**

MOVED: Cr Scott **SECONDED: Cr Summers**

That Council by Simple Majority, receives the Accounts paid during June 2024 as contained in CC02-07/24 Attachment 1 of the Attachment Booklet – July 2024, represented by:

Payment Type/Numbers	Total Amount
EFT 32112 – 32260	$813,268.57
Muni Cheques – 32201 – 32202	$78,525.18
Direct Debit – Telstra	$3,438.96
Direct Debit – WA Treasury Corporation	$148,208.29
Direct Debit – Credit Card	$52,942.44
Direct Debit – N-Able Pty Ltd	$1,016.06
Direct Debit – Australian Phone Company	$225.23
Direct Debit – Rental Charges	$4,600.00
Direct Debit – Bonds Administrator	$260.00
Direct Debit – Vestone Capital Pty Ltd	$10,554.20
Direct Debit – Superannuation	$51,520.90
Grand Total	$1,164,559.83

VOTING DETAILS: **CARRIED: 7/0**

For: **Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**

Against: **Nil**

CORPORATE AND COMMUNITY	CC03-07/24
Subject:	**CC 03-07/24 Monthly Financial Statements for the Period Ended 31 May 2024**
Author:	**P Machaka, Manager Finance**
Responsible Officer:	**S Ivers, Chief Executive Officer**
File Reference:	**2.00057**
Voting Requirements:	**Simple Majority**

Council Role:

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Report Purpose:
For Council to consider and receive the Monthly Financial Statements for the period 1 July 2023 to 31 May 2024.

Background:
The Monthly Financial Statements to 31 May 2024 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
- Statement of Financial Position
- 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 May 2024 is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

31/05/2024	YTD Budget	YTD Actual	Variance YTD to Budget
Operating Revenue	9,992,873	10,033,386	0%
Operating Expenditure	(13,085,002)	(13,681,901)	5%
Net Operating	(3,092,129)	(3,648,515)	
Non-Operating Revenue	569,927	608,476	7%
Non-Operating Expenditure	(3,403,519)	(3,213,309)	-6%
Net Non-Operating	(2,833,592)	(2,604,833)	
Cash at Bank		717,187	
Cash at Bank Restricted		705,250	
Reserve Bank		1,318,702	
Total Cash Funds		2,741,139	

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 must be shown according to the nature classification.

(4) A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be -

(a) presented to the council - at an ordinary meeting of the council within 2 months after the end of month to which the statement relates; 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 – July 2024
CC03-07/24 Attachment 1: Financial Statements for the Period Ended 31 May 2024.

COUNCIL DECISION	**060724**
MOVED: Cr Tunbridge	**SECONDED: Cr Gillam**
That Council by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2023 to 31 May 2024 as contained in Attachment Booklet – July 2024.	
VOTING DETAILS:	**CARRIED: 7/0**
For:	**Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**
Against:	**Nil**

DEVELOPMENT SERVICES	ID01-07/24
Subject:	**ID 01-07/24 June 2024 Development Delegated Authority Report**
Author:	**M Connell, 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.
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Report Purpose:
For Council to receive the June 2024 Development Delegated Authority Report.

Background:
Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focussing on the day-to-day operations of the Shire.

The use of delegated authority means the large volume of routine work can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

Officer's Comment:
This report presents the details of development functions made under delegated authority for the month of June 2024, with 8 building permits, 3 applications for development approval and 1 subdivision clearance having been issued.

Consultation:
Nil

Statutory Environment:
- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*

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 – July 2024
ID01-07/24 Attachment 1: June 2024 Development Delegated Authority Report

COUNCIL DECISION	**070724**
MOVED: Cr Wyse	**SECONDED: Cr Summers**
That Council by Simple Majority, receives the June 2024 Development Delegated Authority Report, as contained in ID01-07/24 Attachment 1 of the Attachment Booklet – July 2024.	
VOTING DETAILS:	**CARRIED: 7/0**
For:	**Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**
Against:	**Nil**

REGULATORY SERVICES	ID02-07/24
Subject:	**ID 02-07/24 Proposed Road Names – Twinkling Star Lane and Sea Bird Lane, Port Denison**
Author:	**M Connell, Manager Development**
Responsible Officer:	**S Ivers, Chief Executive Officer**
File Reference:	**P24-29**
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 the 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 approve the proposed road names of 'Twinkling Star Lane' and 'Sea Bird Lane' to be applied to the unnamed road sections that run north-west between Herbert and William Streets, Port Denison.

Background:
In April 2024 the Shire was informed by Landgate's mapping team that there is an anomaly concerning the named extent of Albatross Lane in Port Denison. The name 'Albatross Lane' was approved in 2003 only between Samuel Street and Leitch Street. However, Albatross Lane is signposted further west at George Street. Landgate has requested the Shire review the placement of this street sign and advise them accordingly.

Officers subsequently prepared a road naming proposal for Council's consideration with the agenda report based on the assumption that the origins of the name 'Albatross' Lane was based on the Albatross bird.

At the meeting held on 25 June 2024 Council was informed from the Irwin District Historical Society (IDHS) that the origin of the name Albatross Lane was in fact named in recognition of the ship 'Albatross'. The Albatross was sent to Port Irwin (Denison) to repair and refloat two beach vessels, the 'Twinkling Star' and the 'Sea Bird'. The Albatross was shipwrecked at the mouth of the Irwin River on 24 June 1868.

As a result, Council at the meeting held on 25 June 2024 essentially resolved to defer the item to the July Ordinary Council meeting to allow for further discussion.

Officers now consider that new road names that are historically linked with the Albatross would be most appropriate for the locality. The names of Twinkling Star and Sea Bird are recommended, and should either of them not be approved then the alternate name of 'Mary Ann' is proposed.

A copy of the proposed road naming plan is contained in ID02-07/24 Attachment 1.

A summary of the reasons/origins of the names are as follows, and an article from the IDHS detailing the storey of the wreck of the Albatross, Sea Bird and Twinkling Star is contained in ID02-07/24 Attachment 2:

Albatross Lane (existing)
The Albatross was one of three vessels built in Geraldton with timbers from the wreck of the ship named the 'African' that was wrecked on New Years Day 1863.

The Albatross was sent to Port Irwin (Denison) on 20 June 1868 to repair and refloat two beach vessels, the Twinkling Star and the Sea Bird. After successfully refloating the two vessels, Albatross returned towards Geraldton but at Point Moore was seen to change course and turn back when she was unable to weather the reef.

It is unclear why she decided to return to the Irwin River. She made the inside of the outer reef at Irwin but was shipwrecked at the mouth of the Irwin River on 24 June 1868.

Twinkling Star Lane
On 15 June 1868 the coastal traders Twinkling Star and Sea Bird were dragged ashore at the Irwin River. They were transporting members of a whaling crew from Fremantle and Dongara to the whaling base at Port Gregory.

On 20 June 1868, Albatross was sent with carpenters and equipment to refloat the stranded vessels. The venture was successful, and Albatross and Sea Bird set off for the return journey to Champion Bay on 24 June 1868.

The Twinkling Star remained beached until repaired and refloated after the Albatross disaster, and then reloaded with freight, and set course for Fremantle. When it arrived on 10 July 1868, it also carried with it the first news of the Albatross disaster.

Sea Bird Lane
The Sea Bird was built in 1865, and possibly carried jarrah timber from the Vasse region for the building of the William Street Jetty in Port Denison in 1869/70. She was also driven ashore with the Twinkling Star on 15 June 1868, refloated and tried to reach Geraldton with the Albatross, but was also driven back to the Irwin River mouth where she was again beached.

Mary Ann Lane
The Mary Ann was a sister vessel of the Albatross and was also built from the African salvage and driven ashore at Port Irwin in 1865.

Location Plan



Officer's Comment:
The proposed names are considered appropriate given their historical association with the current Albatross name. All the names have passed preliminary validation for availability from Landgate and they would provide an opportunity to preserve the story they evoke through a naming linkage in the streetscape.

Consultation:
The *Policies and Standards for Geographical Naming in Western Australia* requires that any new naming proposal considered to be of significance to the immediate or extended community must include evidence of consultation with the community.

Landgate's position on road naming requests is, community consultation is not required for new names unless they are deemed contentious. Only the renaming of roads requires consultation with affected residents.

The proposed names are not considered to be contentious and therefore no public consultation is required.

Statutory Environment:
The practice of officially naming roads is covered under section 26A of the *Land Administration Act 1997*. The local government must first approve proposed road names and then forward them to the Minister for Lands for final approval.

The legislation is supported by the *Policies and Standards for Geographical Naming in Western Australia* which provides the necessary information and details the principles and standards which apply to all naming. The proposed names are considered to be in accordance with the policy and standards.

Policy Implications:
Nil

Financial/Resource Implications:
Nil

Strategic Implications:
Our Brilliant Future - Strategic Community Plan 2021 – 2031
Strategy 2.1.1 Continuously improve approval processes.

Attachments:
Attachment Booklet – July 2024
ID02-07/24 Attachment 1: Proposed Road Naming Plan
ID02-07/24 Attachment 2: IDHS Article

COUNCIL DECISION	**080724**

MOVED: Cr Scott **SECONDED: Cr Wyse**

That Council, by Simple Majority:

1. **Approve the road names of 'Twinkling Star Lane' and 'Sea Bird Lane' as shown on the proposed road naming plan contained in ID02-07/24 Attachment 1; and**

2. **Approve the use of the alternate road name 'Mary Ann Lane' should either of the above names not be approved.**

VOTING DETAILS: **CARRIED: 7/0**

For:	**Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**
Against:	**Nil**

DEVELOPMENT SERVICES	ID03-07/24
Subject:	**ID 03-07/24 Disposal of Land by Lease – Dongara Airstrip Lease Area A Kailis Drive, Port Denison**
Author:	**M Connell, Manager Development**
Responsible Officer:	**S Ivers, Chief Executive Officer**
File Reference:	**P24-7 / A7143**
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.
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Report Purpose:
For Council to consider the disposal by lease of the proposed 'Lease Area A' located at the Dongara Airstrip on a portion of Reserve 36040 Kailis Drive, Port Denison.

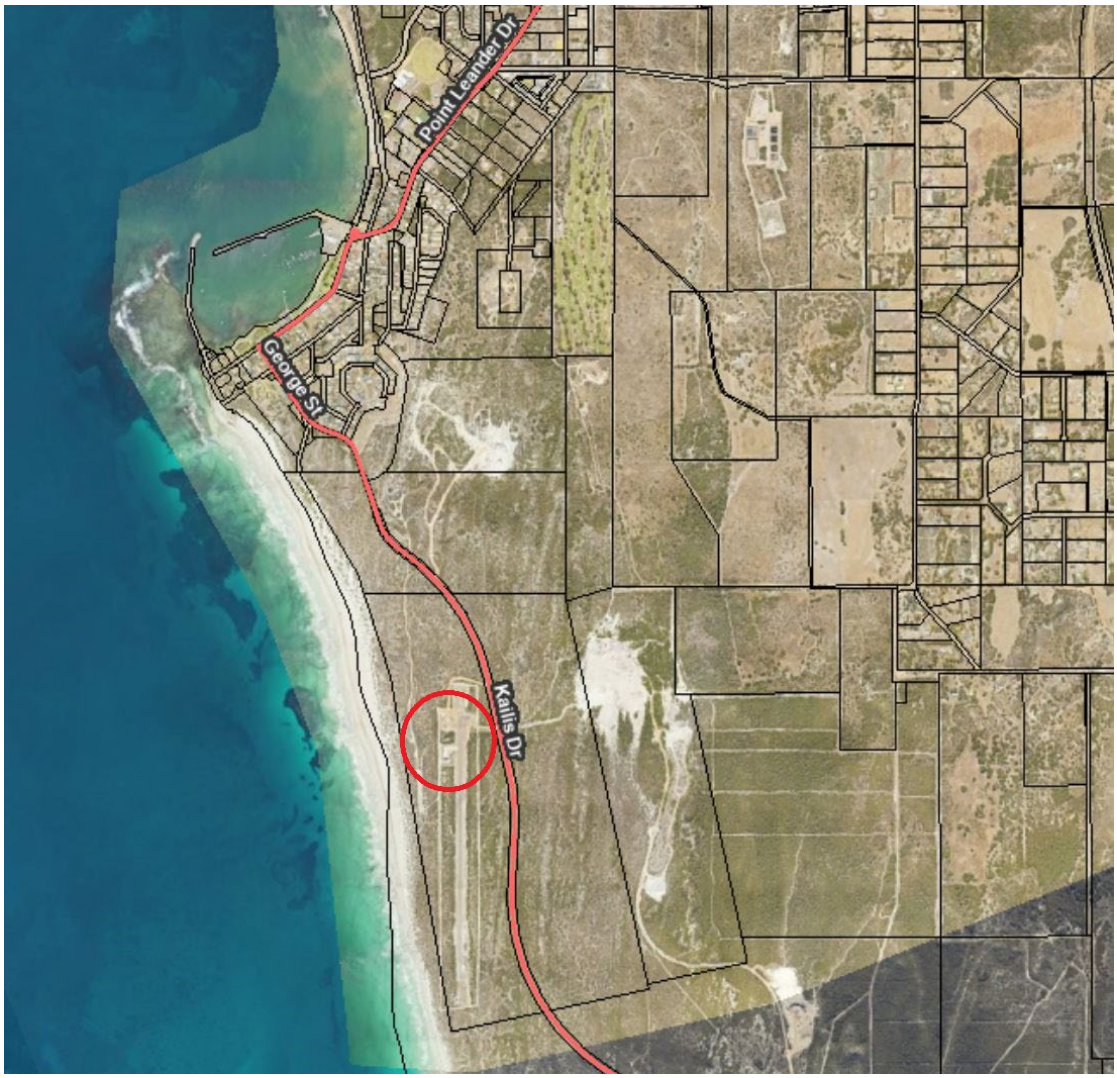
Background:
Reserve 36040 comprises Lots 12126 and 12127 on Deposited Plan 219524 and is vested in the Shire for the purpose of *"Aerial Landing Ground"*. The Shire has been granted care, control and management of the site under a Management Order with the power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands.

The portion of land proposed to be leased has a total area of 1,600m^2 and is depicted on the lease area survey plan as 'Lease Area A' (the 'site'). The survey plan is contained in ID03-07/24 Attachment 1.

The site contains an aircraft hangar and was initially leased in June 2006 with a renewal granted by Council at its meeting held on 27 March 2012. In March 2019 the Shire terminated the lease by written notice.

The Shire has been approached by the proposed new lessee (Damian O'Driscoll) to take up the old lease to accommodate his Cessna 182 which is used to commute between farming properties here in Dongara and down south at Grass Valley east of Northam.

Location Plan



Officer's Comment:
Under section 3.58 of the *Local Government Act 1995*, the proposed lease constitutes a disposal of property and there are in general 3 options available for Council to dispose of property:

1. By public auction;
2. By public tender; or
3. By giving local public notice of the proposed disposition, inviting and considering any submissions in response to that notice.

The above option 3 is recommend as there been little interest shown of late in the lease site and Council has been approached by an interested party.

The draft lease template is contained in ID03-07/24 Confidential Attachment 2 and key aspects of the lease are:

- The lease is for the site only as if it were unoccupied. It does not include any improvements made or effected to the Premises by the lessee.

- The lease is for an initial term of 10 years, with two further 5 year terms available. Thus, having an overall term of 20 years in accordance with the Management Order.

- The proposed lease rent is to be the current market rent valuation, with CPI reviews every year and rent reviews (new valuation) undertaken every 5 years.

- The permitted purpose of the lease is *aircraft hangar for the storage, repair and servicing of aircraft*.

- The lessee is required to pay all outgoings or charges (including costs associated with the preparation and execution of the lease).

Consultation:
In accordance with s. 3.58 of the *Local Government Act 1995* it is proposed that the disposal would be by way of local public notice and consideration of submissions as follows:

> *(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –*
>
> *(a) it gives local public notice of the proposed disposition –*
>
> *(i) describing the property concerned; and*
> *(ii) giving details of the proposed disposition; and*
> *(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
>
> *(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

Throughout the process Officers have been liaising with the lessee regarding the terms of the draft lease.

Statutory Environment:
Section 3.58 the *Local Government Act 1995* details the process governing 'disposing of property' which includes disposal by way of lease.

Policy Implications:
Nil

Financial/Resource Implications:
The draft lease proposes the lease rent to be the current market rent valuation, with CPI reviews every year and rent reviews (new valuation) undertaken every 5 years.

A licensed property valuer has recently valued the disposal on the basis of 'Market Rental Value' which was determined at $\$5/m^2$ for $1,600m^2$ lettable area (i.e. $8,000 per annum). The valuation report is contained in ID03-07/24 Confidential Attachment 3.

All costs associated with lease including preparation, execution and registration of the lease would be recoverable from the lessee.

Strategic Implications:
Our Brilliant Future - Strategic Community Plan 2021 – 2031
Strategy 2.1.5 Leverage opportunities and investment, and promote retail development
Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Attachments:
Attachment Booklet – July 2024
ID03-07/24 Attachment 1: Survey Plan

Confidential Attachment Booklet – July 2024
ID03-07/24 Confidential Attachment 2: Draft Lease Template
ID03-07/24 Confidential Attachment 3: Valuation Report

COUNCIL DECISION	**090724**

MOVED: Cr Wyse **SECONDED: Cr Gillam**

That Council, by Simple Majority:

1. **Give public notice of the intent to dispose by way of lease a 1,600m^2 portion of Reserve 36040 Kailis Drive, Port Denison for the purpose of aircraft hangar for the storage, repair and servicing of aircraft to Damian O'Driscoll;**

2. **Set the conditions of the lease as follows:**

   a. **An initial term of ten (10) years commencing on the date the lease is executed by all parties, with two further five (5) year options available;**
   b. **A lease fee of $8,000 per annum;**
   c. **Adjust the lease fee with CPI reviews at each anniversary of the commencement date; and**
   d. **Conduct a rent review based on market rent at each fifth anniversary of the commencement date.**

3. **Advise the applicant that they will be responsible for all costs associated with lease including preparation, execution and registration of the lease;**

4. **Should no objections be received during the advertising period, authorise the Chief Executive Officer to execute all documents necessary for the lease; and**

5. **Should any objections be received during the advertising period then require a further report to be presented to Council.**

VOTING DETAILS: **CARRIED: 7/0**

For: **Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**

Against: **Nil**

DEVELOPMENT SERVICES	ID04-07/24
Subject:	**ID 04-07/24 Disposal of Land by Lease – Dongara Airstrip Lease Area E Kailis Drive, Port Denison**
Author:	**M Connell, Manager Development**
Responsible Officer:	**S Ivers, Chief Executive Officer**
File Reference:	**P24-6 / A7143**
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 the 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 the disposal by lease of the proposed 'Lease Area E' located at the Dongara Airstrip on a portion of Reserve 36040 Kailis Drive, Port Denison.

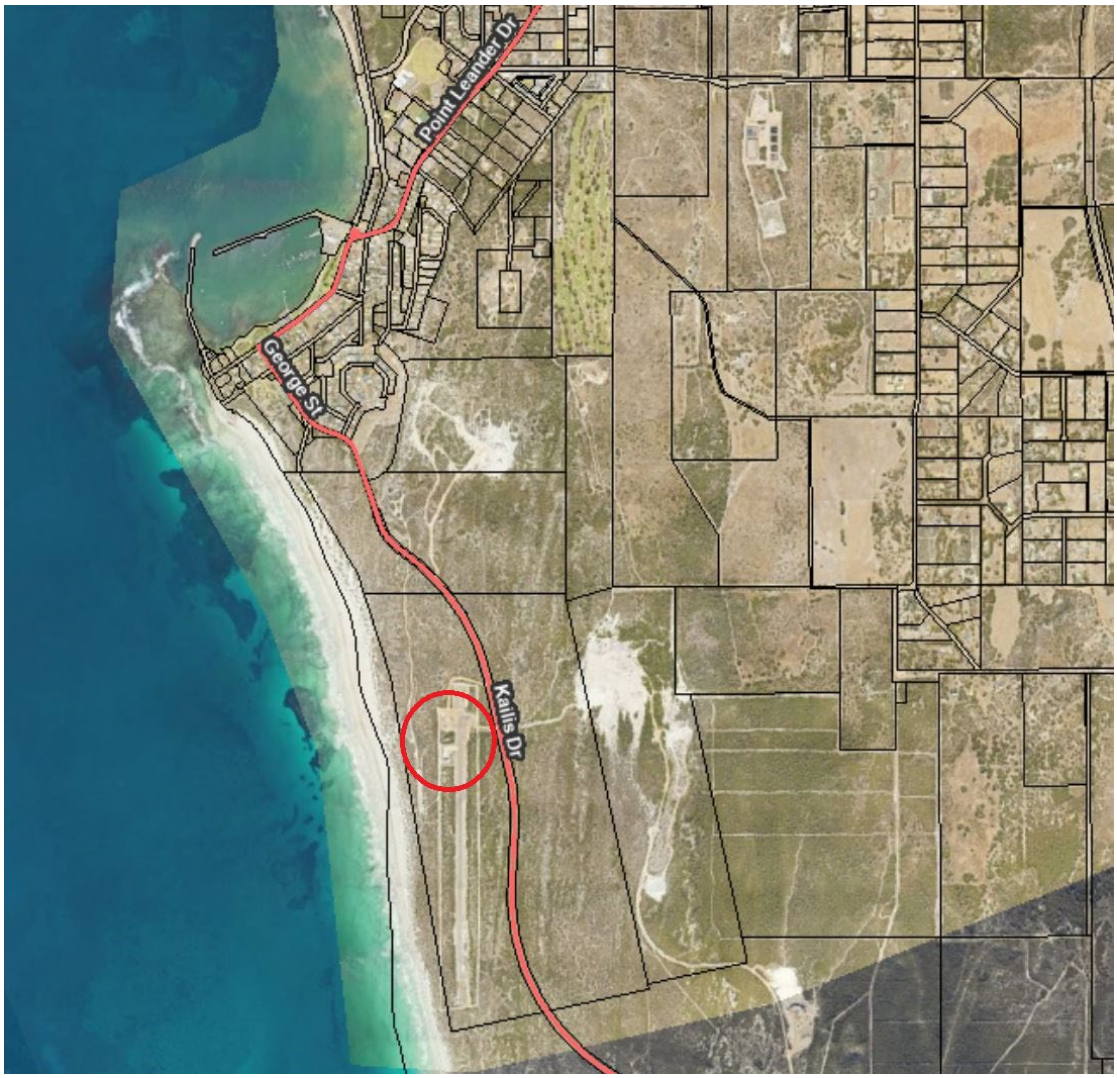
Background:
Reserve 36040 comprises Lots 12126 and 12127 on Deposited Plan 219524 and is vested in the Shire for the purpose of *"Aerial Landing Ground"*. The Shire has been granted care, control and management of the site under a Management Order with the power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands.

The portion of land proposed to be leased has a total area of 3,200m^2 and is depicted on the lease area survey plan as 'Lease Area E' (the 'site'). The survey plan is contained in ID03-07/24 Attachment 1.

The site contains an aircraft hangar and helipad with associated office building and refuelling infrastructure. The site was initially leased in December 2011 to ROC Oil (WA) Pty Ltd for a term of 12 years in total (including optional terms). In July 2017 Triangle Energy took over the lease. The current lease officially expired on 6 December 2023 and has since been operating under the 'holding over provisions' of the lease on a monthly basis.

Triangle Energy operate the Cliff Head Oil Field south of Dongara encompassing the onshore Arrowsmith Stabilisation Plant and offshore Cliff Head Alpha (CHA) Platform. The lease enables close vicinity access to the CHA platform.

Location Plan



Officer's Comment:
Under section 3.58 of the *Local Government Act 1995*, the proposed lease constitutes a disposal of property and there are in general 3 options available for Council to dispose of property:

1. By public auction;
2. By public tender; or
3. By giving local public notice of the proposed disposition, inviting and considering any submissions in response to that notice.

The above option 3 is recommend as there is substantial infrastructure on the site and there has been no other interest shown of late in the lease site.

The draft lease template is contained in ID03-07/24 Confidential Attachment 2 and key aspects of the lease are:

- The lease is for the site only as if it were unoccupied. It does not include any improvements made or effected to the Premises by the lessee.
- The lease is for an initial term of 10 years, with two further 5 year terms available. Thus, having an overall term of 20 years in accordance with the Management Order.
- The proposed lease rent is to be the current market rent valuation, with CPI reviews every year and rent reviews (new valuation) undertaken every 5 years.

- The permitted purpose of the lease is *aircraft hangar for the storage, repair and servicing of aircraft*.
- The lessee is required to pay all outgoings or charges (including costs associated with the preparation and execution of the lease).

Consultation:
In accordance with s. 3.58 of the *Local Government Act 1995* it is proposed that the disposal would be by way of local public notice and consideration of submissions as follows:

> *(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –*
>
> *(a) it gives local public notice of the proposed disposition –*
>
> *(i) describing the property concerned; and*
> *(ii) giving details of the proposed disposition; and*
> *(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
>
> *(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

Throughout the process Officers have been liaising with the lessee regarding the terms of the draft lease.

Statutory Environment:
Section 3.58 the *Local Government Act 1995* details the process governing 'disposing of property' which includes disposal by way of lease.

Policy Implications:
Nil

Financial/Resource Implications:
In the 2023/24 financial year the lease rent income received by the Shire was $10,070.40.

The draft lease proposes the lease rent to be the current market rent valuation, with CPI reviews every year and rent reviews (new valuation) undertaken every 5 years.

A licensed property valuer has recently valued the disposal on the basis of 'Market Rental Value' which was determined at $4/m^2$ for 3,200m^2 lettable area (i.e. $12,800 per annum). The valuation report is contained in ID03-07/24 Confidential Attachment 3.

All costs associated with lease including preparation, execution and registration of the lease would be recoverable from the lessee.

Strategic Implications:
Our Brilliant Future - Strategic Community Plan 2021 – 2031
Strategy 2.1.5 Leverage opportunities and investment, and promote retail development
Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Attachments:
Attachment Booklet – July 2024
ID03-07/24 Attachment 1: Survey Plan

Confidential Attachment Booklet – July 2024
ID03-07/24 Confidential Attachment 2: Draft Lease Template
ID03-07/24 Confidential Attachment 3: Valuation Report

OFFICER RECOMMENDATION

MOVED: Cr Wyse **SECONDED: Cr Summers**

That Council, by Simple Majority:

1. **Give public notice of the intent to dispose by way of lease a 3,200m^2 portion of Reserve 36040 Kailis Drive, Port Denison for the purpose of aircraft hangar for the storage, repair and servicing of aircraft to Triangle Energy (Operations) Pty Ltd;**

2. **Set the conditions of the lease as follows:**

   a. **An initial term of ten (10) years commencing on the date the lease is executed by all parties, with two further five (5) year options available;**
   b. **A lease fee of $12,800 per annum;**
   c. **Adjust the lease fee with CPI reviews at each anniversary of the commencement date; and**
   d. **Conduct a rent review based on market rent at each fifth anniversary of the commencement date.**

3. **Advise the applicant that they will be responsible for all costs associated with lease including preparation, execution and registration of the lease;**

4. **Should no objections be received during the advertising period, authorise the Chief Executive Officer to execute all documents necessary for the lease; and**

5. **Should any objections be received during the advertising period then require a further report to be presented to Council.**

The Shire President invited the Mover and Seconder to speak.

Cr Wyse and Cr Summers did not speak to the recommendation.

Cr Gillam spoke against the recommendation and proposed an amendment to point 2(b) as follows:

AMENDMENT

MOVED: Cr Gillam **SECONDED: Cr Summers**

That Council, by Simple Majority:

1. **Give public notice of the intent to dispose by way of lease a 3,200m^2 portion of Reserve 36040 Kailis Drive, Port Denison for the purpose of aircraft hangar for the storage, repair and servicing of aircraft to Triangle Energy (Operations) Pty Ltd;**

2. **Set the conditions of the lease as follows:**

a. **An initial term of ten (10) years commencing on the date the lease is executed by all parties, with two further five (5) year options available;**
b. **A lease fee of $14,400 per annum;**
c. **Adjust the lease fee with CPI reviews at each anniversary of the commencement date; and**
d. **Conduct a rent review based on market rent at each fifth anniversary of the commencement date.**

3. **Advise the applicant that they will be responsible for all costs associated with lease including preparation, execution and registration of the lease;**

4. **Should no objections be received during the advertising period, authorise the Chief Executive Officer to execute all documents necessary for the lease; and**

5. **Should any objections be received during the advertising period then require a further report to be presented to Council.**

The Shire President invited the Mover and Seconder of the amendment to speak.

Cr Gillam spoke to the item as he considered commercial users should be charged a higher tariff for use of this Shire facility in comparison to individual users. Cr Gillam advised that Council should consider applying the maximum lease rate as provided in the confidential Valuation Report.

There were no speakers against the amendment.

The Amendment then became the substantive motion.

COUNCIL DECISION **100724**

MOVED: Cr Gillam **SECONDED: Cr Summers**

That Council, by Simple Majority:

1. **Give public notice of the intent to dispose by way of lease a 3,200m^2 portion of Reserve 36040 Kailis Drive, Port Denison for the purpose of aircraft hangar for the storage, repair and servicing of aircraft to Triangle Energy (Operations) Pty Ltd;**

2. **Set the conditions of the lease as follows:**

   a. **An initial term of ten (10) years commencing on the date the lease is executed by all parties, with two further five (5) year options available;**
   b. **A lease fee of $14,400 per annum;**
   c. **Adjust the lease fee with CPI reviews at each anniversary of the commencement date; and**
   d. **Conduct a rent review based on market rent at each fifth anniversary of the commencement date.**

3. **Advise the applicant that they will be responsible for all costs associated with lease including preparation, execution and registration of the lease;**

4. **Should no objections be received during the advertising period, authorise the Chief Executive Officer to execute all documents necessary for the lease; and**

5. Should any objections be received during the advertising period then require a further report to be presented to Council.

VOTING DETAILS: **CARRIED: 7/0**

For: **Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**

Against: **Nil**

OFFICE OF THE CEO	CEO01-07/24
Subject:	**CEO 01-07/24 Workplace Health and Safety Program Update**
Author:	**R Vermeer, Workplace Health and Safety Coordinator**
Responsible Officer:	**S Ivers, Chief Executive Officer**
File Reference:	**3.0628**
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 the Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:
To provide an oversight of the Work Health and Safety within the Shire of Irwin and to encourage the ongoing support of Work Health and Safety actions including training, policy & procedure development and managerial support.

Background:
With the introduction of the new *Work Health and Safety Act 2020 (WA)* in March 2022, a number of areas within the legislation for Work Health and Safety (WHS) have become stricter, including the potential liability for workers, officers, 'person conducting a business or undertaking' (PCBU) and key decision makers. The transitional period for implementation of changes as a result of the *Work Health and Safety Act 2020 (WA)* is now over, and the PCBU (the Shire) is required to comply with all aspects of the *Work Health and Safety Act 2020 (WA)*.

This role of WHS Coordinator was introduced in March 2022 and part of the role has been to bring the Shire of Irwin up to full compliance. This has involved the training and education of staff, consultation with workers, ongoing auditing and monitoring and ensuring that adequate systems of accountability are in place to not only create a safer working environment but to limit the liability of all individuals involved.

Whilst a lot of areas have already been implemented successfully, there are a number of actions still outstanding in order to achieve and maintain the highest level of compliance.

Officer's Comment:
Over the past 2 years, the Shire focused on improving the Shire's safety culture and awareness, level of hazard and incident reporting, updating the policies and procedures related to WHS and enhancing training across our organisation.

For the past 9 months, the Shire has been deeply involved in the development, testing and training of the new Work Health Safety Management System (WHSMS) called SiteDocs, which was supported by a WHS specialist consultant. This project encompassed auditing and integrating existing employee data and training records, refining and testing various reporting forms such as hazard and incident reports, enabling electronic view, review and sign on abilities to all High-Risk Construction Work (HRCW) Safe Work Method Statements (SWMS), updating safety procedures and integrating all WHS documents and resources into one platform, accessible by all workers within our organisation at all times.

Furthermore, the Shire have finalised new template forms that feature preset dropdown lists to streamline hazard identification and control, work activities and competency reporting, thereby optimizing our analytical capabilities. This software has undergone thorough in-house testing including user acceptance testing with workers and supervisors from all departments and initial reviews from all have appreciated its straightforward, simplistic functionality whilst raising safety awareness. The new software is looking to reduce overall costs in this area in addition to being more user friendly and providing accountability to all workers at all levels with regard to safety actions and expectations. The Shire has commenced roll out of the software to all departments and workers with a go live date of 1 July 2024.

Despite intense workloads and tight deadlines, the Shire has continued to hold monthly safety committee meetings to discuss and move forwards with any safety suggestions and concerns which may have been raised. Our Health and Safety Representatives (HSR's) have completed the required WorkSafe Health and Safety Representative training and are proactively undertaking monthly workplace inspections to meet reporting obligations, whilst maintaining their normal work duties as well. Our Work Health and Safety Coordinator has successfully completed her Certificated IV in WHS to support our understanding of legislative requirements within Local Government and to continue moving forwards in a positive direction on all things work health and safety related.

The Shire has successfully completed an organisation wide WHS Fundamentals workshop with Aveling (registered training organisation) which provided clear insight into the WHS roles and responsibilities of all Shire workers and the penalties they may face for non-compliance to the *Work Health and Safety Act 2020 (WA)* and *WHS (General) Regulations 2022*, as well as identifying hazards and the risks associated with these hazards and what controls can be implemented to reduce these risks.

The Shire is also in the process of reviewing and updating our organisation's WHS policies and procedures. The draft versions of the Work Health and Safety Policy, Health and Safety Committee (HSC) Terms of Reference, and the Fatigue and Driving Management Policy are now in the process of being finalised for Management review. The Uniform and Personal Protection Equipment (PPE) Policy will be ready for reviewing in the very near future.

Key Statistics from the past 6 months:

Reports Received	**This Quarter**	**Last Quarter**
Lost Time Injury (LTI)	0	0
Take 5 + Hazard Reports	1,150	1,084
Incident Reports	4	5
Site Inspections Conducted	6	6
Corrective Actions created (Improvements and actions as a result of safety reporting)	47	25
WHS Worker Inductions	18	0

Moving forwards, to achieve the highest level of compliance the Shire has outstanding WHS policies and procedures to finalise, provide additional task specific training for workers including Verification of Competency (VOC) for machine operators, arrange additional WHS "focus area" workshops through an external provider and undertake the annual Chemical audits to all departments. In the coming months the Shire also proposes to finalise the contractor management module of the new SiteDocs WHSMS and then commence the work flow component.

Consultation:
WHS consultant, Tribal Safety Solutions
Health and Safety Committee (HSC)

Statutory Environment:
Work Health and Safety Act 2020 (WA)
Work Health and Safety (General) Regulations 2022
Codes of Practice

Policy Implications:
WHS Safety Committee - Terms of Reference v1
WHS PR-02 Take 5 Procedure v3
WHS PR-03 Hazard Reporting and Investigation Procedure v3
WHS PR-04 Incident Reporting and Investigation Procedure v4
WHS MP-01 Work Health and Safety (WHS) Policy v0

Financial/Resource Implications:
Nil

Strategic Implications:
Our Brilliant Future - Strategic Community Plan 2021 – 2031
4.2.1 Ensure compliance whilst embracing innovation and better practice principles
4.3.2 Adopt and follow better practice processes
4.3.3 Promote workplace health, safety and well-being

Attachments:
Nil

COUNCIL DECISION	**110724**
MOVED: Cr Gillam	**SECONDED: Cr Scott**
That Council, by Simple Majority, notes the Work Health and Safety update provided by the Workplace Health and Safety Coordinator.	
VOTING DETAILS:	**CARRIED: 7/0**
For:	**Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**
Against:	**Nil**

OFFICE OF CEO	CEO02-07/24
Subject:	**CEO 02-07/24 Report on Petition Regarding the Proposed Road Name – Sikh Lane, Dongara**
Author:	**S Mearns, Executive Assistant (Acting)**
Responsible Officer:	**S Ivers, Chief Executive Officer**
File Reference:	**P24/27**
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 the 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 acknowledge receipt of a petition submitted to the Shire of Irwin by the Irwin Districts Historical Society in relation to Item ID02-05/24 Proposed Road Name – Sikh Lane, Dongara, discussed at the Ordinary Council meeting held 28 May 2024.

Background:
A petition containing 40 signatures was received from the Irwin Districts Historical Society at the 25 June 2024 Ordinary Council Meeting regarding the proposed road name 'Sikh Lane' to be applied to the unnamed road that runs east off Hepburn Street, Dongara in between Smith Street and Moreton Terrace. An excerpt of the statement follows:

PETITION OF ELECTORS
SUPPORTING THE NAME 'SIKH LANE'

STATEMENT REQUIRED TO APPEAR ON EACH PAGE OF THE PETITION

TO THE PRESIDENT OF THE SHIRE OF IRWIN AND SHIRE COUNCILLORS

WE, the undersigned all being residents or electors of the Shire of Irwin, do respectfully request that Council, in accordance with the Shire notice reproduced on the back of this page, **name the un-named lane between Hepburn Street and the Batavia Boulevard carpark, Sikh Lane.**

Following is a copy of the Shire notice which was advertised in the Dongara Denison Rag on 5 June 2024 and to which the Irwin Districts Historical Society refers to in their Petition Statement.

SHIRE OF IRWIN
DONGARA-PORT DENISON
A BRILLIANT BLEND

NOTICE OF PUBLIC ADVERTISEMENT
PROPOSED ROAD NAME "SIKH LANE"

Notice is given that the Shire of Irwin has received a request to name the lane that runs east off Hepburn Street, Dongara (in between Smith Street and Moreton Terrace) as ***SIKH LANE***.

Alternate names of 'Punjab' and 'Sojan' are also proposed should 'Sikh' not be approved.

Details of the proposed road names are available for inspection at the Shire Administration Office at 11-13 Waldeck Street, Dongara which is open Monday to Friday 8:30am to 4:30pm or can be downloaded from the Shire of Irwin website at www.irwin.wa.gov.au

Submissions on the road names may be submitted to the Shire of Irwin in writing on or before **Tuesday 25th June 2024.**

Please call 9927 0000 or email reception@irwin.wa.gov.au for further information.

SHANE IVERS
CHIEF EXECUTIVE OFFICER

PMB 21, 11-13 Waldeck Street Dongara WA 6525 | *t* 9927 0000 | *e* reception@irwin.wa.gov.au | www.irwin.wa.gov.au

Officer's Comment:
The Shire is supportive and committed to preserving the history of the Shire including the Sikh community who were an integral component of Dongara's cultural history and heritage.

Shire Officers submitted an application to Landgate requesting to apply a name to the unnamed road reserve as highlighted in the following image.



On 2 July 2024, the Shire received Geographic Naming Approval from Landgate to apply the name 'Sikh Lane' to the aforementioned unnamed road reserve.

Consultation:
The Shire formally advertised the proposed road name for a period of 21 days as follows:

- A notice was published in the Dongara Denison Local Rag on 5 June 2024;
- A copy of the application was made available for public inspection at the Shire office;
- The application was published on the Shire's website; and
- A written notice was sent to abutting landowners and the Sikh Association of WA.

The proposed road name Sikh Lane went to Council 28 May 2024 (Item ID 02-05/24) for approval to advertise. The Shire received 21 submissions (excluding the petition) with one of the submissions containing 18 signatures. There were no objections.

Statutory Environment:
Section 26A of the *Land Administration Act 1997*

Policy Implications:
Nil

Financial/Resource Implications:
Nil

Strategic Implications:
Our Brilliant Future - Strategic Community Plan 2021 – 2031
Strategy 1.2.1 Recognise places of cultural and heritage value.
Strategy 1.2.3 Support community-initiated projects and activities.

Attachments:
Attachment Booklet – July 2024
CEO02-07/24 Attachment 1 – Petition received from the Irwin Districts Historical Society

COUNCIL DECISION	**120724**
MOVED: Cr Wyse	**SECONDED: Cr Gillam**

That Council, by Simple Majority,

1. **Acknowledges receipt of a petition submitted by the Irwin Districts Historical Society in relation to Item ID02-05/24 Proposed Road Name – Sikh Lane, Dongara;**
2. **Request the Chief Executive Officer to advise the Irwin Districts Historical Society, as lead petitioner, that the Geographic Names Committee approved the name 'Sikh Lane' for the identified road reserve.**

VOTING DETAILS:	**CARRIED: 7/0**
For:	**Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**
Against:	**Nil**

OFFICE OF CEO	CEO03-07/24
Subject:	**CEO 03-07/24 Long Term Financial Plan 2024-2039**
Author:	**P Machaka, Manager Finance**
Responsible Officer:	**S Ivers, Chief Executive Officer**
File Reference:	**3.00311**
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 the 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 adopt the Long Term Financial Plan 2024-2039 as an informing strategy under the Integrated Planning and Reporting Framework

Background:
It is a mandatory requirement that the local government is to have regard to the capacity of its current resources and the anticipated capacity of its future resources govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources. With reference to Planning for the Future in Division 3 of the *Local Government (Administration) Regulations 1996*, the Shire is required to develop and maintain a Corporate Business Plan which integrates matters relating to resources including asset management, workforce planning and long-term financial planning. The Long-Term Financial Plan (LTFP) considers asset management planning and workforce planning from a financial perspective. The Corporate Business Plan for a district is to set out, consistently with any relevant priorities within the Strategic Community Plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district.

The LTFP is a high-level informing strategy that outlines the Shire's approach to delivering infrastructure and services to the community in a financially sustainable and affordable manner. It also demonstrates the Shire's commitment to managing its operations in a way that avoids unsustainable rate increases for ratepayers. As a summary on the future planning of the Council's financial operations, the LTFP strategic focus is in relation to key components such as rate increases as mentioned, but includes service levels, asset renewal, reserve account movements and loan borrowings. The plan is also designed to indicate long term financial viability and identify issues that may have a long-term impact on the Council's finances.

Officer's Comment:
The primary objective of the Long Term Financial Plan 2024-2039 is to create a strong sustainable future and to address any adverse financial situations.

The Long-Term Financial Plan attempts to predict the Council's future expenditure requirements combining both operational and capital together with increasing service levels, predominantly in rural road construction. Preparation of the plan also requires a number of key assumptions which ultimately provide guidance to subsequent reviews of the Corporate Business Plan and Annual Report. The following are the key assumptions of the proposed Long-Term Financial Plan.

The key assumptions include:

- Rate Setting Statement Net current assets at end of each Financial Year is $0, which means that the revenue and expenditure is balanced.
- CPI of 3.5%
- Rates increase 5% (bulk is CPI).
- Reserves growth is minimal in the initial years to allow the growth of own source revenue to compensate the Federal Assistance Grant shortfall.
- Employee Costs 3.5%

The capital program consists of the Main Roads WA Regional Road Group program, own source funded road renewal program and Council priority projects. The Main Roads WA Regional Road Group program is an average of $1.8M per year with two thirds being externally funded by the program. The own source road renewal program is $1.5m in 2024/25 and increasing to $2.9m in 2038/39, resulting in average sustainability ratio of Asset Sustainability Ratio of 63% over the term of the plan.

The plan includes foreshore works, which is a Council priority.

It is anticipated that the plan is a live document that is updated annually to ensure it captures Council's requirements.

Consultation:
Senior staff together with Moore Australia have been engaged in the development of the draft Long-Term Financial Plan which was then presented to Council for review and comment at the Councillor Workshop held 14 May 2024.

Statutory Environment:
Local Government Act 1995 s5.56:
Planning for the future

1) *A local government is to plan for the future of the district.*
2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Local Government (Administration) Regulations 1996:
Part 5 – Annual reports and planning
Division 3 — Planning for the future
19DA. Corporate business plans, requirements for (Act s. 5.56)

1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
3) *A corporate business plan for a district is to —*
   a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*

b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

4) A local government is to review the current corporate business plan for its district every year.
5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine whether or not to adopt the plan or the modifications. *Absolute majority required.*
7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan

Policy Implications:
Nil

Financial/Resource Implications:
The Department of Local Government, Sport and Cultural Industries (DLGSCI) advocates longer term approaches and moving away from the annual budget focus. DLGSCI support Councils budgeting for a minor surplus each year, or by transfers to reserves, to help fund one or more projects in future years.

Strategic Implications:
Our Brilliant Future - Strategic Community Plan 2021 – 2031
Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles
Strategy 4.2.2 Embrace the Integrated Planning and Reporting framework
Strategy 4.2.3 Adopt a risk and asset management approach

Attachments:
Attachment Booklet – July 2024
CEO03-07/24 Attachment 1: Long Term Financial Plan 2024-2039

COUNCIL DECISION	**130724**
MOVED: Cr Scott	**SECONDED: Cr Summers**
That Council, by Absolute Majority adopts the Long Term Financial Plan 2024-2039 as an informing strategy under the Integrated Planning and Reporting Framework.	
VOTING DETAILS:	**CARRIED: 7/0**
For:	**Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**
Against:	**Nil**

10.2 Committee Reports

10.2.1 WHS Committee Meeting

The Minutes of the Shire of Irwin Work Health and Safety Committee Meetings held 7 February 2024, 11 March 2024, 1 May 2024, 5 June 2024 and 3 July 2024 have been provided to Councillors under separate cover.

COUNCIL DECISION	**140724**
MOVED: Cr Tunbridge	**SECONDED: Cr Gillam**
That Council receives the minutes of the Shire of Irwin Work Health and Safety Committee Meetings held 7 February 2024, 11 March 2024, 1 May 2024, 5 June 2024 and 3 July 2024.	
VOTING DETAILS:	**CARRIED: 7/0**
For:	**Cr Leonard, Cr Wyse, Cr Scott, Cr Gillam, Cr Summers, Cr Tunbridge, Cr Melsom**
Against:	**Nil**

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

Nil

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

Nil

15. CLOSURE

There being no further business the Shire President closed the meeting at 6.22pm.