



AGENDA FORUM

Tuesday 15 aPRIL 2025 – 5.00pm



NOTICE OF MEETING

Notice is hereby given that the next Agenda Forum of the Shire of Irwin will be held in the Council Chambers, 11-13 Waldeck Street, Dongara at 5.00pm on Tuesday 15 April 2025.

Shane Ivers
CHIEF EXECUTIVE OFFICER
11 April 2025



AGENDA & BUSINESS PAPERS

Agenda Forums and Ordinary Council Meetings for 2025 will be held on the following dates in the Council Chambers at 11-13 Waldeck Street, Dongara.

DATES	
Agenda Forum - 5.00pm	Ordinary Council Meeting – 6.00pm
15 April	22 April
20 May	27 May
17 June	24 June
15 July	22 July
19 August	26 August
16 September	30 September
21 October	28 October
18 November	25 November
2 December	8 December (Monday)

Members of the public are always welcome to attend the Agenda Forums and Ordinary Council Meetings.

Please note: The Shire of Irwin is a Class 3 Local Government. As such, and in line with Section 58 of the *Local Government Amendment Act 2023*, there is now a requirement that Council Meetings:

- are to be audio recorded; and
- the recording is to be published on the Shire's website within 14 days of the meeting taking place.

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 an Elected 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 Agenda Forums, Council or Committee Meetings.

Nature of Council's Role in Decision Making

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).

By allocating these roles, the Shire ensures that the Council's decision-making is structured and aligned with its legal responsibilities, allowing it to effectively govern, serve its community, and maintain compliance with applicable laws.

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AGENDA (Draft)

of the

ORDINARY COUNCIL MEETING

to be held

22 April 2025

Commencing at 6.00pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

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

President
Deputy President

Staff

Mr S D Ivers
Miss P Machaka
Mr M Connell
Ms S Mearns

Chief Executive Officer
Manager Finance
Manager Development
Executive Assistant

Guests

Apologies

Mr S Stubbs
Ms F Boksmati
Mr M Jones

Community Emergency Services Manager
Acting Manager Community Services
Manager Operations

Approved Leave of Absence

Gallery

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question 1: Mrs W Bishop, Port Denison

There have been some changes with regards to funerals taking place on the Foreshore. Why have those changes taken place and why were we charged for the use of the Foreshore?

Response: The Shire understands that this is a difficult time for you and appreciates the effort to attend a Council Meeting and present your concerns. The Shire does not object to a funeral being held on its Foreshore or a hearse being present and does not charge a venue hire fee for the use of public open spaces for funerals. The Shire's preference is that caskets stay in the hearse given the Foreshore is a premier public open space, but in your case it was permitted out of respect to you, your family, relatives and friends. The absence of a specific Council Policy has led to confusion, which Councillors have taken this onboard and will develop a Policy for Funeral Consultants to create clarity for future funerals at this location.

Question 5: Mr J Rossiter, Port Denison

Where is the (Josh Byrne & Associates) Foreshore Master Plan located on the Shire's website as previous email requests to be provided with the location of the Plan had elicited no response.

Response: An email received on 24 January 2025 at 3.21pm from Mr Rossiter was responded to by the Shire's Executive Assistant at 3.41pm on the same day with the following information:

Thank you for your email Mr Rossiter.

The plan can be located on the Shire of Irwin website www.irwin.wa.gov.au under:

- Development*
- Planning*
- Strategic Planning*

The Port Denison Foreshore Masterplan is the second last plan on the list.

4. PUBLIC QUESTION TIME

5. DECLARATIONS OF INTEREST

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. PETITIONS AND DEPUTATIONS

8. CONFIRMATION OF MINUTES AND TABLING OF AGENDA FORUM NOTES

8.1 Minutes of the Ordinary Council Meeting held 25 March 2024

The Minutes of the Ordinary Council Meeting held 25 March 2025 are included in the *Attachment Booklet – April 2025*.

Officer Recommendation:

That Council confirms the Minutes of the Ordinary Council Meeting held 25 March 2025.

8.2 Agenda Forum Notes – 15 April 2025

At the Agenda Forum held 15 April 2025, Shire Officers presented background information and answered questions on items to be considered at the April 2025 Ordinary Council Meeting.

Notes from the Agenda Forum are included in the *Attachment Booklet – April 2025*.

Officer Recommendation:

That Council confirms the Notes of the Agenda Forum held 15 April 2025.

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

10. REPORTS OF OFFICERS AND COMMITTEES

10.1 Finance Reports

FIN 01-04/25 ACCOUNTS FOR PAYMENT – MARCH 2025	
Author:	S Clarkson, Senior Finance Officer
Responsible Officer:	P Machaka, Manager Finance
File Reference:	2.0057
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to receive the list of accounts paid under delegated authority during March 2025.

Officer Recommendation:

RECOMMENDED:	
<p>That Council, by Simple Majority, receives the Accounts paid during March 2025 as contained in FIN 01-04/25 Attachment 1 of the Attachment Booklet – April 2025 represented by:</p>	
Payment Type/Numbers	Total Amount
EFT 33282 – 33457	\$807,677.45
Muni Cheques – 32230 – 32232	\$100,654.56
Direct Debit – Telstra	\$5,902.05
Direct Debit – WA Treasury Corporation	\$34,472.51
Direct Debit – Credit Card	\$13,948.86
Direct Debit – N-Able Pty Ltd	\$1,118.50
Direct Debit – Australian Phone Company	\$225.23
Direct Debit – Telair Pty Ltd	\$2,449.91
Direct Debit – Rental Charges	\$4,600.00
Direct Debit – Insurance Premium Repayments	\$45,929.65
Direct Debit – Vestone Capital Pty Ltd	\$10,554.20
Direct Debit – Superannuation	\$58,390.08
Grand Total	\$1,085,923.00

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of March 2025.

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 – April 2025

FIN01-04/25 Attachment 1: Accounts for Payment – March 2025

FIN 02-04/25 MONTHLY FINANCIAL STATEMENTS – February 2025	
Author:	P Machaka, Manager Finance
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	2.0057
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to consider and receive the Monthly Financial Statements for the period 1 July 2024 to 28 February 2025.

Officer Recommendation:

RECOMMENDED:
That Council, by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2024 to 28 February 2025 as contained in FIN04 04/25 Attachment 2 of the Attachment Booklet – April 2025.

Background:

The Monthly Financial Statements to 28 February 2025 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 February 2025 is detailed in the attached report and summarised as per below:

28/02/2025	YTD Budget	YTD Actual	Variance YTD to Budget
Operating Revenue	9,736,563	9,787,174	1%
Operating Expenditure	(9,418,228)	(9,723,759)	3%
Net Operating	318,335	63,415	
Non-Operating Revenue	173,000	172,970	0%
Non-Operating Expenditure	(1,554,247)	(1,494,227)	-4%
Net Non-Operating	(1,381,247)	(1,321,257)	
Cash at Bank		2,641,067	
Cash at Bank Restricted		620,377	
Reserve Bank		1,337,038	
Total Cash Funds		4,598,482	

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 – April 2025

FIN02-04/25 Attachment 2: Financial Statements for the Period Ended 28 February 2025.

10.2 Community Services Reports

COM 01-04/25 FORESHORE DRIFT AND STUNTS EVENT PROPOSAL	
Author:	F Boksmati, Acting Manager Community Services
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	2.00046
Council Role:	Executive
Voting Requirements:	Absolute Majority

Report Purpose:

For Council to support the proposed Foreshore Drift and Stunt event to be held on Saturday 20 September 2025 on the Port Denison Foreshore, commencing at 9am to approximately 4pm, as the alternative to the Denison Foreshore Sprint event for 2025.

Officer Recommendation:

RECOMMENDED:
<p>That Council by Absolute Majority,</p> <ul style="list-style-type: none"> a) Supports the proposed Foreshore Drift and Stunt event to be held on Saturday 20 September 2025 on the Port Denison Foreshore, as the acceptable alternative to the Denison Foreshore Sprint event for 2025. b) Supports the event's delivery by committing the necessary budget from the 2025/26 Financial Year, estimated to be between \$70,000 to \$80,000 not including in-kind commitments.

Background:

The Denison Foreshore Sprint and Mid West Show and Shine event is every car lovers dream event, inaugurated onto the Irwin Event calendar in 2016. It's unique delivery and event setting on the foreshore proving popular for participants and spectators alike and supported its presentation as an annual event.

The event spans the entirety of the Marina Foreshore with the Denison Foreshore Sprint component being a single car timed experience, involving vehicles launching from a standing start and navigating the pre-determined 2.5km foreshore track. On the northern end of the foreshore is the Midwest Show 'n Shine car display. Connecting the two events is a range of food and drink vendors, kids' activities and entertainment, and local community groups fundraising stalls and exhibits. The event along the foreshore attracts motoring and non-motoring enthusiasts from all over the state making this Dongara-Port Denison's largest event, attracting an estimated 7000 people each year since 2022.

Prior to setting the 2024-25 budget for the Port Denison Foreshore Sprint, Council requested a full review of the event's safety and finances with the results to be presented back to Council for their consideration. As a result of this review, safety requirements, insurance compliance and liability were highlighted as major concerns resulting in the 2024 event being cancelled.

Officer's Comment:

Since the 2024 decision was made to postpone the event, Shire officers have been working to resolve the safety and insurance compliance requirements, but unfortunately a resolution will not be reached in time for the 2025 event.

The Shire recognises the importance of this event to its community and particularly local businesses.

To this end, the Shire has opted to investigate delivering an equally exciting alternative event to the Foreshore Sprint for 2025 that could follow in the motor-sporting theme and while also addressing any safety and insurance concerns. It was decided to address the safety and insurance concerns by trading off higher speeds with lower speeds coupled with high adrenaline.

The Foreshore Drift and Stunt event is being presented as a suitable alternative to the Foreshore Sprint for 2025, offering an array of attractions and activities for all ages and interests, including Drift Car displays, Harley Stunts, Motorcycle FMX stunts, Motorcycle Trail Bike display and BMX Stunts, presented by Hardwired Entertainment. This event provides high adrenaline, dare-devil action sports entertainment, and will be unique and the first of its kind for Dongara Denison and the Mid West Region.

The event will also incorporate most components from the Foreshore Sprint Event such as the kids space, Mid West Show and Shine car display, food and drink stalls, retail stalls and car racing simulations.

Consultation:

The Ordinary Council meeting held on Tuesday 27 August 2024 allowed for a dedicated segment for the community to provide feedback relating to the Sprint event, confirming the community's expectation that a major event needs to be held in 2025.

Consultations relating to the sprint event commenced in November 2024. These discussions were unable to satisfy the requirements relating to safety, insurance and utilisation of the FIA as the preferred sanctioning body being the internationally recognised motor-sporting governing authority.

As the sprint event could not be reinstated, internal enquiries within the Community Services Team commenced in January 2025 with a range of events considered until an acceptable alternative was established for proposal.

The Show and Shine Group disbanded after the cancellation of the 2024 event, but confirmation has been received that the Shire is able to retain the event name and format. The local coordinator of the 2024 Cars and Coffee event has confirmed that they will help advise, coordinate and support the Shire's delivery of the Show and Shine Car display element as an extension to any proposed event held in September.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil

Financial/Resource Implications:

There would be financial implications and organisational/operational responsibilities for the Shire of Irwin both financially and in-kind. The proposal requires that the Shire of Irwin organise and allocate funds from the next financial year budget (2025/26) for Officers to pursue, plan and support delivery of the event. A financial commitment of approximately \$70,000 to \$80,000 from the 2025/26 budget is required, not taking into consideration any sponsorships and grants.

The reduction of the events footprint and encroachment onto roads is expected to translate into a cost saving with a reduced risk factor that can be managed by crowd control fencing, reducing water barrier requirements and freight costs.

There will be additional benefits to having this event anticipated to result in increased visitation and tourism and a flow-on financial windfall for local businesses. Its proposal to be held the weekend before the commencement of the school holidays will ensure there are no clashes with other events,

service providers can service without the influences of major events held in Perth Metro over the September long weekend, and that the event will attract visitation to an otherwise inactive weekend in town.

Local community and sporting groups would also benefit through their involvement via fundraising opportunities during the event.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 1.1 The community has access to suitable community spaces, vibrant events and relevant services

Strategy 2.1 Opportunities are maximised to promote economic growth and local development

Strategy 4.1 An engaged and inclusive community

Attachments:

Nil

10.3 Development Reports

DEV 01-04/25 March 2025 Development Delegated and Authorised Authority Report	
Author:	M Connell, Manager Development
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00125
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to receive the March 2025 Development Delegated and Authorised Authority Report.

Officer Recommendation:

RECOMMENDED:
That Council by Simple Majority, receives the March 2025 Development Delegated and Authorised Authority Report, as contained in DEV 01-04/25 Attachment 1.

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.

In addition, as of 1 July 2024, the determination of development applications for single houses or any development associated with a single house (excluding development associated with a heritage place), can now only be done by the CEO or authorised employees of the local government.

Officer's Comment:

This report presents the details of development functions made under delegated or authorised authority for the month of March 2025, with 16 building permits/certificates, 8 single house applications, 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*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

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 – April 2025

DEV 01-04/25 Attachment 1: March 2025 Development Delegated and Authorised Authority Report

10.4 Operations Reports

Nil

10.5 Office of the CEO Reports

Order of Business

Agenda Item CEO 01-04/25 Compliance Audit Return (CAR) 2024 will be deferred until later in the Meeting and appear under Section 10.6.2 – Confirmation of Audit Committee Meeting Minutes and subsequent recommendations.

CEO 02-04/25 ANNUAL MEETING WITH COUNCIL'S APPOINTED AUDITOR	
Author:	P Machaka, Manager Finance
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.0207
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to meet with Council's appointed auditor via teleconference.

Officer Recommendation:

RECOMMENDED:
<p>That Council, by Simple Majority, notes the verbal report provided by Michael Liprino, on behalf of the Office of the Auditor General, regarding the Shire of Irwin Annual Financial Statements for the year ending 30 June 2024.</p>

Background:

In accordance with section 7.12A of the *Local Government Act 1995*, a local government is to meet with the Auditor of the Local Government at least once in every year. The Annual Financial Report for the year ended 30 June 2024, along with the 2023//24 Annual Report was presented to Council for consideration at the Ordinary Council Meeting on the 25th of March 2025.

Officer's Comment:

The Shire of Irwin's 2023/24 audit was conducted by the Office of the Auditor General (OAG) who contracted Pitcher Partners as field auditors. Michael Liprino, Pitcher Partners has been invited to attend the meeting via teleconference to provide comment on the audit process and findings. This will provide Councillors an insight into the preparation of the financial reports and how to appropriately interpret the results.

Consultation:

An Audit Exit Meeting was held on Tuesday 11 February 2025, attended by Joanne Clark (OAG), Michael Liprino (Pitcher Partners), Cr Barry Wyse (Shire of Irwin Councillor), Cr I Scott (Shire of Irwin Councillor), Cr Peter Summers (Shire of Irwin Councillor) Shane Ivers (CEO), Patience Machaka (Manager Finance), Sue Mearns (Executive Assistant) Kait Boonzaaier (Assistant Accountant) and Stephanie Clarkson (Senior Finance Officer).

The 2023/24 Annual Financial Statement and Auditor General's audit opinion were received and accepted by the Shire of Irwin Audit Committee at its meeting on 11 February 2025.

Statutory Environment:

Local Government Act 1995

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

Policy Implications:

Nil

Financial/Resource Implications:

Nil

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Nil

CEO 03-04/25 ADOPTION OF POLICY – CP48 Recording of Council Meetings	
Author:	S Mearns, Executive Assistant
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.0198
Council Role:	Executive
Voting Requirements:	Absolute Majority

Report Purpose:

For Council by Absolute Majority to adopt newly created Council Policy CP48 Recording of Council Meetings commencing at the 27 May 2025 Ordinary Council Meeting.

Officer Recommendation:

RECOMMENDED:
<p>That Council by Absolute Majority:</p> <ol style="list-style-type: none"> 1. Review and adopt the newly created Council Policy CP48 Recording of Council Meetings; and 2. Authorise the Chief Executive Officer to advertise Council Policy CP48 Recording of Council Meetings.

Background:

Section 58 of the *Local Government Amendment Act 2023 (Amendment Act)* inserted a new section, 5.23A, into the Act covering the audio recording of Ordinary Council and Special Council Meetings (Council Meetings).

Section 5.23A(2) of the Act is a power that allows regulations to be made that may require, regulate, or otherwise make provision for any of the following matters:

- electronic broadcasting of council meetings.
- making or retaining recordings of council meetings.
- making recordings of council meetings publicly available.
- provision, or otherwise making available, recordings of council meetings.

The requirement for recording of Council Meetings is aimed at increasing transparency and accountability in local government. This reform also increases public access to Council Meetings. The requirement to record Council Meetings commenced on 1 January 2025.

Officer's Comment:

As a Band 3 local government, the Shire of Irwin was mandated to install audio recording equipment and technology at the Council's regular meeting venue, being the Shire Council Chambers.

In preparation for the commencement of the livestreaming and recording Regulations on 1 January 2025, the Shire installed and implemented video and audio equipment and technology to meet these requirements. This initiative reflects the Shire's commitment to transparency, enabling residents and stakeholders to stay informed and engaged in local governance.

This proposed Policy has been prepared in consultation with the Department of Local Government Sport and Cultural Industries (DLGSC) Livestreaming and Recording of Council Meeting Guide: Explanatory Paper.

The Policy is intended to make clear how the Shire of Irwin will use and make available the recording of Council Meetings and also provide guidance to Elected Members, Shire Officers and the public on areas affecting the livestream and recording such as public privacy, technical issues, recordkeeping, copyright and defamation.

Consultation:

Nil

Statutory Environment:

The policy presented to be reviewed is to meet the legalisation requirements.

As with section outlined in section 5.128 of the *Local Government Act 1995* Policy for continuing professional development:

- (2) *A Local Government may amend* the policy – Absolute Majority*
- (3) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*
- (4) *The CEO must publish an up-to-date version of the policy on the local government's official website.*
- (5) *A local government —*
 - (a) *must review the policy after each ordinary election; and*
 - (b) *may review the policy at any other time.*

Local Government Act 1995

- Section 5.23A Electronic broadcasting and video or audio recording of council meetings
- Section 9.57A A Local Government is not liable for defamation in relation to material published on its official website as part of a broadcast or recording of Council proceedings

Local Government (Administration) Regulations 1996

- Section 14H Class 1 local governments and class 2 local governments to broadcast council meetings publicly
- Section 14I Local governments to make recordings of council meetings
- Section 14J Informing members of public of broadcasting or recording
- Section 14K Defamation

Policy Implications:

Meeting Procedures

Financial/Resource Implications:

Nil – The purchase and installation of audio recording equipment was budgeted for in the 2024/25 financial year.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.1.2 Utilise contemporary communication strategies and tools to enhance public participation

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Attachments:

Attachment Booklet – April 2025

CEO 03-04/25 Attachment 1: Draft Policy CP48 Recording of Council Meetings

10.6 Committee Reports

10.6.1 Community Assistance Scheme & Events (CASE) Meeting

The Minutes of the Shire of Irwin Community Assistance Scheme & Events (CASE) Committee Meeting held 18 March 2025 have been provided as Attachment 10.6.1 in Attachment Booklet – April 2025.

OFFICER RECOMMENDATION:

That Council by Simple Majority receives the minutes of the Shire of Irwin Community Assistance Scheme & Events (CASE) Committee Meeting held 18 March 2025.

Resultant from the CASE Committee Meeting held 18 March 2025, the following recommendations are presented to Council.

COMMITTEE RECOMMENDATION TO COUNCIL

That Council approves the following funding allocation to the Community Assistance Scheme and approve its allocation from the 2024/2025 financial year budget.

ORGANISATION	PROJECT DESCRIPTION	GRANT
GoSHakathon Mid West Hybrid Event	Free two-day tech-innovation event designed to empower youth in the Midwest and focuses on raising aspirations, increasing community capabilities, and enhancing workforce readiness for regional youth.	\$3,750 \$3250 cash sponsorship and ~\$500 as a Waiver of Fees for Rec Centre Venue
Irwin Autumn Social Club	To support the hire of appropriate transport enabling social outings for the club and its members for the remainder of 2024/25.	\$2,000
	TOTAL CASE ALLOCATION 2024/25	\$5,750

COMMITTEE RECOMMENDATION TO COUNCIL

That Council approves the following funding allocation to the Community Assistance Scheme and approve its allocation from the 2025/2026 financial year budget.

ORGANISATION	PROJECT DESCRIPTION	GRANT
Irwin Autumn Social Club	To support the hire of appropriate transport enabling social outings for the club and its members in 2025/26	\$2,000
	TOTAL CASE ALLOCATION 2025/26	\$2,000

10.6.2 Audit Committee Meeting

The Minutes of the Shire of Irwin Audit Committee Meeting held 8 April 2025 have been provided as Attachment 10.6.2 in Attachment Booklet – April 2025.

OFFICER RECOMMENDATION:

That Council by Simple Majority receives the minutes of the Shire of Irwin Audit Committee Meeting held 8 April 2025.

Resultant from the Audit Committee Meeting held 8 April 2025, the following recommendation is presented to Council.

COMMITTEE RECOMMENDATION TO COUNCIL

That Council by adopt the Shire of Irwin's Compliance Audit Return for the period 1 January 2024 to 31 December 2024 at the 22 April 2025 Ordinary Council Meeting.

Item CEO 01-04/25 has been moved forward from 10.5 Office of the CEO Reports to allow for Council to consider adopting the Audit Committee recommendation prior to considering the following item.

CEO 01-04/25 Compliance Audit Return (CAR) 2024	
Author:	S Mearns, Executive Assistant
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.0198
Council Role:	Executive
Voting Requirements:	Absolute Majority

Report Purpose:

For Council to consider and adopt the 2024 Compliance Audit Return as per the *Local Government Act 1995*, Section 7.13 and the *Local Government (Audit) Regulations*, Regulation 14.

Officer Recommendation:**RECOMMENDED:**

That Council by Absolute Majority consider and adopt the 2024 Compliance Audit Return as per the *Local Government Act 1995*, Section 7.13 and the *Local Government (Audit) Regulations*, Regulation 14.

Background:

Local governments are required by legislation to complete a statutory compliance return (Compliance Audit Return or CAR) annually and have the return adopted by Council. The return is a checklist of a local government's compliance with the requirements of the Act and its Regulations, concentrating on areas of compliance considered "high risk".

The Audit Committee is to review the annual CAR and report to Council the results of that review, prior to adoption of the return by Council. After adoption the return is to be signed by the Shire

President and the CEO prior to it being forwarded to the Department of Local Government, Sport and Cultural Industries (DLGSCI) by no later than 31 March.
Due to staffing challenges, the CAR was not lodged with the DLGSCI by the required date.

Officer's Comment:

The Shire of Irwin Audit Committee reviewed the 2021 CAR at a meeting on 17 March 2022 and resolved to support the responses in the CAR, provided as Attachment 1.

The following list provides an outline of each section addressed in the 2020 Compliance Audit Return:

Commercial Enterprises by Local Governments

Council endorsed the progression of the Local Government Corporate Services Association at its Ordinary Council Meeting held 26 June 2024.

Delegation of Power/Duty

As no delegations to committees were made during 2024, N/A responses were provided.

It is to be noted that the Delegations Register was reviewed and presented to Council for adoption at its Ordinary Council Meeting held 25 June 2024.

Disclosure of Interest

During 2024 the Minutes of Meetings recorded the departure and return of persons who disclosed an interest.

All annual returns were submitted by the 31 August 2024 as required under s5.76 of the *Local Government (Administration) Regulations 1996*.

Regarding items No. 20 and 21, which pertain to the publication of the Code of Conduct for Employees and the Code of Conduct for Council Members, Committee Members, and Candidates of a Local Government, these documents were unintentionally removed from the website during the transition to a new format. We are pleased to inform you that both Codes of Conduct have now been successfully republished on the Shire of Irwin website.

Disposal of Property

The Shire did not dispose of any property during 2024 therefore N/A responses were provided.

Elections

The Shire of Irwin held an Extraordinary Election on 12 July 2024. No electoral gifts were declared.

Finance

The Shire complies with all areas relating to the Audit Committee.

Regarding item No 4, it is to be noted that two matters were listed in the Auditors Report relating to:

1. Excessive Leave Balances; and
2. A missed update of Landgate UV Valuations in the Synergy Rates System.

A new Policy is currently being created in relation to staff leave balances and a new reconciliation procedure has been put in place in relation to valuations.

Integrated Planning and Reporting

The Shire of Irwin Strategic Community Plan was last reviewed in 2023 following it being adopted on 26 October 2021.

The Shire's Corporate Business Plan is scheduled to be reviewed in the 2025/26 Financial Year.

Local Government Employees

This section relates to the recruitment of the CEO or designated senior employees. All responses are N/A as there were no appointments of the CEO or senior employees during the reporting period.

Official Conduct

The Shire is considered to be compliant with all sections of the Act relating to complaints.

Optional Questions

The Financial Management Review & Regulation 17 Audit was last performed in 2022. The review which is to be conducted every three years is currently being undertaken by the Shire.

Tenders for Providing Goods and Services

The Shire is considered to be fully compliant in all areas relating to tenders.

Adoption of the CAR is a statutory requirement of Council which could have major compliance implications for the Shire and is therefore considered to have a high-risk rating, however the completion of this return annually helps to ensure that the local government is following sound governance practices and is complying with the relevant Acts and Regulations.

The Audit Committee have reviewed the annual CAR and report to Council the results of that review, prior to adoption of the return by Council. After adoption the return is to be signed by the Shire President and the CEO prior to it being forwarded to the Department of Local Government, Sport and Cultural Industries (DLGSCI) by no later than 31 March.

Due to staffing challenges, the CAR was not lodged with the DLGSCI by the required date.

Consultation:

The 2024 CAR was presented to the Shire of Irwin Audit Committee on Tuesday 8 April 2025. The committee reviewed the return and resolved to support the responses provided.

Statutory Environment:*Local Government Act 1995*

- Section 7.13 – Regulations as to audits

Local Government (Audit) Regulations

- Regulation 14 - Compliance audits by local governments

Policy Implications:

Nil

Financial/Resource Implications:

Nil

Strategic Implications:

Strategic Community Plan 2017 – 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.3 Adopt and follow better practice processes.

Attachments:

Attachment Booklet – April 2025

CEO01-03/22 Attachment 1 – Compliance Audit Return (CAR) 2024

- 11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
- 13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION**
- 14. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**
- 15. CLOSURE**