



SHIRE OF IRWIN
DONGARA-PORT DENISON
A BRILLIANT BLEND

MINUTES

ORDINARY COUNCIL MEETING

Tuesday 25 March 2025



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.

ling

Table of Contents

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	3
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
4. PUBLIC QUESTION TIME.....	4
5. DECLARATIONS OF INTEREST.....	5
6. APPLICATIONS FOR LEAVE OF ABSENCE	5
7. PETITIONS AND DEPUTATIONS	5
8. CONFIRMATION OF MINUTES AND TABLING OF AGENDA FORUM NOTES.....	5
8.1 Minutes of the Ordinary Council Meeting held 25 February 2024	5
8.2 Agenda Forum Notes – 18 March 2025.....	5
9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	5
10. REPORTS OF OFFICERS AND COMMITTEES.....	6
10.1 Finance Reports.....	6
FIN 01-03/25 Accounts for Payment – February 2025.....	6
FIN 02-03/25 Monthly Financial Statements - January 2025.....	8
10.2 Community Services Reports	11
COM 01-03/25 CSRFF Small Grants Application for Dongara Golf Club Inc.	11
10.3 Development Reports.....	14
DEV 01-03/25 February 2025 Development Delegated and Authorised Authority Report.	14
DEV 02-03/25 Application for Traders Permit – ‘Miss Springfield’	16
10.4 Operations Reports.....	19
10.5 Office of the CEO Reports.....	19
10.6 Committee Reports	19
10.6.1 Work Health and Safety Committee Meeting.....	19
11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	19
12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	19
13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION	20
FIN 03-03/25 Annual Budget Review 2024/25.....	20
14. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC.....	23
15. CLOSURE	23

MINUTES

of the

ORDINARY COUNCIL MEETING

25 March 2025

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors, Staff and Members of the Gallery then declared the Meeting open at 6.00pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor M 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 F Boksmati
Ms S Mearns

Chief Executive Officer
Manager Finance
Manager Development
Acting Manager Community Services
Executive Assistant

Guests

Nil

Apologies

Mr S Stubbs
Mr M Jones

Community Emergency Services Manager
Manager Operations

Approved Leave of Absence

Nil

Gallery

Mr J Rossiter
Ms C Zaharopoulos
Mrs W Bishop
Ms P Clinch

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

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 have changes occurred in a way that the community have not been informed about it?

Response: The Shire President advised that this question will be taken on notice.

Question 2: Mrs W Bishop, Port Denison

Why did the Shire charge a venue bond of \$454.55 and a venue hire fee of \$177.27 to hold a service on the Port Denison Foreshore, as appears on the Funeral Directors invoice?

Response: The Shire President advised that this question will be taken on notice.

Question 3: Mrs C Zaharopoulos, Seaspray Caravan Park Cafe

Would the Shire reconsider the removal of advertising signage previously located at the intersection of Moreton Terrace and Hunts Road and that signage be re-instated?

Response: The Shire President advised that this question would be taken on notice.

Question 4: Mr J Rossiter, Port Denison

Why is it that public facilities are decreasing such as the old pine bollard logs on the foreshore, parking, shade sails over playgrounds, seating and umbrella at Grannys Beach?

Response: The Shire President confirmed that the Council were working on a plan and a new design for the Foreshore with some significant development planned over the next 18 months. Some features have not been immediately replaced following removal however this was to ensure the Shire did not 'pay for something twice', when a Masterplan for the area was being created and significant funding being applied for. Parking bays (along) Moreton Terrace were modified to assist in ensuring the health of our Moreton Bay Fig Trees. However, seating within both Dongara and Port Denison will be reviewed.

Both the Shire President and Chief Executive Officer confirmed that parking areas in Port Denison had actually increased following recent works.

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: The Shire President advised that this question would be taken on notice.

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 February 2024**

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

COUNCIL DECISION		010325
MOVED: Cr Scott		SECONDED: Cr Summers
That Council confirms the Minutes of the Ordinary Council Meeting held 25 February 2025.		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Scott, Cr Tunbridge, Cr Gillam, Cr Summers, Cr Melsom	
Against:	Nil	

8.2 Agenda Forum Notes – 18 March 2025

At the Agenda Forum held 18 March 2025, Shire Officers presented background information and answered questions on items to be considered at the March 2025 Ordinary Council Meeting.

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

COUNCIL DECISION		020325
MOVED: Cr Wyse		SECONDED: Cr Tunbridge
That Council confirms the Notes of the Agenda Forum held 18 March 2025.		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Scott, Cr Tunbridge, Cr Gillam, Cr Summers, Cr Melsom	
Against:	Nil	

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

5 March 2025 CEO attended Shire of Irwin WHS Committee Meeting

18 March 2025 CEO and Cr Gillam attended RRG Meeting in Geraldton

10. REPORTS OF OFFICERS AND COMMITTEES

10.1 Finance Reports

FIN 01-03/25 Accounts for Payment – February 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 February 2025.

COUNCIL DECISION030325

MOVED: Cr GillamSECONDED: Cr Summers

That Council, by Simple Majority, receives the Accounts paid during February 2025 as contained in FIN 01-03/25 Attachment 1 of the Attachment Booklet – March 2025 represented by:

Payment Type/Numbers	Total Amount
EFT 33181 – 33281	\$368,184.84
Muni Cheques – 32227 – 32229	\$1,978.50
Direct Debit – Telstra	\$1,616.16
Direct Debit – WA Treasury Corporation	\$20,727.35
Direct Debit – Credit Card	\$19,014.14
Direct Debit – N-Able Pty Ltd	\$1,016.06
Direct Debit – Australian Phone Company	\$225.23
Direct Debit – Telair Pty Ltd	\$2,449.41
Direct Debit – Rental Charges	\$4,600.00
Direct Debit – Insurance Premium Repayments	\$45,929.68
Direct Debit – Superannuation	\$59,670.59
Grand Total	\$525,411.96

VOTING DETAILS:7/0

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

Against: Nil

Background:

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

FIN 01-03/25 Attachment 1: Accounts for Payment - February 2025

FIN 02-03/25 Monthly Financial Statements - January 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 31 January 2025.

COUNCIL DECISION		040325
MOVED: Cr Tunbridge		SECONDED: Cr Gillam
<p>That Council, by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2024 to 31 January 2025 as contained in FIN 02-03/25 Attachment 1 of the Attachment Booklet – March 2025.</p>		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Scott, Cr Tunbridge, Cr Gillam, Cr Summers, Cr Melsom	
Against:	Nil	

Background:

The Monthly Financial Statements to 31 January 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 January 2025 is detailed in the attached report and summarised as per below:

31/01/2025		YTD Budget	YTD Actual
Operating Revenue		9,499,980	9,561,590
Operating Expenditure		(8,004,836)	(8,635,929)
Net Operating		1,495,144	925,661
Non-Operating Revenue		52,970	52,970
Non-Operating Expenditure		(1,486,338)	(1,314,232)
Net Non-Operating		(1,433,368)	(1,261,262)
Cash at Bank			3,122,536
Cash at Bank Restricted			373,935
Reserve Bank			1,332,367
Total Cash Funds			4,828,838

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 – March 2025

FIN 02-03/25 Attachment 1: Financial Statements for the Period Ended 31 January 2025.

10.2 Community Services Reports

COM 01-03/25 CSRFF Small Grants Application for Dongara Golf Club Inc.	
Author:	F Boksmati, Acting Manager Community Services
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00484
Council Role:	Executive
Voting Requirements:	Absolute Majority

Report Purpose:

For Council to consider the Dongara Golf Club's request to renew and upgrade the existing Dongara Golf Course reticulation and control system, and to support the Club's application for grant funding through the Department of Local Government, Sport and Cultural Industries (DLGSC), Community Sporting and Recreation Facilities Fund (CSRFF) Small Grants round for the project.

COUNCIL DECISION		050325
MOVED: Cr Tunbridge		SECONDED: Cr Summers
That Council by Absolute Majority:		
<ol style="list-style-type: none"> 1) Supports the Dongara Golf Club's application for grant funding through the Department of Local Government, Sport and Cultural Industries (DLGSC), Community Sporting and Recreation Facilities Fund (CSRFF) Small Grants round for \$200,000 being the capped amount allowable under the grant program for the total project value \$424,461 for the purpose of upgrading the golf course reticulation, reticulation control system, water pumping system and the installation of an 10 metre by 10 metre shed to accommodate the new equipment. 2) Endorses the Dongara Golf Club's establishing a sinking fund where they set aside revenue to meet future capital expenses for maintenance, upgrades and/or replacement of the reticulation system, for the expected life of the asset. 3) Endorses the ranking of the golf course reticulation and control system upgrade and the shed installation as "A – Well planned and needed by the municipality" to be submitted with the application as per the CSRFF Local Government Assessment Sheet. 4) Commits a cash and in-kind contribution of \$87,231 in the 2025/26 Annual Budget, equating to approximately 20% of the total project value \$424,461. 		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Scott, Cr Tunbridge, Cr Gillam, Cr Summers, Cr Melsom	
Against:	Nil	

Background:

The Dongara Golf Club, established in 1932, has been a central part of the community for over 90 years. It is a vital community asset that provides recreational opportunities, promotes physical health, and fosters social connections for those interested in the sport of golf or as a function venue available to the general public. With over 130 regular members, omitting visitation by tourists and local visitors which has also steadily increased annually, maintaining a quality golf course is essential to operations and ensuring the club's sustainability locally and to support local tourism.

The existing reticulation and control system is heavily contributing to inefficiencies, and presents the following three (3) key contributory challenges;

1. **Outdated Technology:** The existing system is over 20 years old and lacks modern features such as smart scheduling and moisture sensing.
2. **High Water Usage:** Inefficient watering practices result in excessive water consumption, increasing costs and negatively impacting the environment.
3. **Maintenance Concerns:** Frequent breakdowns and costly repairs divert necessary resources and staff from standard club operations.

The upgrade plan includes replacement of controller valves and wiring, upgrade to the pumping system, installation of a commercial plus water meter, and the supply and installation of an 8 metre by 8metre shed to house the upgraded system.

Expected benefits of the upgrade includes;

1. **Water Savings:** Estimated reduction in water usage by up to 30% annually
2. **Cost Reduction:** Decreased operational costs and a reduction in water, electricity and maintenance bills
3. **Environmental Impact:** Provides the opportunity to align with the club's and environmental sustainability goals including improved compliance with regulations
4. **Enhanced experience:** Improved course conditions results in increased member satisfaction and the likelihood of returning visitors.

In order to assist with the evaluation of submissions and to ensure projects are viable and appropriate, CSRFF have developed a Local Government Assessment Sheet. All submissions require the Local Government Authority to rate and prioritise submissions utilising the following guide and present the assessment as supporting documentation to the application.

RATING	DESCRIPTION
A	Well planned and needed by the municipality
B	Well planned and needed by the applicant
C	Needed by the municipality, more planning required
D	Needed by the applicant, more planning required
E	Idea has merit, more preliminary work needed
F	Not recommended

Officer's Comment:

The renewal and upgrade of the Dongara Golf Club reticulation control system is essential for the sustainability and quality of the club, and the satisfaction of all members and visitors. The course itself is renowned for its spectacular reviews and quality greens, providing recreational opportunities to not only members, but to the general public, and is highly popular with visiting tourists. With the reticulation system at end of life, there is risk of losing the course. Investing in an upgrade and more modern technology represents a crucial step towards supporting a sustainable and successful future for the Dongara Golf Club with water usage and maintenance costs also anticipated to reduce significantly.

Consultation:

- Craig Vinci, Regional Manager Mid West - Gascoyne for Department of Local Government Sport and Cultural Industries (DLGSCI)
- Golf WA have provided a letter of support for this project

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil

Financial/Resource Implications:

In support of producing a quality application with high chance of success, the Shire has engaged a consultant to assist writing the Grant Application. This is an out of budget and unplanned expense for the Community Services Department to a value of \$7,980 exc gst.

The Dongara Golf Club plan to submit an application through the CSRFF to complete the project, however, need Council's endorsement of the project as well as an agreement with the club to facilitate and fund the residual 20% of the total project cost. The Shire is expected to finance the remainder of the project through cash and in-kind for the remaining 20% should the application be successful. Council will need to endorse \$87,231 in cash and in-kind contributions in the 2025/26 Annual Budget.

A requirement of the application is to ensure a sinking fund is established by setting aside revenue over a period of time to meet future capital expenses and to cover costs at the assets end of life.

The Dongara Golf Club have committed to creating a sinking fund using the anticipated cost savings once the upgrade is complete to fund any future maintenance / upgrades required due to normal system wear and tear.

Should the Dongara Golf Club's application be unsuccessful or should they be unable to meet the financial requirements of the grant, the Shire is not expected to proceed with a funding commitment in the 2025/26 budget. Similarly, if the Shire is unable to proceed with their funding commitment of \$87,231 in the 2025/26 Annual Budget, the CSRFF application cannot proceed unless the golf club can make up the balance of funding required. If the application is successful, the Shire will continue to actively seek opportunities to supplement and/or reduce the financial commitment.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

- Strategy 1.1.1 Identify and support services, events and programs for building capacity, social inclusion and wellbeing (including those catering for families, youth and seniors)
- Strategy 1.1.2 Advocate for retention of existing and enhanced facilities and health and social support services
- Strategy 1.2.2 Support the strong sporting culture that shapes the Shire of Irwin's identity and lifestyle
- Strategy 1.2.3 Support community-initiated projects and activities
- Strategy 3.1.1 Prepare for and manage natural disasters and environmental risks
- Strategy 3.1.3 Identify, provide and manage Shire assets (including community infrastructure, Shire controlled reserves and freehold land) in accordance with agreed service levels
- Strategy 4.1.1 Enhance the Shire's profile through marketing initiatives and community engagement
- Strategy 4.1.3 Maintain effective working relationships with relevant stakeholders

Attachments:

Nil

10.3 Development Reports

DEV 01-03/25 February 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 February 2025 Development Delegated and Authorised Authority Report.

COUNCIL DECISION		060325
MOVED: Cr Gillam		SECONDED: Cr Melsom
That Council by Simple Majority, receives the February 2025 Development Delegated and Authorised Authority Report, as contained in DEV 01-03/25 Attachment 1.		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Scott, Cr Tunbridge, Cr Gillam, Cr Summers, Cr Melsom	
Against:	Nil	

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 February 2025, with 12 building permits, 6 single house applications and 3 applications for development approval 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 – March 2025

DEV 01-03/25 Attachment 1: February 2025 Development Delegated and Authorised Authority Report.

Unconfirmed

DEV 02-03/25 Application for Traders Permit – ‘Miss Springfield’	
Author:	M Connell, Manager Development
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00325/96
Council Role:	Quasi-judicial
Voting Requirements:	Simple Majority

Report Purpose:

For Council to determine an application for a traders permit on Lot 5 on Diagram 1935 St. Dominics Road, Port Denison.

This report recommends approval of the application.

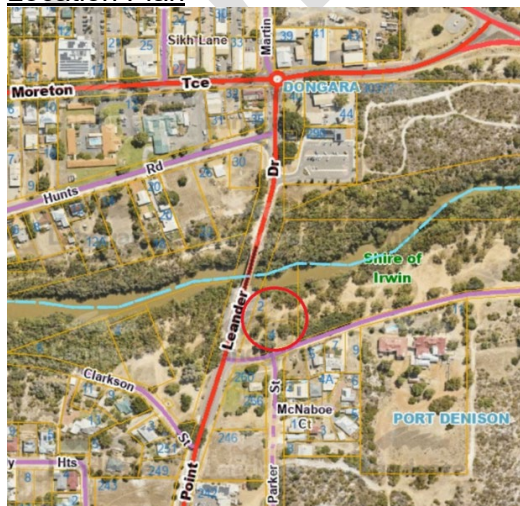
COUNCIL DECISION		070325
MOVED: Cr Melsom		SECONDED: Cr Wyse
That Council by Simple Majority, approve the application for a traders permit on Lot 5 of Diagram 1935 St. Dominics Road, Port Denison.		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Scott, Cr Tunbridge, Cr Gillam, Cr Summers, Cr Melsom	
Against:	Nil	

Background:

The Shire has received an application to amend a traders permit for the mobile coffee van operating as ‘Miss Springfield’. Approval is sought to trade on Wednesdays and Thursdays on Lot 5 on Diagram 1935 St. Dominics Road, Port Denison. The site is owned in freehold by the Shire of Irwin.

Council at its meeting held on 27 August 2024 approved an application to renew the ‘Miss Springfield’ traders permit subject to trading being restricted to Wednesdays only and additionally resolved to:

Adopt the methodology for calculating the distance as prescribed in cl. 6.8(2)(a) of the Shire of Irwin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 as the distance measured along a direct and accessible pedestrian route from the main entrance of the shop or permanent place of business.

Location Plan

Officer's Comment:

In considering an application for a permit, cl. 6.5 of the *Shire of Irwin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* requires the local government to have regard to the following matters.

(a) Any relevant policies of the local government

There are no policies relevant to this application.

(b) The desirability of the proposed activity

The activity involves the trade of general refreshments (most commonly tea and coffee) and a small amount of snack foods (such as muffins, doughnuts and toasted sandwiches). This type of mobile coffee van trading is common in most local governments and adds to the existing food/beverage offerings in the Shire.

(c) The location of the proposed activity

Clause 6.8(2)(a) of the local law states:

(2) A stallholder or trader shall not –

- (a) attempt to conduct a business within a distance of 300m of any shop or permanent place of business that is open for business and has for sale any goods or services of the kind being offered for sale by the stall holder or trader.

The location is compliant as per the Council determination of 27 August 2024.

(d) The principles set out in the Competition Principles Agreement

The guiding principle in this Agreement is that legislation (including local laws) should not restrict competition unless it can be demonstrated that:

- (a) the benefits of the restriction to the community as a whole outweigh the costs; and
(b) the objectives of the legislation can only be achieved by restricting competition.

Refusing an application simply because of a perceived increase in competition to other businesses would be contrary to the Agreement.

(e) Such other matters as the local government may consider to be relevant in the circumstances of the case

As the location of the activity is now considered compliant with the local law there seems no need to restrict the trading days of the activity.

Consultation:

Nil

Statutory Environment:

The Shire of Irwin Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 governs trading in thoroughfares and public places. In accordance with cl. 7.2(1) the local government may approve an application for a permit unconditionally or subject to any conditions or refuse to approve an application for a permit.

Policy Implications:

Nil

Financial/Resource Implications:

Nil, however costs may be imposed on the Shire should the applicant review Council's decision through the State Administrative Tribunal.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 2.1.1 Continuously improve approval processes

Attachments:

Nil

Unconfirmed

10.4 Operations Reports

Nil

10.5 Office of the CEO Reports

Nil

10.6 Committee Reports**10.6.1 Work Health and Safety Committee Meeting**

The Minutes of the Shire of Irwin Work Health and Safety Committee Meetings held 5 February 2025 and 5 March 2025 have been provided as Attachment 10.6.1 in Attachment Booklet – March 2025.

COUNCIL DECISION		080325
MOVED: Cr Summers		SECONDED: Cr Gillam
That Council by Simple Majority receives the minutes of the Shire of Irwin Work Health and Safety Committee Meetings held 5 February 2025 and 5 March 2025.		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Scott, Cr Tunbridge, Cr Gillam, Cr Summers, 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

FIN 03-03/25 Annual Budget Review 2024/25	
Author:	P Machaka, Manager Finance
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00227
Council Role:	Executive
Voting Requirements:	Absolute Majority

Report Purpose:

For Council to consider and adopt the annual budget review for the 2024/25 financial year as presented in Attachment Booklet – March 2024.

COUNCIL DECISION		090325
MOVED: Cr Wyse		SECONDED: Cr Summers
That Council by Absolute Majority:		
<div>a) Adopts the 2024/25 Annual Budget Review presented as FIN 03-03/25 Attachment 1 in Attachment Booklet – March 2025.</div> <div>b) Amends the budget accordingly, by Nature as reflected in the estimated year amount column.</div> <div>c) Amends the capital budget as listed in the capital program details.</div>		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Scott, Cr Tunbridge, Cr Gillam, Cr Summers, Cr Melsom	
Against:	Nil	

Background:

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires Council to conduct a review of its budget between 1 January and the last day of February in each financial year. The Regulation requires that the results be submitted to Council to determine whether to adopt the review and recommendations made. Within 14 days of the review a copy of the review and determination is to be provided to the Department of Local Government, Sport and Cultural Industries.

Officer's Comment:

This report provides information by nature and is based on the seven - month period from 1 July 2024 to 31 January 2025. The budget review projects the Shire's full year income and expenditure against full year original budget. Attachment 1 is an explanation of identified major expenditure and revenue variations and a review of the capital program – showing all budgeted items and any expected variation to the budget.

Noteworthy projected variations to the original budget include:

Revenue

- Lower Operating Grants Subsidies and Contributions of \$109,000, mostly due to lower Financial Assistance Grants
- Higher Capital Revenue due to:
 - Department of Transport Boat Ramp Grant \$365,000
 - Sea Rescue Boat Ramp Contribution \$150,000

- Carry forward adjustment for the Vegetation Program LRCI Grant \$52,000
- Labour Party Election Promise of \$400,000
- Includes the revenue reduction for deferring Point Leander Drive works (\$211,000)

Operating Expenditure

Overall Materials & Contracts are projected to increase by \$37,000. This is a net result of over and under expenditure in different areas. Notable increase in expenditure includes the following:

- Plant Operating Costs \$202,000
- Legal Costs \$51,000
- Contract Labour \$90,000
- Information Technology Costs \$82,000
- Councillor election \$35,000

The above expenses were offset by several smaller accounts which are expected to expend less than originally budgeted. Interest Expenses are forecast to decrease by \$33,700 as the Shire will not be applying for the Foreshore Loan in the current financial year.

Capital Expenditure

Total capital works are expected to increase by \$717,000, comprising of:

- Boat Ramp Works \$715,000 (Grant funded)
- Foreshore Project \$200,000 (Grant funded)
- Granny's Beach Playground \$60,000
- Allanooka Springs \$66,000
- Includes expenditure reduction for deferring Point Leander Drive works (\$201,000)

Reserve Movements

Forecast transfer from the leave reserve of \$27,000 to Municipal Funds for leave cash out payments.

Closing Balance

It is anticipated that the Shire will end the financial year with a deficit of approximately \$353,000, compared to \$4,800 surplus as originally budgeted. \$207,000 of this variance is attributed to a number of accruals required as part of the annual auditing process and late invoices. The remaining \$150,000 is a combination of an increase and reduction in revenue and expenditure in different areas as outlined above.

Consultation:

Responsible officers have predicted the balances on their activities.

Statutory Environment:

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

33A. *Review of budget*

- (1) *Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must -*
 - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government's financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*

- (2) *The review is to be presented to council by 31 March in that financial year.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
**Absolute majority required.*
- (4) *Within 14 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department.*

Australian Accounting Standards

Policy Implications:

Nil

Financial/Resource Implications:

The adoption of this budget review will forecast the budget with an estimated deficit of \$320k.

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 – March 2025

FIN 03-03/25 Attachment 1 – Annual Budget Review 2024/25

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

Nil

15. CLOSURE

There being no further business the Presiding Officer declared the meeting closed at 6.29pm.

Unconfirmed