



SHIRE OF IRWIN
DONGARA-PORT DENISON
A BRILLIANT BLEND

MINUTES

ORDINARY COUNCIL MEETING Tuesday 28 October 2025



I certify that this copy of the Minutes is a true and
correct record of the meeting held on
Tuesday, 28 October 2025

Signed: 
Shire President

Date: 25 November 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.
- 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.
- disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision in the audio recording. Council minutes provide the definitive record of Council's resolutions.

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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Notes for Members of the Public

Meeting Formalities

Shire of Irwin Council Meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile phones are switched off and not used during any Shire meeting.

Members of the public are hereby advised that in line with Council Policy CP48 – Recording of Council Minutes, no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of a Council Meeting without the written permission of the Council.

Audio Recordings

This Meeting will be audio recorded. The recording will be made publicly available on the Shire's website within ten (10) days of the meeting being held.

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MINUTES

of the

ORDINARY COUNCIL MEETING

held

28 October 2025

Prior to the commencement of the Ordinary Council Meeting, Cr Sophie Hansen and Cr Lesley Berecz were sworn in as Shire of Irwin Councillors by Robyn Parsons JP.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chief Executive Officer declared the meeting open at 6.00pm and welcomed Councillors, Staff and Gallery Members. The Chief Executive Officer is presiding over the Ordinary Council Meeting as the office of Shire President will not be filled until the Special Council Meeting being held 6 November 2025 due to Councillor Elect Scott and Councillor Elect Musulin not being in attendance at the 28 October 2025 Ordinary Meeting of Council.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor P Summers
Councillor J Melsom
Councillor A J Gillam
Councillor S Hansen
Councillor L Berecz

Newly Elected Members

Councillor I Scott (Apology)
Councillor L Musulin (Apology)

Staff

Mr S D Ivers
Mr M Connell
Ms F Boksmati
Mr M Jones
Miss P Machaka
Ms S Mearns

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

Guests

Mrs Robyn Parsons JP

Apologies

Mr M Antony

Community Emergency Services Manager

Approved Leave of Absence

Nil

Gallery

Mr Barry Wyse 13 Clarkson Street, Port Denison
Mr Bruce Baskerville "Indiaview", Port Denison
Mr John Rossiter 181 Point Leander Drive, Port Denison

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question 1: Gavin Farrell, 24 Retreat Boulevard, Port Denison

Between 'us' and the River, there is an expanse of Tamarisk trees and thick undergrowth – is the Shire responsible for maintaining and can something be done about it?

Response: The area between your property and the Irwin River forms part of the river's foreshore reserve and is classified as native riparian vegetation. While a small number of Tamarix aphylla (Athel Pine) are present, these are not the dominant species, and the broader vegetation is predominantly native. Although Tamarix aphylla is a Declared Pest in Western Australia, the clearing of native vegetation along waterways is not permitted without formal approval under the Environmental Protection Act 1986. This vegetation provides important ecological functions such as erosion control, habitat, and water quality protection. The Shire therefore has no authority to undertake broadscale clearing of this area. However, selective management of isolated Tamarisk trees may be considered in line with the Irwin River Estuary Management Plan and advice from the Department of Water and Environmental Regulation.

Question 2: Bev Brindal, 4 Retreat Boulevard, Port Denison

What is the mowing regime for all of the Retreat area and could it be upgraded in the winter time to every two weeks?

Response: The verge mowing schedule for the Retreat area is programmed on a six-week rotation during the winter months. During summer, this may be extended due to slower grass growth; however, the area is monitored weekly to assess maintenance needs. Retreat Park operates on a separate mowing schedule, typically every two weeks. This frequency is subject to change depending on the availability of staff and the timely completion of other scheduled works. The winter period is the busiest time of year for the Parks and Gardens team, making it challenging to commit to a fortnightly mowing schedule for a single area, given the number of locations that require regular maintenance.

Question 3: John Rossiter, 181 Point Leander Drive, Port Denison

Mr Rossiter expressed concern that the responses provided to his previous questions did not address the matters to his satisfaction and sought clarification on how Council determines its responses to public questions.

Response: The Shire President thanked Mr Rossiter for his question and ongoing participation in Council meetings. All public questions are considered and responded to based on the information available at the time, relevant legislation, Council policies, and operational procedures. While community members may not always agree with the responses provided, Council endeavours to ensure that all answers are factual, respectful, and provided in the spirit of transparency and accountability.

Question 4: John Rossiter, 181 Point Leander Drive, Port Denison

Why is the playground yellow spinning ball item still not spinning.

Response: We can confirm that the bearings in this piece of equipment continually fill with sand during regular use, especially while children are playing on it. This causes the mechanism to seize up over time, which is why it is currently not spinning properly. As part of the planned foreshore redevelopment, this piece of play equipment is scheduled to be

replaced. We appreciate your patience and understanding while we work towards these improvements.

Question 5: John Rossiter, 181 Point Leander Drive, Port Denison
Who is living in unit No 2 at the 'Village'?

Response: Unit 2 at The Village is currently vacant.

Question 6: John Rossiter, 181 Point Leander Drive, Port Denison
Are units 1-4 at The Village being removed from the inventory of pensioner units?

Response: Units 1–4 at The Village were previously included in the joint venture agreement between the Shire of Irwin and the Department of Communities. These units have recently been released from that agreement. As the land forms part of a Crown-managed reserve, the future use of the units requires careful consideration. A report will be presented to Council in the coming months outlining options for their ongoing management and potential future use, which may include accommodation for aged residents, staff housing, or open market rental.

Question 7: John Rossiter, 181 Point Leander Drive, Port Denison
How much was realised from Kennedy Heights Duplex sale?

Response: The Statement of Financial Activity for the period ended 30 June 2021 shows that the sale of the Kennedy Heights duplex generated proceeds of \$410,000.

Question 8: Tim Smith, 128 Northshore Drive, Dongara – Received via email
After watching the recent 4 Corners program, Lawfare (broadcast on 18/08/2025), there exists the threat of single issue protagonists (ie; sovereign citizens) using low voter turnout at council elections to mobilize a minority takeover of shire councils across Australia. As a measure to improve accountability, generate greater voter interest, and prevent single issue disrupters asserting control of council, will council consider video recording, and/or live-streaming, of monthly meetings & post it on a suitable streaming service for public viewing?

Response: Thank you for your question regarding the video recording or live-streaming of Council meetings. In accordance with the Local Government (Administration) Regulations 1996, the Shire makes an audio recording of all Council meetings open to the public, which is published on the Shire's website within ten (10) days of the meeting.

While there is currently no legislative requirement for video recording or live-streaming, the Shire considers its existing practices to provide an appropriate level of transparency and public access. Council may consider video recording or live-streaming in the future should legislative requirements or community expectations change.

Question 9: Tim Smith, 128 Northshore Drive, Dongara – Received via email
Last Saturday I had the opportunity to volunteer at the Dongara Denison Drive In. There was a small turnout. In order to preserve the iconic drive in cinema will the Council consider its use as a camping ground to enable greater exposure of the facility and improved patronage of the kiosk?

Response: Thank you for your suggestion regarding the potential use of the Dongara Denison Drive-In as a camping ground to increase exposure and support kiosk patronage. While Council recognises the importance of preserving and promoting this iconic facility, any change of use would require careful consideration, including the potential impact on existing accommodation providers such as the three caravan parks operating in Dongara Port Denison. The Shire currently provides overflow and overnight RV parking options for visitors, which assists in meeting demand without adversely affecting established businesses. Your suggestion will be noted for future consideration in discussions on the ongoing use and sustainability of the Drive-In facility.

4. PUBLIC QUESTION TIME

Question 1: Mr John Rossiter, 181 Point Leander Drive, Port Denison
Why have the tap top locks been replaced with key top locks in the Shire's amenities?

Response: This question was taken on notice.

Question 2: Mr John Rossiter, 181 Point Leander Drive, Port Denison
How much was realised from Kennedy Heights Duplex sale, not generated proceeds as was the response provided by the Shire?

Response: This question was taken on notice.

Question 3: Mr John Rossiter, 181 Point Leander Drive, Port Denison
Why has it taken 6 months for the Shire to take action on repairing the yellow spinning playground equipment at Port Denison?

Response: This question was 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 30 September 2025

The Minutes of the Ordinary Council Meeting held 30 September 2025 are included in the *Attachment Booklet – October 2025*.

COUNCIL DECISION		011025
MOVED: Cr Gillam		SECONDED: Cr Summers
That Council confirms the Minutes of the Ordinary Council Meeting held 30 September 2025.		
VOTING DETAILS:		CARRIED: 5/0
For:	Cr Summers, Cr Melsom, Cr Gillam, Cr Hansen, Cr Berecz	
Against:	Nil	

8.2 Agenda Forum Notes – 21 October 2025

At the Agenda Forum held 21 October 2025, Shire Officers presented background information and answered questions on items to be considered at the October 2025 Ordinary Council Meeting.

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

COUNCIL DECISION		021025
MOVED: Cr Gillam		SECONDED: Cr Melsom
That Council confirms the Notes of the Agenda Forum held 21 October 2025.		
VOTING DETAILS:		CARRIED: 5/0
For:	Cr Summers, Cr Melsom, Cr Gillam, Cr Hansen, Cr Berecz	
Against:	Nil	

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

2 October 2025	CEO attended WALGA Training – Councillor Inductions
8 October 2025	Council Workshop with GHD in relation to the Foreshore Masterplan Project
10 October 2025	CEO and Manager Finance met with Pitcher Partners Auditors
13 October 2025	CEO and Manager Community Services met with the Denison Bowling Club
16 October 2025	CEO met with Vestas Mid West Wind Farms
16 October 2025	CEO attended Councillor thank you dinner
21 October 2025	CEO met with Pilot Energy
20 October 2025	CEO met with LGIS Representatives
22 October 2025	CEO met with NBN Representatives

10. REPORTS OF OFFICERS AND COMMITTEES

13.1 Finance Reports

FIN 01-10/25 Accounts for Payment - September 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 September 2025.

COUNCIL DECISION

031025

MOVED: Cr Summers

SECONDED: Cr Gillam

That Council, by Simple Majority, receives the Accounts paid during September 2025 as contained in FIN01-10/25 Attachment 1 of the Attachment Booklet – October 2025 represented by:

Payment Type/Numbers	Total Amount
EFT 33949 – 34105	\$694,695.01
Muni Cheques – 32250 – 32252	\$6,482.80
Direct Debit – Telstra	\$5,278.60
Direct Debit – WA Treasury Corporation	\$34,472.51
Direct Debit – Credit Card	\$19,954.00
Direct Debit – N-Able Pty Ltd	\$2,331.38
Direct Debit – Australian Phone Company	\$225.23
Direct Debit – Telair Pty Ltd	\$2,883.23
Direct Debit – Insurance Premium Repayments	\$95,786.58
Direct Debit – Vestone Capital Pty Ltd	\$10,554.20
Direct Debit – Superannuation	\$58,932.36
Grand Total	\$931,595.90

VOTING DETAILS:

CARRIED: 5/0

For: Cr Summers, Cr Melsom, Cr Gillam, Cr Hansen, Cr Berecz

Against: Nil

Background:

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

Officer's Comment:

Changes to the format of the list of payments has been made to be aligned with Section 13(1) of the Local Government (Financial Management) Regulations.

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 – October 2025

FIN01-10/25 Attachment 1: Accounts for Payment – September 2025

FIN02 -10/25 Monthly Financial Statements - August 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 2025 to 31 August 2025.

COUNCIL DECISION	041025
MOVED: Cr Gillam	SECONDED: Cr Melsom
<p>That Council, by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2025 to 31 August 2025 as contained in FIN02 10/25 Attachment 1 of the Attachment Booklet – October 2025.</p>	
VOTING DETAILS:	CARRIED: 5/0
For:	Cr Summers, Cr Melsom, Cr Gillam, Cr Hansen, Cr Berecz
Against:	Nil

Background:

The Monthly Financial Statements to 31 August 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 draft financial position to the end of August 2025 is detailed in the attached report and summarised as per below:

31/08/2025	YTD Budget	YTD Actual	Variance YTD to Budget
Operating Revenue	8,346,682	8,746,400	5%
Operating Expenditure	(2,373,409)	(1,277,266)	-46%
Net Operating	5,973,273	7,469,134	
Non-Operating Revenue	0	0	
Non-Operating Expenditure	(273,866)	(140,009)	-49%
Net Non-Operating	(273,866)	(140,009)	
Cash at Bank		57,566	
Cash at Bank Restricted		622,506	
Reserve Bank		1,035,817	
Total Cash Funds		1,715,889	

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 or at budget review.

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 –October 2025

FIN02-10/25 Attachment 1: Financial Statements for the Period Ended 31 August 2025.

13.2 Development Reports

DEV 01-10/25 September 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 September 2025 Development Delegated and Authorised Authority Report.

Officer Recommendation:

COUNCIL DECISION		051025
MOVED: Cr Summers		SECONDED: Cr Berecz
That Council by Simple Majority, receives the September 2025 Development Delegated and Authorised Authority Report, as contained in DEV 01-10/25 Attachment 1.		
VOTING DETAILS:		CARRIED: 5/0
For:	Cr Summers, Cr Melsom, Cr Gillam, Cr Hansen, Cr Berecz	
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 September 2025, with 6 building permits/certificates, 6 single house applications and 2 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 – October 2025

DEV 01-10/25 Attachment 1: September 2025 Development Delegated and Authorised Authority Report

13.3 Community Services Reports

Nil

13.4 Operations Reports

Nil

13.5 Office of the CEO Reports

Nil

13.6 Committee Reports

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 Presiding Member closed the meeting at 6.23pm.