



SHIRE OF IRWIN
DONGARA-PORT DENISON

A BRILLIANT BLEND

AGENDA

ORDINARY COUNCIL MEETING
Tuesday 26 May 2026 – 5.00pm



NOTICE OF MEETING

Notice is hereby given that the next Ordinary Council Meeting of the Shire of Irwin will be held in the Council Chambers, 11-13 Waldeck Street, Dongara at 5.00pm on Tuesday 26 May 2026.

Maurice Battilana
(Acting) CHIEF EXECUTIVE OFFICER
24 May 2026



AGENDA & BUSINESS PAPERS

Agenda Forums and Ordinary Council Meetings for 2026 will be held on the following dates in the Council Chambers at 11-13 Waldeck Street, Dongara.

2026 DATES	
Agenda Forum - 5.00pm	Ordinary Council Meeting – 5.00pm
19 May	26 May
16 June	23 June
21 July	28 July
18 August	25 August
15 September	22 September
20 October	27 October
17 November	24 November
1 December	7 December (Monday)

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

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 on 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 from 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.

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 meeting 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.

Table of Contents

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	4
2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	4
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	5
4. PUBLIC QUESTION TIME.....	5
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 28 April 2026.....	5
8.5 Agenda Forum Notes – 19 May 2026.....	6
9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....	6
10. REPORTS OF OFFICERS AND COMMITTEES.....	7
10.1 Finance Reports.....	7
FIN 01-05/26 Accounts for Payment - April 2026.....	7
FIN 02-05/26 Monthly Financial Statements - March 2026.....	9
10.2 Development Reports.....	11
DEV 01-05/26 April 2026 Development Delegated and Authorised Authority Report.....	11
10.3 Operations Reports.....	13
10.4 Community Services Reports.....	13
10.5 Office of the CEO Reports.....	13
CEO 01-05/26 Updated Code of Conduct for Council Members, Committee Members and Candidates.....	13
10.6 Committee Reports.....	15
10.6.1 Audit Committee Meeting.....	15
11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	15
12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	15
13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION.....	15
14. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC.....	15
15. CLOSURE.....	15

AGENDA

of the

ORDINARY COUNCIL MEETING

to be held

26 May 2026

Commencing at 5.00pm

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

Members

Councillor I Scott

Shire President

Councillor A J Gillam

Deputy Shire President

Councillor P Summers

Councillor J Melsom

Councillor S Hansen

Councillor L Berecz

Councillor L Musulin

Staff

Mr M Battilana

(Acting) Chief Executive Officer

Mr M Connell

Manager Development

Mr M Jones

Manager Operations

Miss P Machaka

Manager Finance

Mr M Antony

Community Emergency Services Manager

Ms F Boksmati

Manager Community Services

Ms S Mearns

Executive Assistant

Guests

Apologies

Approved Leave of Absence

Gallery

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question 3: Mr Ian Maluish, 5 Abbot Terrace, Port Denison
What is the total budget for the ERP Project?

Response: A response was provided to Mr Maluish via email as per following:

Thank you for reaching out to us in relation to your questions not being recorded correctly in the OCM Minutes from the meeting held on 26 April 2026.

Please find following actual spends on the Project to date.

<i>Financial Year</i>	<i>Actual Spend</i>
<i>2024/25</i>	<i>143,845</i>
<i>2025/26</i>	<i>333,667</i>

Therefore, the total expenditure to date is \$477,512 is with the budget (being \$600,250) over the same two financial years.

Both the actual and budgeted figure include a one-off implementation/deployment cost and an annual licence cost.

I can also advise the ERP Tender and evaluation process identified the preferred respondent's tendered price being significantly lower than the next lowest tendered price (for both implementation/deployment and annual licence).

As you will aware, the Shire is legally unable to release all tender information due to privacy and commercial in confidence legislation.

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 28 April 2026

The Minutes of the Ordinary Council Meeting held 28 April 2026 are included in the *Attachment Booklet – May 2026*.

RECOMMENDED:

That Council by Simple Majority confirms the Minutes of the Ordinary Council Meeting held 28 April 2026.

8.5 Agenda Forum Notes – 19 May 2026

At the Agenda Forum held 19 May 2026, Shire Officers presented background information and answered questions on items to be considered at the May 2026 Ordinary Council Meeting.

Notes from the Agenda Forum are included in the *Attachment Booklet – May 2026*.

RECOMMENDED:

That Council by Simple Majority confirms the Notes of the Agenda Forum held 19 May 2026.

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

10. REPORTS OF OFFICERS AND COMMITTEES

10.1 Finance Reports

FIN 01-05/26 Accounts for Payment - April 2026	
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 April 2026.

Officer Recommendation:

RECOMMENDED:	
That Council, by Simple Majority, receives the Accounts paid during April 2026 as contained in FIN01-05/26 Attachment 1 of the Attachment Booklet – May 2026 represented by:	
Payment Type/Numbers	Total Amount
EFT 00000009/1 – 00000013/52	\$892,194.25
Muni Cheques – 32265 – 32265	\$86,159.98
Direct Debit – Telstra	\$1,968.73
Direct Debit – WA Treasury Corporation	\$137,512.52
Direct Debit – Credit Card	\$13,772.82
Direct Debit – N-Able Pty Ltd	\$2,636.79
Direct Debit – Australian Phone Company	\$225.23
Direct Debit – Telair Pty Ltd	\$2,560.90
Direct Debit – Bonds Administrator	\$1,600.00
Grand Total	\$1,138,631.22

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of April 2026.

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 – May 2026

FIN01-05/26 Attachment 1: Accounts for Payment – April 2026

FIN 02-05/26 Monthly Financial Statements - March 2026	
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 March 2026

Officer Recommendation:

RECOMMENDED:
That Council, by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2025 to 31 March 2026 as contained in FIN02-05/26 Attachment 1 of the Attachment Booklet – May 2026.

Background:

The Monthly Financial Statements to 31 March 2026 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 March 2026 is detailed in the attached report and summarised as per below:

31/03/2026	YTD Budget	YTD Actual
Operating Revenue	10,513,725	10,552,379
Operating Expenditure	(10,947,726)	(10,279,533)
Net Operating	(434,001)	272,846
Non-Operating Revenue	725,898	765,629
Non-Operating Expenditure	(2,375,749)	(2,239,275)
Net Non-Operating	(1,649,851)	(1,473,646)
Cash at Bank		1,801,552
Cash at Bank Restricted		373,935
Reserve Bank		1,060,227
Total Cash Funds		3,235,714

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 – May2026

FIN02-05/26 Attachment 1: Financial Statements for the Period Ended 31 March 2026.

10.2 Development Reports

DEV 01-05/26 April 2026 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 April 2026 Development Delegated and Authorised Authority Report.

Officer Recommendation:

RECOMMENDED:
That Council by Simple Majority, receives the April 2026 Development Delegated and Authorised Authority Report, as contained in DEV 01-05/26 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 April 2026, with 5 building permits/certificates, 7 single house applications and 1 application 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 – May 2026

DEV 01-05/26 Attachment 1: April 2026 Development Delegated and Authorised Authority Report

10.3 Operations Reports

10.4 Community Services Reports

10.5 Office of the CEO Reports

CEO 01-05/26 Updated Code of Conduct for Council Members, Committee Members and Candidates	
Author:	S Mearns, Executive Assistant
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00121
Council Role:	Executive
Voting Requirements:	Absolute Majority

Report Purpose:

For Council to adopt, by Absolute Majority, the updated Code of Conduct for Council Members, Committee Members and Candidates, revised in response to recent local government reforms and to ensure alignment with the requirements and intent of the *Local Government (Model Code of Conduct) Regulations 2021*.

Officer Recommendation:

RECOMMENDED:
<p>That Council;</p> <ol style="list-style-type: none"> 1. by Absolute Majority adopts the updated Code of Conduct for Council Members, Committee Members and Candidates in accordance with CEO 01-05/26 Attachment 1; and 2. notes the amendments made to the Code of Conduct for Council Members, Committee Members and Candidates.

Background:

Recent reforms to the local government sector in Western Australia, including the establishment of the Local Government Inspector and the strengthening of governance and accountability frameworks, have reinforced the importance of maintaining contemporary and compliant Codes of Conduct.

While the Code of Conduct for Council Members, Committee Members and Candidates is prescribed under the *Local Government (Model Code of Conduct) Regulations 2021*, these reforms have introduced enhanced oversight, expanded complaint mechanisms, and increased expectations regarding the behaviour and conduct of elected members.

Accordingly, it is necessary to review and update the Shire's Code of Conduct for Council Members, Committee Members and Candidates to ensure alignment with the current legislative environment, reflect the role of the Local Government Inspector, and support best practice in governance, transparency and accountability.

Officer's Comment:

Proposed changes to the current Code of Conduct for Council Members, Committee Members and Candidates reflect the new requirements as provided by legislation. The Code of Conduct for Council Members, Committee Members and Candidates 2026 includes the following differences only:

1. Addition of Clauses 11(4),(5)&(6);
2. Addition of entire Clause 14A;
3. Addition of entire Clause 14B;
4. Addition of Clause 15(3); and
5. Changes to the legislation references in the Notes under Division 4.

Shire Officers are to ensure that Committee Members of the following Shire of Irwin Committees are provided with an updated copy of the Code of Conduct, as required:

- Audit Committee*
** Councillors are advised that an Agenda item will be presented at the June 2026 Ordinary Council Meeting proposing changes to the function of the Shire of Irwin Audit Committee, together with a renaming to reflect Risk and Improvement responsibilities.*
- Work Health & Safety (WHS) Committee
- Local Emergency Management (LEM) Committee
- Community Assistance Scheme & Events (CASE) Committee

Consultation:

WALGA

Statutory Environment:

Under the *Local Government (Model Code of Conduct) Regulations 2021*, the Shire of Irwin is required to have a Code of Conduct for Council Members, Committee Members and Candidates.

Policy Implications:

There are no direct policy implications attached to this report.

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 – May 2026

CEO 01-05/26 Attachment 1: Updated Code of Conduct for Council Members, Committee Members and Candidates

CEO 01-05/26 Attachment 2: Amended Local Government Model Code of Conduct Regulations 2021

10.6 Committee Reports**10.6.1 Audit Committee Meeting**

The Minutes of the Shire of Irwin Audit Committee Meeting held 5 May 2026 have been provided as Attachment 10.6.1 in Attachment Booklet – May 2026.

OFFICER RECOMMENDATION:

That Council by Simple Majority receives the minutes of the Shire of Irwin Audit Committee Meeting held 5 May 2026.

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**