



**SHIRE OF IRWIN**  
DONGARA-PORT DENISON  

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A BRILLIANT BLEND

# AGENDA FORUM PAPERS

Tuesday 19 May 2026 – 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 19 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.

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

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

## Agenda Forum Information

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may, for a Committee, Working Party or Steering group examine specific subjects and then report to Council.
3. The purpose of the Agenda Forum is for council members and community members to be informed on agenda items before the next Ordinary Council Meeting.
4. Generally, all meetings are open to the public. Occasionally Council will be required to deal with person, legal and other sensitive matters and on these occasions, Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
5. **Public Questions Time:** It is a requirement of the *Local Government Act 1995* to allow at least fifteen (15) minutes for public question time. At the Agenda Forum all questions asked must be related to the items listed on the Agenda Paper. Please note the following.
  - a) Meetings are scheduled for a 5.00pm start (unless otherwise advised)
  - b) Record your full name and suburb of resident on the Attendance Form available in the public seating area.
  - c) When invited by the Presiding Member to ask your question/s, please state your full name for the benefit of the note taker and those present,
  - d) A minimum of 15 minutes is allocated to Public Question Time, which may be extended at the discretion of the Presiding Member.
  - e) You may ask up to 2 questions before other members of the public will be invited to ask their questions to ensure all have an equal and fair opportunity to ask questions.
  - f) The Presiding Member may elect for written questions to be responded to as normal business correspondence.
  - g) The Presiding Member may decide that a question shall not be responded to where the same or similar questions has been asked at a previous meeting and a response has already been provided;
    - A statement has been made and is not reformed into a question; or a question is offensive or defamatory in nature and is not reformed into a question.
  - h) A question may be taken on notice by Council for a later response. Responses will be provided in writing to the member and summary will be included in the agenda of the next Ordinary Council Meeting of Council.
  - i) Members of the public are encouraged to raise matters relating to operations and administration through the Shire's Customer Request System.
  - j) Should you wish to provide written questions prior to the meeting please submit them by 4.00pm the day before the meeting. By submitting written questions, this assists the administration with preparing a response.
  - k) Should you wish to provide a presentation at the Agenda Forum, a request will need to be submitted in writing directly to the Chief Executive Officer by 4pm the day before the meeting. The presentation must be related to an item listed on the agenda paper.
  - l) Presentations have a time limit of 10 minutes and a limit of 2 representatives will be allowed to speak.
  - m) Agendas for the Agenda Forum and Ordinary Council Meetings are available to the public from the Shire of Irwin Administration Centre or via the Shire's Website [www.irwin.gov.au](http://www.irwin.gov.au) seventy-two (72) hours prior to the meeting.
  - n) Recording of Minutes for Agenda Forums is not required by legislation however a summary of notes from the Agenda Forum will be presented to Council at the next Ordinary Council Meeting.
6. No person is to use any electronic, visual or audio recording device or instrument to record the proceedings of an Agenda Forum without the written permission of the Presiding Member.

## 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

<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<b>Executive</b>	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.
<b>Legislative</b>	Includes adopting local laws and local planning schemes.
<b>Review</b>	When Council reviews decisions made by Officers.
<b>Quasi-judicial</b>	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.

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# **AGENDA (Draft)**

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**

This item will be dealt with at the Ordinary Council Meeting being held on Tuesday 26 May 2026.

**4. PUBLIC QUESTION TIME**

Items 5 – 9 will be dealt with at the Ordinary Council Meeting being held on Tuesday 26 May 2026.

**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.**

**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	
<b>Author:</b>	<b>S Clarkson, Senior Finance Officer</b>
<b>Responsible Officer:</b>	<b>P Machaka, Manager Finance</b>
<b>File Reference:</b>	<b>2.0057</b>
<b>Council Role:</b>	<b>Executive</b>
<b>Voting Requirements:</b>	<b>Simple Majority</b>

**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:	
<b>Payment Type/Numbers</b>	<b>Total Amount</b>
<b>EFT 00000009/1 – 00000013/52</b>	<b>\$892,194.25</b>
<b>Muni Cheques – 32265 – 32265</b>	<b>\$86,159.98</b>
<b>Direct Debit – Telstra</b>	<b>\$1,968.73</b>
<b>Direct Debit – WA Treasury Corporation</b>	<b>\$137,512.52</b>
<b>Direct Debit – Credit Card</b>	<b>\$13,772.82</b>
<b>Direct Debit – N-Able Pty Ltd</b>	<b>\$2,636.79</b>
<b>Direct Debit – Australian Phone Company</b>	<b>\$225.23</b>
<b>Direct Debit – Telair Pty Ltd</b>	<b>\$2,560.90</b>
<b>Direct Debit – Bonds Administrator</b>	<b>\$1,600.00</b>
<b>Grand Total</b>	<b>\$1,138,631.22</b>

**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

<b>FIN 02-05/26 Monthly Financial Statements - March 2026</b>	
<b>Author:</b>	<b>P Machaka, Manager Finance</b>
<b>Responsible Officer:</b>	<b>S Ivers, Chief Executive Officer</b>
<b>File Reference:</b>	<b>2.0057</b>
<b>Council Role:</b>	<b>Executive</b>
<b>Voting Requirements:</b>	<b>Simple Majority</b>

**Report Purpose:**

For Council to consider and receive the Monthly Financial Statements for the period 1 July 2025 to 31 March 2026

**Officer Recommendation:**

<b>RECOMMENDED:</b>
<b>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.</b>

**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	
<b>Author:</b>	<b>M Connell, Manager Development</b>
<b>Responsible Officer:</b>	<b>S Ivers, Chief Executive Officer</b>
<b>File Reference:</b>	<b>3.00125</b>
<b>Council Role:</b>	<b>Executive</b>
<b>Voting Requirements:</b>	<b>Simple Majority</b>

### Report Purpose:

For Council to receive the April 2026 Development Delegated and Authorised Authority Report.

### Officer Recommendation:

<b>RECOMMENDED:</b>
<b>That Council by Simple Majority, receives the April 2026 Development Delegated and Authorised Authority Report, as contained in DEV 01-05/26 Attachment 1.</b>

### 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

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

#### 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:

<b>RECOMMENDED:</b>
<p><b>That Council;</b></p> <ol style="list-style-type: none"> <li><b>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</b></li> <li><b>2. notes the amendments made to the Code of Conduct for Council Members, Committee Members and Candidates.</b></li> </ol>

#### 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.

<b>OFFICER RECOMMENDATION:</b>
<b>That Council by Simple Majority receives the minutes of the Shire of Irwin Audit Committee Meeting held 5 May 2026.</b>

Items 11 – 14 will be dealt with at the Ordinary Council Meeting being held on Tuesday 26 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