AGENDA FORUM PAPERS

Tuesday 21 July 2026 – 5.15pm

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 5.15pm on Tuesday 21 July 2026.

Shane Ivers
CHIEF EXECUTIVE OFFICER
17 July 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**
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.

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 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

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.

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AGENDA (Draft)

of the

ORDINARY COUNCIL MEETING

to be held

Tuesday, 28 July 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 S D Ivers	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

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

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

10. REPORTS OF OFFICERS AND COMMITTEES

10.1 Finance Reports

FIN 02-07/26 Accounts for Payment – June 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 June 2026.

Officer Recommendation:

RECOMMENDED:

That Council, by Simple Majority, receives the list of accounts paid under delegated authority during June 2026, as detailed in FIN02-07/26 Attachment 1, and summarised as follows:

Payment Type/Numbers	Total Amount
EFT 000000016/1– 00000019/1	$1,064,587.57
Muni Cheques – 32267 – 32272	$87,721.45
Direct Debit – Telstra	$4,308.87
Direct Debit – WA Treasury Corporation	$127,320.27
Direct Debit – Credit Card	$43,350.49
Direct Debit – N-Able Pty Ltd	$2,650.51
Direct Debit – Australian Phone Company	$225.23
Direct Debit – Telair Pty Ltd	$2,725.89
Direct Debit – Hello Teams Pty Ltd	$27.82
Direct Debit – Vestone Capital Pty Ltd	$10,554.20
Direct Debit – Superannuation	$60,123.43
Grand Total	$1,403,595.73

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

Officer's Comment:
The list of accounts has been prepared in accordance with regulation 13 of the Local Government (Financial Management) Regulations 1996. Individual corporate credit card transactions are also disclosed in accordance with regulation 13A.

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.

13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —

(a) the payee's name;
(b) the amount of the payment;
(c) the date of the payment;
(d) sufficient information to identify the payment.

(2) A list prepared under subregulation (1) must 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.

[Regulation 13A inserted: SL 2023/106 r. 6.]

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 – July 2026
FIN02-07/26 Attachment 1: Accounts for Payment – June 2026

FIN 03-07/26 Monthly Financial Statements – May 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 May 2026.

Officer Recommendation:

RECOMMENDED:
That Council, by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2025 to 31 May 2026 as contained in FIN03-07/26 Attachment 1 of the Attachment Booklet – July 2026.

Background:
The Monthly Financial Statements to 31 May 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 statements for the period ended 31 May 2026 remain provisional, with a number of year-end accounting processes still to be completed. These include the recognition of eligible grant and contribution revenue, the processing of depreciation for January to May 2026, and the final allocation of employee costs between operating and capital activities. These adjustments will be completed as part of the June 2026 year-end process and will affect the final reported result.

Operating revenue at the end of May was approximately $108,000 above the year-to-date budget. This was largely attributable to fees and charges exceeding budget by approximately $198,000, partly offset by lower-than-budgeted rates, operating grants and interest revenue. Materials and contracts, utilities and finance costs were also below the year-to-date budget. Although operating employee costs are currently shown as exceeding budget, the attached statements confirm that total employee costs across operating and capital activities remain within the overall budget, pending completion of the final allocation process.

The adjusted net current funding position at 31 May 2026 was a deficit of approximately $984,000, compared with the year-to-date budgeted deficit of approximately $623,000. This was a point-in-time position and should not be interpreted as the Shire's expected result for the full financial year. The Shire expects to receive its annual Financial Assistance Grant allocation, ordinarily in the order of $800,000 to $900,000, which will materially improve the reported position. A further timing difference remains between project expenditure incurred during 2025/26 and associated grant revenue that could not be recognised by 30 June 2026 as several funding agreement milestones had not yet been achieved. That revenue is expected to be recognised in 2026/27 once the relevant milestones are satisfied. Based on the information currently available, the Shire expects to conclude 2025/26 broadly in balance, with the final result likely to be a modest surplus or deficit depending on the completion of year-end accruals, revenue recognition, cost allocations, depreciation and other accounting adjustments.

Capital expenditure totalled approximately $2.71 million at the end of May and was broadly consistent with the year-to-date capital program. The Statement of Financial Position records total assets of approximately $107.44 million, total liabilities of $7.57 million and net assets of $99.87 million. Rates collection remained strong at 96.76%. Management will continue to complete the outstanding year-end entries, monitor aged receivables and finalise the financial position for reporting following completion of the June 2026 accounts.

31/05/2026		YTD Budget	YTD Actual
Operating Revenue		11,114,334	11,222,350
Operating Expenditure		(13,462,315)	(12,029,442)
Net Operating		(2,347,981)	(807,092)
Non-Operating Revenue		1,587,000	1,411,566
Non-Operating Expenditure		(2,854,512)	(2,711,502)
Net Non-Operating		(1,267,512)	(1,299,936)
Cash at Bank			710,776
Cash at Bank Restricted			373,935
Reserve Bank			1,067,949
Total Cash Funds			2,152,660
Current Ratio			1.1

Consultation:
Nil

Statutory Environment:
Local Government Act 1995

- *Section 6.4 Financial report*

Local Government (Financial Management) Regulations

- *Section 34 - Financial activity statement report:*

(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 – July 2026
FIN 03-07/26 Attachment 1: Financial Statements for the Period Ended 31 May 2026

FIN 04-07/26 Changing Method of Valuation – July 2026	
Author:	**P Machaka, Manager Finance**
Responsible Officer:	**S Ivers, Chief Executive Officer**
File Reference:	**3.0683**
Council Role:	**Executive**
Voting Requirements:	**Simple Majority**

Report Purpose:
To consider the proposed change in the method of valuation of the properties identified in the confidential attachment from unimproved value to gross rental value, consider the submissions received from affected ratepayers, and determine whether to apply to the Minister for Local Government under section 6.28 of the Local Government Act 1995.

Officer Recommendation:

RECOMMENDED:
That Council by Simple Majority:

1. **Determines having regard to the current predominant non-rural use of the land identified in FIN 04-07/26 Confidential Attachment 1, that the Shire supports changing the method of valuation of that land from unimproved value to gross rental value.**

2. **Considers the submissions received from affected ratepayers insofar as they relate to the proposed changes in method of valuation and endorses the corresponding officer responses contained in FIN 04-07/26 Confidential Attachment 1.**

3. **Requests the Chief Executive Officer to make application to the Minister for Local Government under section 6.28 of the Local Government Act 1995 to change the method of valuation of the identified land from unimproved value to gross rental value.**

4. **Authorises the Chief Executive Officer to provide any further supporting information and make minor non-substantive amendments necessary to progress the applications.**

Background:
Under section *6.28 of the Local Government Act 1995 (the Act*), the Minister for Local Government is responsible for determining the method of valuation of land to be used by a local government as the basis for a rate.

In determining the method of valuation, the Minister is to have regard to the general principle that the basis for a rate on any land is to be:
- Where land is used predominantly for rural purposes, the appropriate method of valuation is unimproved value (UV).
- Where land is used predominantly for non-rural purposes, the appropriate method of valuation is gross rental value (GRV).

It is the Local Government's responsibility to review the predominant use of land and apply to the Minister to have the method of valuation changed where appropriate.

Before applying to the Minister, the Shire must establish the current predominant use of each property, obtain appropriate supporting evidence and indicative valuations, consult the affected ratepayers, consider any submissions received and demonstrate that comparable properties are being treated consistently.

Officer's Comment:
The Shire's review identified three assessments currently valued on an unimproved value basis but assessed as being used predominantly for non-rural purposes. These comprise two properties used for transient workforce accommodation and the separately leased portion of the Mondarra Gas Storage Facility used for commercial gas storage purposes.

The assessment of predominant use has been based on the actual use of the land and the nature of the improvements situated on each property. The two transient workforce accommodation properties contain accommodation units and associated facilities used to house a transient workforce, indicating a predominantly non-rural accommodation use. The separately leased portion of the Mondarra Gas Storage Facility contains gas storage and associated operational infrastructure and is used for the commercial storage and handling of gas, indicating a predominantly non-rural commercial and industrial use. The relevant land descriptions, lease areas, current and proposed methods of valuation, evidence supporting the assessment of predominant use, indicative gross rental values and estimated rating impacts are detailed in FIN 03-07/26 Confidential Attachment 1.

The land proposed for a change in method of valuation, together with evidence of predominant use, the current valuation method, indicative GRV assessments, estimated rating impacts, consultation correspondence, submissions and officer responses, is detailed in the confidential attachment.

The proposed change for the separately leased portion of the Mondarra Gas Storage Facility is based on its predominant commercial use as a gas storage facility. It is not based on transient workforce accommodation.

The purpose of the application is to align the method of valuation with the current predominant use of the land and to ensure comparable properties are treated consistently and equitably. Any increase in rate revenue is a consequence of the proposed change rather than the statutory basis for the application.

Written notification of the proposed changes was sent to the affected ratepayers on 18 May 2026, inviting submissions by 18 June 2026.

A submission was received from APA regarding the proposed change in method of valuation for the separately leased portion of the Mondarra Gas Storage Facility. The matters raised insofar as they relate to the predominant use of the land and the proposed change from UV to GRV, together with the officer response, are summarised in Confidential Attachment 1. Matters concerning the differential rating category and applicable rate in the dollar are addressed separately through the Shire's 2026/27 differential rating process.

Consultation:
The rating consultant presented the proposed changes to Council on the 18 March 2025.

On 18 May 2026, affected ratepayers were notified in writing of the reason for the proposed change in method of valuation, the evidence supporting the assessment of predominant use and the indicative impact on annual rates. Submissions were invited by 18 June 2026. The submissions received and the officer responses are contained in FIN 03-07/26 Confidential Attachment 1.

Statutory Environment:
Local Government Act 1995
6.28. Basis of rates
(1) The Minister is to —

(a) determine the method of valuation of land to be used by a local government as the basis for a rate; and

(b) publish a notice of the determination in the Government Gazette.

(2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —

(a) where the land is used predominantly for rural purposes, the unimproved value of the land; and

(b) where the land is used predominantly for non- rural purposes, the gross rental value of the land.

(3) The unimproved value or gross rental value, as the case requires, of rateable land in the district of a local government is to be recorded in the rate record of that local government.

(4) Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the Valuation of Land Act 1978 as at 1 July in each financial year.

(5) Where during a financial year —

(a) an interim valuation is made under the Valuation of Land Act 1978; or

(b) a valuation comes into force under the Valuation of Land Act 1978 as a result of the amendment of a valuation under that Act; or

(c) a new valuation is made under the Valuation of Land Act 1978 in the course of completing a general valuation that has previously come into force, the interim valuation, amended valuation or new valuation, as the case requires, is to be used by a local government for the purposes of this section.

The Department of Local Government, Industry Regulation and Safety – Rating Policy: Valuation of Land requires applications to be supported by evidence of predominant land use, clear identification of the land, indicative valuations, direct consultation with affected ratepayers, consideration of submissions, consistent treatment of comparable properties and consideration of split valuations where appropriate

Policy Implications:
Nil

Financial/Resource Implications:
The proposed changes may increase rate revenue if approved by the Minister and following the issue of GRV assessments by the Valuer-General. The exact financial impact will depend on the final valuations, the effective date of the Minister's determination and the applicable rate in the dollar. Indicative rate impacts for each affected assessment are contained in the confidential attachment. Any material variation from the adopted 2026/27 budget will be addressed through a subsequent 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:
Confidential Attachment Booklet – July 2026
FIN 04-07/26 Attachment 1: Transient Workforce Accommodation - Others

10.2 Development Reports

DEV 01-07/26 June 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 June 2026 Development Delegated and Authorised Authority Report.

Officer Recommendation:

RECOMMENDED:
That Council by Simple Majority, receives the June 2026 Development Delegated and Authorised Authority Report, as contained in DEV 01-07/26 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.

Officer's Comment:
This report presents the details of development functions made under delegated or authorised authority for the month of June 2026, with 12 building permits/certificates, 8 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 – July 2026
DEV 01-07/26 Attachment 1: June 2026 Development Delegated and Authorised Authority Report

DEV 02-07/26 Road Dedication, Reserve 10876 – Yandanooka West Road, Milo	
Author:	**M Connell, Manager Development**
Responsible Officer:	**S Ivers, Chief Executive Officer**
File Reference:	**P26026**
Council Role:	**Legislative**
Voting Requirements:	**Simple Majority**

Report Purpose:
For Council to request the Minister for Lands to approve the dedication of a portion of Reserve 10876 as road.

Officer Recommendation:

RECOMMENDED:

That Council by Simple Majority:

1. **Request the Minister for Lands to dedicate the portion of Reserve 10876, indicated in blue on the plan contained in DEV 02-07/26 Attachment 1, as road; and**

2. **Advises the Department of Planning, Lands and Heritage that it has no objection to dedicating only a portion of Reserve 10876, as detailed in the submission from the Irwin Districts Historical Society.**

Background:
The Department of Planning, Lands and Heritage (DPLH) have received a request from Hancock Energy to dedicate a portion of Crown Reserve 10876 as a road (indicated in blue on the plan contained in DEV 02-07/26 Attachment 1).

In December 2025, the Shire received an invitation from the WA Planning Commission to make a submission on an application for significant development for a proposed gas processing plant and workforce accommodation (commonly referred to as the Belisama Gas Project) on Lot M441 (No. 1906) Yandanooka West Road, Milo.

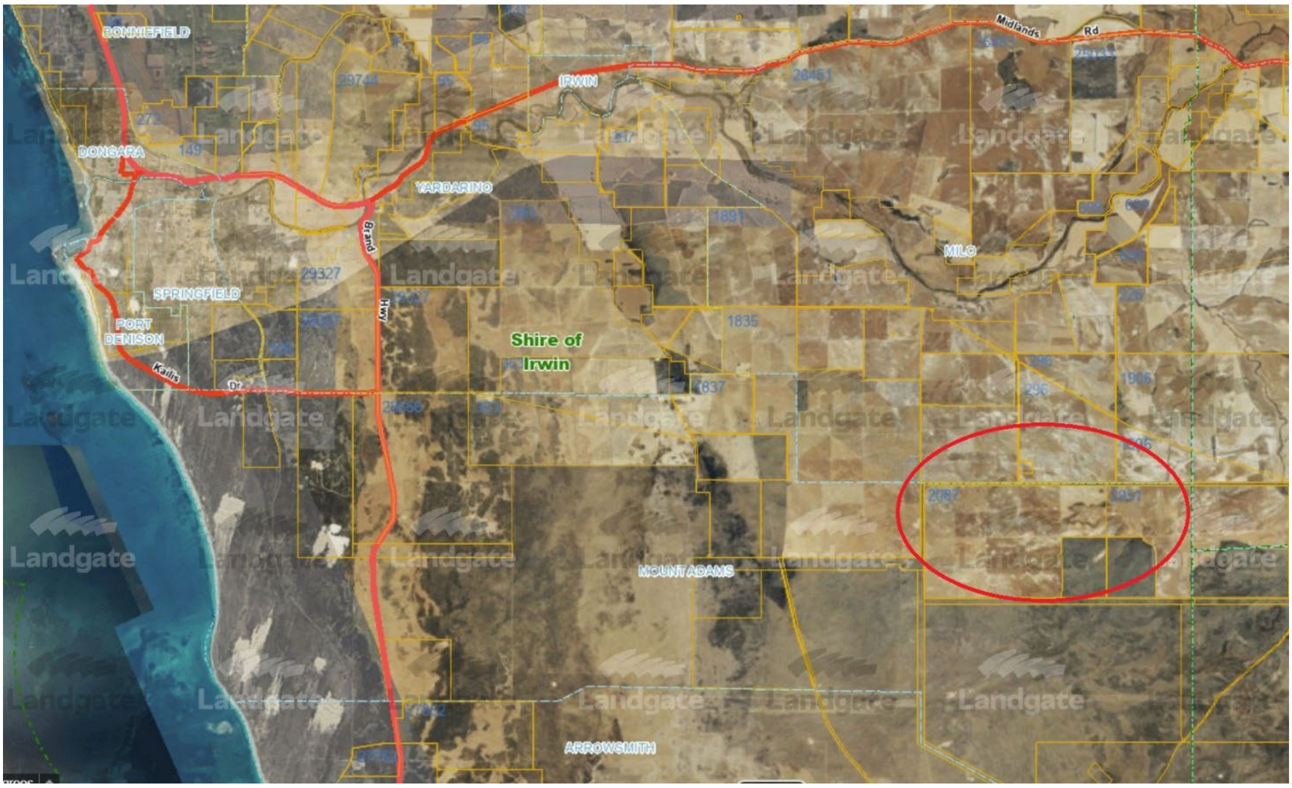
During the assessment of the application, it was noted that there are anomalies with the underlying land tenure on which the current road carriageway of Yandanooka West Road is situated.

The land parcel (that is mistakenly considered to be the Yandanooka West Road reserve) is in fact Crown Reserve 10876. The responsible agency for the reserve is the DPLH and the reserve purpose is 'Stock Route'. The Reserve 10876 report is contained in DEV 02-07/26 Attachment 2.

Council at its meeting held on 24 February 2026 resolved to conditionally support the application with one of the conditions being:

> 4. *Prior to the commencement of operations, land tenure arrangements are to be resolved so that the road carriageway of Yandanooka West Road and Mount Adams Road is located within a gazetted public road reserve.*

Location Plan



Officer's Comment:
Whilst the Reserves purpose is formally a 'stock route' it has functioned as a public road for many years and as such its tenure should reflect this.

The tenure change would have no impact on the heritage values of the stock route which will continue to have protection afforded under the local heritage survey and local planning scheme.

Formalising the tenure will provide clearer legal recognition of the current road usage, ensure lawful access for surrounding land parcels and give certainty for future road maintenance requirements.

Consultation:
The dedication was advertised in accordance with the provisions of the *Land Administration Act 1997* and involved the following:

- A public notice was published in the Midwest Times and the Dongara Denison Local Rag;
- A copy of the dedication was made available for public inspection at the Shire office;
- The dedication was published on the Shire's website along with an alert on the Shire's Facebook page;
- A written notice was sent to abutting landowners; and
- A written notice was sent to the following government/service agencies and stakeholders:
    - Department of Local Government, Industry Regulation and Safety
    - Department of Planning, Lands and Heritage – Aboriginal Heritage
    - Department of Primary Industries and Regional Development
    - Department of Water and Environmental Regulation
    - Main Roads WA
    - Telstra
    - Water Corporation
    - Western Power
    - Irwin Districts Historical Society

- Shire of Mingenew
- Yamatji Southern Regional Corporation

In response to the advertising a total of 7 submissions were received, 6 from government/service agencies with no objections. One submission from the Irwin Districts Historical Society (contained in DEV 02-07/26 Attachment 3) objected to the proposal. The key issues raised in the submission are summarised below along with Officer comments in response.

- No clear rationale for the change.
  The rationale for the tenure change is explained throughout this report.
- R10876 is part of a place assessed by the WA Heritage Council.
  The 'Old North Stock Route' is listed as a Historic Heritage Place No. P25092. The Minister decided in October 2024 not to recommend its inclusion in the State Register.
- R10876 is listed on the Heritage List under the Local Planning Scheme.
  The tenure change would have no impact on the heritage listing of the stock route.
- Alternative proposal to reduce the width of the road as opposed to all of the reserve. The reserve is currently 100m wide and a 20m wide road reserve containing the road formation should suffice.
  A reduced road reserve proposal has merit and could potentially resolve the road tenure matter whilst retaining the reserve's heritage status.

Following the consultation period the proponent also provided further information as contained in DEV 02-07/26 Attachment 4. To ensure appropriate legal access from freehold property to Yandanooka West Road, Hancock Energy supports the road dedication of the entire width of the current reserve to ensure the pending subdivision (road widening) and any other future subdivision or development processes that Hancock Energy or other freehold landholders may wish to progress.

Statutory Environment:
Section 56 of the Land Administration Act 1997 enables a local government to request the Minister for Lands to dedicate land as road, as follows:

56. Dedication of land as road

(1) If in the district of a local government –

(a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government;

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

Policy Implications:
Nil.

Financial/Resource Implications:
Nil.

Strategic Implications:
Our Brilliant Future – Strategic Community Plan 2021 – 2031
Strategy 1.1.3 Support appropriate community transport options
Strategy 1.2.1 Recognise places of cultural and heritage value

Attachments:
Attachment Booklet – July 2026
DEV 02-07/26 Attachment 1: Road Dedication Plan
DEV 02-07/26 Attachment 2: Reserve 10876 Report
DEV 02-07/26 Attachment 3: Irwin Districts Historical Society Submission
DEV 02-07/26 Attachment 4: Hancock Energy Memo

10.3 Operations Reports

OPS 01-07/26 125091-23WA-BR9 Milo Road Crossing Upgrade Project – Culvert Construction Contract Award	
Author:	**P Traylen, Supervisor Technical Services**
Responsible Officer:	**M Jones, Manager Operations**
File Reference:	**3.00539**
Council Role:	**Executive**
Voting Requirements:	**Simple Majority**

Report Purpose:
To consider the evaluation outcome for RFQ 125091-23WA-BR9 and determine whether to award the Milo Road Crossing culvert construction contract to the preferred respondent.

Officer Recommendation:

RECOMMENDED:

That Council by Simple Majority:

1. **Accepts the Evaluation Panel's recommendation and awards RFQ 125091-23WA-BR9 – Milo Road Crossing Upgrade Project, culvert construction package, to Polecat Civil Contracting Pty Ltd for a fixed lump sum of $1,163,742 excluding GST.**

2. **Notes that the total delivery allowance for the culvert construction package is $1,613,742 excluding GST, comprising the contract sum of $1,163,742, a project contingency of $350,000 and external site/project engineering support of $100,000, and notes that the contingency and engineering allowance do not form part of the contract award.**

3. **Authorises the Chief Executive Officer to finalise, execute and administer the contract in accordance with section 9.49A of the Local Government Act 1995, including variations that remain within the approved scope, contract terms, adopted project budget and the total delivery allowance identified in item 2.**

4. **Requires any variation that would materially alter the project scope or risk, or cause the total delivery allowance or adopted project budget to be exceeded, to be referred to Council.**

5. **Requires that no notice to proceed for ground-disturbing or construction works be issued until all necessary statutory approvals, environmental and clearing approvals, Aboriginal heritage approvals, land access arrangements and relevant funding conditions have been satisfied.**

Background:
The Shire of Irwin is undertaking the Milo Road Crossing Upgrade Project to replace the existing low-level bridge crossing of the Irwin River with reinforced concrete box culvert structures on a new alignment. The project aims to improve flood resilience, reduce ongoing maintenance requirements, and provide a safer and more reliable crossing for the community.

The works comprise two separable portions, being the northern and southern culvert structures, to provide flexibility in project staging and budget management. The scope includes excavation, reinforced concrete works, installation of precast concrete box culverts, scour protection, and associated temporary works and environmental protection measures. This contract package covers construction of the northern and southern culvert structures and directly associated works. Pavement construction, surfacing, line marking, signage and guideposts are excluded from this contract and will be procured separately. Accordingly, the proposed contract award does not represent the complete cost of delivering the broader Milo Road Crossing Upgrade Project.

On 16 March 2026, the Shire issued RFQ 125091-23WA-BR9 through the WALGA Preferred Supplier Program, Panel PSP009 – Roads, Infrastructure and Depot Services. The competitive quotation process was undertaken among prequalified panel suppliers and closed on 7 April 2026, with four submissions received.

An Evaluation Panel comprising representatives from the Shire of Irwin, Procurement Associates, and technical adviser GHD assessed the submissions against mandatory compliance, qualitative criteria, price, risk profile, and overall value for money. The evaluation criteria included relevant experience, organisational capacity, methodology, programme, and value-add initiatives.

Following clarification and detailed risk assessment, the Evaluation Panel determined that Polecat Civil Contracting Pty Ltd represented the best overall value for money outcome for the Shire, having demonstrated an acceptable methodology, understanding of the works, and a competitive delivery model supported by appropriate risk mitigation measures.

Officer’s Comment:
The Evaluation Panel undertook a structured and defensible assessment process in accordance with the RFQ requirements and the Shire’s procurement policies.

Polecat Civil Contracting Pty Ltd was assessed as compliant and was identified as the preferred respondent after consideration of the qualitative criteria, price, delivery risk and overall value for money.

On the basis of demonstrated capability, relevant experience, and value for money, the Evaluation Panel recommends award of the contract to Polecat Civil Contracting.

The contract documentation is to clearly identify all conditions precedent to site commencement. These include completion of the required statutory and heritage approval processes and confirmation of land access. Contract award will enable finalisation of contractual arrangements, but it will not authorise commencement of ground-disturbing works before those requirements have been satisfied.

Consultation:
Internal: Chief Executive Officer, Manager Operations, Supervisor Technical Services and Manager Finance.

External/technical: Procurement Associates and GHD.

Statutory Environment:
Local Government Act 1995
- Section 3.57 – Tenders for providing goods or services
- Section 9.49A – Execution of documents

Local Government (Functions and General) Regulations 1996
- Part 4 – Tenders
- Regulation 11(1) – Requirement to publicly invite tenders for contracts exceeding the prescribed threshold
- Regulation 11(2)(b) – Exemption where goods or services are obtained through the WALGA Preferred Supplier Program

Policy Implications:
CP20 – Purchasing
CP01 – Localised Purchasing (Regional Price Preference)

Financial/Resource Implications:
The total estimated contract value is $1,163,742 plus GST, which is provided for within the approved project budget. The total estimated delivery allocation for the preferred delivery model is $1,613,742 excluding GST, comprising the contract award, contingency allowance and external project/site engineering support.

Strategic Implications:
Our Brilliant Future – Strategic Community Plan 2021 – 2031
Strategy 1.1.3 Support appropriate community transport options
Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Attachments:
Confidential Attachment Booklet – July 2026
OPS 01-07/26 Confidential Attachment 1: 125091-23WA-BR9 Milo Road Crossing Upgrade Project – Evaluation Report

10.4 Community Services Reports

10.5 Office of the CEO Reports

10.6 Committee Reports

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