



MINUTES

ORDINARY COUNCIL MEETING

Wednesday 18 August 2021

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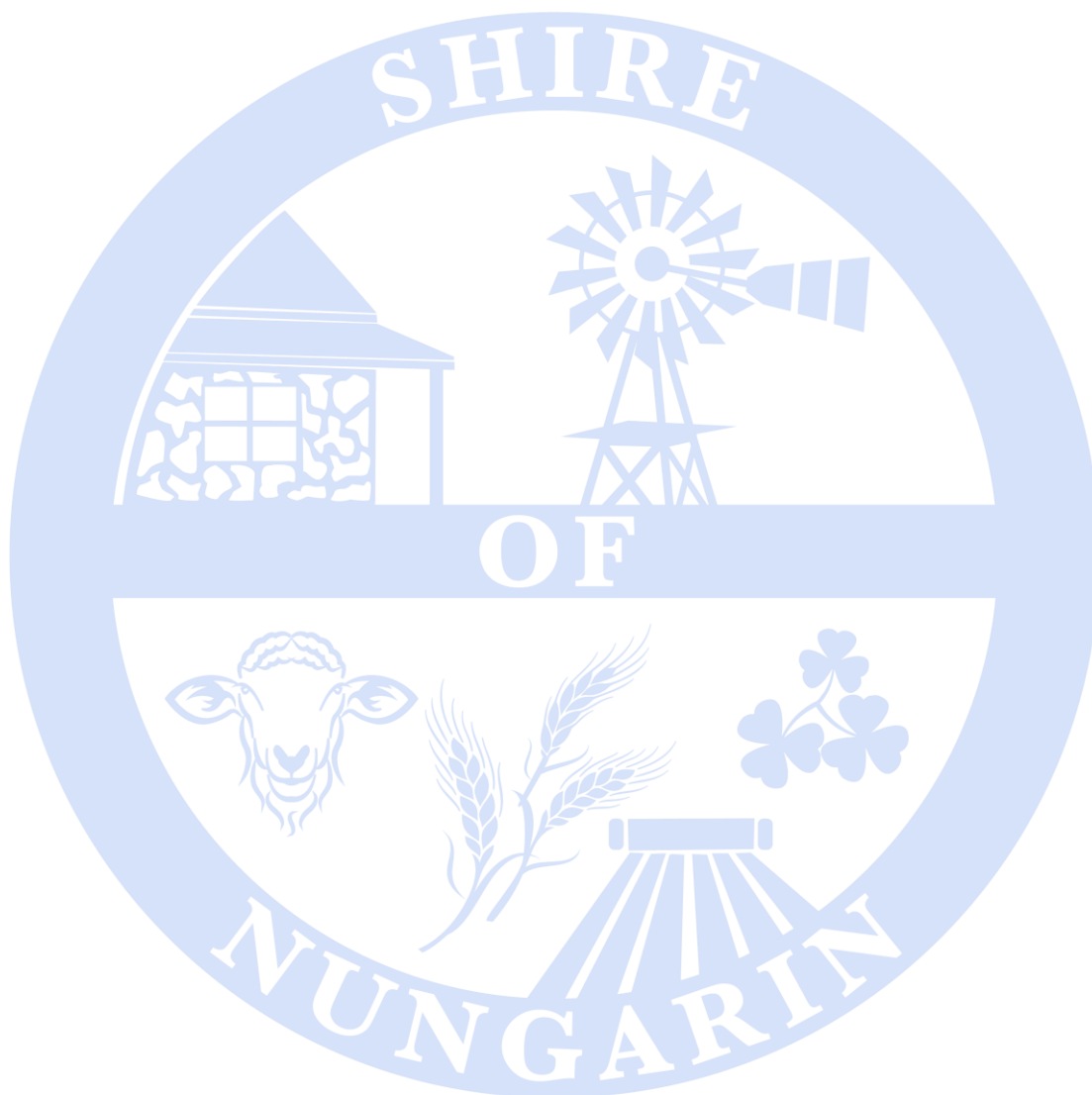
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AGENDA

1. DECLARATION OF OPENING

The Shire President declared the meeting open at 3:00pm Cr R Mizia read the Affirmation of Civic Duty and Responsibility and Cr de Lacy read out the Acknowledgment of Traditional Custodians.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Councillors and Officers of the Shire of Nungarin. We collectively declare we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgment and ability.

Acknowledgement of Traditional Custodians

We wish to acknowledge the Traditional Custodians of the land we are meeting on, the Njaki Njaki Nyoongar people, and recognise the contribution of Elders past, present and future.

2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

2.1 ATTENDANCE

Shire President	Cr P de Lacy
Deputy Shire President	Cr G Coumbe
Elected Member	Cr RE O'Connell
Elected Member	Cr K Dayman
Elected Member	Cr J Davis
Elected Member	Cr W Lee
Elected Member	Cr R Mizia
Chief Executive Officer	Mr L Long
Manager Works & Services	Mr C Large

2.2 APOLOGIES

Nil

2.3 REQUEST FOR LEAVE OF ABSENCE

Nil

3. DEPUTATIONS AND PETITIONS

3.1 DEPUTATIONS

Nil

3.2 PETITIONS

Nil

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
Nil

4.2 PUBLIC QUESTION TIME
Nil

5. DECLARATIONS OF INTEREST

5.1 FINANCIAL AND PROXIMITY INTEREST

- Cr de Lacy Affecting Impartiality - 8.2 Request to Waive Hire Fees – Homegrown Music Festival – being a committee member for the festival.
- Cr O’Connell Affecting Impartiality – Confidential Item 11.1

5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT

6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)
Nil

7. PREVIOUS COUNCIL MEETING MINUTES

7.1 ORDINARY COUNCIL MEETING – 21 July 2021

COUNCIL RESOLUTION 6729:

That the Minutes of the Ordinary Council Meeting held on 21 July 2021 be confirmed as being a true and accurate record.

Moved: Cr K Dayman
Seconded: Cr R Mizia

CARRIED 7/0

7.2 SPECIAL COUNCIL MEETING – 13 July 2021

COUNCIL RESOLUTION 6730:

That the Minutes of the Special Council Meeting held on 13 July 2021 be confirmed as being a true and accurate record.

Moved: Cr G Coumbe
Seconded: Cr RE O’Connell

CARRIED 7/0

8. OFFICER REPORTS

8.1 ANNUAL FIREBREAK NOTICE	
File Ref:	51010
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Attachment 8.1A – Draft Firebreak Notice

COUNCIL RESOLUTION 6731:	
That Council:	
1.	Approves the Firebreak Notice (ATTACHMENT 8.1A).
2.	Publish the Notice in the Government Gazette before 1 September 2020.
Moved:	Cr RE O'Connell
Seconded:	Cr R Mizia
CARRIED 7/0	

IN BRIEF

Council is requested to consider the Firebreak Notice (**ATTACHMENT 8.1A**) for the Shire of Nungarin pursuant to the *Bush Fires Act 1954*.

BACKGROUND

Council have a duty of care to exercise powers provided under s33 of the *Bush Fires Act 1954*, to direct property owners to maintain their property to a set standard. This will assist to reduce the threat of fire across the district.

By setting a minimum standard provides clear guidance to property owners, empowering them to take ownership of the bushfire preparedness and defend ability of their property and ensure they can maintain the level of preparedness between 1st October and 15th April each year.

REPORT DETAIL

The proposed notice (**ATTACHMENT 8.1A**) provides a starting point for re-introducing a Firebreak Notice for the Shire of Nungarin. The notice will encourage a standard approach that is consistent across the whole Shire and will make it easier for residents to understand their obligations under the *Bush Fires Act 1954* and clearly identifying non-compliant properties.

The Firebreak Notice includes clarification around imposing a Harvest, Vehicle Movement and Hot Works Ban (HVMB), and under what conditions these will be imposed.

As has been the accepted scenario it is recommend for any day where the Fire Danger Rating (FDR) reaches very high or above, a HVMB is automatically imposed, this again will make it easier to educate the community and prevent any potential escaped burns.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Social
Aspiration	Our Shire is healthy and happy, contributing to our progress, with accessible places and spaces and our transport is well connected and safe.
Objective	3. Maintain community safety and accessibility to services and facilities.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Section 33 of the *Bush Fires Act 1954* provides a local government the ability to make a Notice requiring all owners or occupiers of land within the district to take measures for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

Bushfires can have a devastating effect on the economy of the Shire and the Region.

Social - (Quality of life to community and/or affected landowners)

The aftermath of a bushfire often lingers for years and has a negative impact on the community's quality of life.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Whilst most of the municipal area is not densely vegetated bushland, not having accessible firebreaks could result in major bushfires and leave Council open to legal action.

CONSULTATION

- Department of Fire and Emergency Services.
- Chief Fire Control Officer

RESOURCE IMPLICATIONS

Financial

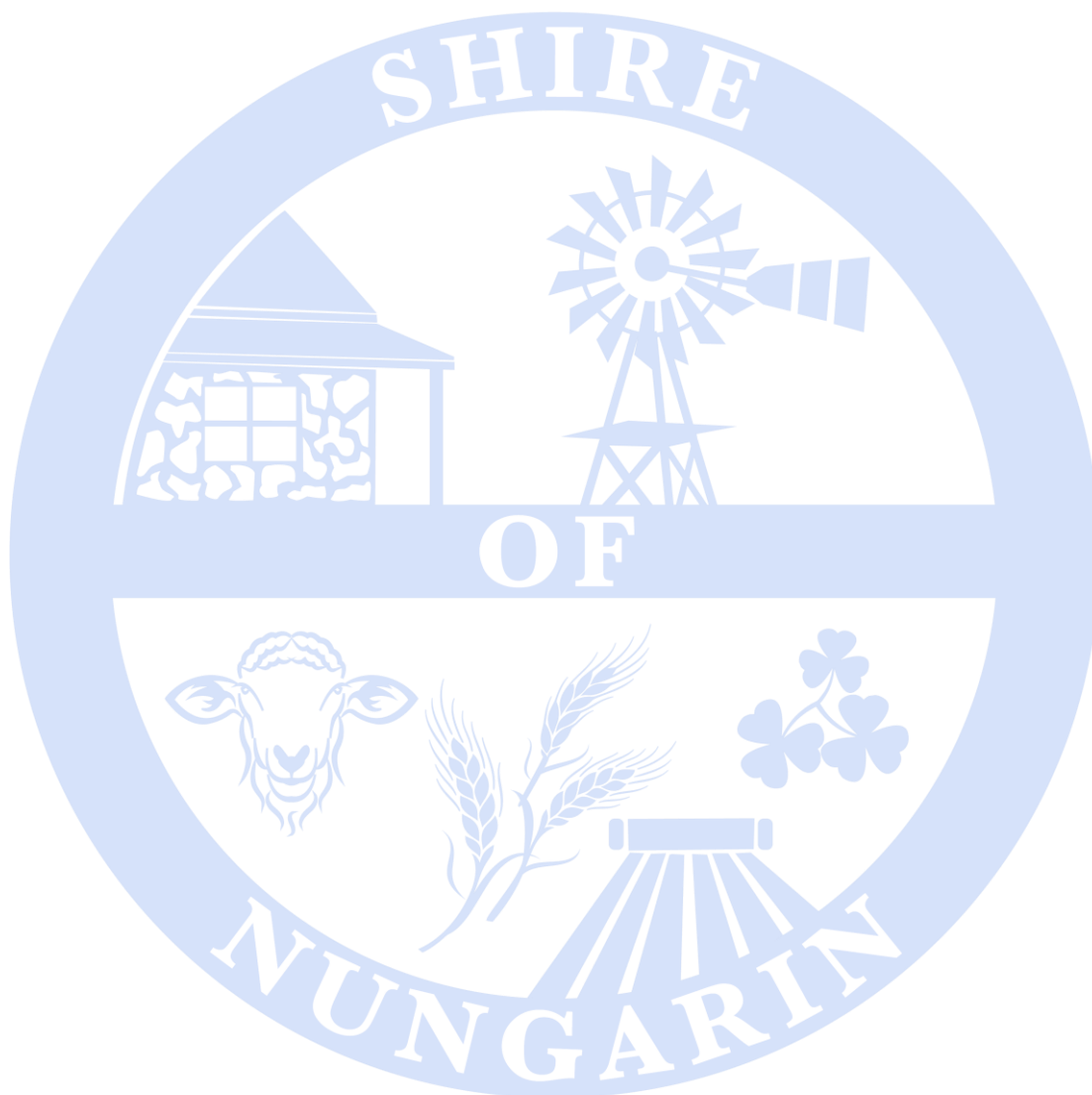
Nil

Workforce

An allocation has been included in the 2021/22 Annual Financial Budget for the employment of a contract Ranger. The Ranger will be spot checking that to ensure firebreaks are installed.

CONCLUSION

A firebreak notice is an important tool to ensure residents are aware of their responsibilities regarding the maintenance of individual fire breaks, which are used for emergency vehicle access should a bushfire occur.



Cr de Lacy Affecting Impartiality - 8.2 Request to Waive Hire Fees – Homegrown Music Festival – being a committee member for the festival.

8.2 REQUEST TO WAIVE HIRE FEES – HOMEGROWN MUSIC FESTIVAL.	
File Ref:	111205.1
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Attachment 8.2A – Event Organiser Request

COUNCIL RESOLUTION 6732:

That Council:

1. Approves the request from the HomeGrown Music Festival event organiser to waive the hire fee for the recreation centre building, recreation oval and portable toilets, subject to the payment of all the required bonds prior to the event.
2. In lieu of the waiver the Shire of Nungarin would like to be recognised as a sponsor for the event.

Moved: Cr G Coumbe

Seconded: Cr K Dayman

CARRIED 7/0

IN BRIEF

Council is requested to consider waiving the hire fee associated with hiring Council facilities required to host the inaugural HomeGrown Music Festival.

BACKGROUND

A request has been received from the event organisers for the HomeGrown Music Festival to be held at the Nungarin Recreation grounds on 9 October 2021, to waive the hire fee imposed through the approved Fees and Charges.

REPORT DETAIL

New events generally carry a high risk of not been as successful as hoped. The initial outlay to host a music event is high due to the cost of hiring bands as well as the equipment and security at the event. Being the inaugural event there are a number of unknowns associated with the potential attendance of the event.

Events such as the HomeGrown Music Festival are good for the economy of the Town due to the volume of festival goers attracted to town, who use the local shop and or pub. It also showcases other attractions in town like the Nungarin Heritage Machinery and Army Museum.

Officers believe it is important for the Council to support any event held in town and as such recommend the waiver of hire fees. However, Officers do not support the waiver of any bonds due to the potential of damage to the facility, and the fact that should the facility and grounds be returned and provided the bonds will be refunded.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Social
Aspiration	Our Shire is healthy and happy, contributing to our progress, with accessible places and spaces and our transport is well connected and safe.
Objective	2. Plan and deliver sport and recreation, public and community events.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

The economy of the Shire will benefit from the event, due to the number of people the event attracts to town who are likely to spend money in town.

Social - (Quality of life to community and/or affected landowners)

Due to the relative remote location of Nungarin an event such as being proposed will provide both the immediate community as well as the surrounding community an additional social event to attend.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Moderate	Events as proposed could attract large numbers of people. Waiving the bond is considered a risk due to potential damage.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

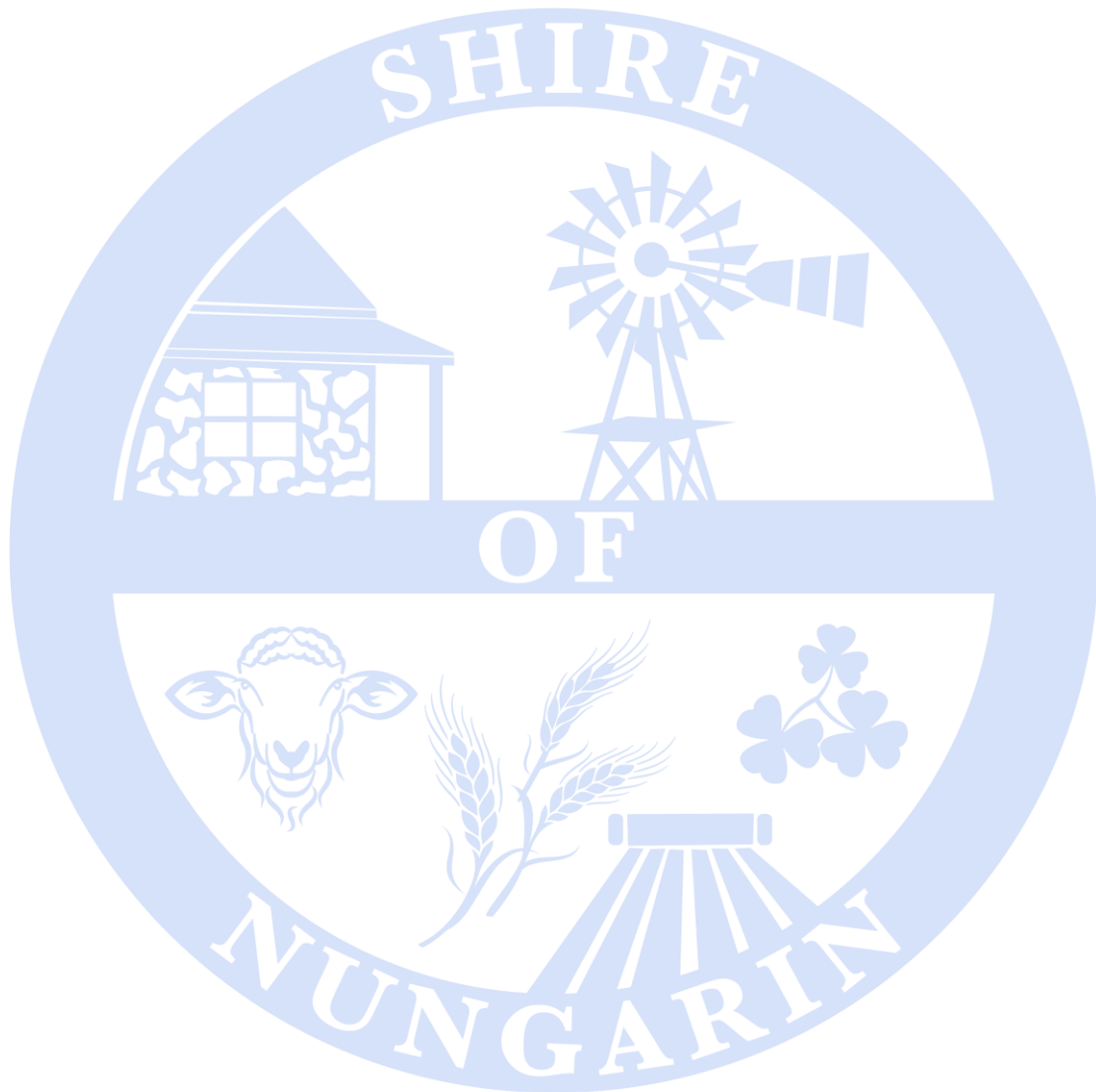
Waiving the fees will cost the Shire \$1,387 in potential income.

Workforce

Nil

CONCLUSION

Introducing new events in the Shire has several positive aspects i.e. economic and social and should be supported while still being established on the events calendar.



8.3 CEACA MEMBERSHIP CONSIDERATION FOR 21/22 FINANCIAL YEAR.	
File Ref:	96010
Previous Item Ref:	Council Resolution 6691 of 21 April 2021 Council Resolution 6210 of 19 June 2019
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment:	Attachment 8.3A – CEACA Minutes of 26 November 2015 Attachment 8.3B – Funding Business Case Attachment 8.3C - CEACA Info Page

COUNCIL RESOLUTION 6733:

That Council:

1. Revokes Council Resolution 6692 of 21 April 2021.

(Note: this recommendation will need three (3) Councillors to support this, being a mover, seconder and a third Councillor)

Moved: Cr RE O'Connell
 Seconded: Cr W Lee
 Third Councillor: Cr J Davis

CARRIED 7/0**COUNCIL RESOLUTION 6734:**

That Council:

1. Resolves to continue the Shire of Nungarin's membership of the Central East Accommodation and Care Alliance (CEACA) subject to:
 - a. The Central East Accommodation and Care Alliance resolving to make the investigation of the possible expansion of CEACA accommodation units in locations required by each CEACA member its number one (1) strategic priority.
2. Requests the Chief Executive Officer to include the Central East Accommodation and Care Alliance membership fee of \$20,000 in the 2021/22 Financial Budget.

Moved: Cr RE O'Connell
 Seconded: Cr K Dayman

CARRIED 7/0

IN BRIEF

Following the discussions with two (2) representatives from the Central East Accommodation and Care Alliance (CEACA) Council is requested to reconsider whether to remain a member of CEACA.

BACKGROUND

In 2012, eleven local governments formed an alliance known as the Central East Aged Care Alliance (CEACA), to address the issues affecting aged care in the Central Wheatbelt Region. CEACA was successful in obtaining funds through both Federal and State grants to construct independent living units spread across the member shires.

At the CEACA committee meeting of 26 November 2015 (**ATTACHMENT 8.3A**), the following item was considered which relates to the business case (**ATTACHMENT 8.3B**) associated with a funding application, indicating the Shire of Nungarin was earmarked to receive two (2) Independent Living Units.

“Central East Aged Care Alliance Inc (CEACA) Aged Housing Project – Preparation of a further Application for Royalties for Regions Funding

RESOLUTION: *Moved: Mr Fosyth Seconded: Mrs O’Connell*

That, subject to any agreed changes, CEACA’s business case for further funding for its aged housing project be adopted and the completed business case be lodged with the Wheatbelt Development Commission by 1 December 2015.”

At its Ordinary Council Meeting of 21 April 2021, Council resolved as follows:

“That Council:

- 1. Subject to the commitment from the Central East Accommodation and Care Alliance to prioritise the construction of the remaining four (4) independent living units in Nungarin as its number one priority, will commit to paying the \$20,000 to remain a member of the Central East Accommodation and Care Alliance for the 2021/22 financial year only.*
- 2. Advise the Central East Accommodation and Care Alliance, should (1.) above not be accepted, the Shire withdraws from CEACA and request that CEACA subdivide and transfer back to the Shire at their cost the portion of land given to the Central East Accommodation and Care Alliance which is vacant.*

Reason

To continue being a member will not be beneficial to the Shire

Moved: Cr RE O’Connell

Seconded: Cr R Mizia

CARRIED 7/0”

In response to Council resolution of 21 April 2021, the Interim Chief Executive Officer of the Central East Accommodation and Care Alliance Inc responded as follows:

“I refer to your letter to CEACA dated 22 June 2021.

Nungarin Council's resolution of 21 April 2021 was advised to the CEACA Management Committee meeting on 25 May 2021 by Eileen O'Connell, representing the Shire of Nungarin.

In response to Eileen's advice, CEACA Chairperson Terry Waldron noted that whilst the construction of additional Units is a strategic priority for CEACA, the number and location of additional Units will need to be discussed and agreed to by all the CEACA Shires.

It was explained to the meeting that all CEACA Shires had received less Units than was originally planned, due to a reduction in funding from the State Government.

There was a general agreement at the CEACA Management Committee meeting on 25 May that it is in the interests of both CEACA and each Shire, that all member Shires remain members of CEACA. There was a general agreement that there is considerable upside for Shires to remain a part of CEACA.

Members of the CEACA Executive Committee, including Shire Presidents and Shire CEOs, have offered to attend other Shire Council meetings, to explain the benefits of membership of CEACA from a Shire perspective. Also, CEACA Chairperson Terry Waldron and I have offered to attend a Nungarin Council meeting if this may assist Councillors.

CEACA values the membership and contribution of Nungarin Shire.

On behalf of CEACA, I respectfully request that Nungarin Council reviews its decision of 21 April 2021, considering the discussions held at the CEACA Management Committee meeting of 25 May.”

At its Ordinary Council Meeting of 19 June 2019, Council resolved as follows:

“That Council:

- 1. Advises Central East Aged Care Alliance that it supports the member contribution of \$20,000 (ex GST) for the 2019/20 year;*
- 2. Further advises Central East Aged Care Alliance that it will not support a general member contribution for the 2020/21 year and onwards unless such contributions are reduced by offsetting such with income from housing and other activities.*

CARRIED: 6/0”

Notwithstanding the above resolution the approved 2020/21 financial budget included the CEACA membership fee of \$20,000 and was subsequently paid in November 2020.

REPORT DETAIL

At its Executive Meeting of 23 March 2021, the Executive Committee of CEACA agreed on the following strategic priorities:

- “1. Investigate and develop proposals for the provision of care services, including NDIS and mental health support, for the citizens of CEACA members.
3. Investigate the possible expansion of CEACA accommodation units in locations required by each CEACA member.
4. Investigate and develop proposals for the provision of transport services for the citizens of each CEACA member.
5. Investigate the availability of government funding to CEACA from both state and federal governments to implement priorities 1 to 3 above.
6. Examine the feasibility of CEACA taking over the management of accommodation units owned by each CEACA member.
7. Investigate the possibility of other Wheatbelt shires becoming a member of CEACA.”

Of the six (6) strategic priorities agreed upon by the CEACA Executive Committee, the opinion is held only priority two (2), is of importance to the Shire of Nungarin. Should CEACA agree to make “Investigate the possible expansion of CEACA accommodation units in locations required by each CEACA member” their number one (1) priority it may be of benefit for the Shire of Nungarin to remain a member for another year. Council can then monitor the priority and if not satisfied with its progress reconsider its membership next financial year.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Social
Aspiration	Our Shire is healthy and happy, contributing to our progress, with accessible places and spaces and our transport is well connected and safe.
Objective	Provide and maintain adequate community services and facilities that responds well to the needs of all ages and sectors of the community.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Moderate	Should Council resolve not to remain a member and CEACA is successful in obtaining funds to construct additional units, the Shire of Nungarin will not be eligible.

CONSULTATION

12 April 2021 – Chairman and the Interim Chief Executive Officer addressed Council.

21 July 2021 – Two Executive Committee Members addressed Council.

RESOURCE IMPLICATIONS**Financial**

The Shire has since the 2016/17 financial year paid a total of \$117,821 membership fees, broken down as indicated below. In addition, the Shire also transferred land to CEACA on which six (6) independent living units could be constructed.

- 16/17	\$40,000
- 17/18	\$14,400
- 18/19	\$23,421
- 19/20	\$20,000
- 20/21	\$20,000

Considering the financial input of \$117,821 versus the outcome of two (2) residential units estimated to be worth \$400,000 to \$500,000 is considered a worthwhile financial outcome.

Workforce

Continued attendance by a Shire representative, currently Cr O'Connell and the Chief Executive Officer.

CONCLUSION

It is considered the original priority of CEACA, being the construction of Independent Living Units was a sound investment of Council funds.

However, of the strategic priorities adopted by the CEACA executive only strategic priority two (2), is of any consequence to the Shire of Nungarin and in the opinion of Shire Officers should be considered the main strategic priority.

Officers believe should the CEACA executive be willing to elevate its current strategic priority two (2) to be their main priority that Council should consider remaining a member of CEACA.

8.4 REFUSE COLLECTION TENDER.	
File Ref:	102020
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment:	Nil

COUNCIL RESOLUTION 6735:

That Council:

- 1. Awards tender RFQ VP2511238 for Waste Collection and Processing to Stondon Pty Ltd TA Avon Waste.**
- 2. Authorises the Chief Executive Officer to sign the Waste Collection and Processing contract.**

Moved: Cr G Coumbe

Seconded: Cr K Dayman

CARRIED 7/0

IN BRIEF

Council is requested to consider the awarding of the Waste Collection and Processing contract to Stondon Pty Ltd TA Avon Waste (Avon Waste).

BACKGROUND

Avon Waste is the Shires current contractor for waste collection and processing. A contract was entered between Avon Waste and the Shire in January 2017 for a three (3) year period expiring in January 2020.

As a result of the discussions within NEWROC regarding the potential for a transfer station the current contract was only extended for an additional 12 months (ending January 2021). Unfortunately, the transfer station concept will take several years before it will come to fruition.

To achieve the best value for money the Shires of Nungarin, Koorda, Trayning and Wyalkatchem did a joint tender through the Western Australian Local Government Association (WALGA). This approach is also beneficial with regard to the waste transfer station as it will result in all four (4) Shires contracts ending at the same time making the potential transition easier.

REPORT DETAIL

The Tender Documentation was prepared by WALGA and approved by each member Shire.

Only one tender was received from Avon Waste. Nonetheless, the tender was evaluated against the required criteria below.

As part of the tender the following selection criteria had to be addressed:

- Compliance Criteria
- Qualitative Criteria

The following weightings were applied:

- Experience in waste and recycling collection 20%
- Experience in equipment and mechanical breakdowns 20%
- Price 60%

Notwithstanding only one tender was received Avon Waste scored 100% when assessed against the above criteria.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Social
Aspiration	Our Shire is healthy and happy, contributing to our progress, with accessible places and spaces and our transport is well connected and safe.
Objective	3. Maintain community safety and accessibility to services and facilities.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- Waste Avoidance and Recovery Act 2007
- Waste Avoidance and Recovery Regulations 2008

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Not having a waste collection service may result in illegal dumping resulting in high cost to Council to remove and possible legal action if resulting in damage to the environment.

CONSULTATION

- Shire of Trayning
- Shire of Koorda
- Shire of Wyalkatchem

RESOURCE IMPLICATIONS

Financial

The tender included a request to provide costings for the following:

- General waste collection per townsite lot
- Recycling collection central point
- Recycling collection per townsite lot

In terms of the proposed tender the service fees per townsite lot will be \$234.74 for domestic waste collections, equating to \$12,206.48 per annum. To recover the cost as permitted by *Local Government Act 1995*, the Waste Service Levy is proposed to be increased from \$195 to \$230 per townsite lot.

Because the recycling service is provided through a community recycle bank, the cost cannot be recovered, Council is required to cover this cost which is calculated to be \$6,700.46 per annum.

Allocations have been included in the draft 2021/22 Annual Financial Budget for both the domestic waste collection and community recycle bank.

Workforce

Nil

CONCLUSION

The collection of domestic waste is important to ensure a safe and healthy community.

8.5 LISTING OF PAYMENTS FOR THE MONTH OF JULY 2021	
File Ref:	161001
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Vanessa Seward, Customer Service and Records Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Attachment 8.5A – Payment List

COUNCIL RESOLUTION 6736:

That Council,

1. Receives the following payments made throughout the month of July 2021:

Municipal	Cheque	\$ 2,162.78
	EFT	\$ 93,084.38
	Direct Debit	\$ 7,779.82
		\$ 103,026.98
Trust	Cheque – Nil	\$ 0.00
	Grand Total	\$ 103,026.98

Moved: Cr R Mizia
Seconded: Cr W Lee

CARRIED 7/0

IN BRIEF

The purpose of this report is to present the listing of payments made from the Shire’s Municipal and Trust funds throughout the month of July 2021.

BACKGROUND

The attached appendix lists the payments from Council Municipal and Trust funds for the month applicable as per requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

As per Regulation 13 of the *Local Government (Financial Management) Regulations 1996* the following information is required to be presented to Council.

- The Payee’s name.
- The amount of the payment.
- The date of the Payment; and
- Sufficient information to identify the transaction.

REPORT DETAIL

As Council has delegated authority to the Chief Executive Officer to execute payments from the municipal fund and the trust fund a list of accounts paid are required to be submitted to Council showing the prescribe information.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.7 Annually review compliance methods.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

As per Regulation 13 of the *Local Government (Financial Management) Regulations 1996* the following is required;

- (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.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing*
 - (a) *for each account which requires council authorisation in that month*
 - (i) *the payee's name;*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction.*
 - (b) *the date of the meeting of the council to which the list is to be presented.*
- (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.*

SUSTAINABILITY AND RISK CONSIDERATIONS**Economic – (Impact on the Economy of the Shire and Region)**

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Moderate	If the required information is not presented to Council in accordance with the Local Government (Financial Management) Regulation 1996 it may result in a qualified audit report and an unclear compliance return submitted to the Department of Local Government, Sport & Cultural Industries.

CONSULTATION

Nil

RESOURCE IMPLICATIONS**Financial**

Nil

Workforce

Nil

OPTIONS

Council has the option of:

1. Accepting the officer's recommendation.
2. Amend the officer's recommendation and provide reasons.

CONCLUSION

The listing of payments as per the attached **Appendix 8.5A** – Payment List, is a true reflection of the expenditure from the Municipal and Trust Fund accounts for the month of July 2021.

8.6 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 JULY 2021	
File Ref:	1/1 Annual Statements
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer Darren Long, Financial Consultant
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Attachment 8.6A – Monthly Statement

COUNCIL RESOLUTION 6737:

That Council:

1. Receives the monthly financial activity statement for the period ending 31 July 2021.

Moved: Cr R Mizia
Seconded: Cr K Dayman

CARRIED 7/0**IN BRIEF**

The purpose of this report is to present the financial position of Council as at the reporting date as per requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulation 1996*.

BACKGROUND

The *Local Government Act 1995* in conjunction with regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires a monthly Statement of Financial Activity to be presented to Council detailing the prescribed information within 2 months after the end of the month to which the statement relates.

REPORT DETAIL

The Shire prepares the monthly financial statements in the statutory format along with other supplementary financial reports consisting of:

- (a) Statement of Comprehensive Income by Function/Program;
- (b) Statement of Comprehensive Income by Nature/Type;
- (c) Statement of Financial Activity;
- (d) Summary of Net Current Asset Position;
- (e) Statement of Explanation of Material Variances;
- (f) Statement of Financial Position;
- (g) Statement of Cash Flows;
- (h) Detailed Operating and Non-Operating Schedules;
- (i) Statement of Cash Back Reserves;
- (j) Loan Borrowings Statement; and
- (k) Trust Statement.

MATERIAL VARIANCE COMMENTARY ON YEAR TO DATE SEPTEMBER 2020

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* require local governments to prepare annual budget estimates and month by month budget estimates so that comparatives can be made to Year to Date (YTD) Actual amounts of expenditure, revenue and income. Attached to this report is a copy of the month by month cumulative budget estimates, set out in the Statement of Financial Activity format.

As the 2021-22 budget has not yet been adopted, no comparatives are provided for this month's reporting.

The Statement of Financial Activity as at 31 July 2021 shows a closing surplus of \$1,303,3508.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.7 Annually review compliance methods.

OTHER STRATEGIC LINKS

Shire of Nungarin 2021/22 Annual Budget

STATUTORY ENVIRONMENT

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Finance) Regulations 1996*.

Local Government (Financial Management) Regulations 1996:
Regulation 34 states:

- (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 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);
 - (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	Inadequate financial performance monitoring could lead to over/under budget expenditure which could affect council’s financial position and/or financial ratios.

CONSULTATION

Shires Financial Consultant

RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil

OPTIONS

Council has the option of:

1. Accepting the officer’s recommendation.
2. Amend the officer’s recommendation and provide reasons.

CONCLUSION

The financial activity statement provides current status of the Shires financial position and is required in accordance with the *Local Government Act 6.4* and *Local Government (Financial Management) Regulations 1996, r.34*

8.7 PAYMENT OF RATES OPTIONS AND INTEREST CHARGES FOR 2021 – 2022 ANNUAL BUDGET	
File Ref:	32010
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Finance Consultant
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	Nil

COUNCIL RESOLUTION 6738:

That Council:

1. Pursuant to Section 6.45 of the Local Government Act 1995, offer two payment options for rates and service charges for the 2021-2022 financial year, being-
 - (a.) Option 1 – Payment in full by a single instalment by the due date, being 35 days from the date of issue of the rate notice;
 - (b.) Option 2 – Payment in two equal instalments, being
 - (i) Instalment 1 - 50% of the rates and service charges within 35 days of date of issue of the rate notice;
 - (ii) Instalment 2 - 50% of the rates and service charges within 2 months of (i);
 - (c.) Option 3 - Payment in four equal instalments, being
 - (i) Instalment 1 - 25% of the rates and service charges within 35 days of date of issue of the rate notice;
 - (ii) Instalment 2 - 25% of the rates and service charges within 2 months of (i);
 - (iii) Instalment 3 - 25% of the rates and service charges within 2 months of (ii); and
 - (iii) Instalment 4 - 25% of the rates and service charges within 2 months of (iii).
2. Pursuant to Section 6.45 of the Local Government Act 1995, impose an instalment administration charge of \$5 (GST Free), which is to apply to Instalment 2 under payment option 2; and Instalment 2, 3 and 4 under payment option 3.
3. Pursuant to Section 6.45 of the Local Government Act 1995, impose an instalment interest charge of 3.00%, which is to apply to Instalment 2 under payment option 2; and Instalments 2, 3 and 4 under payment option 3.
4. Pursuant to Section 6.51 of the Local Government Act 1995, impose a 7.00% rate of penalty interest on overdue rates and service charges that remain unpaid after the due date.

Moved: Cr G Coumbe

Seconded: Cr RE O'Connell CARRIED BY ABSOLUTE MAJORITY 7/0

IN BRIEF

The purpose of this report is for Council to give consideration to the-

1. Setting of options for the payment of rates and service charges for the 2021-2022 financial year;
2. Imposition of an administration fee and instalment interest charge for payments made by instalments; and
3. Imposition of a rate of interest on overdue rates and service charges for the 2021-2022 financial year.

BACKGROUND

Section 6.45 requires a local government to set the options for the payment of rates or service charges; as well as the ability to impose an administration fee and an instalment interest charge applicable to those payment options.

Section 6.45 of the *Local Government Act 1995* states-

6.45. Options for payment of rates or service charges

- (1) *A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by:*
 - (a) *4 equal or nearly equal instalments; or*
 - (b) *such other method of payment by instalments as is set forth in the local government's annual budget.*
- (2) *Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge:*
 - (a) *by a single payment; or*
 - (b) *by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.*
- (3) *A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.*
- (4) *Regulations may:*
 - (a) *provide for the manner of making an election to pay by instalments under subsection (1) or (2); and*
 - (b) *prescribe circumstances in which payments may or may not be made by instalments; and*
 - (c) *prohibit or regulate any matters relating to payments by instalments; and*
 - (d) *provide for the time when, and manner in which, instalments are to be paid; and*
 - (e) *prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and*

- (f) *provide for any other matter relating to the payment of rates or service charges.*

Section 6.51 provides for a local government to impose an interest charge on a rate of service charge that remains unpaid after becoming due and payable.

6.51. Accrual of interest on overdue rates or service charges

- (1) *A local government may at the time of imposing a rate or service charge resolve* to impose interest (at the rate set in its annual budget) on:*

- (a) *a rate or service charge (or any instalment of a rate or service charge); and*
 (b) *any costs of proceedings to recover any such charge, that remains unpaid after becoming due and payable.*

*** Absolute majority required.**

REPORT DETAIL

Payment options

The Shire has traditionally offered three payment options:

Option 1 Payment in full by the due date.

Option 2 Payment in two equal instalments, being:

- (a) Instalment 1 - 50% of the rates and service charges within 35 days of date of issue;
 (b) Instalment 2 - 50% of the rates and service charges within 2 months of (a);

Option 3 Payment in four equal instalments, being:

- (a) Instalment 1 - 25% of the rates and service charges within 35 days of date of issue;
 (b) Instalment 2 - 25% of the rates and service charges within 2 months of (a);
 (c) Instalment 3 - 25% of the rates and service charges within 2 months of (b); and
 (d) Instalment 4 - 25% of the rates and service charges within 2 months of (c).

It is suggested that these payment options continue.

Administration fee and instalment interest charge

Section 6.45 of the Act permits Council to impose an administration charge where a payment of rate or service charge is made by instalments.

Regulations 67 and 68 of the *Local Government (Financial Management) Regulations 1996* limit how much can be imposed as an administration charge and as an instalment interest charge.

Traditionally the Shire has imposed an administration fee of \$5 on the second, third and fourth instalment payments. It is suggested that a \$5 administration fee continue to apply to the second, third and fourth instalment payments.

The Shire has also previously imposed an instalment interest charge of 5.5% when option 2 or option 3 is selected by ratepayers. Regulation 68 of the *Local Government (Financial Management) Regulations 1996* limits the maximum interest component to be imposed as an instalment interest charge to 5.5%.

However, the State Government passed the *Local Government Amendment (COVID-19 Response) Act 2020* on 16 April 2020. This Act provided the power to the Minister for Local Government, Heritage, Culture and the Arts to modify or suspend provisions of the *Local Government Act 1995*. The Minister published an Order on 8 May 2020 that limited the percentage of interest charged on rates instalments to 3.0%, unless the local government has a Financial Hardship Policy in place.

As Council does not have a Financial Hardship Policy, the maximum instalment interest charge that can be applied is 3.0%.

Accrual of interest on overdue rates or service charges

Section 6.51 of the Act permits Council to impose an interest charge on overdue rates or service charges.

Regulation 70 of *Local Government (Financial Management) Regulations 1996* limits the maximum rate of interest that can be imposed on overdue rates or service charges to 11%. However, the State Government passed the *Local Government Amendment (COVID-19 Response) Act 2020* on 16 April 2020. This Act provided the power to the Minister for Local Government, Heritage, Culture and the Arts to modify or suspend provisions of the *Local Government Act 1995*. The Minister published an Order on 8 May 2020 that limited the percentage of interest charged on late payment of rates and charges to 8.00%.

The Minister published an amendment to the COVID-19 Response Order on 1 June 2021 that Limited the percentage of interest charged on late payment of rates and charges to 7.00%

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.7 Annually review compliance methods.

OTHER STRATEGIC LINKS

Shire of Nungarin 2020/21 Annual Budget

STATUTORY ENVIRONMENT

Local Government Act 1995 s.6.45, 6.50, 6.51.

Local Government (Financial Management) Regulations 1996, Regulations 67, 68, 70 and 71.

SUSTAINABILITY AND RISK CONSIDERATIONS**Economic – (Impact on the Economy of the Shire and Region)**

This report forms part of the 2021-2022 Annual Budget. The 2021-2022 Annual Budget has taken into consideration the actions listed in the Corporate Business Plan, where fiscally possible.

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	The imposition is as per legislative requirements and allows the Council to recover costs.

CONSULTATION

Nil

RESOURCE IMPLICATIONS**Financial**

This report forms part of the 2021-2022 Annual Budget and relevant information is disclosed in the Notes to the Annual Budget.

Workforce

Nil

CONCLUSION

Entering payment options results in additional administrative work to be done, to account for the cost of the additional work the small fee is charged to cover a small portion of the cost involved in the additional administrative work.

8.8 FEES AND CHARGES	
File Ref:	41001
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment:	Attachment 8.8A - Fees & Charges

COUNCIL RESOLUTION 6739:

That Council:

1. **Revokes Council Resolution 6725 of 21 July 2021.**

(Note: this recommendation will need three (3) Councillors to support this, being a mover, seconder and a third Councillor)

Moved: Cr K Dayman
 Seconded: Cr RE O'Connell
 Third Councillor: Cr R Mizia

CARRIED BY ABSOLUTE MAJORITY 7/0**COUNCIL RESOLUTION 6740:**

That Council:

1. **Approves the 2021/22 Fees and Charges (ATTACHMENT 8.8A) to be included in the 2021/22 Financial Budget.**

Moved: Cr W Lee
 Seconded: Cr J Davis

CARRIED BY ABSOLUTE MAJORITY 7/0**IN BRIEF**

Due to a small number of amendments required to the approved 2021/22 Fees and Charges, Councillors are requested to re-consider the attached amended 2021/22 Fees and Charges (**ATTACHMENT 8.8A**).

BACKGROUND

Following the adoption of the fees and charges at Councils Ordinary Council Meeting of 21 July 2021, several amendments have been required to ensure the Fees and Charges are in line with legislative requirements as well as the draft budget expectations.

REPORT DETAIL

After further discussions with the Shire's Financial Consultant the following amendments have been made to the approved 2021/22 Fees and Charges:

General Purpose Funding		
Rate Instalments	Approved	Proposed
Two Instalments	\$20	\$5
Four Instalments	\$30	\$15
Instalment Interest	5.5%	3.0%

Traditionally the Shire has imposed an administration fee of \$5 on the second, third and fourth instalment payments. It is suggested that a \$5 administration fee continue to apply to the second, third and fourth instalment payments.

The Shire has also previously imposed an instalment interest charge of 5.5% when option 2 or option 3 is selected by ratepayers. Regulation 68 of the *Local Government (Financial Management) Regulations 1996* limits the maximum interest component to be imposed as an instalment interest charge to 5.5%.

However, the State Government passed the *Local Government Amendment (COVID-19 Response) Act 2020* on 16 April 2020. This Act provided the power to the Minister for Local Government, Heritage, Culture and the Arts to modify or suspend provisions of the *Local Government Act 1995*. The Minister published an Order on 8 May 2020 that limited the percentage of interest charged on rates instalments to 3.0%, unless the local government has a Financial Hardship Policy in place.

As Council does not have a Financial Hardship Policy, the maximum instalment interest charge that can be applied is 3.0%.

Caravan Park and Camping		
Mangowine Homestead		
Unpowered Bays	\$15	\$10

Following the approval of the 2021/22 Fees and Charges it was noted the Mangowine Homestead promotional pamphlets already produced for 2021/22 indicate the cost for an unpowered bay being \$10.

These pamphlets are produced by on behalf of the Shire by Pioneer Pathway. Changing the price now will cause confusion for tourists who expect to pay what is listed in the pamphlet.

Community Amenities		
Sanitation – Household Refuse		
Waste Service Levy	\$195	\$230

In terms of the proposed tender the service fees per townsite lot will be \$234.74 for domestic waste collections, equating to \$12,206.48 per annum. To recover the cost as permitted by *Local Government Act 1995*, the Waste Service Levy is proposed to be increased from \$195 to \$230 per townsite lot.

Private Works		
Plant Hire within Shire boundaries only Excluding hire to surrounding LG's (Wet Hire Only)		
Bond for Portable Toilet & Tree Planter	\$0	\$100

The bond for the above equipment was omitted from the approved 2021/22 Fees and Charges. The replacement or repair of any of the equipment is costly, the bond proposed would not be able to replace the equipment but would provide an incentive to anyone hiring the equipment to return the equipment in the same state as received.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.3 Provide excellent customer service functions to all community members and rate payers.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Fees and charges are either prescribed by the following acts or provide the ability for the local government to set a fee and charge.

- *Local Government Act 1995*
- *Planning and Development Regs 2009*
- *Western Australia Freedom of Information Act 1992*
- *Cat Act 2011*
- *Dog Act 1976*
- *Building Regulations 2012*
- *Caravan and Camping Grounds Act 1005*
- *Food Act 2008*
- *Health Act 1911*
- *Litter Act 1979*

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

Fees and charges form part of the annual financial budget allowing the Shire to maintain assets and facilities thereby attracting people / tourist to the town. This in turn positively impacts upon the economy of the Shire.

Social – (Quality of life to community and / or affected land owners)

Through the ability to maintain the Shires assets and facilities to a good standard the quality of life of the community is improved / maintained.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Not imposing fees and charges will have an impact on the ability of the Shire to maintain its assets and facilities.

CONSULTATION

- Shire Financial Consultant
- Pioneer Pathway

RESOURCE IMPLICATIONS**Financial**

Fees and charges form part of the Council's annual financial budget. To keep up with inflation of goods and services.

Workforce

Nil

OPTIONS

Council has the option of:

1. Accepting the officer's recommendation.
2. Amend the officer's recommendation and provide reasons.

CONCLUSION

Fees and charges form part of the annual financial budget allowing the Shire to maintain assets and facilities thereby attracting people / tourist to the town. If these fees are not reviewed on an annual basis and increased to at least meet the cost of inflation it puts a burden on Council funds. Maintenance on assets and facilities cannot be ignored and without the fees and charges may result in rates needing to be considered to fill the shortfall.

8.9 VALUATIONS AND GENERAL RATES FOR 2021 - 2022 ANNUAL BUDGET	
File Ref:	32010
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Finance Consultant
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	Attachment 8.11A – Draft 2021 – 2022 Annual Budget

COUNCIL RESOLUTION 6741:

That Council:

1. Adopts the valuations, as supplied by the Valuer General's Office and recorded in the Rate Book, for the 2021 – 2022 year.
 - a. Gross Rental Valuations \$331,079
 - b. Unimproved Valuations \$28,214,388
2. Pursuant to Section 6.32 of the Local Government Act 1995, impose the following general rates for 2021 – 2022
 - a. GRV properties 12.6798 cents in the dollar
 - b. UV properties 1.9179 cents in the dollar

Moved: Cr K Dayman
 Seconded: Cr RE O'Connell

CARRIED BY ABSOLUTE MAJORITY 7/0**IN BRIEF**

The purpose of this report is for Council to give consideration to the adoption of applicable valuations and the imposition of general rates on rateable property.

BACKGROUND

Section 6.32 of the *Local Government Act 1995* states

6.32. Rates and service charges-

- (1) *When adopting the annual budget, a local government*
 - (a) *in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either:*
 - (i) *uniformly; or*
 - (ii) *differentially; and*
 - (b) *may impose* on rateable land within its district*
 - (i) *a specified area rate; or*
 - (ii) *a minimum payment; and*

(c) *may impose* a service charge on land within its district.*

** Absolute majority required.*

(2) *Where a local government resolves to impose a rate it is required to:*

(a) *set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and*

(b) *set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.*

REPORT DETAIL

Following the draft budget workshops held during July 2021, the following general rates are presented for Councils consideration.

Every year, the unimproved value (UV) of each property is reassessed by the State's Valuer Generals Office. The gross rental valuation (GRV) of each property for country local governments is reassessed by the State's Valuer Generals Office every five (5) years, with the most recent valuation occurring in June 2017.

The following valuations are currently recorded in Council's rate book-

(a) Unimproved Valuations (UV) - \$28,214,388, of which \$188,138 are minimum values;

(b) Gross Rental Valuations (GRV) - \$331,079, of which \$28,640 are minimum values.

The Shire bases the determination of annual property rates payable upon the unimproved values (UV) for rural properties and the gross rental values (GRV) for non-rural properties; with the values set by the Valuer General. The Shire applies a rate in the dollar charge for each valuation category, which is multiplied against a property's valuation.

The rate in the dollar for the 2020-2021 financial year was set, for UV properties at 2.1021 cents, and for GRV properties at 12.3105 cents. This becomes the base rate in the dollar when determining the following year's rate in the dollar. When properties are revalued, the previous year's rate in the dollar is adjusted in consideration of the whether the valuation has increased or decreased. This allows for a revised base rate that would have generated the same amount of revenue using the revalued property valuations. The increase in UV valuations of 13.26% has necessitated an adjustment to the UV rate in the dollar as follows-

1. UV – from 2.1021 cents to 1.8620 cents to account for the valuation increment;

(a) GRV rate in the dollar for 2021-2022 will increase from 12.3105 cents to 12.6798 cents, equating to a 3.00% increase; and

(b) UV rate in the dollar for 2021-2022 will increase from 1.8620 cents to 1.9179 cents, equating to a 3.00% increase.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.7 Annually review compliance methods.

OTHER STRATEGIC LINKS

Shire of Nungarin 2020/21 Annual Budget

STATUTORY ENVIRONMENT

Section 6.32 of the *Local Government Act 1995*

SUSTAINABILITY AND RISK CONSIDERATIONS**Economic – (Impact on the Economy of the Shire and Region)**

This report forms part of the 2021-2022 Annual Budget. The 2021-2022 Annual Budget has taken into consideration the actions listed in the Corporate Business Plan, where fiscally possible.

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Setting the rates is an important aspect of ensuring a budget a balanced budget can be achieved.

CONSULTATION

Councillors second budget workshop in July 2021.

RESOURCE IMPLICATIONS**Financial**

This report forms part of the 2021-2022 Annual Budget and relevant information is disclosed in the Statement of Rating Information.

Workforce

Nil

CONCLUSION

The setting of rates is an important aspect of the budget and ensures services to the community can be continued as well as maintenance of community facilities.

8.10 MINIMUM RATES PAYMENT FOR 2021 – 2022 ANNUAL BUDGET	
File Ref:	32010
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Darren Long, Finance Consultant
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	Attachment 8.11A – Draft 2021 – 2022 Annual Budget

COUNCIL RESOLUTION 6742:

That Council:

1. Pursuant to Section 6.32 and 6.35 of the *Local Government Act 1995*, impose the following Minimum Rates Payment for 2021 – 2022

- | | |
|-------------------|-------------------------------|
| a. GRV properties | \$440 per rateable assessment |
| b. UV properties | \$440 per rateable assessment |

Moved: Cr G Coumbe

Seconded: Cr R Mizia

CARRIED BY ABSOLUTE MAJORITY 7/0**IN BRIEF**

The purpose of this report is for Council to give consideration to the imposition of the Minimum Payment on rateable property for 2021 - 2022.

BACKGROUND

Section 6.32 of the *Local Government Act 1995* states

6.32. Rates and service charges-

- (3) *When adopting the annual budget, a local government*
- (a) *in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either:*
- (i) *uniformly; or*
- (ii) *differentially; and*
- (b) *may impose* on rateable land within its district*
- (i) *a specified area rate; or*
- (ii) *a minimum payment; and*
- (c) *may impose* a service charge on land within its district.*

* Absolute majority required.

- (4) *Where a local government resolves to impose a rate it is required to:*

- (b) *set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and*
- (b) *set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.*

6.35. Minimum payment

- (1) *Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.*
- (2) *A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.*
- (3) *In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —*
 - (a) *50% of the total number of separately rated properties in the district; or*
 - (b) *50% of the number of properties in each category referred to in subsection (6),*
on which a minimum payment is imposed.
- (4) *A minimum payment is not to be imposed on more than the prescribed percentage of —*
 - (a) *the number of separately rated properties in the district; or*
 - (b) *the number of properties in each category referred to in subsection (6),*
unless the general minimum does not exceed the prescribed amount.
- (5) *If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.*
- (6) *For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —*
 - (a) *to land rated on gross rental value; and*
 - (b) *to land rated on unimproved value; and*
 - (c) *to each differential rating category where a differential general rate is imposed.*

REPORT DETAIL

Following the last draft budget workshop held July 2021, the following minimum payments for rateable property are presented for Councils consideration.

The Minimum Payment for both UV and GRV properties is proposed to increase by 3.00% to \$440.

The proposed 2021-2022 UV Minimum Payment will be imposed on 25 UV property assessments, being 18.5% of the total UV property assessments.

The proposed 2021-2022 GRV Minimum Payment will be imposed on 25 GRV property assessments, being 34.7% of the total GRV property assessments.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.7 Annually review compliance methods.

OTHER STRATEGIC LINKS

Shire of Nungarin 2020/21 Annual Budget

STATUTORY ENVIRONMENT

Local Government Act 1995 s.6.35.

The imposition of the proposed Minimum Payment complies with the percentage requirements of subclause (3) of Section 6.35.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

This report forms part of the 2021-2022 Annual Budget. The 2021-2022 Annual Budget has taken into consideration the actions listed in the Corporate Business Plan, where fiscally possible.

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Setting the rates is an important aspect of ensuring a budget a balanced budget can be achieved.

CONSULTATION

Councillors second budget workshop in July 2021.

RESOURCE IMPLICATIONS

Financial

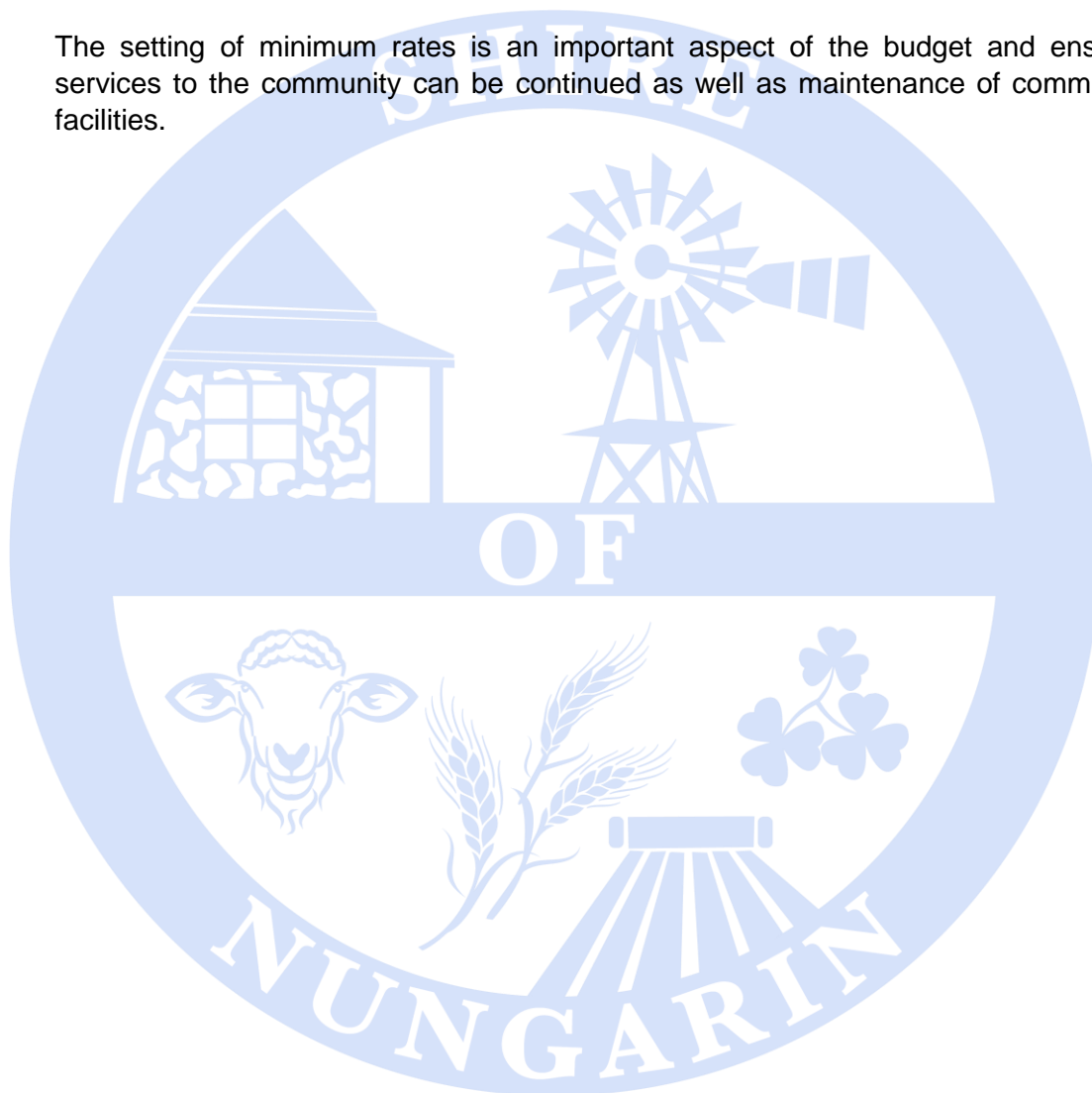
This report forms part of the 2021-2022 Annual Budget and relevant information is disclosed in the Statement of Rating Information.

Workforce

Nil

CONCLUSION

The setting of minimum rates is an important aspect of the budget and ensures services to the community can be continued as well as maintenance of community facilities.



8.11 ADOPTION OF 2021 – 2022 ANNUAL BUDGET	
File Ref:	161002
Previous Item Ref:	
Applicant:	Nil
Author and Title:	Darren Long, Finance Consultant
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	Attachment 8.11A – Draft 2021/22 Annual Budget

COUNCIL RESOLUTION 6743:

That Council:

1. Pursuant to Section 6.2 of the Local Government Act 1995 and the Local Government (Financial Management) Regulations Part 3, Regulations 22 to 33, adopt the 2021-22 Annual Budget (as contained in Attachment 8.11A) for the Shire of Nungarin, including the following-
 - (a) Budget Statement of Comprehensive Income by Nature/Type for the year ending 30 June 2022 showing a net result of (\$333,088);
 - (b) Budget Statement of Comprehensive Income by Program for the year ending 30 June 2022 showing a net result of (\$333,088);
 - (c) Budget Statement of Cash Flows for the year ending 30 June 2022;
 - (d) Budget Rate Setting Statement by Program for the year ending 30 June 2022 showing an amount required to be raised from general rates of \$599,320;
 - (e) Rates;
 - (f) Net Current Assets;
 - (g) Reconciliation of Cash;
 - (h) Fixed Asset Acquisitions;
 - (i) Asset Disposals;
 - (j) Asset Depreciation;
 - (k) Borrowings;
 - (l) Cash Backed Reserves;
 - (m) Fees and Charges;
 - (n) Grant Revenue;
 - (o) Elected member remuneration;
 - (p) Other Information;
 - (q) Trust information;
 - (r) Significant Accounting Policies;
 - (s) Detailed Operating and Capital Budget papers;
 - (t) Schedule of Fees and Charges for 2021-2022.

2. Pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, adopts the following as the materiality threshold for 2021-2022:
 - (a) \$5,000 or 10%, whichever is the greater.

3. Rename the description for GL 412326 from Wheeled Loader to Excavator.

Moved: Cr K Dayman
 Seconded: Cr R Mizia

CARRIED BY ABSOLUTE MAJORITY 7/0

IN BRIEF

Council is requested to consider and adopt the 2021 – 2022 Annual Budget.

BACKGROUND

The draft budget has been prepared in accordance with the presentations made to Councillors at two workshops held during July 2021. The following draft Annual Budget is presented to Council for consideration and adoption.

The 2021 -2022 Annual Budget has been prepared in accordance with Section 6.2 of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations Part 3, Regulations 22 to 33.*

REPORT DETAIL

The 2021-2022 Annual Budget comprises the following information-

1. Budget Statement of Comprehensive Income By Nature/Type for the Year Ending 30 June 2022
2. Budget Statement of Comprehensive Income By Program for the Year Ending 30 June 2022
3. Budget Statement of Cash Flows for the Year Ending 30 June 2022
4. Budget Rate Setting Statement by Program for the Year Ending 30 June 2022
5. Budget Statement of Financial Activity for the Year Ending 30 June 2022
6. Notes to the Budget
7. Detailed Operating & Non-Operating Statements

Budget Highlights

Governance

An allocation of \$19,000 has be set aside in the budget to review and update Integrated Planning documents, including Asset Management Plans and Long Term Financial Plan.

An allocation of \$15,000 has be set aside in the budget to undertake fair values for Land & Buildings, and Other Infrastructure asset classes.

Community Amenities

An allocation of \$13,286 has be set aside in the budget for NRM projects. These costs will be offset by Landcare grant funding of \$13,286 held as restricted cash.

Recreation & Culture

An allocation of \$25,000 has be set aside in the budget for urgent maintenance works to the sport dam.

Transport

An allocation of \$382,297 has been set aside for road maintenance.

Economic Services

An allocation of \$51,707 has be set aside in the budget for the control of noxious weeds/pest plants. These costs will be offset by a grant of \$51,707.

Capital Expenditure Program

\$76,500 has been set aside for Transfer to the Plant Reserve to assist fund future plant purchases.

\$7,500 has been set aside in the budget to install equipment for the records room.

\$37,414 has been set aside in the budget to refurbish the bathroom at Lot 186 Danberrin Road.

\$373,700 has been set aside in the budget to fund the construction of a new fire brigade building. This will be mostly funded by an ESL grant of \$323,700.

\$47,000 has be set aside in the budget for renewal works to Council housing stock.

\$180,635 has be set aside in the budget for renewal works to the Post Office building, with funding from the Local Roads and Community Infrastructure Program, and a contribution of \$70,000 from the CRC.

Provision has been made in the budget for renewal works to the Recreation Centre of \$195,000, works to the Museum of \$58,000 and to McCorry’s Hotel for \$70,000.

\$357,800 has been set aside for the replacement of heavy plant and light vehicles.

\$282,591 will be spent on Danberrin Road, with \$188,394 of grant funding coming from the Regional Road Group funding pool.

Provision has been made in the budget for \$194,009 of Roads to Recovery projects, with \$194,009 of grant funding coming from the Commonwealth Government.

\$77,816 will be spent on Councils own road construction projects.

\$200,000 has been set aside for streetscape works.

\$51,247 has been set aside for the upgrade works to the caravan park.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.3 Provide excellent customer service functions to all community members and rate payers.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Local Government Act (1995) s.6.2. (1) states that each Local Government is to prepare an annual budget prior to 31 August, unless an extension from the Minister is granted.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

This draft budget has been developed based on sound financial management and accountability principles and is considered to support activities that drive a sustainable economic outcome for the community.

Social – (Quality of life to community and / or affected land owners)

The draft budget contains financial resourcing for a wide range of programs that deliver important community services to the Nungarin Shire residents. It is based on the principles of maintaining all services that are presently available to the community with an increased focus on efficiency.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	To ensure the continued operations, it is imperative for the Council to consider and adopt the budget.

CONSULTATION

Two workshops were held with Councillors during July to work through the budget.

RESOURCE IMPLICATIONS

Financial

The draft 2021 – 2022 lists all matters of an operational and capital nature, together with income sources and supporting information.

Workforce

The adoption of the budget includes several projects that will be undertaken by staff during the financial year.

OPTIONS

Council has the option of:

1. Adopting the budget as presented.
2. Amend the budget, noting that if there are amendments, the formal adoption of the budget will be delayed, which will likely affect cash flows and the implementation of some proposed services and initiative.

CONCLUSION

The proposed budget forms an integral part of Councils overall strategic planning.

The 2021 – 2022 budget presented for adoption is seen as responsible given there was no increase in 2020 -21 because of COVID-19. The document must also recognise the requirement to ensure the long-term sustainability of the Shire.

8.12 CHIEF EXECUTIVE OFFICERS – KEY PERFORMANCE INDICATORS STATUS.	
File Ref:	41081
Previous Item Ref:	Council Resolution 6675 of 17 February 2021
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

COUNCIL RESOLUTION 6744:

That Council:

- Notes the progress on the Chief Executive Officers Key Performance Indicators.

Moved: Cr G Coumbe
 Seconded: Cr RE O'Connell

CARRIED 7/0

IN BRIEF

This report is to provide Councillors with an update on the progress achieved to date by the Chief Executive Officer with regard to the approved Key Performance Indicators (KPI's).

BACKGROUND

As per the Chief Executive Officers employment contract approved at the Ordinary Council Meeting of 21 October 2021. KPI's are generally associated with the Community Strategic Plan (CSP), however, the current CSP needs to be reviewed. As such the KPI's allocated related to matter considered important to Council.

REPORT DETAIL

The following table outlines the current status and progress of the KPI's allocated to the Chief Executive Officer:

a. Meet all statutory functions required by the CEO.	Ongoing
b. Implement a five-year maintenance program for all Council owned buildings.	Currently approximately 50% complete
c. Implement a record Keeping system in accordance with the <i>State Records Act 2000</i> .	The new records module has been installed and is up and running.
d. Continue working with DFES to finalise the construction of the VBBF.	The contract has been awarded with works to commence within the next couple of weeks

e. Begin the process for the renewal of the Community Strategic Plan.	Currently approximately 60% complete, with the first round of community consultation completed and a draft document ready.
f. Resolve the effluent disposal issue linked to Grangarin Units.	Completed with a saving of approximately \$60,000 a year. The new system is being monitored.
g. Complete the 2 nd round of the LRCI funded projects by December 2021	Approximately 80% complete, with the final 20% to be incorporated into the round 3 LRCI funding. Other projects associated with the round 2 LRCI funding has been completed.
h. Work towards creating economic diversity within the Shire	ongoing

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnerships.
Objective	16.8 Human Resource Excellence

OTHER STRATEGIC LINKS

- Chief Executive Officer Employment Contract

STATUTORY ENVIRONMENT

Local Government Act 1995

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

Nil

Social - (Quality of life to community and/or affected landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Moderate	It is important to be able to review the CEO's performance against tangible measures to enable Council to determine the effectiveness of the CEO.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

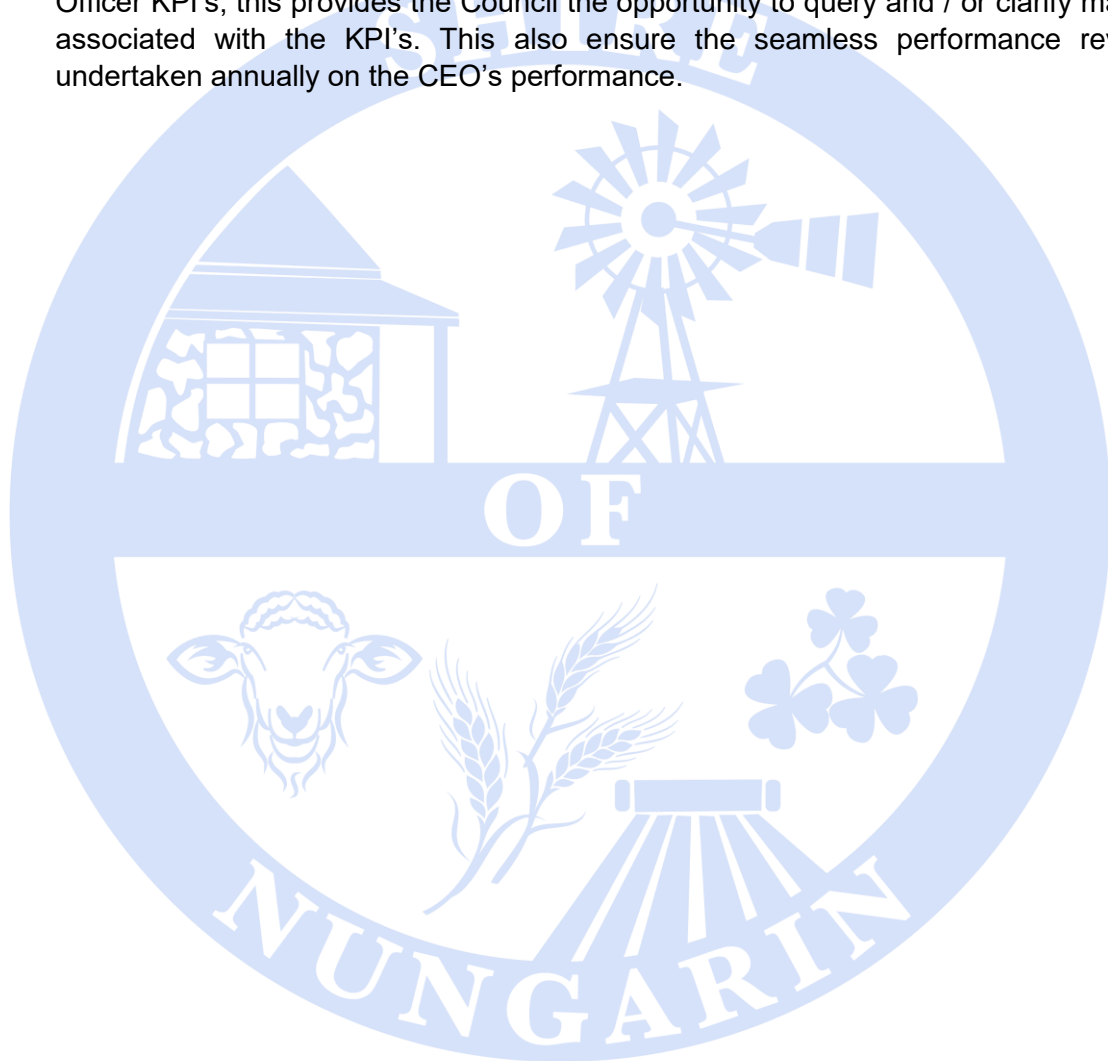
Nil

Workforce

Nil

CONCLUSION

It is important for Councillors to remain informed of the progress of the Chief Executive Officer KPI's, this provides the Council the opportunity to query and / or clarify matter associated with the KPI's. This also ensure the seamless performance review undertaken annually on the CEO's performance.



9. DELEGATES REPORTS

(Elected member who are delegates to other Forums may present a verbal or written report)

9.1 Cr O'Connell,
Attended LHAG Meeting which will be moved to the 4th Friday of the month
([APPENDIX 9.1A](#)).

9.2 Cr Mizia,
Attended NEWTRAVEL meeting.

9.3 Cr Coumbe,
Attended Agri-Tourism meeting, Museum looking at introducing a military tour,
new Stewart tank now in the exhibition.

10. NEW BUSINESS OF AN URGENT NATURE

Nil

11. CONFIDENTIAL ITEMS OF BUSINESS**COUNCIL RESOLUTION 6745:**

That Council proceeds behind closed doors as per Section 5.23(2) of the Local Government Act for considering item 11.1, the time being 4:11pm

Moved: Cr RE O'Connell

Seconded: Cr R Mizia

CARRIED 7/0

Manager Works and Services left the chambers, the time being 4:11pm

Cr Lee left the chambers at 4:11pm and returned at 4:18pm

Cr Davis left the chambers at 4:21pm and returned at 4:22pm

11.1 Default Rate Payers for 2020/21 Financial year.**COUNCIL RESOLUTION 6746:**

Note: Council Resolution 6746 remain confidential in accordance with Regulation 14(2) of the Local Government (Administration) Regulations 1996.

COUNCIL RESOLUTION 6747:

That the meeting proceeds in public, the time being 4:31pm

Moved: Cr RE O'Connell

Seconded: Cr K Dayman

CARRIED 7/0

Manager Works and Services returned to the chambers, the time being 4:31pm

12. CLOSURE

The being no further business the meeting closed at 4:32pm

Presiding Member

Date

