

Date: 16 July 2021

To: Shire President  
Deputy Shire President  
Councillors



## NOTICE AND AGENDA - ORDINARY COUNCIL MEETING

An Ordinary Council Meeting of the Shire of Nungarin will be held in the Council Chambers on 21 July 2021 at 3:00pm to consider and resolve the matters set out in the attached agenda.

A handwritten signature in black ink that reads 'Long'.

Leonard Long  
Chief Executive Officer

---

### **DISCLAIMER**

*Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.*

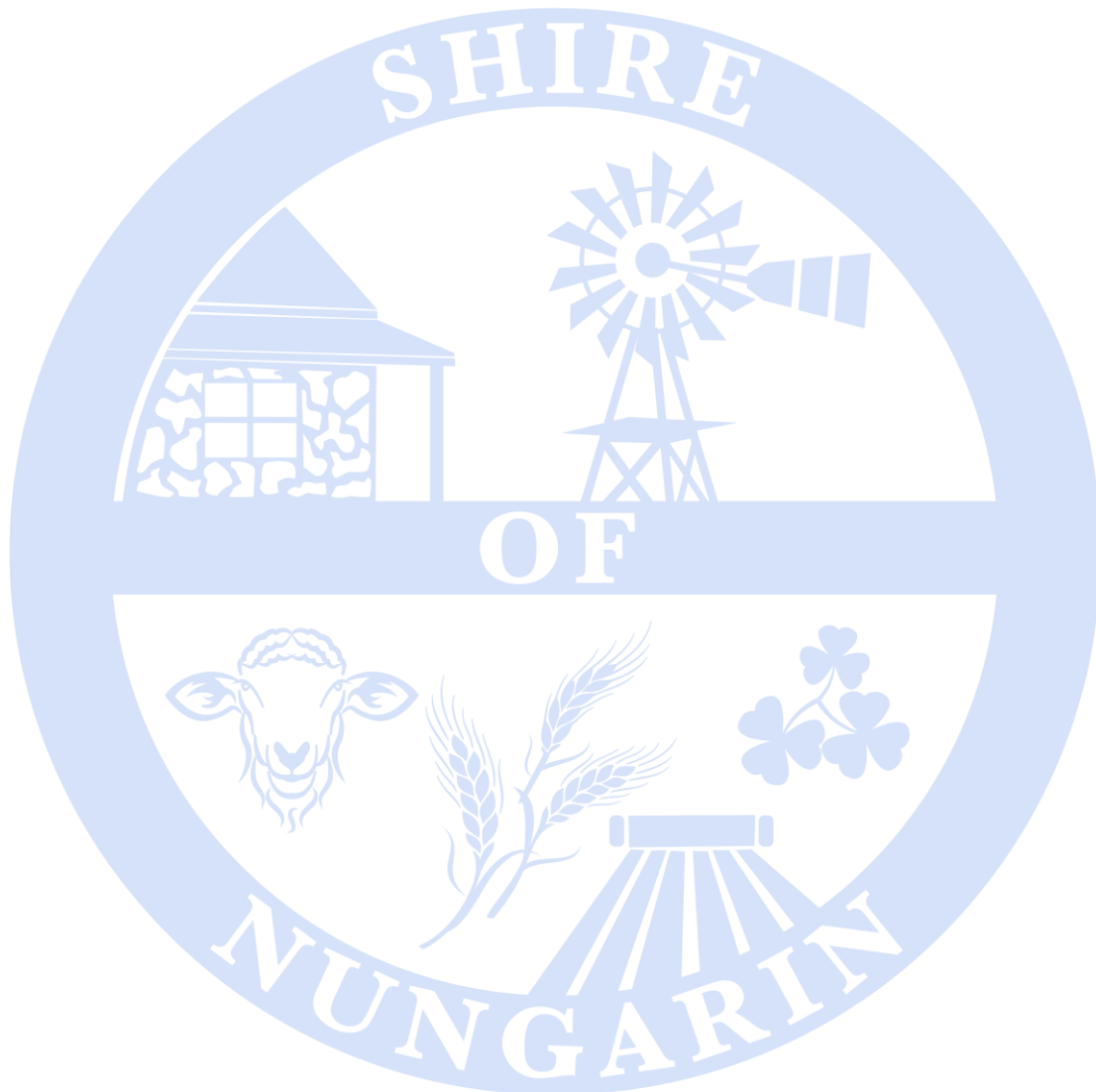
*Any statement, comment or decision made at a Council or Forum meetings regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.*

*Any person or entity who has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Forum meetings.*

*Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request.*

**PUBLIC QUESTION TIME**

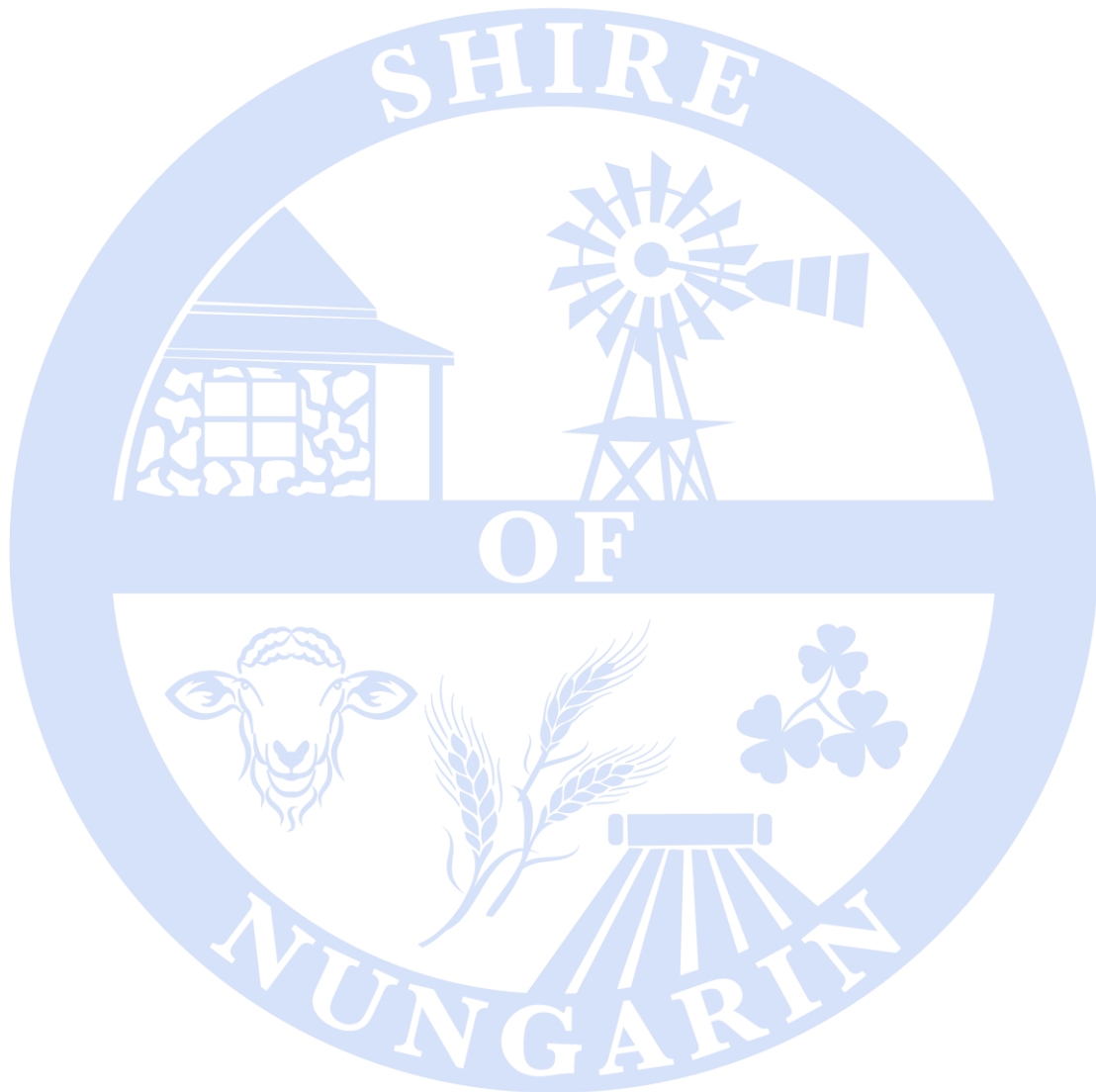
1. The order of business allows for a Public Question time at the beginning of the meeting.
2. If you wish to ask a question about an agenda item before it is considered then it is recommended to be made at the Public Question Time item on the agenda in accordance with Council's Procedures and Guidelines for Public Question Time.
3. The visual or vocal recording of Council meeting proceedings is expressly prohibited, unless the prior approval of the Council has been given.



**TABLE OF CONTENTS**

<b>1. DECLARATION OF OPENING .....</b>	<b>5</b>
<b>2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE .....</b>	<b>5</b>
<b>2.1 ATTENDANCE .....</b>	<b>5</b>
<b>2.2 APOLOGIES.....</b>	<b>5</b>
<b>2.3 REQUEST FOR LEAVE OF ABSENCE .....</b>	<b>5</b>
<b>3. DEPUTATIONS AND PETITIONS.....</b>	<b>5</b>
<b>3.1 DEPUTATIONS.....</b>	<b>5</b>
<b>3.2 PETITIONS .....</b>	<b>6</b>
<b>4. PUBLIC QUESTION TIME.....</b>	<b>6</b>
<b>4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>6</b>
<b>4.2 PUBLIC QUESTION TIME .....</b>	<b>6</b>
<b>5. DECLARATIONS OF INTEREST .....</b>	<b>6</b>
<b>5.1 FINANCIAL AND PROXIMITY INTEREST .....</b>	<b>6</b>
<b>5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT .....</b>	<b>6</b>
<b>6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) .....</b>	<b>6</b>
<b>7. ORDINARY COUNCIL MEETING – 16 June 2021 .....</b>	<b>6</b>
<b>8. OFFICER REPORTS.....</b>	<b>7</b>
<b>8.1 SALE OF WHEATBELT AGCARE COMMUNITY SUPPORT SERVICES INC. ....</b>	<b>7</b>
<b>8.2 TENDER RFT 20/21 – 14 DESIGN AND CONSTRUCT OF A SINGLE BAY BUSHFIRE BRIGADE FACILITY. ....</b>	<b>13</b>
<b>8.3 NUNGARIN HERITAGE MACHINERY AND ARMY MUSEUM LEASE – OPTION TO EXTEND FOR FURTHER FIVE (5) YEARS.....</b>	<b>16</b>
<b>8.4 COUNCIL SITTING FEES FOR 2021/22 FINANCIAL YEAR.....</b>	<b>18</b>
<b>8.5 LISTING OF PAYMENTS FOR THE MONTH OF JUNE 2021 .....</b>	<b>22</b>
<b>8.6 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 JUNE 2021 .....</b>	<b>25</b>
<b>8.7 DISPOSAL OF SHIRE ASSETS .....</b>	<b>28</b>
<b>8.8 2021/22 FINANCIAL BUDGET FEES AND CHARGES .....</b>	<b>34</b>
<b>9. DELEGATES REPORTS.....</b>	<b>39</b>
<b>9.1 Cr O’Connell (APPENDIX 9.1A) .....</b>	<b>39</b>
<b>10. NEW BUSINESS OF AN URGENT NATURE.....</b>	<b>39</b>
<b>11. CONFIDENTIAL ITEMS OF BUSINESS .....</b>	<b>39</b>
<b>11.1 CONFIDENTIAL ITEM: .....</b>	<b>39</b>
<b>REQUEST TO REIMBURSE LEGAL FEES RELATING TO UNPAID RATES RECOVERY.....</b>	<b>39</b>

**12. CLOSURE.....40**



## AGENDA

### 1. DECLARATION OF OPENING

Council recognises it is permissible to record the Shire’s Council and Forum Meetings in the written, sound, vision medium (or any combination of the mediums) when open to the public. However, people who intend to record meetings are requested to inform the Presiding Member of their intention to do so.

The Presiding Member will cause the Affirmation of Civic Duty and Responsibility to be read aloud by a Councillor.

.....

#### 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

#### 2.3 REQUEST FOR LEAVE OF ABSENCE

### 3. DEPUTATIONS AND PETITIONS

#### 3.1 DEPUTATIONS

**3.2 PETITIONS**

**4. PUBLIC QUESTION TIME**

- a. Public Question Time provides the public with an opportunity to put questions to the Council. Questions should only relate to the business of the Council and should not be a statement or personal opinion.
- b. During the Council meeting, after Public Question Time no member of the public may interrupt the meeting’s proceedings or enter into conversation.
- c. Whenever possible, questions should be submitted in writing at least 48 hours prior to the start of the meeting.
- d. All questions should be directed to the President and only questions relating to matters affecting Council may be answered at an Ordinary Council Meeting, and at a Special Council Meeting only questions that relate to the purpose of the meeting may be answered. Questions may be taken on notice and responded to after the meeting, at the discretion of the Presiding Member.
- e. The Presiding member will control Question Time and ensure each person wishing to ask a question states their name and address before asking the question. If the question relates to an item on the agenda, the item number should also be stated. In general, persons seeking to ask questions will be given two (2) minutes within which to address their question to Council. The Presiding Member may shorten or lengthen this time at their discretion.

**4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**4.2 PUBLIC QUESTION TIME**

**5. DECLARATIONS OF INTEREST**

**5.1 FINANCIAL AND PROXIMITY INTEREST**

**5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT**

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

**7. ORDINARY COUNCIL MEETING – 16 June 2021**

**RECOMMENDATION**

**That the Minutes of the Ordinary Council Meeting held on 16 June 2021 be confirmed as being a true and accurate record.**

**Moved:** .....

**Seconded:** .....

.....

**8. OFFICER REPORTS**

<b>8.1 SALE OF WHEATBELT AGCARE COMMUNITY SUPPORT SERVICES INC.</b>	
<b>File Ref:</b>	
<b>Previous Item Ref:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements</b>	Simple Majority
<b>Attachment Number:</b>	Attachment 8.1A – Correspondence from Wheatbelt Agcare

**RECOMMENDATION:**

**That Council:**

- 1. Approves the sale of the 2016 Holden Captiva 5LS (FWD) Auto 4D Wagon 4 Cylinder currently leased to the Wheatbelt Agcare Community Support Services Inc, to the Wheatbelt Agcare Community Support Services Inc for \$8,500.**
- 2. Advises the Chief Executive Officer that the funds received from the sale of the vehicle in (1) above be placed in the GL 11102020 Plant Reserve.**

**Moved:** .....

**Seconded:** .....

.....

**IN BRIEF**

The Shire has received a request from the Wheatbelt Agcare Community Support Services Inc. to purchase the vehicle currently supplied to them through the Shire.

**BACKGROUND**

The Shire has since approximately 2001 provided a vehicle to the Wheatbelt Agcare Community Support Services Inc (Agcare). Earlier in the year the Agcare requested to replace the vehicle.

Based on the kilometres the vehicle travels and to optimise the trade in value, the vehicle has been earmarked to be replaced every 3 years.

The replacement of the vehicle has been factored in to the “plant replacement program” and is due to be replaced with a Toyota Rav 4 2WD GX in the 2021/22 financial year.

**REPORT DETAIL**

Currently the Agcare leases the 2016 Holden Captiva for \$570 (excl GST) per month. The vehicle is to be replaced with a Toyota Rav4 with the lease cost is proposed to increase to \$920 (excl GST).



Agcare has indicated should the lease cost increase as proposed it would rather purchase the 2016 Holden Captiva and if not for sale Agcare would be able to continue to pay the current lease of \$570 (excl GST) (**ATTACHMENT 8.1A**).

The purchase of the Toyota Rav4 includes the trade-in of the 2016 Holden Captiva. The trade-in value of the 2016 Holden Captiva as provided by a Toyota dealership is \$8,500.

To mitigate the depreciation of plant which includes light vehicles it is imperative to replace plant at the optimal time to ensure the best value for money. By replacing plant at the optimal time will assist the Shire in reaching the Department of Local Government, Sport and Cultural Industries ratio benchmark. Every year local governments are audited by the Office of the Auditor General which audit includes the assessment of inter alia the Asset Consumption Ratio.

Due to Holden exiting Australia the resell value of second-hand Holden's have plummeted. Should Council retain the vehicle on its register the depreciation would increase dramatically and may impact negatively on the relevant ratio. For this reason, it was decided to replace the Holden with a Toyota which is know to hold its value better than most vehicles.

However, the sale of the vehicle to Agcare would result in the vehicle being removed from the Shire register and would no longer be included in any depreciation calculations.

**SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023**

<b>Focus Area</b>	Civic Leadership
<b>Aspiration</b>	A strong local democracy with an actively engaged community and effective partnerships.
<b>Objective</b>	1. Commit to the provision of essential and non-essential services in the community.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

**3.58. Disposing of property**

(1) *In this section —*

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

(2) *Except as stated in this section, a local government can only dispose of property to —*

(a) *the highest bidder at public auction; or*



- (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) *it gives local public notice of the proposed disposition —*
- (i) *describing the property concerned; and*
  - (ii) *giving details of the proposed disposition; and*
  - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
- and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) *the names of all other parties concerned; and*
  - (b) *the consideration to be received by the local government for the disposition; and*
  - (c) *the market value of the disposition —*
    - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
    - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
  - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
  - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
  - (d) *any other disposition that is excluded by regulations from the application of this section.*

*Local Government (Functions and General) Regulations 1996*

*30. Dispositions of property excluded from Act s. 3.58*

- (1) *A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*
- (2) *A disposition of land is an exempt disposition if —*

- (a) *the land is disposed of to an owner of adjoining land (in this paragraph called the **transferee**) and —*
- (i) *its market value is less than \$5 000; and*
  - (ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;*
- or*
- (b) *the land is disposed of to a body, whether incorporated or not —*
- (i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
  - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*
- or*
- (c) *the land is disposed of to —*
- (i) *the Crown in right of the State or the Commonwealth; or*
  - (ii) *a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
  - (iii) *another local government or a regional local government;*
- or*
- (d) *it is the leasing of land to an employee of the local government for use as the employee's residence; or*
- (e) *it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or*
- (f) *it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or*
- (g) *it is the leasing of residential property to a person.*
- (2a) *A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —*
- (a) *put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or*
  - (b) *the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or*
  - (c) *the subject of Statewide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —*
    - (i) *the names of all other parties concerned; and*

- (ii) *the consideration to be received by the local government for the disposition; and*
  - (iii) *the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.*
- (2b) *Details of a disposition of property under subregulation (2a) must, for a period of 1 year beginning on the day of the initial auction or tender —*
- (a) *be made available for public inspection; and*
  - (b) *be published on the local government’s official website.*
- (3) *A disposition of property other than land is an exempt disposition if —*
- (a) *its market value is less than \$20 000; or*
  - (b) *the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.*

**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***

<b>Risk Level</b>	<b>Comment</b>
Moderate	Retaining the vehicle on the Council register necessitates that it gets replaced to ensure best value for money. Not replacing or selling the vehicle may have a negative impact on the Asset Consumption Ratio.

**CONSULTATION**

WALGA Governance Team

**RESOURCE IMPLICATIONS**

**Financial**

Should Council resolve to sell the vehicle to Agcare the funds should be placed in the Plant Reserve.

**Workforce**

Nil

## **OPTIONS**

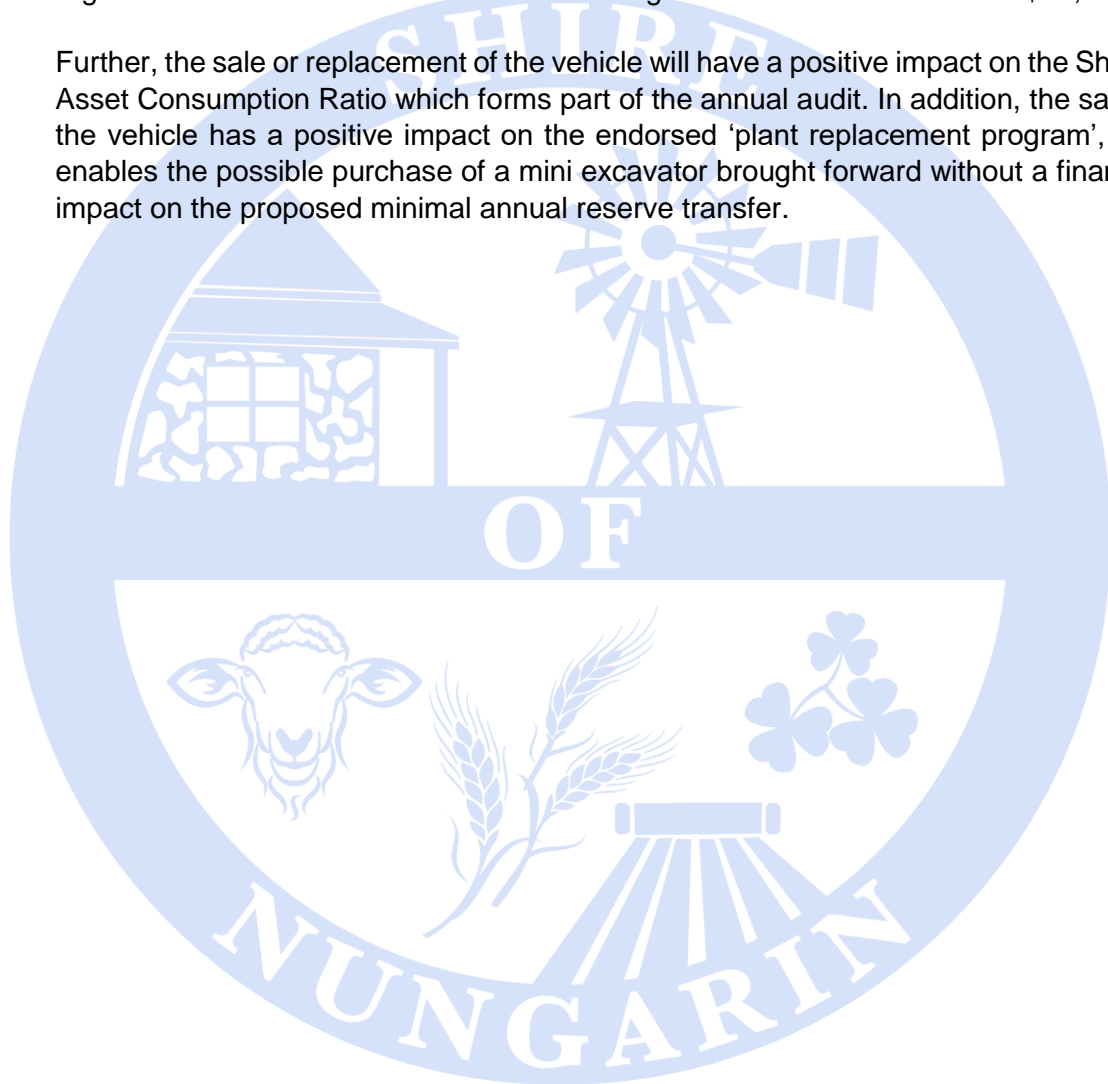
Council has the option of:

1. Accepting the officer's recommendation.
2. Amending the officer's recommendation.

## **CONCLUSION**

The sale of the vehicle directly to Agcare will be compliant with the relevant act and regulation due to the value of the vehicle being determined to be less than \$20,000.

Further, the sale or replacement of the vehicle will have a positive impact on the Shire's Asset Consumption Ratio which forms part of the annual audit. In addition, the sale of the vehicle has a positive impact on the endorsed 'plant replacement program', and enables the possible purchase of a mini excavator brought forward without a financial impact on the proposed minimal annual reserve transfer.



<b>8.2 TENDER RFT 20/21 – 14 DESIGN AND CONSTRUCT OF A SINGLE BAY BUSHFIRE BRIGADE FACILITY.</b>	
<b>File Ref:</b>	161004.8
<b>Previous Item Ref:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements</b>	Simple Majority
<b>Attachment:</b>	Attachment 8.2A - <b>Confidential</b> Assessment of Tenders

**RECOMMENDATION**

**That Council:**

- 1. Award Tender 20/21 – 14 for the Design and Construct of a single bay Bushfire Brigade Facility on portion of Lot 150 Danberrin Road (Depot location) to Molivi Construction Pty Ltd.**
- 2. Authorises the Chief Executive Officer to sign the construction contract between the Shire of Nungarin and Molivi Construction Pty Ltd.**

**Moved:** .....

**Seconded:** .....

**IN BRIEF**

Council is requested to consider the awarding of the Design and Construct tender relating to the construction of a single bay Bushfire Brigade Facility to Molivi Construction Pty Ltd.

**BACKGROUND**

Council obtained a grant through the Department of Fire and Emergency Services (DFES) for the construction of a single bay Bushfire Brigade Facility.

Lange Consulting & Software (WALGA preferred providers) were engaged to run the tender process. The tender was advertised in the West Australian with an initial closure date of 7 June 2021. However, the initial closure date was extended until 10 June 2021 to make allowance for the Public Holiday on 7 June 2021.

**REPORT DETAIL**

As indicated above the tender closed on 10 June 2021, with three (3) submissions received:

- Molivi Construction Pty Ltd;
- Stallion Building Co Pty Ltd; and
- CMA Contracting Pty Ltd.



The evaluation panel for the tender consisted of:

- Chief Executive Officer;
- Manager Works and Services; and
- Lange Consulting & Software.

The evaluation of each tender considered:

- Compliance Criteria;
- Qualitative Criteria;
- Value for Money;
- Price Attribute, which included:
  - o Regional Price Preference; and
  - o Risk Assessment.

The Qualitative Criteria evaluated the following aspects of the tender:

- |                       |              |
|-----------------------|--------------|
| - Relevant Experience | 50%          |
| - Methodology         | 30%          |
| - Resources           | 20%          |
| - Safety Management   | Non-weighted |
| - Price               | Non-weighted |

Following the assessment of each of the tender submissions, the aggregate scores are as follows:

- |                                 |      |
|---------------------------------|------|
| - Molivi Construction Pty Ltd   | 100% |
| - Stallion Building CO. Pty Ltd | 90%  |
| - CMA Contracting Pty Ltd       | 84%  |

**SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023**

<b>Focus Area</b>	Civic Leadership
<b>Aspiration</b>	A strong local democracy with an actively engaged community and effective partnerships.
<b>Objective</b>	A Shire that prospers through partnerships and good governance.

**OTHER STRATEGIC LINKS**

Nil

**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 land owners)**

Nil

**Policy Implications**

- Policy 1.19 Local Purchasing Policy

**Risk Management Implications**

<b>Risk Level</b>	<b>Comment</b>
High	Should Council not resolve to award the tender the Shire risks losing the grant funding provided by DFES.

**CONSULTATION**

Department of Fire and Emergency (DFES)

**RESOURCE IMPLICATIONS**

**Financial**

The tender price is more than what has been originally approved by DFES. Discussion with DFES has confirmed DFES will cover the additional cost to meet the overall cost of the project. However, it must be noted additional cost incurred above the tender price will not automatically be covered by DFES.

**Workforce**

The Chief Executive Officer will be involved throughout the contract management.

**CONCLUSION**

Whilst each one of the three (3) tenderers are well capable of undertaking the construction of the facility. Molivi Construction Pty Ltd has scored the highest and has the lowest price. In addition, Molivi is experienced in the construction of similar facilities in the wheatbelt area and understand the complexities of undertaking remote construction.

It is anticipated that the facility will reach practical completion by the end of 2021 or early 2022.



<b>8.3 NUNGARIN HERITAGE MACHINERY AND ARMY MUSEUM LEASE – OPTION TO EXTEND FOR FURTHER FIVE (5) YEARS.</b>	
<b>File Ref:</b>	41080 / 111202
<b>Previous Item Ref:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements</b>	Simple Majority
<b>Attachment:</b>	Nil

**RECOMMENDATION**

That Council:

1. Extends the Nungarin Heritage Machinery and Army Museum lease for a further five (5) years (ending September 2026).
2. Authorises the Chief Executive Officer to sign the Lease Agreement.
3. Authorises the use of the Shire of Nungarin Common Seal on the Lease Agreement.

Moved: .....

Seconded: .....

.....

**IN BRIEF**

A lease between Council and the Nungarin Heritage Machinery and Army Museum was signed on 1 September 2016 for a five-year period. The lease provides the Nungarin Heritage Machinery and Army Museum the option of a further five-year lease.

Council is requested to authorise the Chief Executive Officer to enter a further five term with the Nungarin Heritage Machinery and Army Museum.

**BACKGROUND**

The Nungarin Heritage Machinery and Army Museum represents the military history of Nungarin and is an icon in the Wheatbelt region.

**REPORT DETAIL**

The Nungarin Heritage Machinery and Army Museum is an important addition to the economy of the Town by attracting large numbers of visitors to the Town.

The extension of the lease will provide certainty to the museum committee members allowing them to undertake forward planning.

**SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023**

<b>Focus Area</b>	Economic
<b>Aspiration</b>	A diverse business environment with equitable telecommunications and infrastructure. We are uniquely Nungarin in providing a memorable visitor experience.
<b>Objective</b>	Promote and develop a thriving tourism sector.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

Nil

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

The entering of an extended lease will allow the Nungarin Heritage Machinery and Army Museum to continue with their visitor attraction incentives which will have a positive impact on the economy of the Shire.

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

Nil

**Policy Implications**

Nil

**Risk Management Implications**

<b>Risk Level</b>	<b>Comment</b>
High	Not entering into a lease agreement risks the closure of the Nungarin Heritage Machinery and Army Museum.

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

A rent and administration fee of \$100 per annum, like that of the Community Resource Centre is recommended.

**Workforce**

Nil

**CONCLUSION**

The Nungarin Heritage Machinery and Army Museum is an important icon not only in the Shire but the entire region and plays an important role in the economic development of the Shire.

<b>8.4 COUNCIL SITTING FEES FOR 2021/22 FINANCIAL YEAR.</b>	
<b>File Ref:</b>	41001
<b>Previous Item Ref:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements</b>	Absolute Majority
<b>Attachment:</b>	Nil

**RECOMMENDATION**

**That Council:**

**1. Endorses the following Elected Members Fees and Allowances payment for the 2021/22 financial year.**

- a. Presidents Allowance Annual Allowance** \$.....
- b. Presidents Sitting Fee** \$.....
- c. Elected Members Sitting Fee – Council Meetings** \$.....
- d. Elected Members Sitting Fee – Other Meetings** \$.....
- e. ICT annual allowance** \$.....

**Moved:** .....

**Seconded:** .....

**ABSOLUTE MAJORITY REQUIRED**

**IN BRIEF**

Council is requested to consider and set the Elected Members Sitting Fees and Allowances which are to be incorporated into the 2021/22 Financial Budget.

The current Fees and Allowances are as follows:

Presidents Allowance Annual Allowance	\$4,000
Presidents Sitting Fee	\$120
Elected Members Sitting Fee – Council Meetings	\$100
Elected Members Sitting Fee – Other Meetings	\$50

**BACKGROUND**

The Salary and Allowances Tribunal (SAT) set a minimum and maximum payment amount for four (4) bands of Local Government which are determined on an annual basis.

On 8 April 2021, SAT determined that the minimum and maximum allowances for each band of local government would remain unchanged, being the same determination for the past four (4) years.

## **REPORT DETAIL**

The Shire of Nungarin is listed as a band 4 local government. There are two (2) options of payment available to Elected Members, payment per meeting as is the current arrangement or annual attendance fees.

Table 4, of the Salary and Allowances Tribunal (SAT) determination allows elected members of a band four (4) local government to be remunerated per Council Meeting as follows:

- Minimum \$91
- Maximum \$238
- Current remuneration \$100

Table 6, of the SAT determination allows elected members of a band four (4) local government attending committee meetings and prescribed meetings to be remunerated per meeting as follows:

- Minimum \$46
- Maximum \$119
- Current remuneration \$50

In addition to the above remuneration the shire president is as determined by the SAT allowed the following additional remuneration:

- Minimum \$513
- Maximum \$20,063
- Current remuneration \$4,000

An alternative to remunerating elected member attendance of (per) meeting between Council meetings, Committee meetings and prescribed meeting is to remunerate elected members on an annual basis.

In this regard Table 8 of the Salary and Allowances Tribunal (SAT) determination allows elected members of a band 4 local government to be remunerated annually as follows:

- |           | <u>Elected Members</u> | <u>Shire President</u> |
|-----------|------------------------|------------------------|
| - Minimum | \$3,589; and           | \$3,589; and           |
| - Maximum | \$9,504.               | \$19,534.              |

It should be noted that elected members are also permitted to either claim expenses relating to ICT or alternatively can be paid an annual allowance towards ICT. In this regard the SAT determined the following:

- Minimum \$500
- Maximum \$3,500

**SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023**

<b>Focus Area</b>	Economic
<b>Aspiration</b>	A diverse business environment with equitable telecommunications and infrastructure. We are uniquely Nungarin in providing a memorable visitor experience.
<b>Objective</b>	Promote and develop a thriving tourism sector.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

- *Local Government Act 1995*
- *Western Australian Salaries and Allowances Act 1975*
- *Local Government (Administration) Regulations 1996*

**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**

<b>Risk Level</b>	<b>Comment</b>
Low	It is the elected members prerogative to set their fees and allowances subject to the limitation placed upon it by the SAT.

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**

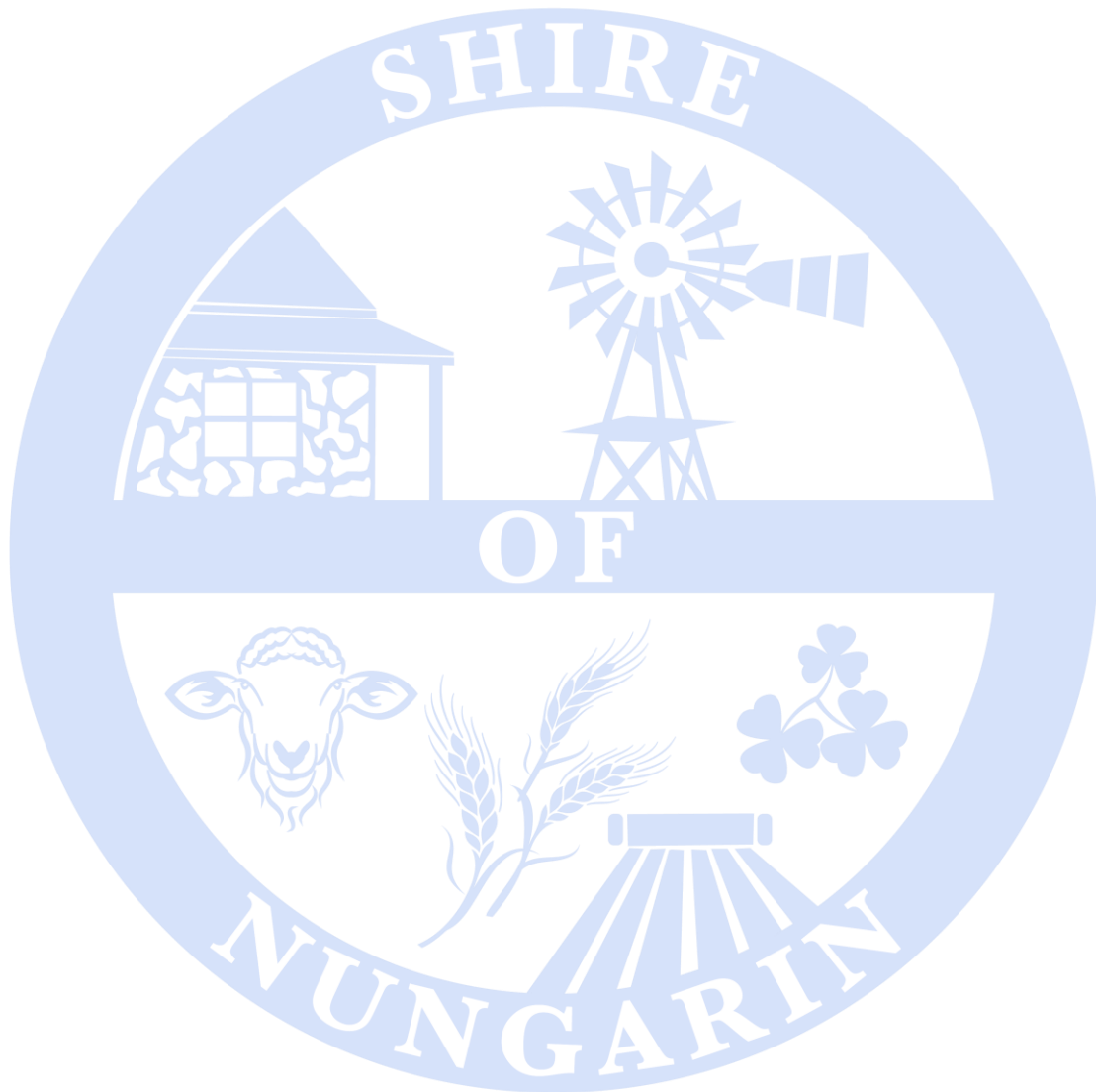
Elected members fees and allowances will be incorporated into the 2021/22 Financial Budget.

**Workforce**

Nil

**CONCLUSION**

It is entirely up to the elected members to determine the appropriate remuneration for attending Council meetings, Committee meetings or prescribed meetings. The only restriction to setting the fees and allowance will be the bracket (minimum / maximum) set by the Salary and Allowance Tribunal.



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

**RECOMMENDATION**

That Council,

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

<b>Municipal</b>	<b>Cheque</b>	<b>\$ 13,377.92</b>
	<b>EFT</b>	<b>\$ 216,704.38</b>
	<b>Direct Debit</b>	<b>\$ 18,216.91</b>
		<b>\$ 248,299.21</b>
<b>Trust</b>	<b>Cheque – Nil</b>	<b>\$ 0.00</b>
	<b>Grand Total</b>	<b>\$ 248,299.21</b>

**Moved:** .....

**Seconded:** .....

**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 June 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**

<b>Focus Area</b>	Civic Leadership
<b>Aspiration</b>	A strong local democracy with an actively engaged community and effective partnership.
<b>Objective</b>	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

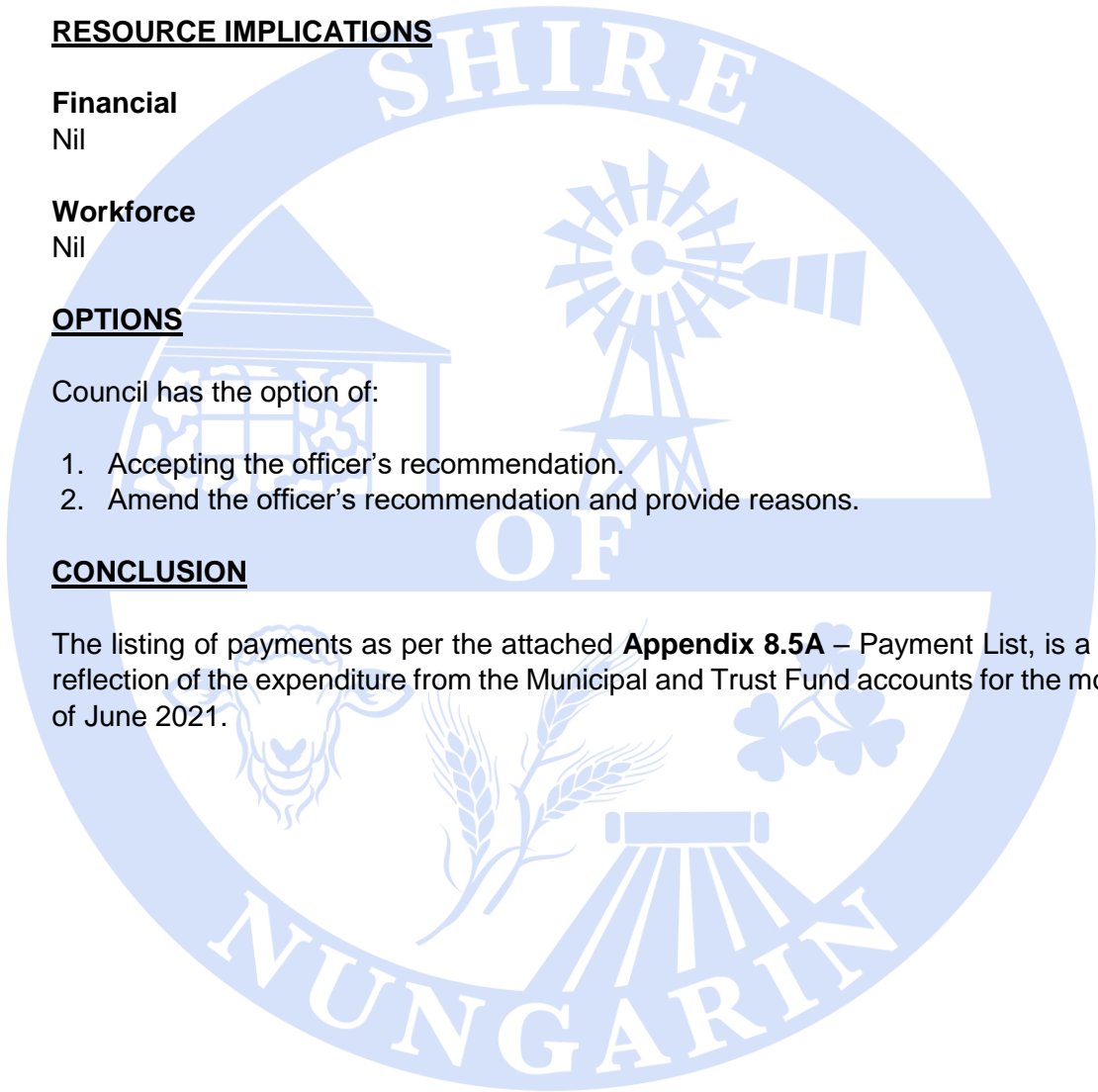
**OPTIONS**

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 June 2021.



<b>8.6 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 JUNE 2021</b>	
<b>File Ref:</b>	1/1 Annual Statements
<b>Previous Item Ref:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer Darren Long, Financial Consultant
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements</b>	Simple Majority
<b>Attachment Number:</b>	Attachment 8.6A – Monthly Statement

### **RECOMMENDATION**

That Council:

1. **Receives the monthly financial activity statement for the period ending 30 June 2021.**

**Moved:** .....

**Seconded:** .....

.....

### **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.

At its budget meeting, Council adopted a material variance threshold of \$5,000 or 10%. For interpretation purposes, this means any variance at Function/Program level that is greater than 10% and exceeds \$5,000 in value is reported on and commentary is provided to explain the YTD budget estimate to YTD actual variance. The material variance in dollar and percentage is shown on the Statement of Financial Activity, in accordance with the *Local Government (Financial Management) Regulations 1996*.

The material variance commentary is now provided in a separate statement, called the Statement of Explanation of Material Variances. This statement categorises the variance commentary according to reporting Functions/Programs and groups the variances by Operating Revenue, Operating Expenditure, Non-Operating/Capital Revenue, and Capital Expenditure.

The Statement of Financial Activity as at 30 June 2021 shows a closing surplus of \$1,209,348. This surplus is higher than estimated due to the advance paid Financial Assistance Grants, totalling \$674,250. There are some minor year-end adjustments to be made, including further invoices to come from suppliers.

### **SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023**

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

### **OTHER STRATEGIC LINKS**

Shire of Nungarin 2020/21 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**

<b>Risk Level</b>	<b>Comment</b>
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*

<b>8.7 DISPOSAL OF SHIRE ASSETS</b>	
<b>File Ref:</b>	41504
<b>Previous Item Ref:</b>	Council Res 6699 of 19 May 2021
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements</b>	Absolute Majority
<b>Attachment Number:</b>	Attachment 8.7A – Submission to Purchase Summary (Confidential) Attachment 8.7B – Reserve Price (Smith Broughton) (Confidential) Attachment 8.7C - Valuation (Manheim Industrial) (Confidential)

**RECOMMENDATION**

**That Council:**

1. Approves the sale of the following items for which the highest offer above the reserve price has been received:
  - a. 1994 Heavy Duty Tandem Trailer: \$200
  - b. 1996 Tandem Trailer with Hydraulic tipper: \$1,400
  
2. Authorises the Chief Executive officer to arrange the following plant for auction with a reserve price (ATTACHMENT 8.7B) as previously approved by Council:
  - a. 1999 John Deere 7210 Tractor
  - b. New Holland Slasher
  - c. 2006 Isuzu FVZ1400 Medium Truck
  - d. 2008 Ford Transit Dual Cab TTop
  - e. 1986 Mitsubishi FM 515
  - f. 1993 Custom Made Box Trailer Fully Enclosed Single Axle
  - g. 1970 Spray Trailer
  - h. 2020 Coastmac Tipper Trailer
  - i. Karcher KMR 1200B Street Sweeper
  - j. Digger West Hydraulic Auger
  - k. Tow behind street sweeper
  - l. Tow behind roller
  - m. 2004 Cat front End Loader
  
3. Authorises the Chief Executive Officer to sell any of the items listed in (2) above that cannot be sold by auction to be sold as scrap.

Moved: .....

Seconded: .....

.....



**IN BRIEF**

Shire officers have undertaken an audit of all the Shires plant / equipment and found a number to be more than the Shire needs or no longer used. As such Council is requested to consider disposal of these assets.

**BACKGROUND**

Council has several assets that are no longer needed / used. Keeping these assets places a financial burden on Council, in the form of licence fees and maintenance costs which are high given the age of the plant. In addition, the longer these assets are kept the greater the depreciation of their sale value.

**REPORT DETAIL**

Shire officers obtained reserve prices for the plant listed in **ATTACHMENT 8.7B** an auctioneering company based in Perth.

The sale of the redundant plant will enable the Shire to work towards a sustainable plant replacement program.

**SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023**

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

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

3.58. *Disposing of property*

- (1) *In this section —*
  - dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;
  - property** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) *Except as stated in this section, a local government can only dispose of property to —*
  - (a) *the highest bidder at public auction; or*
  - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*



- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned; and
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
  - and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
  - (d) any other disposition that is excluded by regulations from the application of this section.

*Local Government (Functions and General) Regulations 1996*

30. *Dispositions of property excluded from Act s. 3.58*

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
  - (a) the land is disposed of to an owner of adjoining land (in this paragraph called the **transferee**) and —
    - (i) its market value is less than \$5 000; and

- (ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;*
- or
- (b) *the land is disposed of to a body, whether incorporated or not —*
  - (i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
  - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*
- or
- (c) *the land is disposed of to —*
  - (i) *the Crown in right of the State or the Commonwealth; or*
  - (ii) *a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
  - (iii) *another local government or a regional local government;*
- or
- (d) *it is the leasing of land to an employee of the local government for use as the employee's residence; or*
- (e) *it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or*
- (f) *it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or*
- (g) *it is the leasing of residential property to a person.*
- (2a) *A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —*
  - (a) *put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or*
  - (b) *the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or*
  - (c) *the subject of Statewide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —*
    - (i) *the names of all other parties concerned; and*
    - (ii) *the consideration to be received by the local government for the disposition; and*

- (iii) *the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.*
- (2b) *Details of a disposition of property under subregulation (2a) must, for a period of 1 year beginning on the day of the initial auction or tender —*
  - (a) *be made available for public inspection; and*
  - (b) *be published on the local government’s official website.*
- (3) *A disposition of property other than land is an exempt disposition if —*
  - (a) *its market value is less than \$20 000; or*
  - (b) *the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.*

**SUSTAINABILITY AND RISK CONSIDERATIONS**

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

Keeping plant / equipment beyond its useful life is detrimental and does not have any positive impact on the economy

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

Nil

**Policy Implications**

Nil

**Risk Management Implications**

<b>Risk Level</b>	<b>Comment</b>
High	Keeping plant / equipment beyond its useful life is detrimental and costly due to increasing maintenance cost and increase in the depreciation value.

**CONSULTATION**

- Smith Broughton Auctioneers
- Manheim Industrial Valuers
- Manager Works & Services

**RESOURCE IMPLICATIONS**

**Financial**

Funds obtained through the sale of redundant plant / equipment will be used towards the purchase of new plant / equipment

**Workforce**

Nil

## **OPTIONS**

Council has the option of:

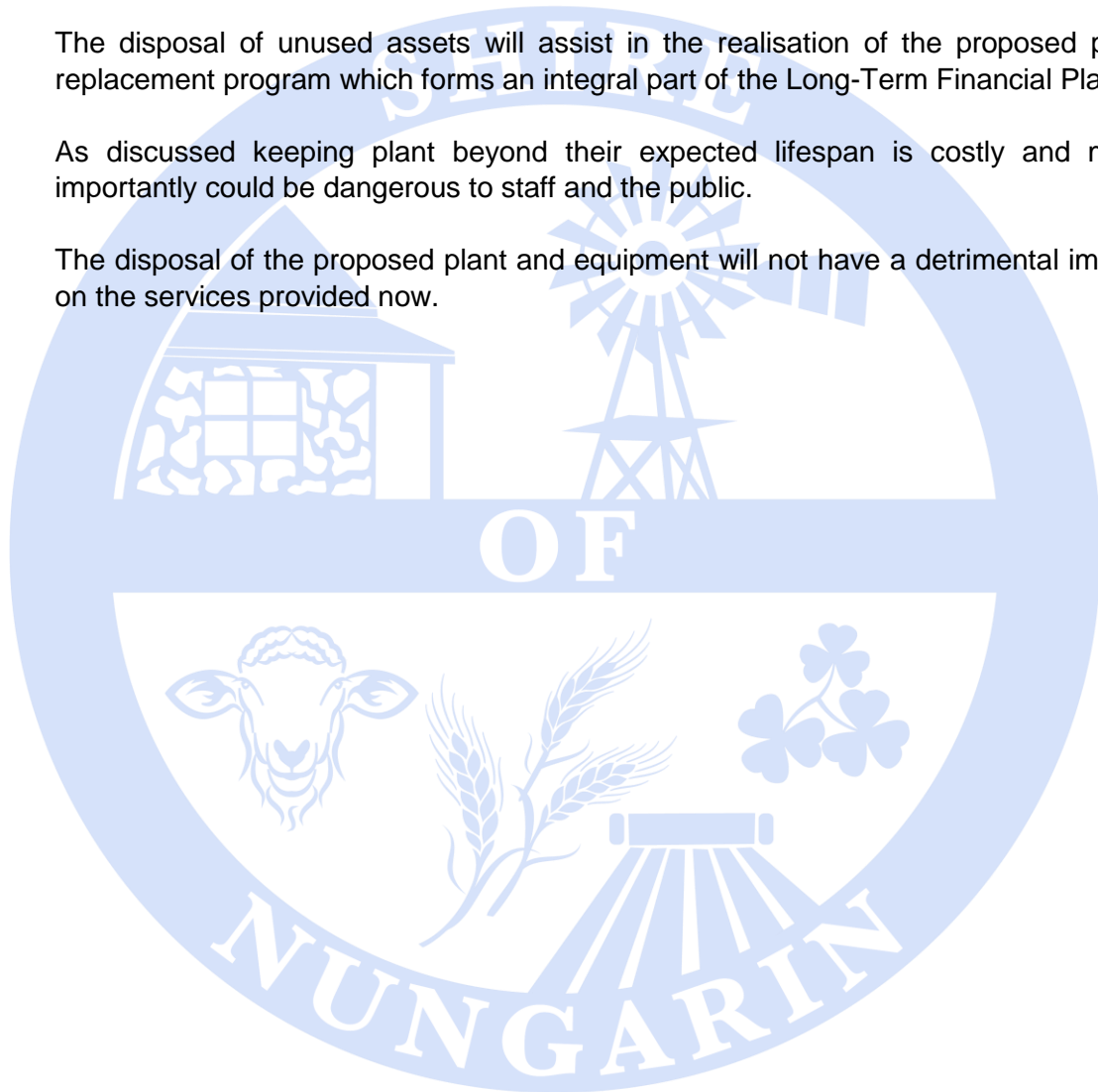
1. Accepting the officer's recommendation.
2. Amend the officer's recommendation and provide reasons.

## **CONCLUSION**

The disposal of unused assets will assist in the realisation of the proposed plant replacement program which forms an integral part of the Long-Term Financial Plan.

As discussed keeping plant beyond their expected lifespan is costly and more importantly could be dangerous to staff and the public.

The disposal of the proposed plant and equipment will not have a detrimental impact on the services provided now.



<b>8.8 2021/22 FINANCIAL BUDGET FEES AND CHARGES</b>	
<b>File Ref:</b>	
<b>Previous Item Ref:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements</b>	Absolute Majority
<b>Attachment Number:</b>	Attachment 8.8A – Current Fees & Charges Attachment 8.8B – Draft Fees & Charges

**RECOMMENDATION**

**That Council:**

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

**Moved:** .....

**Seconded:** .....

.....

**IN BRIEF**

Councillors are requested to consider the attached 2021/22 Fees and Charges (ATTACHMENT 8.8B) for approval.

**BACKGROUND**

The fees and charges form part of the Shire’s annual income. Due to the COVID – 19 pandemic a moratorium was placed on the increase of most fees and charges for the 2020/21 Financial Year.

**REPORT DETAIL**

A large portion of Council funds get attributed to the maintenance of Council assets and facilities. The maintenance of the community facilities is imperative in small towns since they are often used by the community or sporting groups. As such it is important to review the fees and charges but at the same time take into consideration the community and sporting groups constraints in their ability to pay the fees and charges associated with the use of Council assets and facilities.

Most fees and charges have been increased by 1.75% being CPI announced in November 2020.

This year new fees have been introduced to capture income accounts in the budget as well as potential scenario’s when Council assets / facilities are used / hired. The following fees are new to this year’s fees and charges:



- Governance Section:
  - o Copies of Electoral Roll \$20
- Animal Control:
  - o Dog Tags (Replacement) \$3
- Ranger Services:
  - o Dog Surrender Fee (on pick up) \$50
  - o Dog Impound Fee (unregistered dog) \$153
- Caravan Park & Camping:
  - o Eaglestone Rock \$10
  - o Talgomine Rock \$10
  - o Danberrin Rock \$10

Please noted preliminary discussions with the Department of Biodiversity, Conservation and Attractions (DBCA) have indicated it may be possible to charge the proposed fee which would assist the Shire with the maintenance / service of the current and future facilities. However, this fee can only be charged once the approval of the DBCA and the Traditional Owners have been received.

- Facility Hire:  
Memorial Hall and Town Hall Commercial Hire i.e. ticket event. Alcohol only permitted for daily hire.

- o Bond – Hire with Alcohol \$400

Memorial Hall and Town Hall Non-Profit Organisation Hire and Groups providing local community content (incl primary school and Emergency Service Training) alcohol only permitted for daily hire.

- o Hire – Per 2-hour period \$15
- o Daily hire – with alcohol \$224
- o Bond – Hire with alcohol \$400

Recreation Centre Building – Main Building (incl Kitchen but excl Bar) – Commercial hire i.e. ticket event. Alcohol only permitted for daily hire.

- o Bond – Hire with alcohol \$400

Recreation Centre Building – Main Building (incl Kitchen but excl Bar) – Non-Profit Organisation Hire and Groups providing local community content (incl primary school and Emergency Service Training)

- o Hire – per 2-hour period \$15
- o Daily hire – with alcohol \$305
- o Bond - Hire with alcohol \$400

- Recreation Oval – Commercial Hire (i.e. ticket / paid event)

- o Oval \$200
- o Oval & Lights \$300

- Food Registration Business – Annual Fee

- o Commercial food preparation in residential kitchen \$100
- o Multiple Area registration \$200
- o Transfer of food registration business (once off fee) \$66

- Public Buildings
  - o Public Building Inspection Fee (up to 200m<sup>2</sup>) \$200
  - o Public Building Inspection Fee (more than 201m<sup>2</sup>) \$300
  - o Re-inspection fee (if required) \$100
  
- Public Events Approval
  - o Assessment of Event Application \$50
  
- Registration Fee and Annual Licence
  - o Bed & Breakfast Holiday Accommodation \$20
  
- Holiday / Short term rental (outside pool season)
  - o 2 x 2 dwelling per night \$103
  - o 2 x 2 dwelling per week \$306
  - o Bond per night less than a week \$200
  - o Bond per week or more \$400
  
- Plant Hire within Shire Boundary excl surrounding LG. (Wet hire only)
  - o Skid Steer / hr \$155

Other fees such as housing rentals have been adjusted to bring closer to market rates whilst still taking into consideration the location of Nungarin in relation to amenities available in town.

- Private House Rentals (per week)
  - o 3 x 1 dwelling \$103 (increase of \$15)
  - o 4 x 2 dwelling \$147 (increase of \$15)
  - o Wheatbelt Agcare Dwelling \$103 (increase of \$15)
  - o Pensioner – Single \$90  
(increase of \$30 if not qualifying for rental assistance and \$10 if qualifying for rental assistance)
  - o Pensioner – Couple \$103  
(increase of \$13 if not qualifying for rental assistance and \$12 if qualifying for rental assistance)

**SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023**

<b>Focus Area</b>	Civic Leadership
<b>Aspiration</b>	A strong local democracy with an actively engaged community and effective partnership.
<b>Objective</b>	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**

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

**CONSULTATION**

- Grangarin Residents

**RESOURCE IMPLICATIONS**

**Financial**

Fees and charges form part of the Council’s annual financial budget. To keep up with inflation of goods and services it is important to review the fees and charges on an annual basis.

**Workforce**

Nil

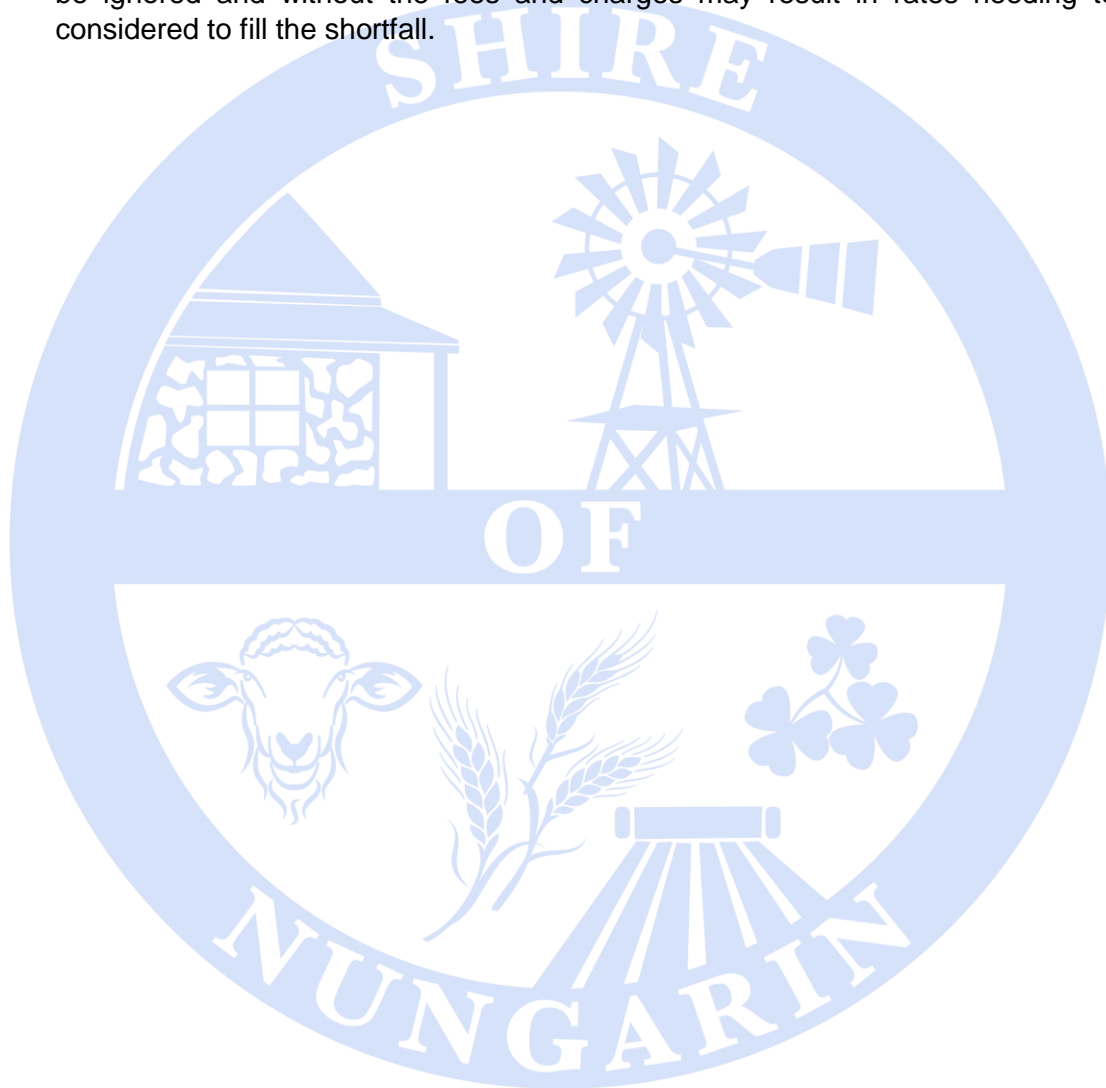
**OPTIONS**

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.



**9. DELEGATES REPORTS**

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

9.1 Cr O’Connell (**APPENDIX 9.1A**)

**10. NEW BUSINESS OF AN URGENT NATURE**

(New business of an urgent nature approved by the Presiding Member)

**11. CONFIDENTIAL ITEMS OF BUSINESS**

**RECOMMENDATION**

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 ....pm

Moved: .....

Seconded: .....

.....

Cameron Large Manager Works and Services left the meeting, the time being ...pm

<b>11.1 CONFIDENTIAL ITEM: REQUEST TO REIMBURSE LEGAL FEES RELATING TO UNPAID RATES RECOVERY.</b>	
<b>File Ref:</b>	A1003 & A1060
<b>Previous Item Ref:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements</b>	Absolute Majority
<b>Appendix Number:</b>	Attachment 11.1A – Reimbursement request Attachment 11.1B – Original rates notice Attachment 11.1C – First & Final rates notice Attachment 11.1D – Payment plan Attachment 11.1E - Attorneys correspondence

**RECOMMENDATION**

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

**RECOMMENDATION**

That the meeting proceeds in public, the time being ....pm

Moved: .....

Seconded: .....

.....

Cameron Large Manager Works and Services returned to the meeting, the time being ..... pm

**12. CLOSURE**

The being no further business the meeting closed at .....

\_\_\_\_\_  
Presiding Member

\_\_\_\_\_  
Date

