



Shire of Cunderdin

Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Wednesday 24th July 2024** in the Cunderdin Shire Council Chambers, WA, 6407 **commencing at 5.00pm.**

Stuart Hobley
Chief Executive Officer

24th July 2024

CONTENTS

1.	Declaration of Opening	3
2.	Record of Attendance, Apologies and Approved Leave of Absence	3
3.	Public Question Time	4
4.	Petitions, Deputations & Presentations	4
5.	Applications for Leave of Absence	4
6.	Confirmation of the Minutes of Previous Meetings	4
6.1.	Ordinary Meeting of Council held on 26 th June 2024	4
7.	Declaration of Members and Officers Interests	4
8.	Announcements by President without Discussion	4
9.	Finance and Administration.....	5
9.1.	Financial Reports June 2024	5
9.2.	Accounts Paid 30 th June 2024	7
9.3.	Council Investments – At 30 th June 2024	9
9.4.	Central Wheatbelt Visitors Centre Memorandum of Understanding.....	12
9.5.	Quarterly Review Corporate Business Plan	14
9.6.	WALGA State Conference and Annual General Meeting	16
9.7.	Shire of Cunderdin Audit Committee Minutes.....	18
9.8.	Bellman Hanger Lease Agreement Variation	20
9.9.	Move Behind Closed Doors	23
9.10.	Civil Aviation Safety Authority Audit Report	23
9.11.	11 Main Street Cunderdin – Rates Payment Plan	23
9.12.	Move From Behind Closed Doors.....	23
9.13.	Chief Executive Officers Report	24
10.	Environmental Health and Building	26
11.	Planning & Development.....	26
11.1.	Development Application – Existing Unauthorised Animal Establishment.....	26
12.	Works & Services	32
13.	Urgent Items.....	32
13.1	2024/25 Budget Adoption	32
14.	Scheduling of Meeting.....	37
14.1.	August 2024 Ordinary Meeting.....	37
15.	Closure of meeting	37
16.	Certification	37

AGENDA

1. Declaration of Opening

The Shire President declared the meeting open at 5pm.

The Shire of Cunderdin disclaimer was read aloud by Cr A (Tony) Smith.

The *Local Government Act 1995* Part 5 Division 2 Section 5.25 and Local Government (Administration) Regulations 1996 Regulation 13.

“No responsibility whatsoever is implied or accepted by the Shire of Cunderdin for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of Council’s decisions, which will be provided within ten working days of this meeting”.

2. Record of Attendance, Apologies and Approved Leave of Absence

2.1 Record of attendances

Councillors

Cr AE (Alison) Harris	Shire President
Cr A (Tony) Smith	Deputy Shire President
Cr TE (Todd) Harris	
Cr N (Natalie) Snooke	
Cr B (Bernie) Daly	
Cr HN (Holly) Godfrey	

In Attendance

Stuart Hobleby	Chief Executive Officer
Hayley Byrnes	Deputy Chief Executive Officer
Samantha Pimlott	Governance & Administration Officer

Guests of Council

Members of the Public

Ange Atwell	5.02pm – 5.14pm
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2.2 Apologies

Cr NW (Norm) Jenzen

2.3 Leave of Absence Previously Granted

Nil.

3. Public Question Time

Member of Public, Angela Atwell, was invited into the room at 5.02pm.

Item 11.1 Development Application – Existing Unauthorised Animal Establishment for discussion. was brought forward and considered at this point in the meeting.

Stuart Hobley and Angela Atwell exited left the room at 5.14pm.

Stuart Hobley re-entered the room at 5.18pm.

Angela Atwell did not return.

4. Petitions, Deputations & Presentations

Nil.

5. Applications for Leave of Absence

Nil.

6. Confirmation of the Minutes of Previous Meetings

6.1. Ordinary Meeting of Council held on 26th June 2024

Resolution 6.1 OCM July 2024

1. That the Minutes of the Ordinary Council Meeting held on Wednesday 26th June 2024 be confirmed as a true and correct record.

Moved: Cr N (Natalie) Snooke

Seconded: Cr A (Tony) Smith

Vote – Simple majority

Carried: 6/0

Note to this item:

The President signed the minute declaration on the previous minutes.

7. Declaration of Members and Officers Interests

Nil.

8. Announcements by President without Discussion

Nil.

9. Finance and Administration

9.1. Financial Reports June 2024

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	16th July 2024
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	<u>Attachment 9.1.1 – June 2024 Monthly Financial Report</u> <u>Attachment 9.1.2 - Rates Details June 2024</u>

Proposal/Summary

The financial reports as at 30th June 2024 are presented for consideration and the details of the transfers made to and from reserve details for the 23/24 financial year are presented to council.

Background

The financial reports have been circulated to all Councillors.

Comment

The Shire of Cunderdin reserve accounts and the transfers made to and from the accounts are below:

Reserve Description	Opening Balance	Interest Earned 23/24	Donations @ 20/6/2024	Transfers Out as Budgeted	Transfers To as Budgeted	Closing Balance
Staff Entitlements	\$ 185,168	\$ 9,171	\$ -	\$ -	\$ -	\$ 194,339
Plant Replacement	\$ 57,161	\$ 2,831	\$ -	\$ -	\$ 100,000	\$ 159,992
Airfield	\$ 99,846	\$ 4,945	\$ -	\$ -	\$ -	\$ 104,791
Community Bus	\$ 21,158	\$ 1,048	\$ -	\$ -	\$ -	\$ 22,206
Asset Replacement	\$ 261,398	\$ 12,946	\$ -	\$ -	\$ -	\$ 274,344
Buildings	\$ 474,310	\$ 23,490	\$ -	\$ -	\$ -	\$ 497,800
Cunderdin Museum	\$ 34,717	\$ 1,719	\$ 823	\$ -	\$ 15,000	\$ 52,260
Surface Replacement	\$ 131,632	\$ 6,519	\$ -	\$ -	\$ 20,000	\$ 158,151
Age Appropriate Accommodation	\$ 123,299	\$ 6,106	\$ -	\$ -	\$ 45,000	\$ 174,405
Swimming Pool	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000
	\$ 1,388,689	\$ 68,776	\$ 823	\$ -	\$ 280,000	\$1,738,288

*Please note a letter will be sent to the Cunderdin Museum Committee advising them of the transfer of donations (\$823.20) received for 2023/24 financial year to the Cunderdin Museum Reserve.

Consultation

Nil.

Statutory Environment

The *Local Government Act 1995* Part 6 Division 3 requires that a monthly financial report be presented to Council.

Policy Implications

Nil.

Financial Implications

All financial implications are contained within the reports.

Strategic Implications

Nil.

Resolution 9.1

1. That Council receives the monthly financial reports for the periods ending 30th June 2024.
2. That Council receive the transfers to/from reserves details for the period ending 30th June 2024.

Moved: Cr B (Bernie) Daly

Seconded: Cr HN (Holly) Godfrey

Vote – Simple majority

Carried: 6/0

9.2. Accounts Paid 30th June 2024

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	16th July 2024
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 9.2.1 – June Creditors Listing

Proposal/Summary

Council is requested to confirm the payment of accounts totalling:

Total for Municipal -	\$623,746.08
Total for Trust -	\$0.00
TOTAL -	\$623,746.08

For June 2024 as listed in the Warrant of Payments for the period 1st to 30th June 2024.

Background

Nil.

Comment

Nil.

Consultation

Nil.

Statutory Environment

In accordance with Financial Management Regulations 12 & 13, a list of all accounts paid or payable shall be presented to Council (Refer Warrant of Payments attached).

Financial Management Regulations 12 & 13.

Policy Implications

Nil.

Financial Implications

All financial implications are contained within the reports.

Strategic Implications

Nil.

Resolution 9.2 OCM July 2024

That Council's payments of accounts amounting to \$623,746.08 being from Municipal Account for June 2024, as follows:

Municipal Account	\$	Total
Electronic Funds Transfer: EFT 8347- 8480	\$573,073.50	
Direct Debit (Inc Bank Charges):	\$17,829.50	
Cheques: 11914 - 11921	\$32,843.08	
Trust Account		
	\$0.00	
TOTAL		\$623,746.08

Moved: Cr A (Tony) Smith

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 6/0

9.3. Council Investments – At 30th June 2024

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	16 th July 2024
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	<u>Attachment 9.3.1 - Bank Statements June 2024</u>

Proposal/Summary

To inform Council of its investments as at 30th June 2024.

Background

The authority to invest money held in any Council Fund is delegated to the Chief Executive Officer. Council Funds may be invested in one or more of the following:

- Fixed Deposits;
- Commercial Bills;
- Government bonds; and
- Other Short-term Authorised Investments.

Council funds are to be invested with the following financial institutions:

- Major Banks & Bonds Issued by Government and/ or Government Authorities.

Comment

In addition to the Shire’s Municipal Operating Accounts, the below investment accounts are held as at 30th June 2024.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$2,303,859.53	Municipal-0000030	\$2,303,859.53		
Bendigo Bank	\$2,249,984.39	Municipal-155971377	\$2,249,984.39		
Westpac Bank	\$280,969.98	Business Cash Reserve 22-3647 0.50%		\$280,969.98	
Bendigo Bank	\$10,167.86	Bendigo Trust Account 164 488 686			\$10,167.86
Westpac Bank	\$0.00	Trust Working Account – 12-2981			\$0.00
Bendigo Bank	\$1,457,464.70	Term Deposit - 5.06% Exp 20 Dec 2024		\$1,457,464.70	
TOTAL INVESTMENTS	\$6,302,446.46		\$4,553,843.92	\$1,738,434.68	\$10,167.86

In addition to the above Shire funds, the Shire administers following accounts for the Cunderdin Community Centre Trust Accounts being Bendigo Term Deposits & operating Ac#000073- \$0.00.

CUNDERDIN COMMUNITY TRUST DETAILS
INTEREST ACCOUNT
30th June 2024

Opening Balance as per Bank Statement & Term Deposits

Term Deposit# 4785431
 Maturing 4 Dec 2024 (5.01%)

		225,369.49
	TOTAL	225,369.49
Credits		14,593.28
Debits		0.00
Closing Balance as Per Bank Statements & Term Deposits	TOTAL	239,962.77
INCOMING		
		14,593.28
		0.00
OUTGOING		
		0.00
Balance as at end of month	TOTAL	239,962.77

CUNDERDIN COMMUNITY TRUST DETAILS
CAPITAL ACCOUNT
30th June 2024

Opening Balance as per Bank Statement & Term Deposits

Term Deposit# 4785433
 Maturing 4 Dec 2024 (5.01%)

		369,862.05
	TOTAL	369,862.05
Credits		0.00
Debits		0.00
Closing Balance as Per Bank Statements & Term Deposits	TOTAL	369,862.05
INCOMING		
		0.00
		0.00
OUTGOING		
		0.00
Balance as at end of month	TOTAL	369,862.05

Consultation

Nil.

Statutory Implications

Financial Management Regulation 19.

Policy Implications

Nil.

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

This item related to the Integrated Planning and Reporting Framework, which feeds into the Long Term Financial Plan when determining annual Council Budgets.

Resolution 9.3 OCM July 2024

That the report on Council investments as at 30th June 2024 be received and noted.

Moved: Cr HN (Holly) Godfrey

Seconded: Cr B (Bernie) Daly

Vote – Simple majority

Carried: 6/0

9.4. Central Wheatbelt Visitors Centre Memorandum of Understanding

Location:	Shire of Cunderdin
Applicant:	Governance and Administration Officer
Date:	4 th July 2024
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachments:	<u>Attachment 9.4.1 – Central Wheatbelt Visitor Centre MOU</u>

Proposal/Summary

For Council to review, consider, and endorse application of signatures Memorandum of Understanding between the Shire of Merredin, Wheatbelt East Regional organisations of Council Inc (WERO) and Shire Cunderdin for visitor servicing and regional promotion through the Central Wheatbelt Visitors Centre.

Background

The previous MOU was in place from the 1st July 2022 to the 30th June 2024.

The Shire of Cunderdin participates with WERO for Visitor Servicing and Regional Promotion. WERO is regional organisation Councils that includes the Shires of Bruce Rock, Kellerberrin, Westonia, Tammin and Yilgarn.

The value of the MOU presented is seen through promotion material produced by the Central Wheatbelt Visitor Centre promoting 20 eastern Wheatbelt member Shires at both state-wide and intra state trade shows.

Comment

The MOU as seen in Attachment 9.4.1 will be in operation from the 1st July 2024 until 30th June 2027 and will be subject to annual reviews.

The Central Wheatbelt Visitor Centre promotes the Shire of Cunderdin through websites, “The Eastern Wheatbelt Visitors’ Guide” distributed throughout the Wheatbelt and by word of mouth. The proposed membership renewal will provide significant discount on promotional opportunities in addition to the Shire’s own promotional activities.

In discussion with shire staff, they have advised that they believe the program is of considerable value in promoting the Shire of Cunderdin.

Consultation

Stuart Hobley, Chief Executive Officer
Central Wheatbelt Visitors Centre

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

\$1,250 pa

Strategic Implications

5. Civic Leadership

5.3 Implement systems and processes that meet legislative and audit obligations

- External Audits and Reviews confirm compliance with relevant legislation.

Resolution 9.4 OCM July 2024

That Council,

1. Accept the Central Wheatbelt Visitor Centre MOU as presented.
2. Authorise Chief Executive Officer to Sign and Return the Memorandum of Understanding between the Shire of Merredin, Wheatbelt East Regional organisations of Council Inc (WERO) and Shire Cunderdin for visitor servicing and regional promotion through the Central Wheatbelt Visitors Centre.

Moved: Cr A (Tony) Smith

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 6/0

9.5. Quarterly Review Corporate Business Plan

Location:	Shire of Cunderdin
Applicant:	Governance and Administration Officer
Date:	5 th July 2024
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	<u>Attachment 9.5.1 - Corporate Business Plan April - June 2024 Quarterly Update</u>

Proposal/Summary

For Council to receive the Quarterly Corporate Business Plan Report as attached.

Background

Local governments are required to produce a plan for the future under Sec. 5.56 (1) of *the Local Government Act 1995*. Regulations made under the Act outline the minimum requirements of a plan for the future namely:
A Strategic Community Plan to cover a period of at least 10 financial years.
A Corporate Business Plan to cover a period of at least 4 financial years.

On the 26th of June 2024, Council adopted a revised version of the Corporate Business Plan. This plan is subject to a review by staff on a quarterly basis to ensure the Shire is meeting Social and Community, Environmental, Housing and Facilities, Economic Development, Infrastructure and Transport and Civic Leadership strategies as outlined in the Corporate Business Plan 2021/2022 – 2024/2025.

The traffic light based Quarterly Update to report progress against the priorities as detailed in the Corporate Business Plan driven by the outcomes of the Strategic Community Plan and actioned through the Annual Budget.

Comments

Attachment 9.5.1 – Quarterly Corporate Business Plan Report at 31 March 2024 identifies the strategies and actions for each Strategic Community Plan objective and the year/s of implementation for the four-year life of the Corporate Business Plan.

On review of the required actions, it can be seen that the Shire is achieving good overall results. A number of projects have been undertaken or are in progress to deliver on the strategic outcomes of the Plan.

The actions and community priorities from the Corporate Business Plan along with the Shires integrated planning documents are considered during Annual Budget production.

Consultation

Shire of Cunderdin Staff

Statutory Implications

Local Government Act 1995 - 5.56 (1)

Local Government (Administration) Regulations 1996 - 19DA. Corporate business plans, requirements for (Act s. 5.56)

Policy Implications

Nil.

Financial Implications

2023/24 Adopted Budget.

Strategic Implications

Shire of Cunderdin Strategic Community Plan.

5.2 Forward planning and implementation of plans

Accountable and transparent decision making

Financial sustainability in achieving community aspirations

Resolution 9.5 OCM July 2024

That the Council:

1. That Council receive and endorse the Corporate Business Plan Quarterly Report for the April and June 2024 quarter.

Moved: Cr TE (Todd) Harris

Seconded: Cr B (Bernie) Daly

Vote – Simple majority

Carried: 6/0

9.6. WALGA State Conference and Annual General Meeting

Location:	Shire of Cunderdin
Applicant:	Governance and Administration Officer
Date:	15 th July 2024
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	Attachment 9.6.1 - WALGA-2024-AGM-Notice-of-meeting

Proposal/Summary

For Council to appoint delegates and proxy delegates to the 2024 WALGA Annual General Meeting (AGM) on Wednesday 9th October 2024 at Perth Convention Centre.

Background

WA Local Government Association is holding its Annual General Meeting on Wednesday 9th October 2024 at Perth Convention Centre.

As a Member of the Association the Shire has been asked to register the attendance and voting entitlements of Council's delegates to the AGM. Council has been requested to register two Voting Delegates and two Proxy Voting Delegates.

Comments

It is usual practice for the Shire President and Shire Deputy President to be the Shire's Voting Delegates. However, should one not be available another Councillor will need to be nominated together with the required Proxy Voting Delegates.

The 2023 Council's Voting Delegates were Cr AE (Alison) Harris and Cr TE (Todd) Harris, with Cr A (Tony) Smith and Stuart Hobley as the Proxy Voting Delegates.

Consultation

Stuart Hobley, Chief Executive Officer
Councillors

Statutory Implications

Nil.

Policy Implications

Shire of Cunderdin Council Policy Manual
1.8 Elected Members – Conference, Training, Travel and out of pocket expenses

Financial Implications

The AGM is free of charge. Costs associated with Councillor meeting attendance are accounted for in the Shires Budget.

Strategic Implications

5. Civic Leadership

5.1 Shire communication is consistent, engaging and responsive.

5.3 Implement systems and processes that meet legislative and audit obligations.

Resolution 9.6 OCM July 2024		
That Council appoints its Delegates to the 2024 Annual General Meeting of the WA Local Government Association as follows:		
Voting Delegates	1. Cr AE (Alison) Harris	2. Cr TE (Todd) Harris
Proxy Voting Delegate	1. Stuart Hobley	
Moved: Cr HN (Holly) Godfrey	Seconded: Cr N (Natalie) Snooke	
Vote – Absolute majority	Carried: 6/0	

9.7. Shire of Cunderdin Audit Committee Minutes

Location:	Shire of Cunderdin
Applicant:	Governance & Administration Officer
Date:	15 th July 2024
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachments:	<u>Attachment 9.7.1 - Audit Committee Minutes - 26th June 2024</u>

Proposal/Summary

Council to receive the minutes of the Audit Committee Meeting held Wednesday 26th June 2024.

Background

An Audit Committee Meeting was held for the purpose of presenting the revised Business Continuity Plan and Business Continuity Framework.

A copy of the minutes from this meeting can be found in Attachment 9.7.1 - Audit Committee Minutes – 26th June 2024.

Comment

At this meeting the Audit Committee made the following resolution:

Resolution 5.1

That the Audit Committee:

Endorse and accept the Business Continuity Plan and Business Continuity Management Framework as presented.

Consultation

Nil.

Statutory Implications

Local Government Act 1995 Part 5 Division 2 Subdivision 3 – Section 5.22

2. The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Local Government Act 1995

7.12A. Duties of local government with respect to audits

1. A local government is to do everything in its power to —
 - a. assist the auditor of the local government to conduct an audit and carry out his or her other duties under this Act in respect of the local government; and
 - b. ensure that audits are conducted successfully and expeditiously.
2. Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
3. A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —
 - a. determine if any matters raised by the report, or reports, require action to be taken by the local government; and
 - b. ensure that appropriate action is taken in respect of those matters.

4. A local government is to —
 - a. prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and
 - b. forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

Local Government (Audit) Regulations 1996

Policy Implications

Business Continuity Plan
Business Continuity Framework

Financial Implications

Nil.

Strategic Implications

5. CIVIC LEADERSHIP

5.2 Forward planning and implementation of plans

5.3 Implement systems and processes that meet legislative and audit obligations

Resolution 9.7 OCM July 2024

That Council:

1. Endorse and accept the Minutes and Resolutions contained therein of the Audit Committee Minutes held on the 26th June 2024 as presented in Attachment 9.7.1.

Moved: Cr B (Bernie) Daly

Seconded: Cr TE (Todd) Harris

Vote – Simple majority

Carried: 6/0

9.8. Bellman Hanger Lease Agreement Variation

Location:	Shire of Cunderdin
Applicant:	Finance & Property Assistant – Executive Services
Date:	10 th July 2024
Author:	Brooke Davidson
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	A55343
Attachments:	<u>Attachment 9.8.1 - Shire Lease Bellman</u>

Proposal/Summary

For Council to consider and approve request to vary the current lease agreement between the Shire of Cunderdin and the Gliding Club of Western Australia as per Attachment 9.8.1 - Shire Lease Bellman.

Background

The Gliding Club of Western Australia have an agreement in place to lease a portion of the Cunderdin Airfield. This agreement is for a Term of 25 years, commencing 1 April 2011 and expiring on 31 March 2036.

In 2012, the Gliding Club approached the Shire with the interest of including Hut 111 into their agreement. A Deed of Variation was created by McLeod's Lawyers and signed by all parties. Costs associated with this variation were the liability of the Gliding Club.

In 2020 the Gliding Club approached the Shire to incorporate the Shire's Bellman Hangar into their lease agreement. An agreement was enacted by the Shire's former CEO, Peter Naylor allowing the Gliding club to lease the hangar rent free under a condition that the Gliding Club clean up and maintain the hangar. The Gliding Club then began making use of the Bellman Hangar.

In June 2022, the Gliding Club again approached the Shire via email asking for the Bellman Hangar to officially be included in their lease agreement. The Gliding Club also stated that they would like to relinquish their lease agreement over the Workshop building due to its dilapidated condition.

The Shire replied to this request to the Gliding Clubs President, Stuart Usher, advising that following discussions with Council, it would be agreed that the Bellman Hanger could be incorporated into their current lease agreement.

Shire Administration Officers began arranging the lease variation. During this process some confusion arose in identification of correct buildings at the Airfield. Shire officers met with Stuart Usher and Stuart Wood of the Gliding Club, at the Cunderdin Airfield in February 2023 to gain a comprehensive understanding of the airfield infrastructure.

In April 2023 Stuart Usher was contacted advising him that he would need to submit a formal proposal to Council outlining the lease variations proposed by the Gliding Club. This correspondence was received from the Gliding Club in September 2023, Attachment 9.8.1 - Shire Lease Bellman. A reply was sent via email acknowledging receipt of the Gliding Clubs request and to also confirm the Gliding Club were aware that they would be liable for any legal costs incurred during the lease variation process. The club asked what the indicative legal costs may amount to. A cost estimation of \$800.00 was obtained and forwarded to the Stuart Usher, who replied on 17th November 2023 confirming that the club would like to proceed with the lease variation.

Comment

McLeod's Lawyers have been asked to create the Deed of Variation to incorporate the Bellman Hangar and to relinquish the workshop building. Correspondence between the Gliding Club and Shire acknowledged that the Gliding Club would be liable for any legal costs associated with drafting Lease Agreements Deed of Variation document.

The Gliding Club are charged an annual lease charge, as stipulated in the Shire's Fees and Charges. Item 8 of the Lease Schedule states that a rent review will be conducted on each anniversary of the Commencement Date during the Term based on CPI, other than on each fifth anniversary of the Commencement Date at which time the rent shall be increased:

(a) *Based on CPI; or*

(b) *Based on the following formula:*

Number of Lessee's members x \$115 = Annual Rent exclusive of GST

According to whichever method of review results in the higher rental

Consultation

Gliding Club of Western Australia
McLeods Lawyers

Statutory Implications

Local Government Act 1995

6.16. Imposition of fees and charges

1. A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
2. A fee or charge may be imposed for the following —
 - a. providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;

6.17. Setting level of fees and charges

1. In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
 - a. the cost to the local government of providing the service or goods; and
 - b. the importance of the service or goods to the community; and
 - c. the price at which the service or goods could be provided by an alternative provider.

Policy Implications

Nil.

Financial Implications

The cost of preparing the Deed of Variation will be reimbursed by the Gliding Club.

Strategic Implications

1. COMMUNITY AND SOCIAL

1.1 Community members have the opportunity to be active, engaged and connected

The Shire supports positive leisure, learning and recreation outcomes

2. ECONOMY

2.1 Facilitate local business retention and growth

The airfield is activated in partnership with key stakeholders

Resolution 9.8 OCM July 2024

That Council:

1. Accept the Lease Variation as presented between the Shire of Cunderdin and Gliding Club Western Australia Inc.
2. Authorise the Shire of Cunderdin President and Chief Executive Officer to sign and affix the Common Seal to the Lease Variation.

Moved: Cr TE (Todd) Harris

Seconded: Cr HN (Holly) Godfrey

Vote – Absolute majority

Carried: 6/0

9.9. Move Behind Closed Doors

Resolution 9.9 OCM July 2024

That Council move behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr B (Bernie) Daly

Seconded: Cr A (Tony) Smith

Vote – Simple majority

Carried: 6/0

9.10. Civil Aviation Safety Authority Audit Report

9.11. 11 Main Street Cunderdin – Rates Payment Plan

9.12. Move From Behind Closed Doors

Resolution 9.12 OCM July 2024

That Council move from behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr B (Bernie) Daly

Seconded: Cr TE (Todd) Harris

Vote – Simple majority

Carried: 6/0

9.13. Chief Executive Officers Report

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	20 th June 2024
Author:	Stuart Hobley
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachments:	<u>Attachment 9.13.1 - Audit Fee 2024 - Shire of Cunderdin</u> <u>Attachment 9.13.2 - Engineering Order of Costs</u> <u>Attachment 9.13.3 - UPD9985 - Subdivision Preliminary Investigation Report V1.0</u>

Proposal/Summary

To provide an update on the matters the Chief Executive Officer has been addressing over the past month.

Background

Cunderdin Industrial Lot Development

Development WA advised of the following with respect to the industrial subdivision.

- Currently WAPC is considering the 5 lot subdivision and we are waiting for them to accept the lodgement of the amalgamating lot for the Donovan's.
- Meanwhile the Engineer is drawing up the tender documents and they should be released over the next 4 weeks, Earthstyle will be invited.
- Their aim is to commence works this calendar year, mindful of the christmas downtime.
- Procurement for a real estate agent is currently on hold, it will be progressed in a batch with some other regional projects in the coming months.

WAPC subdivision review	Up to 3 months – finish August
Procurement	Up to 6 weeks – finish October
Construction /sales	9 weeks – October – mid December

Watts Street Subdivision

The engineering consultants have provided cost estimates for the development of the seven proposed lots that face Watts Street. The cost is estimated to be \$380,000 and this amount has been included in the draft budget.

Site investigation works will commence in August 2024 to determine if deep sewerage connections are required for these initial lots. Based on the previous development of the lots on the south side of Watts Street it is not anticipated that deep sewerage will be required.

Cubbine Street Subdivision

Council has received costs for the development of the Old Hospital Site. The estimated cost is \$1,586,740. This includes all planning, utilities/services (water, sewerage, electricity and communications), road, drainage and engineering costs. The estimates and the proposed plans are attached (Attachment 9.13.2).

Council will need to determine how it wants to proceed with the development of this land.

Community Bus – Lotterywest Application

Council staff have completed and submitted an application for a Lotterywest grant to purchase a new community bus. Council should know within three months if the application has been successful.

Mitchell Street and Yilgarn Street Housing Update

The President and Chief Executive Officer met with the contractor regarding the Yilgarn Street Executive House construction. A draft design has been agreed upon and will be presented to Council. The design has been forwarded to the estimator for costing and this should be available for the Council meeting.

The CEO meet with Modular WA to negotiate the contract to construct two, three bedroom dwellings on Mitchell Street. Modular WA have agreed to the modifications as proposed by Council and a contract will be signed in the near future. The CEO has inspected the display homes at Modular WA Wangara and can confirm the quality of the product. Modular WA have invited all Councillors to attend the display homes for an inspection.

Comment

Nil.

Consultation

Nil.

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

Resolution 9.13 OCM July 2024

That the Chief Executives Officers Report be received.

Moved: Cr HN (Holly) Godfrey

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 6/0

10. Environmental Health and Building

Nil.

11. Planning & Development

Resolution 11 OCM July 2024

That Council move to bring forward Item 11.1 Development Application – Existing Unauthorised Animal Establishment for discussion.

Moved: Cr B (Bernie) Daly

Seconded: Cr HN (Holly) Godfrey

Vote – Simple majority

Carried: 6/0

11.1. Development Application – Existing Unauthorised Animal Establishment

Location:	Lot 205 (No.4079) Goomalling-Meckering Road, Meckering
Applicant:	Angela Atwell under the authority of Joseph John-Paul Hugues South (Landowner)
Date:	17 th July 2024
Author:	Joe Douglas – Town Planner
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachments:	<u>Attachment 11.1.1 – Development Application Documentation & Plans</u> <u>Attachment 11.1.2 – Details of submissions received from other landowners in the Meckering townsite</u> <u>Attachment 11.1.3 – Copy of submission from the Department of Primary Industries and Regional Development.</u>

Proposal / Summary

This report recommends that a development application submitted by Angela Atwell under the authority of Joseph John-Paul Hugues South (Landowner) to formalise an existing unauthorised ‘animal establishment’ on Lot 205 (No.4079) Goomalling-Meckering Road, Meckering be approved subject to conditions.

Background

The applicant is seeking Council’s retrospective development approval to formalise the keeping and breeding of up to fifteen (15) alpacas on Lot 205 (No.4079) Goomalling-Meckering Road, Meckering including various associated improvements (i.e. proposed ‘Animal Establishment’).

A full copy of the development application received, including supporting documentation and plans, is provided in Attachment 11.1.1.

Lot 205 is located in the north-western part of the Meckering townsite and comprises a total area of approximately 1.3788 hectares.

The property has direct frontage and access to Goomalling-Meckering Road along its southern boundary which is a sealed and drained local distributor road under the care, control and management of the Shire. It also has direct frontage to Hackett Street along its eastern side boundary which is an unsealed local road also under the care, control and management of the Shire.

Lot 205 is gently sloping throughout, has been cleared of most native vegetation and does not contain any creek lines, water bodies or other features of environmental significance. The property has historically been developed and used for rural residential purposes and contains a number of associated improvements including a single house, gazebo, swimming pool, sheds, internal driveways and parking areas all located in its western portion, a small number of native trees and other landscaping in select locations, fenced paddocks east of the existing house, numerous water supply tanks, boundary fencing and firebreaks throughout.

The subject land is served by reticulated electricity and telecommunication services as well as Shire owned and controlled stormwater drainage infrastructure in the adjoining road reserves. Reticulated water and sewerage are not available with all water supply and effluent disposal required to be provided/undertaken on-site.



Location & Lot Configuration Plan (Source: Landgate)

The property is not designated as being bushfire prone or flood prone and contains no buildings or places of cultural heritage significance.

Existing adjoining and other nearby land uses are broadly described as follows:

- North – Rural residential development on lots comprising an average area of 2 hectares with the Wilson Street road reserve and extensive agriculture (i.e. broadacre cropping and grazing) beyond;
- South – The Goomalling-Meckering Road road reserve with extensive agriculture (i.e. broadacre cropping and grazing) and undeveloped Crown land for environmental conservation purposes beyond;
- East – The Hackett Street road reserve with rural residential development on lots comprising an average area of 2 hectares, Crown Reserve 37668 which has been set aside as public open space and extensive agriculture (i.e. broadacre cropping and grazing) beyond; and
- West – Rural residential development (i.e. one lot only comprising an area of 1.3916 hectares) with the Goomalling-Meckering Road road reserve and extensive agriculture (i.e. broadacre cropping and grazing) beyond.

Comment

Lot 205 is classified 'Rural Residential RR4' zone in the Shire of Cunderdin Local Planning Scheme No.4 (LPS4), the stated objectives for which are as follows:

- *To provide for lot sizes in the range of 1 to 4 hectares;*
- *To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land; and*
- *To set aside areas for the retention of vegetation and landform or other features which distinguish the land.*

Under the terms of the Zoning Table in LPS4 the development of any land classified 'Rural Residential' zone for the purposes of an 'animal establishment' is listed as a discretionary (i.e. 'A') use which means it is not permitted unless the local government has exercised its discretion by granting development approval following completion of public advertising for a minimum required period of fourteen (14) days.

The application has been assessed with due regard for the relevant objectives, standards and requirements of LPS4 as well as those matters required to be considered pursuant to clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*, including the outcomes from public advertising and State government agency referrals.

This assessment has confirmed the proposal is compliant or capable of compliance with the following requirements:

- Rural Residential zoning objectives;
- Land use permissibility and compatibility;
- Land capability and suitability;
- Amenity of the locality including potential environmental, visual and social impacts;
- Protection of the natural environment, water resources and cultural heritage significance;
- Vehicle access and parking including areas for loading/unloading;
- Landscaping;
- The provision of key essential services (i.e. water supply);
- Waste management and disposal; and
- Bushfire risk, flood risk and stormwater drainage management.

Notwithstanding the above conclusion Council should note the following key points when considering and determining the application:

1. The application was referred to all immediately adjoining and other nearby landowners (i.e. 13 in total) inviting their feedback and comment. The application was also advertised for public comment on the Shire's website and local newsletter in excess of the minimum required period of fourteen (14) days. At the conclusion of public advertising a total of two (2) submissions had been received, one of which objected to the proposal for environmental reasons. The second submission raised no objection and fully supported and encouraged the proposal given no negative impacts had arisen since the use was established and their own previous experience keeping alpacas on their property (see Attachment 11.1.2).
2. The application was also referred to the Commissioner of Soil and Land Conservation, the Department of Primary Industries and Regional Development and the Shire's Environmental Health Officer. The Department of Primary Industries and Regional Development advised it objects to the proposal as the proposed stocking rate exceeds the maximum sustainable stocking rate for the property (see Attachment 11.1.3). The Department subsequently advised, following queries from the reporting officer, that if a total of five (5) or six (6) alpacas were kept on the property at any one time and there was a demonstrated ability to maintain up to 70% groundcover all year round the Shire could approve the application. No

comments were received from the Commissioner of Soil and Land Conservation or the Shire's Environmental Health Officer so it's reasonable to assume they have no concerns with or objections to the proposal.

3. The applicant was informed of the advice received from the Department of Primary Industries and Regional Development and confirmed sufficient water has and will continue to be provided to maintain up to 70% groundcover on the property all year round. The applicant also confirmed she is accepting of the Department's recommendation that only six (6) alpacas be kept on the property at any one time to comply with the maximum permitted stocking rate requirement.
4. Having regard for:
 - a) the land's environmental characteristics and features which are conducive to the continued use of the land for the intended purpose;
 - b) the advice received from the Department of Primary Industries and Regional Development confirming there is scope to allow the use to continue subject to limitations on stocking numbers and the maintenance of up to 70% groundcover all year round;
 - c) the fact the Commissioner of Soil and Land Conservation and the Shire's Environmental Health Officer did not raise any objections on environmental grounds; and
 - d) the Shire's ability to control the proposed use through conditions of development approval and its *Health Local Laws 2016* and *Animals, Environment and Nuisance Local Law 2016*, the latter of which requires a license application to the Shire's including a management plan, and the Shire's ability to vary the conditions of or cancel any license issued to the applicant due to mismanagement,

it is contended the use can be accommodated in a manner that is consistent with the amenity of the locality and the conservation and landscape attributes of the subject land if it is managed appropriately in accordance with all regulatory requirements and that the objection raised by a nearby landowner during public advertising on environmental grounds is not sufficient reason to refuse the application.

In light of all the above it is concluded the continued use of Lot 205 for the purposes of an 'animal establishment' is unlikely to have any negative impacts on the general amenity, character, functionality and safety of the immediate locality and may therefore be supported and approved by Council subject to compliance with a number of conditions to ensure it is undertaken in a proper and orderly manner. As such, it is recommended Council exercise discretion and grant conditional development approval.

Formal prosecution action against the applicant and landowner pursuant to Part 13 of the *Planning and Development Act 2005* as it applies specifically to illegal development is not recommended or considered necessary in this particular instance given the applicant and landowner have sought to formalise the unauthorised use through the correct processes and have worked with the Shire Administration in a constructive and collaborative manner since becoming aware of the non-compliance issues and potential implications.

Consultation

Consultation was undertaken in accordance with the procedural requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the outcomes from which are documented above. The application has also been the subject of ongoing discussions with the applicant throughout the planning assessment process.

Statutory Environment

- *Planning and Development Act 2005 (as amended)*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Shire of Cunderdin Local Planning Scheme No.4*
- *Shire of Cunderdin Health Local Laws 2016*
- *Shire of Cunderdin Animals, Environment and Nuisance Local Law 2016*

Policy Implications

- State Planning Policy 2.0 - Environment and Natural Resources;
- State Planning Policy 2.5 - Rural Planning;
- State Planning Policy 2.9 - Water Resources; and
- State Planning Policy 3.0 - Urban growth and Settlement.

Financial Implications

Nil immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are provided for in Council's annual budget and have been partially offset by the development application fee paid by the applicant.

All costs associated with the proposed development have and will be met by the applicant/landowner.

It is significant to note should the applicant/landowner be aggrieved by Council's final decision in this matter they have the right seek a formal review of that decision by the State Administrative Tribunal. Should this occur for whatever reason, which is considered unlikely in this particular instance, the Shire would need to respond, the cost of which cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$5,000 to \$60,000 excluding GST depending upon how far the matter proceeds through the review process.

Strategic Implications

The development proposal for the subject land is generally consistent and does not conflict with the following strategic planning documents:

- i) Shire of Cunderdin Local Planning Strategy as it applies specifically to environmental protection and land use compatibility; and
- ii) Shire of Cunderdin Strategic Community Plan 2022-2032 and Corporate Business Plan 2021/22-2024/25 as they apply specifically to social and community, natural environment and civic leadership objectives and outcomes.

Resolution 11.1 OCM July 2024

That Council

1. Approve the development application submitted by Angela Atwell under the authority of Joseph John-Paul Hugues South (Landowner) to formalise an existing unauthorised 'animal establishment' on Lot 205 (No.4079) Goomalling-Meckering Road, Meckering subject to the following conditions and advice notes:

Conditions

1. The proposed development shall be undertaken in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.
2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.
3. The use hereby permitted shall be managed and maintained at all times to the specifications and satisfaction of the local government's Chief Executive Officer to minimise any negative impacts on the amenity of the immediate locality and the natural environment.
4. A maximum of six (6) alpacas are permitted to be kept on the land at any one time.
5. Suitable arrangements shall be made to ensure 70% groundcover is maintained on the land all year round, including the provision of a suitable water supply and associated irrigation

6. Where in the opinion of the local government the use hereby approved is causing adverse impacts on the amenity of the immediate locality and/or the natural environment such as damage to natural vegetation, pollution such as noise, dust, offensive odours, soil erosion or any other form of land degradation, the local government may take action to abate the adverse impacts, including removal of all animals from the land and cancellation of this approval, with all costs incurred by the local government in this regard being recoverable from the applicant and landowner.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant/landowner and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.
2. This is a development approval of the Shire of Cunderdin under its Local Planning Scheme No.4. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. In accordance with the *Building Act 2011* and *Building Regulations 2012*, an 'Application for Building Approval Certificate' (i.e. BA13) for all unauthorised structures (i.e. animal shelters and water tanks as applicable) must be submitted to and approved by the local government's Building Surveyor.
4. All structures the subject of this approval are required to comply in all respects with the National Construction Code of Australia as applicable. Plans and specifications which reflect these requirements are required to be submitted with the 'Application for Building Approval Certificate' (i.e. BA13).
5. The applicant and landowner are reminded of their obligation to ensure compliance with the requirements of the following:
 - a. the *Shire of Cunderdin Health Local Laws 2016*;
 - b. the *Shire of Cunderdin Animals, Environment and Nuisance Local Law 2016* including licensing requirements to keep farm animals; and
 - c. the *Shire of Cunderdin Annual Fire Break Notice* as it applies specifically to all townsite land to help guard against any potential bushfire risk.
6. The noise generated by any activities on-site shall not exceed the levels as set out under the *Environmental (Noise) Regulations 1997*.
7. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Cunderdin Local Planning Scheme No.4 and may result in legal action being initiated by the local government.
8. If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted within 28 days of the local government's determination.

Moved: Cr B (Bernie) Daly

Seconded: Cr A (Tony) Smith

Vote – Simple majority

Carried: 6/0

12. Works & Services

Nil.

13. Urgent Items

13.1 2024/25 Budget Adoption

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	15 th July 2024
Author:	Hayley Byrnes
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	<u>Attachment 13.1.1- SOC 24/25 Statutory Budget</u> <u>Attachment 13.1.2- SOC 24/25 Fees and Charges</u>

Proposal / Summary

To consider and adopt the Municipal Fund Budget for the 2024/25 financial year together with supporting schedules, including striking of the municipal fund rates, setting of elected members fees for the year and other consequential matters arising from the budget papers.

Background

The draft 2024/25 budget has been compiled based on the parameters established in the Council integrated planning documents including long term financial plan, corporate business plan and strategic community plan.

Council gave consideration to the detail within the budget via workshops held on the 12th June and 10th July 2024.

Comment

The budget has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The main features of the draft budget include:

Rates

The proposed budget provides a 4% increase in rates collected.

However, the periodic system of revaluations of properties undertaken by the Valuer General will result in some ratepayers paying more and some less than last year – while the revenue to Local Government will increase by 4% from last year.

The minimum rate is proposed to be set at \$841.

Comments from the District Valuer were:

UV ROLL

Here is a summary of the changes observed in the assessed values for the 2023-24 period, as part of the general valuation program conducted in your area. These valuations will become effective on 30 June 2024.

Total Valuation	\$367,573,700
Average Overall Change	27.27%

Please be aware that although the general valuation rolls have been finalised, these figures are subject to change in the event of an interim valuation.

The analysis of sales at and around the date of valuation supports increasing unimproved values for broadacre agricultural properties and rural smallholdings across the shire. There is some degree of variation in the unimproved values to improve co-ordination between some holdings.

Some variations to individual assessments may have occurred either as a product of the valuation process and/or inclusion of updated information such as soil types.

GRV ROLL

The following is a summary of changes occurring to the level of values in the 2023-24 general valuation program for your local authority, with the valuations coming into force 1 July 2024.

- Residential: 399 properties with a median change of 8.8%
- Commercial: 15 properties with a median change of 8.76%
- Industrial: 29 properties with a median change of 4.58%
- Vacant Land: 66 properties with a median change of 4.85%
- Miscellaneous: 4 properties with a median change of 6.69%

The overall change in the GRV valuations roll was 8.36% based on 514 properties (this may differ slightly from the number on the roll).

End of year position

The 2023/2024 end of year position is an estimated surplus of \$4,459,366. This is a result of a number of projects that were not complete before the end of the financial year and the early payment of 100% our Federal Assistance Funding which was received 28th June 2024.

The budget presented to Council for adoption results in an end of year surplus for 2024/25 of \$552.

Fees & Charges

The fees and charges schedule is presented to Council for consideration. Variations as deemed appropriate have been made to the Fees & Charges; the variations have been highlighted yellow in the attachment. These variations have been made to ensure we are recouping the Shires costs to provide the service or bring items in that have been deemed necessary throughout the previous year.

Elected Member Attendance Fees, Allowances & Reimbursement of Costs

The recommendations include the setting of meeting attendance fees and allowances for members. This includes the Presidents allowance of \$1500.00, the Deputy President's allowance \$375.00 and members meeting attendance fees are set at the maximum rate of \$250 and \$510 for the President. With Committee meeting attendance fee set at the maximum rate \$130 for all members.

The Presidents entitled to an allowance in the range of \$556 – \$21,710 and the Deputy President is entitled to up to 25% of the agreed president's allowance.

Other claims such as travelling will need to be submitted should a member so require. All payments may be made direct to Members designated bank accounts. These fees and allowances are in accordance with Sec 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act and the Local Government (Administration) Regulations. These fees are within the determinations for Band 4 as set by the Salaries and Allowances Tribunal 28 May 2024.

Salaries & Wages

The budget for Salaries and Wages includes an estimated increase from the Fair Work Commission wage increase.

The Shire has recently received correspondence from WALGA Employee Relations regarding the annual wage increase to the Local Government Industry Award 2020.

A 4% increase for employees under the Local Government Industry Award 2020 came into effect from the start of the first full pay period on or after 1 July 2024.

The super guarantee (SG) rate will also increase from 11% to 11.5% on 1 July 2024. It is a requirement to use the new rate to calculate super on payments made to employees on or after 1 July. The SG rate is legislated to increase to 12% by 2025.

Road Funding

The road program has had an increase in funding from the Department of Infrastructure and Regional Development. This has led to a significant road program for the 2024/2025 year. A portion of these works will be put out to contract as we do not have the capacity to undertake the works ourselves. The total of our Road funding sources are as follows:

MRWA Direct Grant	\$ 154,100
Regional Road Group	\$ 466,296
Roads to Recovery 24/25	\$ 580,213
TOTAL	\$1,200,609

Reserve Transfers

The following transfers in and out of Reserves have been budgeted for.

Transfer from Building Reserve (Housing Project)	\$497,800
Transfer from Bus Reserve	\$22,206
Transfer to the Plant Reserve.	(\$100,000)
Transfer to the Swimming Pool Reserve.	(\$100,000)
Transfer to Museum Reserve	(\$15,000)
Transfer to AAA Sandalwood Units Reserve (Net income from units)	(\$45,000)
Transfer to the Synthetic Surfaces Reserve	(\$20,000)

Borrowings

The Shire has budgeted to borrow up to \$600,000 to complete the Housing projects.

Statutory Implications

Section 6.2 of the *Local Government Act 1995* requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending 30 June of the next year.

Divisions 5 and 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. *The Local Government (Financial Management) Regulations 1996* details the content of the budget. The draft 2024/25 budget as presented is considered to meet statutory requirements.

- *Cemeteries Act 1986*
- *Waste Avoidance and Resources Recovery Act 2007*
- *Local Government (Miscellaneous Provisions) Act 1960*

Policy Implication

Nil.

Consultation

Internal: Staff

Council

External: Community groups (and Councillors) have had the opportunity to submit budget requests

Financial Implications

The Budget document establishes activities which the Shire will pursue during the 2024/25 financial year taking into account the Shire of Cunderdin Corporate Business Plan and Long Term Financial Plan.

Strategic Implications

5. CIVIC LEADERSHIP

5.2 Forward planning and implementation of plans

Accountable and transparent decision making

Resolution 13.1 OCM July 2024

PART A - MUNICIPAL FUND BUDGET FOR 2024/25

That Council, pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, adopt the Municipal Fund Budget as contained in the attachment of this agenda for the Shire of Cunderdin for the 2024/25 financial year which includes the following:

- 1) Statement of Financial Activity, shows a surplus of \$552
- 2) An amount required to be raised from rates of \$ 2,528,405
- 3) Budget schedules as detailed.
- 4) Transfers to/from Reserve accounts as detailed.

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1) That Council, for the purpose of yielding the surplus disclosed by the Municipal Fund Budget adopted at Part A above, pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995, impose the following general and minimum rates on Gross Rental and Unimproved Values.

1.1 General Rates

Gross Rental Value (GRV)	9.3572 cents in the dollar
Rural (UV)	0.4785 cents in the dollar
Mining (UV)	0.4785 cents in the dollar

1.2 Minimum Rates

Gross Rental Value (GRV)	\$841
Unimproved Value (UV)	\$841
Mining (UV)	\$841

- 2) That Council, pursuant to section 6.45 of the Local Government Act 1995 and regulation 64 (2) of the Local Government (Financial Management) Regulations 1996, offers a one or four instalment payment option, and nominates the following due dates for payment in full or by instalments:

Full payment and 1st instalment due date 20 September 2024

2nd quarterly instalment due date 19 November 2024

3rd quarterly instalment due date 21 January 2025

4th quarterly & final instalment due date 25 March 2025

- 3) That Council, pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$10 for each instalment after the initial instalment is paid.
- 4) That Council, pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.
- 5) That Council, pursuant to section 6.51 (1) and subject to section 6.51 (4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable

PART C – GENERAL FEES AND CHARGES FOR 2024/25

That Council, pursuant to section 6.16 of the Local Government Act 1995, adopts the Fees and Charges included in the Attachment 13.1.2 - Draft fees and charges 2024/25 attached to this agenda.

PART D – OTHER STATUTORY FEES FOR 2024/25

- 1) That Council, pursuant to Part 7 Local Government Planning Charges Planning and Development Regulations 2009 adopts the Fees and Charges for Planning Services within the Shire of Cunderdin as included in Attachment 13.1.2 - Draft fees and charges 2024/25 attached to this agenda.
- 2) That Council, pursuant to section 53 of the Cemeteries Act 1986 adopts the Fees and Charges for Cemeteries within the Shire of Cunderdin as included in Attachment 13.1.2 - Draft fees and charges 2024/25 attached to this agenda.
- 3) That Council, pursuant to section 245A(8) of the Local Government (Miscellaneous Provision) Act 1960 adopts the swimming pool inspection fee included in Attachment 13.1.2 - Draft fees and charges 2024/25 attached to this agenda.
- 4) That Council, pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, adopt the charges for the removal and deposit of domestic and commercial waste as included in Attachment 13.1.2 - Draft fees and charges 2024/25 attached to this agenda.

PART E – ELECTED MEMBERS FEES AND ALLOWANCES FOR 2024/25

1) That Council, pursuant to section 5.98(1)(b) of the Local Government Act 1995 and within the range determined by the Salaries and Allowances Tribunal, adopt the following meeting attendance fees for elected members:

President \$530 per meeting attended
Councillors \$260 per meeting attended
Councillors \$130 per committee meeting attended.

2) That Council, pursuant to section 5.98(5) of the Local Government Act 1995 and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual local government allowance to be paid in addition to the meeting attendance fees:

President \$1,500

3) That Council, pursuant to section 5.98A of the Local Government Act 1995 and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual local government allowance to be paid in addition to the meeting attendance fees:

Deputy President \$375

PART F – MATERIAL VARIANCE REPORTING FOR 2024/25

That Council, in accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2024/25 for reporting material variances shall be a percentage of ten (10) or a minimum of \$10,000, whichever is the greater.

Moved: Cr TE (Todd) Harris

Seconded: Cr B (Bernie) Daly

Vote – Absolute Majority

Carried: 6/0

14. Scheduling of Meeting

14.1. August 2024 Ordinary Meeting

The next ordinary meeting of council is scheduled to take place on Tuesday, 27th August 2024 commencing at 5:00pm at the Cunderdin Shire Council Chambers, Cunderdin, WA 6407.

15. Closure of meeting

There being no further business the Shire President will declare the meeting closed at 6.38pm.

16. Certification

DECLARATION

I, Alison Harris, certify that the minutes of the Ordinary Council Meeting held on 24th July 2024, as shown, were confirmed at the ordinary meeting of Council held on 27th August 2024.

Signed: _____

Date: _____