



Shire of Cunderdin

Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 21st July 2022** in the Cunderdin Shire Council Chambers, WA, 6407 **commencing at 5.00pm.**

Stuart Hobley
Chief Executive Officer
21st July 2022

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 23 rd June 2022.....	4
7.	Declaration of Members and Officers Interests	4
8.	Announcements by President without Discussion	4
9.	Finance & Administration.....	5
9.1	Financial Reports for June 2022	5
9.2	Accounts Paid – 30th June 2022	6
9.3	Council Investments – As at 30 th June 2022	8
9.4	Management of Volunteer Bush Fire Brigades - Proposed Advocacy Position.....	11
9.5	Delegations Register 2022 – Adoption	16
9.6	Write Off Request – Lot 201 Bourke Street, Meckering	20
9.7	Request for Comment – Proposed Transfer of Land under the South West Native Title Settlement.....	22
9.8	Move Behind Closed Doors.....	24
9.12	Move from Behind Closed Doors	25
9.13	Chief Executive Officers Report.....	26
10.	Environmental Health and Building	28
11.	Planning & Development.....	28
12.	Works & Services	28
13.	Urgent Items.....	28
13.1	2022/23 Budget Adoption	28
14.	Scheduling of Meeting.....	33
14.1	August 2022 Ordinary Meeting	33
15.	Closure of meeting.....	33
16.	Certification	33

AGENDA

1. Declaration of Opening

The Shire President declared the meeting open at 5:02 pm

The Shire of Cunderdin disclaimer will be read aloud by Cr Alison Harris

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 B (Bernie) Daly	
Cr N (Natalie) Snooke	

In Attendance

Stuart Hobley	Chief Executive Officer
Hayley Byrnes	Deputy Chief Executive Officer

Guests of Council

Members of the Public

2.2 Apologies

Cr W (Sam) Stewart

2.3 Leave of Absence Previously Granted

Cr NW (Norm) Jenzen

3. Public Question Time

Declaration of public question time opened at:

Nil.

Declaration of public question time closed at:

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 23rd June 2022

Recommendation 6.1

That the Minutes of the Ordinary Council Meeting held on Thursday 23rd June 2022 be confirmed as a true and correct record.

Moved: Cr N (Natalie) Snooke

Seconded: Cr A (Tony) Smith

Vote – Simple Majority

Carried: 5/0

Note to this item:

The President will sign the minute declaration on the previous minutes.

7. Declaration of Members and Officers Interests

Nil.

8. Announcements by President without Discussion

Nil.

9. Finance & Administration

9.1 Financial Reports for June 2022

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	6th July 2022
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	2 attachments – Monthly Report June 2022 & June Rates Report

Proposal/Summary

The financial reports as at 30th June 2022 are presented for Councils consideration.

Background

The financial reports have been circulated to all Councillors.

Comment

Nil.

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

That Council receives the monthly financial reports for the periods ending 30th June 2022.

Moved: Cr B (Bernie) Daly

Seconded: Cr A (Tony) Smith

Vote – Simple Majority

Carried: 5/0

9.2 Accounts Paid – 30th June 2022

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	6th July 2022
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	2 attachments – Accounts paid June 2022 & Credit Card Statement June 2022

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling:

Total for Municipal -	\$1,407,693.49
Total for Trust -	\$0.00
TOTAL -	\$1,407,693.49

For June 2022 as listed in the Warrant of Payments for the period 1st to 30th June 2022.

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

1. That Council's payment of accounts amounting to \$1,407,693.49 being from Municipal Account for June 2022, as follows:

Municipal Account	\$	Total
Electronic Funds Transfer: EFT 6166 - 6329	\$1,355,768.77	
Direct Debit (Inc Bank Charges):	\$13,813.25	
Cheques: 11797 - 11807	\$38,111.47	
TOTAL		\$1,407,693.49

be confirmed and noted; and,

2. That the Payments List as presented be incorporated in the Minutes of the Meeting.

Moved: Cr B (Bernie) Daly
Vote – Simple Majority

Seconded: Cr N (Natalie) Snooke
Carried: 5/0

9.3 Council Investments – As at 30th June 2022

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	6 th July 2022
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	1 Attachment- Bank Statements June 2022

Proposal/Summary

To inform Council of its investments as at 30th June 2022.

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 2022.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$1,441,477.41	Municipal- 0000030	\$1,441,477.41		
Bendigo Bank	\$2,313,795.32	Municipal- 155971377	\$2,313,795.32		
Westpac Bank	\$146.78	Business Cash Reserve 22-3647 0.50%		\$146.78	
Bendigo Bank	\$2,643.00	Bendigo Trust Account 164 488 686			\$2,643.00
Westpac Bank	\$1.00	Trust Working Account 12-2981			\$1.00
Bendigo Bank	\$1,231,978.86	Term Deposit 3.10% Exp 10 Jan 2023		\$1,231,978.86	
TOTAL INVESTMENTS	\$4,990,042.37		\$3,755,272.73	\$1,232,125.64	\$2,644.00

In addition to the above Shire funds, the Shire administers the Cunderdin Community Centre Trust Accounts being Bendigo Term Deposits#4032053 \$370,603.80 & #4032054 - \$170,195.64

CUNDERDIN COMMUNITY TRUST DETAILS
INTEREST ACCOUNT
30 June 2022

Opening Balance as per Bank Statement & Term Deposits		
	Term Deposit# 3864655	169,855.00
	TOTAL	169,855.00
	Credits	340.64
	Debits	0.00
Closing Balance as Per Bank Statements & Term Deposits	TOTAL	170,195.64
INCOMING		0.00
		0.00
OUTGOING		0.00
Balance as at end of month	TOTAL	170,195.64

CUNDERDIN COMMUNITY TRUST DETAILS
CAPITAL ACCOUNT
30 June 2022

Opening Balance as per Bank Statement & Term Deposits		
	Term Deposit# 3864633	369,862.05
	TOTAL	369,862.05
	Credits	741.75
	Debits	0.00
Closing Balance as Per Bank Statements & Term Deposits	TOTAL	370,603.80
INCOMING		0.00
		0.00
OUTGOING		0.00
Balance as at end of month	TOTAL	370,603.80

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

That the report on Council investments as at 30th June 2022 be received and noted.

Moved: Cr A (Tony) Smith

Seconded: Cr TE (Todd) Harris

Vote – Simple Majority

Carried: 5/0

9.4 Management of Volunteer Bush Fire Brigades - Proposed Advocacy Position

Location:	Shire of Cunderdin
Applicant:	Administration
Date:	16 th June 2022
Author:	Emma McMiles/Stuart Hobley
Item Approved by:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	2x Attachments

Proposal/Summary

Council is requested to provide comments to the Western Australian Local Governments Associations (WALGA) in regard to the proposed Advocacy position on Arrangements for Management of Volunteer Bushfire Brigades in order to allow WALGA to provide guidance in its engagement with the State Government on the drafting of the Consolidated Emergency Services Act (CES Act).

The State Government is proposing to consolidate the Fire Brigades Act 1942, Bush Fires Act 1954 and the Fire and Emergency Services Act 1998, into a single piece of legislation, which is anticipated to be released as a Green Bill for consultation in early 2023.

Background

In May 2022, the Shire received an Infopage and the Proposed Advocacy Position on Arrangements for Management of Bushfire Brigades Paper from WALGA seeking comments from Local Governments that manage bushfire brigades. WALGA has allowed for a six (6) weeks consultation period (comments to be submitted by 8 July 2022) the item will then go to the WALGA State Council in September 2022.

This is a result of the introduction of the Work Health and Safety Act 2020, which has put on additional responsibilities on Local Government for managing Bush Fire Brigades, along with the State Government drafting the Consolidated Emergency Services Act, which combines the Fire Brigades Act 1942, Bush Fires Act 1954 and Fire and Emergency Services Act 1998 into a single piece of legislation.

In 2021, WALGA undertook a comprehensive Local Government Emergency Management Survey to ascertain the sector's sentiment with respect to their emergency management responsibilities. 104 Local Governments responded to the Survey consisting of:

- 36 Chief Executive Officers;
- 18 Community Emergency Services Managers; and
- 50 Local Government officers.

The survey also asked Local Governments about their level of satisfaction with current arrangements for managing Bush Fire Brigades, 92 Local Governments (69 of which manage Bush Fire Brigades) provided the following feedback:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

As a result of these findings, WALGA has proposed the following Advocacy Position:

"1. The Association advocates that the State Government must provide for:

- a) A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;*

- b) *The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;*
 - c) *Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and*
 - d) *The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.*
2. *That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).*
 3. *Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.”*

The recent 2016, Waroona Yarloop bush fires, led to the Public Sector Commission undertaking a special inquiry by Mr Euan Ferguson AFSM, which resulted into recommendations for change in the area of Strategic and Agencies opportunities for improvements. These included 17 Recommendations and 23 Opportunities, including the establishment of a Rural Fire Services established by the State Government, with the options of transferring the management of all Bush Fire Brigades under the Department of Fire and Emergency Services (DFES).

It is understood that in 2017, this recommendation was explored and considered by the Economic Regulation Authority for the Emergency Services Levy, to the extent to which the Emergency Services Levy (ESL) should be available to fund the administrative and operational costs of a rural fire service.

Council considered this matter at the June 2022 Ordinary Meeting of Council and resolved to let the matter lay on the table.

Resolution 9.8

That the item lay on the table while more information is collected from the upcoming zone meeting and the item be re presented at the July 2022 Ordinary Meeting of Council.

Comment

Work Health and Safety (WHS) Act 2020

Some of the key features of the WHS Act as follows:

- The primary duty holder is the ‘person conducting a business or undertaking’ (PCBU) which is intended to capture a broader range of contemporary workplace relationships.
- A primary duty of care requiring PCBUs to, so far as is reasonably practicable, ensure the health and safety of workers and others who may be affected by the carrying out of work.
- Duties of care for persons who influence the way work is carried out, as well as the integrity of products used for work, including the providers of WHS services.
- A requirement that ‘officers’ exercise ‘due diligence’ to ensure compliance.
- The new offence of industrial manslaughter, which provides substantial penalties for PCBUs where a failure to comply with a WHS duty causes the death of an individual, in circumstances where the PCBU knew the conduct could cause death or serious harm.
- The voiding of insurance coverage for WHS penalties, and imposition of penalties for providing or purchasing this insurance.
- The introduction of WHS undertakings, which are enforceable, as an alternative to prosecution.
- Reporting requirements for ‘notifiable incidents’ such as the serious illness, injury or death of persons and dangerous incidents arising out of the conduct of a business or undertaking.

- A framework to establish a general scheme for authorisations such as licences, permits and registrations (for example, for persons engaged in high-risk work or users of certain plant or substances), including provisions for automated authorisations.

Under the Work Health and Safety Act 2020, for Volunteers and Volunteer Organisations, the Shire is responsible for all the volunteers within the Bush Fire Brigades. The Shire is required to ensure that all the Fire Control Officers (FCOs) and Bush Fire volunteers have undertaken the required training to allow them to perform the role safely.

There are very significant fines that now apply to local governments and criminal charges may be imposed on executive staff should they fail in their duty of care under the new WHS Act 2020. A significant increase in the maximum fine is now applicable to executives along with a 20 year jail term. The local government body is now subject to an uninsurable fine up to \$10M.

Bush Fire Brigade Volunteers

The Shire has currently a number of Bush Fire Brigade Volunteers within the three (3) brigades of Cunderdin, Meckering, and Ygnattering, of which the insurance for these Volunteers are paid through the ESL.

Volunteers are considered a very valuable asset and it is this Shire's view that we encouraged and support our Volunteers to undertake the required minimum training to ensure their safety and wellbeing and the long term retention of our most precious asset. It is also critical that the Shire ensure the succession planning for the up and coming volunteers that should be encouraged to undertake the required training.

Due to the changes WHS Act changes the Bush Fire Advisory Committee (BFAC) conducted review of its Bush Fire Policy with a view to implementing a new policy based on the industry standard. The BFAC did not endorse the new policy due to concerns regarding the training requirements for FCOs and volunteers. As a result of the BFAC and Council are still required to update the existing Bush Fire Policy.

WALGA Proposed Advocacy Position

The proposed Advocacy position by WALGA is in line with the Shire's direction and reflects the above Shire's concern in managing its Bush Fire Brigades Volunteers and the new WHS as well as the ability and the capacity for the Shire to take on the responsibility.

Based on the above, it is recommended that Council endorse the WALGA proposed Advocacy Position to the State Government in addressing this issue as part of its consolidated review of the Emergency Services Act.

WALGA Great Eastern Zone

At the June 2022 Ordinary Meeting of Council it was resolved by Council to let this matter "lay on the table" and the Shires delegates attending the WALGA Great Eastern Zone Meeting were to consider the debate at the Zone meeting and report back to the July 2022 positions made by other Council in our region.

From the discussions at the meeting it was clear that no Council had a clear position on this matter. Most Councils believe the current system can be improved but are hesitant to commit to a model without knowing more details.

Consultation

WALGA undertook a survey on Local Government Emergency Management 2021 and provide the report and Infopage on its Advocacy Position on the Arrangements for Management of Volunteer Bush Fire Brigades. The process of consultation is being coordinated by WALGA as the lead agency in this process.

Statutory Implications

Sections of the Acts, Regulations and/or Local Laws that apply to this item include:

- Local Government Act of 1995: Division 3 — Executive functions of local governments, Subdivision 1 — Performing executive functions, s3.18. Performing executive functions: 3(b).
- Work Health and Safety Act 2020, mandates the duty of care to volunteers by the person conducting a business undertaking. Senior Local Government officers with decision making and budget allocation control, have a duty of care to volunteer bush fire brigade members.
- Bush Fires Act 1954, s36 and s41. Provides for local governments to establish, maintain and equip bush fire brigades.

Policy Implications

1. The following Council Policy Schedules are adopted, and form part of this Statement –

5.1 – Volunteer Bush Fire Brigades areas

2. In accordance with the Bush Fires Act section 41(1) the following Bush Fire Brigades are established, and have the area as per Council Policy Schedule 5.1 Bush Fire Brigade areas –

- Ygnattering Brigade
- Cunderdin Brigade
- Meckering Brigade

Financial Implications

In the 2021/2022 budget, the Emergency Services Levy received from the Department of Fire and Emergency Services a total of \$40,568 which includes PPE, Insurances, maintenance of buildings, vehicles, plant and equipment.

Strategic Implications

1. COMMUNITY AND SOCIAL

1.4 Support emergency services planning, risk mitigation, response, and recovery.

Resolution 9.4

That Council advise WALGA that it supports the following advocacy position:

- “1. The Association advocates that the State Government must provide for:
- a) A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;
 - b) The transfer of responsibility is a decision that can only be made by the Local Government;
 - c) The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;
 - d) Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and
 - e) The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.
2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).
3. Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.”

Moved: Cr B (Bernie) Daly

Seconded: Cr TE (Todd) Harris

Vote – Simple majority

Carried:5/0

9.5 Delegations Register 2022 – Adoption

Location:	Shire of Cunderdin
Applicant:	Administration
Date:	14 th July 2022
Author:	Stuart Hobley
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Delegations Register 2022

Proposal/Summary

For Council to adopt the Delegations Register.

Background

Council's Delegations Register has been reviewed for relevance to current circumstances and operational effectiveness. The Local Government Act 21995 Section 5.46 (2) requires the Council to review the delegations to the CEO annually.

The Delegations Register fit into a hierarchy of requirements, which are noted within the Appendix to the draft document. Accordingly, it is necessary that it integrates with legislative requirements and the local laws, planning policy and general policy as made by Council.

Comments

Delegations may be made, amended, or revoked at any time by absolute majority.

The general hierarch of authority is –

1. legislation – including regulations and local planning scheme
2. local laws
3. delegations – being under direct authority of legislation or local laws, ad being made by absolute majority
4. policy – as it outlines how the above three authorities are to be implemented and being made by simple majority

Although every delegation is at Council's discretion, they are essential for the effective and efficient operation of the Shire. In keeping with the principle of the Local Government Act 1995 s.5.42, wherever possible the delegation is made to the CEO, even those where the actual exercise of the duty must be by a qualified or registered person. In these cases, the CEO has the duty to see that the task is carried out, even if not a qualified person.

Several delegations are not to the CEO. These are where the delegations –

- can only be to a qualified or registered person, as required by legislative head of power,
- are to persons who are not considered employees, as permitted by legislative head of power, or
- can only be to specified positions, as required by legislative head of power. Council's attention is drawn to the following delegations which have monetary aspects, or other limits, for consideration and confirmation –
- 3.1(3) – Maximum value of total credit card limits and store card account value
- 3.6 – Value of individual debt that may be written off
- 3.7(1)(d)(ii) – amount of % that a tender contract may be varied
- 3.8(1)(b) – amount of % that a general contract may be varied
- 3.9(c) – disposal of property other than land (maximum value for exempt transaction as per Regulations)

- 3.10(1) – disposal of property being land and buildings (maximum value for exempt transactions as per Regulations, but less time than permitted)
- 3.11(1)(b) and (2)(a) – maximum value of donations or works that may be approved at a single time or cumulative annual total.
- 11.1(1)(c) – maximum value of discounted facility hire fees per event.
- 13.7(1)(e) – maximum value of private infrastructure on public land that may be approved.

The Delegations are structured so that Council may place limits on each delegation, including who a secondary delegations is permitted to be made to. This does not require the CEO to further delegate, except in some instances as outlined. The CEO may impose further restrictions on any secondary delegations, so that the recipient of the delegation is required to comply not only with the limits as placed by Council, but also the restriction place by the CEO.

Consultation

Stuart Hobley, Chief Executive Officer

Statutory Implications

The Local Government Act 1995 allows the Council to delegate certain functions to the CEO. The Council is required under the Act to review these delegations each year.

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
- (a) this Act other than those referred to in section 5.43; or
 - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

[Section 5.42 amended: No. 1 of 1998 s. 13; No. 28 of 2010 s. 70.]

5.43. Limits on delegations to CEO 28

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority of the council;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government’s powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

[Section 5.43 amended: No. 49 of 2004 s. 16(3) and 47; No. 17 of 2009 s. 23; No. 16 of 2019 s. 23.]

5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —
conditions includes qualifications, limitations or exceptions.

[Section 5.44 amended: No. 1 of 1998 s. 14(1).]

5.45. Other matters relevant to delegations under this Division

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Policy Implications

A review of the Delegations Register for Council's consideration

Financial Implications

Nil

Strategic Implications

Delegations Register is to enable the effective and efficient implementation of Council's instructions, adopted annual budget, and legislative and local law obligations.

Resolution 9.5

That the attached Delegations Register 2022 be adopted.

Moved: Cr TE (Todd) Harris

Seconded: Cr B (Bernie) Daly

Vote – Absolute Majority

Carried: 5/0



9.6 Write Off Request – Lot 201 Bourke Street, Meckering

Location:	Cunderdin
Applicant:	Ashlei Otway
Date:	14 th July 2022
Author:	Ashlei Otway
Item Approved by:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	A53560
Attachment/s:	Nil

Proposal/Summary

For Council to approve write off of the remaining outstanding rates and charges at Lot 201 Bourke Street Meckering.

Background

Council, at its Ordinary Council Meeting 15th February 2018, resolved;

1. That Council, pursuant to Section 6.64 (1)(b) of the *Local Government Act 1995*, proceed to sale of assessments **A53560**, A53602, A53614, A53616, A53667, A53669, A53675, A54849 and A53679.

Lot 201 was owned by Sherr Pastoral Company (deregistered) and was vested with the Australian Securities and Investments Commission (ASIC).

The Shire instructed AMPAC Debt Recovery to proceed with the sale of the land, as per Council resolution. Following a lengthy legal process, and the inclusion of McLeods Lawyers to the case, the required steps were undertaken under the *Local Government Act 1995* and a Form 3, 4 and 5 were issued for the Shire to take possession of the property.

Following the instructions the Shire has received from McLeods Lawyers, Lot 201 Bourke Street was auctioned in accordance with the relevant legislation.

Council, at its ordinary meeting 18th March 2022, resolved:

That council authorises the Chief Executive Officer:

1. *To set a reserve for A53560, being Lot 201 Bourke Street, Meckering at \$30,000 for the auction to be held 30th March 2021*
2. *That the President and Chief Executive Officer be authorised to sign and affix the Common Seal to the Transfer of Land Documents.*

Comment

The property was auctioned for sale was sold and settled on the 13th September 2021.

At the time of sale the outstanding rates and charges prior to sale where \$51,621.05. The property sold for \$48,164.22 with legal charges at time of sale coming directly off the amount held in McLeod's trust of \$3,683.11 leaving us with \$44,481.11 being transferred directly into our account. However, there was a significant delay in the sale of property and the funds being transferred to the shire and in the meantime there where legal fees of \$2,833.48 and interest of \$2,430.34 raised against the property and added to what was already owing – please find breakdown below.

Current outstanding charges are as below:

Rates Arrears	\$748.00
Interest	\$5,488.61
Legal Charges	\$6,377.79
ESL Penalty – Arrears	\$57.26
Emergency Services Levy	\$88.00
Total	\$12,759.66

It is requested Council Write-off the remaining amount outstanding – with the sale of property clearing majority of the debt we would have been unlikely to recover otherwise.

Consultation

AMPAC Debt Recovery

McLeods Lawyers

Acumentis Valuers

Australian Securities and Investments Commission (ASIC)

Statutory Implications

The Local Government Act 1995

6.71. Power to transfer land to Crown or to local government

- (1) If under this Subdivision land is offered for sale but at the expiration of 12 months a contract for the sale of the land has not been entered into by the local government, it may by transfer, where the land is subject to the provisions of the *Transfer of Land Act 1893*, and by deed, where the land is not subject to the provisions of that Act, transfer or convey the estate in fee simple in the land to –
 - (a) the Crown in right of the State; or
 - (b) the local government.

Policy Implications

Nil.

Financial Implications

The outstanding amount for the assessment will not be recoverable and the rates and costs of legal proceedings will need to be written off.

Strategic Implications

CL5-Objective 4 Ensure sound long term financial management and deliver value for money. IT5.4 Risk Management.

Resolution 9.6

That Council authorises the Chief Executive Officer:

1. To write off the amount of \$12,759.66 for Lot 201 Bourke Street Meckering WA 6405

Moved: Cr A (Tony) Smith

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 5/0

9.7 Request for Comment – Proposed Transfer of Land under the South West Native Title Settlement

Location:	Shire of Cunderdin
Applicant:	Department of Planning Lands and Heritage
Date:	14 th July 2022
Author:	Stuart Hobley
Item Approved by:	Stuart Hobley
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	3 x Attachments

Proposal/Summary

Council is requested to provide comment to the Department of Planning, Lands and Heritage (DPLH) regarding the land parcel within the Shire of Cunderdin for potential transfer to the Noongar Boodja Trust as part of the South West Native Title Settlement.

Background

The State of Western Australia has committed to allocating up to 320,000 hectares of Crown land to the Noongar People to create the Noongar Land Estate, in accordance with the six registered Indigenous Land Use Agreements (ILUA) for the South West Native Title Settlement (the Settlement). The ILUAs were registered at the National Native Title Tribunal on 17 October 2018 and all necessary legal processes have now been concluded. As a result, conclusive registration of the ILUAs and the commencement of the Settlement will occur in early 2021.

The Department of Planning, Lands and Heritage will continue work to meet key ILUA obligations in relation to the establishment of the Noongar Land Estate, in accordance with the Noongar Land Base Strategy (Annexure J to the ILUAs). The Noongar Land Base Strategy involves the identification and assessment of land parcels within the boundaries of the Settlement, for potential transfer to the future Noongar Boodja Trust. Part of the assessment process includes the referral of land parcels to relevant agencies for comment.

The Shire of Cunderdin is invited to provide comments on the land parcel below in relation to the following:

- Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?
- Does the Shire have any interest in the land?
- Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.
- Is the land parcel subject to any mandatory connection to services?
- Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?
- Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?
- Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?
- Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).
- Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

Comment

The following Lots have been identified by the DPLH as Crown land, within the Shire of Cunderdin, that could be transferred to the Noongar Boodja Trust as part of the South West Native Title Settlement (also see attached Maps). All of the Lots are within the Cunderdin townsite.

1. Lot 214 Egeberg Street, Cunderdin
2. Lot 215 Egeberg Street, Cunderdin
3. Lot 216 Egeberg Street, Cunderdin
4. Lot 217 Egeberg Street, Cunderdin
5. Lot 218 Egeberg Street, Cunderdin
6. Lot 219 Egeberg Street, Cunderdin
7. Lot 226 Egeberg Street, Cunderdin
8. Lot 227 Egeberg Street, Cunderdin
9. Lot 228 Egeberg Street, Cunderdin
10. Lot 229 Egeberg Street, Cunderdin
11. Lot 230 Egeberg Street, Cunderdin
12. Lot 210 Mitchell St, Cunderdin
13. Lot 19 Hodgson Street, Cunderdin
14. Lot 414 Olympic Avenue, Cunderdin
15. Lot 415 Olympic Avenue, Cunderdin

In response to the questions raised by the DPLH:

- The Shire does not have any interest in any of the land identified.
- There are no existing or planned infrastructure assets on any of these lots that need protection or access.
- To our knowledge there are no mandatory connection to services required on any of the lots.
- There are no future proposals for the lots or adjoining lots.
- There are no Town Planning Scheme amendments that will affect any of the lots.
- Lots 226 and 227 in Egeberg St have been used by adjoining land owners for the dumping of building waste.
- Other issues associated with these lots are as follows:
 - Shallow sheet rock on the lots on Egeberg and XX Streets that have prevented building on them up until this point in time.
 - The maintenance of the Lots, with respect to fire breaks during bush fire season.

Consultation

Nil

Statutory Implications

Land Administration (South West Title Settlement) Act 2016

Policy Implications

Nil.

Financial Implications

Nil

Strategic Implications

CIVIC LEADERSHIP

5.1 Shire communication is consistent, engaging and responsive

Residents and community groups believe they are being listened to and fairly treated

Resolution 9.7

That Council authorises the Chief Executive Officer to prepare a submission to the Department of Planning, Lands and Heritage, noting the Shire of Cunderdin's interest in identified lots.:

1. Lot 214 Egeberg Street, Cunderdin
2. Lot 215 Egeberg Street, Cunderdin
3. Lot 216 Egeberg Street, Cunderdin
4. Lot 217 Egeberg Street, Cunderdin
5. Lot 218 Egeberg Street, Cunderdin
6. Lot 219 Egeberg Street, Cunderdin
7. Lot 226 Egeberg Street, Cunderdin
8. Lot 227 Egeberg Street, Cunderdin
9. Lot 228 Egeberg Street, Cunderdin
10. Lot 229 Egeberg Street, Cunderdin
11. Lot 230 Egeberg Street, Cunderdin
12. Lot 210 Mitchell St, Cunderdin
13. Lot 19 Hodgson Street, Cunderdin
14. Lot 414 Olympic Avenue, Cunderdin
15. Lot 415 Olympic Avenue, Cunderdin

Moved: Cr TE (Todd) Harris

Seconded: Cr B (Bernie) Daly

Vote – Simple majority

Carried: 5/0

9.8 Move Behind Closed Doors

Resolution 9.8

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: 5/0

9.12 Move from Behind Closed Doors

Resolution 9.12

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 A (Tony) Smith

Vote – Simple Majority

Carried: 5/0

9.13 Chief Executive Officers Report

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	17 th June 2022
Author:	Stuart Hobley
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

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

Background

Old Hospital Site and Ian Roberts Lodge

Demolition has commenced at the Old Hospital Site is nearly complete and at this point in time there have been no incidents. The Shires Health and Building Officer has visited the site on a number of occasions and has not reported any irregularities.

Local Roads and Community Infrastructure Program Projects

Round 1 Projects

Basketball Courts – Retaining Wall and Fencing \$30,000 – Completed.

AAA Garden - \$160,000 – Completed.

Oval Lights - \$270,000 (\$180,000 LRCIP) – Completed.

Cunderdin Irrigation Project (Part 1) \$20,000 - Completed

Round 2 Projects

Cunderdin Swimming Pool - \$170,000

The contractor has completed the scope of works associated with the LRCIP funding. The project is currently running on budget.

Cunderdin Irrigation Project (Part 2) \$40,000

This project has been completed on budget.

Recreation Centre Car Park \$90,000

The contractor has completed the scope of works associated with the LRCIP funding. The sealing of the Car Park has been completed and only the kerbing remains outstanding.

Cunderdin Industrial Lot Development

Development WA have advised that following a thorough review of the application, the Development WA Board has approved the business cases for Cunderdin Light Industrial Area Stage 2.

The project will now progress to the next stage, which includes securing access to the land and obtaining all necessary statutory approvals and finalising detailed engineering design. Once all these approvals are in place, we will tender and deliver the works to align with available RDAP funds.

Regional Airports Development Scheme (RADS)

The airport lights have been installed and the night testing has been completed. The project was completed on budget and two months ahead of time.

Meckering Sporting Club Roof

The replacement of the Meckering Sports Club Roof will commence in the week of the 18th July 2022. The project is expected to be completed within 4 weeks. The Shire has been liaising with the Meckering Sporting Club throughout this process.

Local Government Reform

The State Government has announced the final package of reforms to the Local Government Act 1995, following a review of public submissions.

The announcement, made on 3 July 2022 is the most significant package of reforms for WA local government since the Local Government Act 1995 was passed more than 25 years ago.

The reforms are based on six themes:

- Earlier intervention, effective regulation and stronger penalties
- Reducing red tape, increasing consistency and simplicity
- Greater transparency and accountability
- Stronger local democracy and community engagement
- Clear roles and responsibilities
- Improved financial management and reporting.

The Department of Local Government, Sport and Cultural Industries has developed a series of fact sheets to guide local governments and community members through the reform package, available on the website.

Further information on the impact of the reforms will be provided to Council in the future.

Cunderdin Waste Transfer Station (CWTS) Gates

The installation of the new automatic gates at the CWTS is complete. There was a technical issue with the installation of the software and this will be finalised shortly.

New pass cards for the CWTS will be issued with the rates notices so residents which will allow residents to access the CWTS at times when the CWTS is not manned. The attendant will remain at the CWTS for at least two months to deal with any issues that arise with the new system.

Comment

Nil.

Consultation

Nil.

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

Resolution 9.13

That the Chief Executives Officers Report be received.

Moved: Cr N (Natalie) Snooke

Seconded: Cr B (Bernie) Daly

Vote – Simple majority

Carried: 5/0

10. Environmental Health and Building

Nil Items.

11. Planning & Development

Nil Items.

12. Works & Services

Nil Items.

13. Urgent Items

13.1 2022/23 Budget Adoption

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	11 th July 2022
Author:	Hayley Byrnes
Item Approved By:	Stuart Hoble, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	2 Attachments

Proposal / Summary

To consider and adopt the Municipal Fund Budget for the 2022/2023 financial year together with supporting schedules, including striking of the municipal fund rates and other consequential matters arising from the budget papers.

Background

The draft 2022/2023 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 a workshop held on the 23rd June 2022.

Council also reviewed the budget at the Council Forum on the 5th of July 2022.

PART C – GENERAL FEES AND CHARGES FOR 2022/23

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 2022/2023 attached to this agenda.

PART D – OTHER STATUTORY FEES FOR 2022/23

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 at page 11 Attachment 9.5.2 Draft fees and charges 2022/2023 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 at page 7 Attachment 9.5.2 Draft fees and charges 2021/2023 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 at page 4 Attachment 9.5.2 Draft fees and charges 2022/2023 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 at page 6 Attachment 9.5.2 Draft fees and charges 2022/2023 attached to this agenda.

PART E – ELECTED MEMBERS FEES AND ALLOWANCES FOR 2022/23

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 \$ 490 per meeting attended

Councillors \$ 238 per meeting attended

Councillors \$ 118 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 \$250

Part A, B and F of the 2022/23 Budget is scheduled to be presented to the July Ordinary Council Meeting.

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 Unimproved Valuations (UV) were completed 1 August 2021 and effective from 30 June 2022. The overall change in valuations was an increase of 19.05%.

The minimum rate is proposed to be set at \$778.

Comments from the District Valuer were:

The market for broadacre rural properties has continued to improve on the back of low interest rates, relatively good seasonal conditions, and strong commodity prices.

The impact of the Covid19 pandemic has seen increased interest in rural smallholdings which has taken up excess supply in the market and seen prices improve after decreases in recent years.

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.

End of year position

The 2021/2022 end of year position is an estimated surplus of \$3,100,000. This is a result of a number of projects that were either not complete before the end of the financial year and the early payment of 75% our Federal Assistance Funding which was received in June 2022.

The budget presented to Council for adoption results in an end of year surplus for 2022/23 of \$50.

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 in regard to the annual wage increase to the Local Government Industry Award 2020.

A 4.8% 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 2022.

From 1 July 2022, employees can be eligible for super guarantee (SG), regardless of how much they earn. This is because the \$450 per month eligibility threshold for when SG is paid is being removed. You only need to pay super for workers under 18 when they work more than 30 hours in a week.

The super guarantee (SG) rate will also increase from 10% to 10.5% on 1 July 2022. You'll need to use the new rate to calculate super on payments you make to employees on or after 1 July, even if some or all of the pay period is for work done before 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 2021/2022 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	\$ 134,685
Regional Road Group	\$ 346,200
Roads to Recovery 20/21	\$ 329,674
Wheatbelt Secondary Freight Network	\$2,225,600
TOTAL	\$3,036,159

Reserve Transfers

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

Transfer to Museum Reserve	(\$15,000)
Transfer from Building Reserve (Housing Project)	\$400,000
Transfer to AAA Sandalwood Units Reserve (Net income from units)	(\$30,000)
Transfer to the Synthetic Surfaces Reserve	(\$20,000)

Borrowings

The Shire has budgeted to borrow up to \$200,000 to complete a housing project.

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 2022/23 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 2022/23 financial year taking into account the Shire of Cunderdin Corporate Business Plan and Long Term Financial Plan.

Strategic Implications

Resolution 13.1

PART A - MUNICIPAL FUND BUDGET FOR 2022/23

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 2022/23 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type, shows a surplus of \$50
- An amount required to be raised from rates of \$ 2,229,931
- Budget schedules as detailed.
- 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)	9.8825 cents in the dollar
Rural (UV)	0.6911 cents in the dollar
Mining (UV)	0.6911 cents in the dollar

1.2 Minimum Rates

Gross Rental Value (GRV)	\$778
Unimproved Value (UV)	\$778
Mining (UV)	\$778

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 9 September 2022
2nd quarterly instalment due date 8 November 2022
3rd quarterly instalment due date 9 January 2023
4th quarterly & final instalment due date 13 March 2023

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 \$9.50 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 7% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

PART F – MATERIAL VARIANCE REPORTING FOR 2022/23

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 2022/23 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:5/0

14. Scheduling of Meeting

14.1 August 2022 Ordinary Meeting

The next ordinary meeting of council is scheduled to take place on Thursday 18th August 2022 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 6:27 pm.

16. Certification

DECLARATION

I, Alison Harris, certify that the minutes of the Ordinary Council Meeting held on 21st July 2022 as shown were confirmed at the ordinary meeting of Council held on 18th August 2022.

Signed: _____

Date: _____