



murchisonshire

Ancient land under brilliant skies

Agenda for the Ordinary Meeting of the

Murchison Shire Council

To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
on Thursday **25 August 2022**, commencing at 12 Noon.

Ancient land under brilliant skies

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ATTACHMENTS

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Shire President declared the meeting open at

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present

Councillors

Cr R Foulkes-Taylor
Cr A Whitmarsh
Cr Q Fowler
Cr E Foulkes-Taylor
Cr M Fowler
Cr G Mead

Staff

Bill Boehm – CEO
Steven Cosgrove – Community Manager DCEO
William Herold – Works Manager
Travis Bate (RSM) – Financial Accountant

3 CONFIRMATION OF MINUTES

3.1 Ordinary Council Meeting – 28 July 2022

Background

Minutes of the Ordinary Meeting of Council have previously been circulated to all Councillors.

Recommendation

That the minutes of the Ordinary Council meeting held on 28 July 2022 be confirmed as an accurate record of proceedings.

Voting Requirements:

Simple Majority

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

4 DISCLOSURE OF INTERESTS

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6 STANDING ORDERS

Matter for Consideration

It has been customary practice in the interests of a productive meeting in relation to the Conduct of Members during debates for the Council suspend Standing Orders 8.2 (Limitation on Number of speeches) and 8.3 (Duration of Speeches) under Local Law 2001. To facilitate this, the following recommended resolution is required.

Recommendation

That the following Local Law-Standing Orders 2001 be stood down:

- 8.2 Limitation on the number of speeches
- 8.3 Duration of speeches

Voting Requirements

Simple Majority

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

7 PUBLIC QUESTION TIME

8 NEXT MEETING

Thursday 22 September 2022

9 APPLICATIONS FOR LEAVE OF ABSENCE

10 URGENT BUSINESS

11 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Item 17.1.1 Account Listings Paid since the last list was presented to Council

12 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

13 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

14 ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

14.2 Councillors

15 REPORTS OF COMMITTEES

15.1 Audit Committee

File: 2.2
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 25 August 2022
Attachments: 15.1.1 Audit Committee Meeting Recommendations

Matter for Consideration

Amongst other things one of the objectives of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

A copy of the Audit Committee Meeting Agenda and Attachments including the 2020/21 Financial Report has been separately circulated.

Committee Recommendations

To be provided considered following deliberations of the Audit Committee Meeting.

Voting Requirements

Simple Majority

| | | | |
|----------------------------------|---------------------|----------------|----------|
| Committee Recommendations | | | |
| Moved: Cr | Seconded: Cr | | |
| Carried/Lost | For | Against | 0 |

Recommendations

That Council adopt the recommendations from the Audit Committee Meeting held on 25 August 2022

Voting Requirements

Simple Majority

| | | | |
|-------------------------|---------------------|----------------|----------|
| Council Decision | | | |
| Moved: Cr | Seconded: Cr | | |
| Carried/Lost | For | Against | 0 |

16 WORKS

16.1 Works Report

File: 12.42
Author: William Herold – Works Manager
Interest Declared: No interest to disclose
Date: 27 July 2022
Attachments: Nil

Construction Crew

The construction crew are getting to the end of this job in the next month or so. Our only hold up at the moment is getting the blasting complete and the rock pushed out. The recent unseasonal rain, while very welcome, has caused a slight delay in works. Some pothole patching will also take place over the next 4 to 6 weeks before they move across to the Beringarra-Pindar Road to do some re-sheet work and then tackle the wreath flower work once the flower season has passed.

Maintenance Crew

Since the last report to council the Beringarra-Byro Road, Carnarvon-Mullewa Road, Byro-Woodleigh Road, Butchers Track and Errabiddy Bluff Road have been completed. A start has been made on the Meeberrie-Wooleen Road and by the time Council meets should be on the Twin Peaks-Wooleen Road.

Flood Damage

Works package 1 (Squires Resources) is due to start at the beginning of the first full week of September. Hopefully we have no more hold ups from DFES. Getting this far has been trying indeed. Package 2 (Them Earthmoving) will commence as soon as they complete their current job. All things being equal this should be the end of October or early November.

Blasting

Drilling of shot holes is in progress at the moment. The shot firing date is not set yet but I suspect it should be fairly soon after Council have met.

New Grids

Four new grids have been installed on the Beringarra-Byro Road by Yuin.

Beringarra-Cue Road

Rowe Contracting made a start on the revert back to gravel and correction of drainage on July 12. Work is of a high standard and the end product is very satisfactory. By the time council meets somewhere around 20km should have been completed. It is hoped we will get somewhere between 35-40km completed on this round, leaving us with 30-35km to complete the road. Drainage correction on the second round will take more time and be more costly than the section being worked on currently.

Fatal Traffic Accident

Unfortunately, we had a fatal traffic accident on Sunday 14/8/2022. It was a truck roll over and was attended to by Police, DFES and St John Ambulance. Some shire staff assisted with the clean-up.

Recommendation

That the Works Report be noted.

Voting Requirement

Simple Majority

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

17 FINANCE

17.1 Accounts Paid since the last list was presented to Council

File: 4.37.1
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 21 August 2022
Attachments: 17.1.1 EFT & Cheque Details for July 2022 (Elected Members Only)

Matter for Consideration

The *Local Government (Financial Management) Regulations 1996 Regulation 13* requires that if the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, then the CEO is to prepare a list of accounts paid by the CEO for each month and present this to the next ordinary meeting of the Council after the list has been prepared and have this list recorded in the minutes of the meeting.

A list of payments presented in accordance with *Regulation 13* of the *Local Government (Financial Management) Regulations 1996* made since the last report to Council is attached.

Strategic Implications

None

Policy Implications

None

Budget/Financial Implications

Nil

Consultation

Nil

Recommendation

That Council

- 1 Receive and note attachment 17.1.1 EFT & Cheque Details for July 2022 pursuant to LGA s5.23(2)(b) & (e) items behind closed doors
- 2 That the accounts since the last report to Council, as provided to Councillors be recorded in the minutes as being presented to Council.

Voting Requirements

Recommendation 1 Absolute Majority
Recommendation 2 Simple Majority

Item to be Discussed behind closed doors

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried | For | Against |

The meeting was moved to behind closed doors at

Motion to open the meeting to the public

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

The meeting was moved out of closed doors at

Decisions Disclosed from the Closed Section of Meeting associated with Attachment Item 17.1

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

17.2 Financial Activity Statements 31 July 2022

File: 2.6
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 21 August 2022
Attachments: 17.2.1 Monthly Management Financial Report July 2022 to follow

Note this is likely to be a late Agenda Item. In addition, at the time of preparing this Agenda Item the Council Budget had not been adopted and as a result some of the financial comparisons are not able to be undertaken

Matter for Consideration

The Local Government (Financial Management) Regulations 1996 Regulation 34 requires that local government report monthly and prescribes what is required to be reported. Council is required to consider and receipt the Monthly Financial Statements.

Comment

These statements are being presented to meet a statutory obligation to have each month's end and report presented within the following two months.

Budget/Financial Implications:

Reports showing year to date financial performance allow monitoring of actual expenditure, revenue and overall results against budget targets.

Consultation

Moore Australia

Recommendation

That Council note the financial statements as presented for the period ending 30 July 2022 as attached.

Voting Requirements

Simple Majority

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

17.3 2020/21 Financial Report

File: 2.2
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 21 August 2021
Attachments: 17.3.1 Financial Report 2021

Matter for Consideration

Consideration of the 2020-21 Financial Report.

Background

The 2020-21 Financial Report was prepared and sent to the Auditor after 30 September 2020 following an extension in time being obtained from the Minister for Local Government as prescribed under the *Local Government Act 1995*.

At its meeting earlier today, the Audit Committee reviewed the Financial Report and consequently recommendations are Council is expected to follow.

The audited report, once adopted by Council, will be included in the Annual Report 2020-21 for presentation at the 2020/21 Annual Meeting of Electors to be held within 56 days of the adoption of the report.

Comment

The Office of the Auditor General arranged for Pitcher Partners to conduct the audit of the Financial Report 2020-21 on its behalf in accordance with Australian Auditing Standards. The Office believe that the audit evidence obtained was sufficient and appropriate to provide a basis for its audit opinion.

In conducting the audit, the Auditor General and Pitcher Partners followed applicable independence requirements of Australian professional ethical pronouncements.

The overall result is pleasing with the Auditor General issuing an unqualified audit opinion on the financial statements. There were also no matters of significance under s24(1) of the *Auditor General Act 2006* that came to their attention, and as such require reporting.

Statutory Environment

Local Government Act 1995

Division 3 — Reporting on activities and finance

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) The financial report is to —*
 - (a) be prepared and presented in the manner and form prescribed; and*
 - (b) contain the prescribed information.*
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —*
 - (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and*
 - (b) the annual financial report of the local government for the preceding financial year.*

Strategic Implications

Nil.

Policy Implications

Nil.

Budget/Financial Implications

The cost of the 2020/21 annual audit is included within Council's 2022-23 Budget

Sustainability Implications

Environmental There are no known significant environmental considerations

Economic There are no known significant economic considerations

Social There are no known significant social considerations

Consultation

Travis Bate (RSM) – Financial Accountant

Recommendation

Note the following draft recommendation is made subject to receipt of the Audit Committees consideration and recommendation on the matter.

That Council accepts the Audit Committee Recommendation and adopts the 2020/21 Financial Report.

Voting Requirements

Absolute Majority

| | | |
|---------------------------|---------------------|----------------|
| Committee Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

17.4 2021-2022 Budget Adoption

| | |
|--------------------|---|
| File: | 2.4 |
| Author: | Bill Boehm - Chief Executive Officer |
| Interest Declared: | Nil |
| Date | 21 August 2022 |
| Attachments: | 17.4.1 Murchison Shire 2022/23 Annual Budget |
| | 17.4.2 Murchison Shire 2022/23 Budget Snapshot |
| | 17.4.3 Corporate Business Plan Extract Update |
| | 17.4.4 Fees and Charges 2022-23 |
| | 17.4.5 Local Government (COVID-19 Response) Order |

Matter for Consideration

Council is to consider the Draft Budget for the 2022-23 Financial Year and the Fees & Charges Table for 2022-23 in the context of the current COVID-19 Coronavirus environment.

Background

As part of the function of a local government as per its obligations under Section 6.2 of *the Local Government Act 1995*, that during the period 1 June to 31 August in a financial year the local government is to prepare and adopt its Annual budget in the prescribed format.

The 2022-2023 draft budget has been developed amongst other things in consideration of the following:

- ~ Strategic Community Plan 2016/17- 2026/27 and Corporate Business Plan 2017-2021 (Plans for the Future)
- ~ 20-year Plant Replacement Plan.
- ~ 20-year Sealing Works Plan
- ~ Developed 3 Year detailed indicative program budgets
- ~ The general COVID-19 Coronavirus environment
- ~ A councilor workshop held on 28 July 2022 to refine a preliminary draft document following which identified changes were circulated and included.

COVID-19 Coronavirus General Influences

At the 20 August 2020 Council Meeting it was noted that ahead on the then 2020/21 budget deliberations that there were then various actions associated with the COVID-19 environment with several notable decisions made which still influence the operating environment as follows

- 1 *In responding to the COVID-19 Coronavirus that Council act in accordance with the following principles and rationale associated with health and economic activity*
 - (a) *Our overriding responsibility is to act to protect our citizens and community to prevent, control or abate the serious public health risk presented by COVID-19 by limiting the spread of COVID-19.*
 - (b) *Council will act to ensure that we can function and deliver the required works and services to support and stimulate the local economy.*
- 3 *That Council look to expanding its works program by bringing forward projects that can stimulate the local economy and provide lasting benefits for the community.*

2022/23 Budget Summary

Prior to finalising the 2022/23 Council Budget a significant amount of work was undertaken considered by Council during the year and at Councillor Workshop Meeting on 28 July 2022. A number of changes identified were made and circulated to all councillors before being included in the final documents. Final documents also incorporate other end of year adjustments.

The 2022/23 Budget specifically addresses key in principle views with a strong COVID-19 Coronavirus influence as outlined in the Budget Summary and as a continuation from the previous year. This document provides budget highlights as well as articulating the overall strategic rationale.

Whilst Budgets are set and delivered on an annual basis, in reality, works and services are delivered on a continuous basis with the financial year merely a point in time. Long Term Financial and Asset Management Plans are essential but in the current COVID-19 environment it is also considered prudent to at least look at the situation for at least a 3-year period, given the anticipated changes in an abnormal environment.

Part of the 2022/23 budget processes therefore involved examining such a 3-Year indicative budget. In doing so impacts of inflation have been ignored but also a conservative minimalist approach was taken to potential capital grant income with the full years grants commission allocation included. The figures, whilst not being at a refined budget level nevertheless provide a sound overall picture, especially with respect to variations in capital works over the course of the period.

The Budget Reserves Net Current Assets Summary Graph at the end of this summary highlights this 3-year approach.

In response in part to stimulate the local economy but more importantly deliver projects to the community, capital works programs have been accelerated in a moderate fashion by a combination of revenue, additional grants, and loans. In 2022/23 Council also has to address the need to fund the short fall in three Flood Damage Projects.

It is considered prudent that all supporting budget documents be formally endorsed by Council given the strategic importance to the 2022/23 Budget and to in part address the current COVID-19 pandemic, and desires that all levels of governments to play their part to stimulate to assist in the recovery of the economy.

2022/23 Budget Snapshot

The attached 2022/23 Budget Snapshot is a two-page simple summary.

Local Government (COVID-19 Response) Order 2020

In response to the current COVID-19 Coronavirus environment The Minister for Local Government has implemented the *Local Government (COVID-19 Response) Order 2020* which has implications for Local Government on how Councils make their rating and budget decisions.

A copy of the Order is attached with the following specific clauses addressed in the report recommendations

Ministerial Order Clause 7 – Section 6.2 modified (local government to prepare annual budget)

To evidence compliance with Ministerial Order clause 7, it is essential to demonstrate that Council has considered the consequences of the COVID-19 pandemic and incorporated them to the preparation of the 2022/23 budget and particularly how these considerations have varied or impacted the previously adopted priorities arising from the Community Strategic Plan and Corporate Business Plan (Plan for the Future).

As outlined above in this instance various priorities may have been substantially impacted because of the consequences of the COVID-19 pandemic. As such Council may need to plan for a future review of the Community Strategic Plan and Corporate Business Plan in accordance with Administration Regulations Part 5, Division 3 but in any event the Corporate Business Plan was identified for review in 2021

The Budget has been adapted with a view to achieving the community's vision and Shire's strategic goals use outlined by the Shire's Strategic Community Plan 2016/17 -2026/27 and Corporate Business Plan 2017-2021 which together form the Shire Plan for Future.

Some specific elements of the plan that have been directly impacted by the COVID-19 Coronavirus environment are outlined in the attached Corporate Business Plan Extract Update but in 2022/23 this is now more about delivering on a number of projects, especially in the roads area, that have been funded as a COVID19 stimulus.

Ministerial Order Clause 8 – Section 6.13 modified (interest on money owing to local governments)

Section 6.13 enables Local Governments to adopt (by absolute majority) an interest rate applicable to any amount of money owed to the Local Government (other than rates and service charges), that has been owed for a period of time not less than 35 days after the date issued as stated on the account for payment.

Ministerial Order clause 10 – Section 6.34 modified (limit on revenue or income from general rates)

Section 6.34 amended the lower limit of budget deficiency on revenue or income to be derived from general rates from 90% to 80% for the 2020/21 Year but this amendments does not apply for 2022/23. The maximum limit of 110% remains.

In this current instance, the budget allows for surplus being 103% of the 2023/23 budget deficiency.

Ministerial Order Clause 9 – Section 6.33(3) modified (differential general rates) - being twice the lowest differential rates

Ministerial Order Clause 11 – Section 6.35(5) modified (minimum payment)

Ministerial Order Clause 12 – Section 6.36 modified (local government to give notice of certain rates)

2019-20 has seen many implications from COVID-19. Local governments were requested to freeze their rates for the upcoming financial year Council resolved to do so but in 2021/22 and 2022/23 this situation does not apply such that that the normal advertising provisions and requirements to seek ministerial consent for differential rating are required and have been followed.

Ministerial Order Clause 13 – Section 6.45 modified (options for payment of rates or service charges)

Ministerial Order clause 13(3) prohibits Local Governments from applying an additional charge and / or interest under s.6.45(3) on a rate or service charges instalment arrangements on an excluded person (being a residential ratepayer or small business ratepayer that is considered by the Local Government to be suffering financial hardship as a consequence of the COVID-19 pandemic).

In addition, Ministerial Order clause 13(4) limits the interest rate to 3% (maximum) applicable to a rate / service charge instalment arrangement, if a financial hardship policy has not been adopted.

If a financial hardship policy has been adopted by Council, then the 5.5% interest rate [FM r.68] can be applied to ratepayers, including residential and small business ratepayers suffering financial hardship not related to COVID-19 or that choose to pay by instalment for any other reason.

The purpose of the Financial Hardship Policy, which Council has in place is to establish principles that guide decisions about whether or not financial hardship exists and whether or not it is as a result of COVID-19, so that decisions are transparent, accountable and consistent.

In our instance Council currently does not charge by way of interest for ratepayers who elect to pay their rates by instalments, a situation that will remain for 2022/23. As such regardless of hardship in a general sense or specifically related to COVID-19 no additional charges would apply.

Ministerial Order Clause 14 – Section 6.51 modified (accrual of interest on overdue rates or service charges)

Th amended Ministerial Order Clause 14 prohibits local governments from imposing under s.6.51 an interest rate exceeding 7% (applicable to unpaid rates or services charges after becoming due and payable) and provides that this interest cannot be imposed on an excluded person (being a residential ratepayer or small business ratepayer that is considered by the Local Government to be suffering financial hardship as a consequence of the COVID-19 pandemic).

The Ministerial Order requires Council's resolution to explicitly state the requirement for interest to not apply to an excluded person.

In our instance Council has adopted a financial hardship. Currently charges an interest rate (applicable to unpaid rates or services charges after becoming due and payable) of 7%. This is the maximum now applicable

under the Ministerial Order. As such regardless of hardship in a general sense or specifically related to COVID-19 no additional charges would apply, but in any event, it cannot be applied to excluded persons as defined under the Order.

Differential General Rates – s6.33

A local government may impose a single general rate which applies to all the properties in the unimproved value or gross rental value category; or alternatively, the local government can distinguish between land in either category on the basis of its zoning, use or whether or not it is vacant land (or a combination of these factors) and apply a differential rate to each.

Ministerial approval is required where a differential rate which is more than twice the lowest differential rate is to be imposed by it.

At the May Council Meeting Council resolved as follows:

- 1 *That the Chief Executive Officers 2022 / 23 Rates Review Report be noted*
- 2 *That Council endorsed the following proposed differential rates and minimum payments for 2022/23 Financial Year for the purpose of giving local public notice of its intentions to impose differential general rates and minimum payments for the 2022/23 Financial Year, subject to any minor variations that may result once rates modelling has been undertaken when up to date valuations for the pastoral area are included.*

| Differential Rate Types | Current | | Proposed | |
|--------------------------------|-----------------------------|-----------------------|-----------------------------|-----------------------|
| | <i>Rate in dollar cents</i> | <i>Min Payment \$</i> | <i>Rate in dollar cents</i> | <i>Min Payment \$</i> |
| <i>UV Pastoral</i> | 3.874 | 600 | 4.164 | 800 |
| <i>UV Mining</i> | 26.543 | 600 | 24.552 | 800 |
| <i>UV Exploration</i> | 9.618 | 600 | 9.339 | 800 |

- 3 *That upon receipt of up to date up valuations for the pastoral area, the Chief Executive Officer be authorised to amend the above rates in the dollar if required to ensure that the overall rate modeling accords with that presented to Council as explanatory information.*
- 4 *That Council adopts the Objects and Reasons for Differential Rates and Minimum Payments for 2022/23 as attached in attachment 17.2.3 incorporating any amendments arising from point 3.*
- 5 *That public submissions be invited and that an application be made to the Minister for Local Government for approval of differential rating once final rates modelling has been undertaken*

All of the above actions have been undertaken.

In preparing the application to the Minister for Local Government it became apparent that whilst all of the correct procedures were followed, including giving local Public Notice, it was noted that the Advertising Agency failed to place the add on the specified publication date. To avoid any potential issue, separate state-wide public notice was undertaken with a closing date of Wednesday 24 August 2022. At the time in preparing this Agenda Item no submissions have been received. If any submissions are received within the required time they must be responded to prior to Council declaring rates.

In addition, and several discussions have been had with the Department of Local Government Sport and Cultural Industry concerning our application but at the time of preparing this Agenda Item formal advice from the Minister has yet to arrive.

Accordingly, whilst Council can declare differential rates this action is subject to Council receiving Ministerial Approval for one differential rate for the UV Mining sector.

Elected Members Fees and Allowances for 2021/22

Note in preparing this element of this report no discussions have been held with any Elected Member.

Council is required on an annual basis, to determine fees and allowances for elected members. The range of permitted fees are determined under the *Salaries and Allowance Act 1975* as determined by the Salaries and Allowances Tribunal and as outlined in the 7 April 2022 Determination. Traditionally Council has adopted an Annual Attendance Fee in lieu of a per meeting attendance fee.

Details of applicable Fees and Allowances endorsed under the Salaries and Allowances Tribunal are shown as follows:

| Tribunal Fee & Allowances (Band 4 Council) | Council Member | | President | |
|--|-----------------------|----------------|------------------|----------------|
| | Minimum | Maximum | Minimum | Maximum |
| Annual Attendance Fees Council Member / President | \$3,679 | \$9,742 | \$3,679 | \$20,022 |
| Annual Allowance for President | | | \$526 | \$20,565 |
| Annual Allowance for Deputy President (25% of President) | \$128 | \$5,015 | | |
| Information & Communication Technology (ICT) | \$500 | \$3,500 | | |

It is for Council to determine Member fees and allowances so long as they set are within the allowable limits.

Historically Member Annual Attendance Fees have been set at the maximum. Maintaining this arrangement seems reasonable. The President is around 37.5% above this but also well below the maximum so a slightly greater increase of around 50% above the member fee is considered reasonable.

In 2019/20 the annual allowance for the President, was increased by around \$2,000 as it then was well under the mark for the work undertaken. I am of the view that this situation still remains and a progressively lifting the amount is justified. A \$2,000 increase has therefore been proposed.

Recommended fees and allowances as outlined in the following table have been included in the recommendation.

| Murchison Fee & Allowances | Council Member | | President | |
|--|-----------------------|-----------------|------------------|-----------------|
| | Current | Proposed | Current | Proposed |
| Annual Attendance Fees Council Member / President | \$9,504 | \$9,742 | \$13,824 | \$14,613 |
| Annual Allowance for President | | | \$12,032 | \$14,032 |
| Annual Allowance for Deputy President (25% of President) | \$3,008 | \$3,508 | | |
| Information & Communication Technology (ICT) | \$1,785 | \$2,000 | | |

Fees and Charges

All of the fees and charges which applied in 2021/22 have been reviewed considering the cost to Council and by comparing the proposed Fee or Charge to that charged by alternative suppliers in a similar situation. In the main fees have remained at current levels but in some situations have been rationalised or modernised to reflect a more contemporary practice. The attached schedule 17.4.4 shows both current and proposed fees.

Statutory Environment:

Budget Adoption

Local Government Act 1995

Note as modified by the Local Government (COVID-19 Response) Ministerial Order 2020

Section 6.2 of the Local Government Act 1995.

Section 6.2(2) of the Act requires that in preparing its annual budget the Council is to have regard to the contents of its plan for the future prepared in accordance with section 5.56. Under the Integrated Planning Framework for Local Government, that is the Community Strategic Plan. This section requires that Council must prepare detailed estimates of:

- (a) Expenditure.
- (b) Revenue and income, independent of general rates
- (c) The amount required to make up the 'deficiency' if any shown by comparing the estimated expenditure with the estimated revenue and income.

Section 6.2(3) requires that all expenditure, revenue and income must be taken in account unless otherwise prescribed. Local Government (Financial Management) Regulation 32 prescribes amounts that may be excluded in calculating the 'budget deficiency'

Section 6.2(4) requires the annual budget to incorporate:

- (a) Particulars of estimated expenditure proposed;
- (b) Detailed information relating to the rates and service charges which will apply, including:
 - (i) Amount estimated to be yielded by the general rate
 - (ii) Rate of interest to be charged on unpaid rates and service charges;
- (c) Fees and charges;
- (d) Borrowings and other financial accommodations proposed;
- (e) Reserve account allocations and uses;
- (f) Any proposed land transactions or trading undertakings per section 3.59
- (g) Such other matters that are prescribed

Elected Member Fees & Allowance

Sections 5.98 to Section 5.99A Local Government Act 1995
Section 7A Salaries & Allowance Act 1975

Strategic Implications

As outlined above the Budget has been adapted to the with the view to achieving the community's vision and Shire's strategic goals use outlined by the Shire's Strategic Community Plan 2016/17 -2026/27 and Corporate Business Plan 2017-2021 which together form the Shire Plan for Future.

Sustainability Implications

| | |
|---------------|---|
| Environmental | There are no known significant environmental considerations |
| Economic | There are no known significant economic considerations |
| Social | There are no known significant social considerations |

Policy Implications

Nil

Financial Implications

The 2022-23 budget will guide the activities of the Shire for the financial year, but also in context for future years.

Consultation

Travis Bate (RSM) – Financial Accountant and William Herold - Works Manager

Recommendation

That Council resolve resolutions as outlined in PARTS A to H as follows:

Part A- COVID-19 Pandemic Budget Considerations

- A1 That in accordance with section 6.2 of the *Local Government Act 1995* and clause 7 of the *Local Government (COVID-19 Response) Ministerial Order 2020* that Council confirms that the 2022/23 Budget has been prepared having regard to the COVID-19 pandemic.
- A2 That Council receives and notes the Corporate Business Plan Extract Update as attached to the Agenda and the direct COVID-19 pandemic considerations that have been highlighted.

Voting Requirements

A1, A2, Simple Majority

Part B – General Fees and Charges For 2022-23

- B1 That Council, pursuant to section 6.16 of the *Local Government Act 1995*, adopts the fees and charges for the 2022/23 year as attachment 17.4.4 to this agenda.

Voting Requirements

B1 Absolute Majority

Part C – Other Statutory Fees for 2022-23

- C1 That Council, pursuant to section 53 of the *Cemeteries Act 1986* adopts the Fees and Charges for Cemeteries within the Shire of Murchison as included in the draft 2022/23 Fees and Charges as attached to this agenda.

Voting Requirements

C1 Absolute Majority

Part D – Elected Members Fees and Allowances for 2021/22

- D1 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 | \$14,613 per Annum |
| Councillors | \$9,742 per annum. |
- D2 That Council, pursuant to section 5.99A of the *Local Government Act 1995* and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual Information & Communication Technology (ICT) expenses allowance for elected members:
- ICT Expenses Allowance \$2,000
- D3 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 \$14,032
- D4 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 \$3,508

Voting Requirements

D1, D2, D3, D4 Absolute Majority

Part E- Municipal Fund Budget for 2022-23

- E1 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 Statutory Annual Budget attachment to this agenda for the Shire of Murchison for the 2022/23 financial year, including the following:
- 2022/23 Budget Summary
 - 2022/23 Statutory Budget Document including the following budget schedules
 - ~ Budget Accounts
 - ~ Capital Works
- E2 That Council endorses the 2022/23 Budget Snapshot as attached
- E3 That in adopting the 2022/23 Budget that Council specifically notes that
- E3.1 the budget has been prepared with reference to the consequences of the COVID-19 pandemic as outlined in the Report
- E3.2 in accordance with section 6.34 of the *Local Government Act 1995* and clause 10 of the *Local Government (COVID-19 Response) Ministerial Order 2020* the revenue estimated to be yielded by the general rates imposed for the 2022/23 financial year will be no less than 90% and no more than 110% of the 2020/21 Budget deficiency.

Voting Requirements

- E1 Absolute Majority
E2, E3 Simple Majority

Part F – Interest on Money Owing to Local Governments

- F1 That Council in accordance with section 6.13 of the *Local Government Act 1995* and clause 8 of the *Local Government (COVID-19 Response) Ministerial Order 2020* will not apply an interest rate to any amount of money owing to the local government (other than rates or service charges) during the COVID-19 pandemic.

Voting Requirements

- F1 Absolute Majority

Part G – Differential and Minimum Rates Instalment Payment Arrangements

- G1 That Council, for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, pursuant to sections 6.32, 6.33, 6.34 and that pursuant to Section 6.35 of the *Local Government Act 1995*, impose the following differential and minimum rates on Unimproved Values.

| Differential Rate Type | Rate in dollar cents | Minimum Payment (\$) |
|------------------------|----------------------|----------------------|
| UV Pastoral | 4.863 | 800 |
| UV Mining | 24.552 | 800 |
| UV Exploration | 9.339 | 800 |

- G2 That Council notes that in accordance with
- G2.1 section 6.32(1)(a)(ii), 6.32(1)(b)(ii), 6.33(3) and 6.35 of the *Local Government Act 1995* and clauses 9 and 11 of the *Local Government (COVID-19 Response) Ministerial Order 2020* that where the differential rates are greater than more than twice the lowest differential rate that such differentials are subject to the approval of the Minister for Local Government and can't be validated without such approval.
- G3 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 and a four-instalment payment option, and nominates the following due dates for payment in full or by instalments:

| Payment | Due Date |
|--|------------------|
| Full payment and 1 st instalment | 10 October 2022 |
| 2 nd quarterly instalment | 12 December 2022 |
| 3 rd quarterly instalment | 13 February 2023 |
| 4 th quarterly and final instalment | 17 April 2024 |

- G4 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 \$11; this being the same as that was adopted in the previous two years and is to be set for each instalment after the initial instalment is paid.
- G5 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 0.0% where the owner has elected to pay rates and service charges through an instalment option.
- G6 That, 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*, and in accordance with clause 14 of the *Local Government (COVID-19 Response) Ministerial Order 2020* that Council
- G6.1 adopts an interest rate of 7% for rates and costs of proceedings to recover such charges that remain unpaid after becoming due and payable and
- G6.2 notes that this interest rate is not being applied to an excluded person as defined in the *Local Government (COVID-19 Response) Ministerial Order 2020* that has been determined by Council as suffering financial hardship as a consequence of the COVID-19 pandemic.

Voting Requirements

- G1, G5, G6 Absolute Majority
G2, G3, G4, Simple Majority

Part H – Material Variance Reporting for 2022/23

- H1 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 2021/22 for reporting material variances shall be a percentage of ten (10) or a minimum of \$10,000.

Voting Requirements

- H1 Simple Majority

Overall Voting Requirements

As outlined under each Part.

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

18 DEVELOPMENT

Nil

19 ADMINISTRATION

19.1 2020/21 Annual Report

| | |
|--------------------|--|
| File: | 1.2 |
| Author: | Bill Boehm – Chief Executive Officer |
| Interest Declared: | No interest to disclose |
| Date | 21 August 2022 |
| Attachments: | 19.1.1 2020/21 Annual Report (excl Financials - Refer 17.3.1.) |

Background

Local Government is to prepare an Annual Report for each financial year containing information including but not limited to a report from the mayor or president, a report from the CEO, an overview of the plan for the future, the financial report for the financial year, information as may be prescribed in relation to payments to employees, the auditor's report for the financial year, information regarding Disability access and inclusion and details in the register of complaints. The Annual Report is to be the first item considered at the Annual General Meeting of Electors.

Matter for Consideration

The Annual Report for the 2020/21 financial year is presented for consideration by the Council. In accordance with s5.55 of the *Local Government Act 1995* the Annual Report will be made available to the public after it is accepted by Council.

Comments

The finalisation of the Audited Financials by Councils Auditors and the Auditors Report has been completed and is about to be finalised as outlined under items 15.1 and 17.3. Under the *Local Government Act 1995*, The Annual Report must be accepted by the Council by 31 December unless the Auditors Report is not available in time for this to be included in the Annual Report and hence adopted within this deadline.

The balance of the Annual Report less the Financial Report has been finalised and a draft was sent out to councillors as pre reading and feedback obtained and included in the document as attached. The Audited Financials by Councils Auditors and the Auditors Report will need to be added once the Audit Committee has reviewed the financials.

The audited report, once adopted by Council, will be included in the Annual Report 2020/21 for presentation at the Annual Meeting of Electors to be held within 56 days of the adoption of the report. The suggested date proposed is in on the day of the next ordinary meeting of Council. Accordingly, the proposed time and date of the meeting is at 3pm on Thursday 22 September 2022.

Statutory Environment

5.53 Annual reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain —*
 - (a) *a report from the mayor or president; and*
 - (b) *a report from the CEO; and*
 - (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
 - (f) *the financial report for the financial year; and*
 - (g) *such information as may be prescribed in relation to the payments made to employees; and*
 - (h) *the auditor's report for the financial year; and*
 - (ha) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - (hb) *details of entries made under section 5.121 during the financial year in the register of complaints, including-*
 - (i) *the number of complaints recorded in the register of complaints; and*

- (ii) how the recorded complaints were dealt with; and
- (iii) any other details that the regulations may require; and
- (i) such other information as may be prescribed

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.
* Absolute majority required.
- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

5.55 Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.27 Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

5.29 Convening electors' meetings

- (1) The CEO is to convene an electors' meeting by giving —
 - (a) at least 14 days' local public notice; and
 - (b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.

Strategic Implications

This is a statutory function.

Policy & Financial Implications

Nil

Consultation

Travis Bate Financial Accountant (RSM).

Recommendation

Note the following recommendation is subject to the Audit Committees consideration and recommendation on the Financial Report section of the Annual Report.

That Council

- 1 adopts the Annual Report for 2020/21 and
- 2 that the 2020/21 Electors Annual General meeting be held at 3pm on the 22 September 2022.

Voting Requirements

Absolute Majority

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

20 CEO ACTIVITY REPORT

File:

Author: Bill Boehm – Chief Executive Officer

Interest Declared: No interest to disclose

Date 21 August 2022

Attachments: Nil

General

The following update of activities is provided. A very significant amount of work has been undertaken with respect to preparing the 2022/23 Budget and 2020/21 Annual Report.

| Date | Activity |
|-----------------------------|---|
| 26.07.2022 to 27.07.2022 | Financial Report. Budget Work |
| 28.07.2022 | Council Meeting and follow up actions |
| 29.07.2022 to 30.07.2022 | Follow up actions from Council Meeting |
| 31.07.2022 | Set up Works & Roadhouse Fuel Templates |
| 1.08.2022 | Meetings and briefings with Works Manager and Corporate Services Officer. Finalise and send of Rates Submission. Follow up actions from Council Meeting |
| 2.08.2022 | Follow up actions from Council Meeting |
| 3.08.2022 | Budget Accounts Review. Briefly attend Si Tech Program. Brief discussions with Chris Brayton (CSIRO) |
| 4.08.2022 | Touch base @ depot and roadhouse. Provide traffic count information for Greenfields. Budget & Accounts Review. Touch base with ACIL and provide preliminary briefing for business case work |
| 5.08.2022 | Budget & Accounts Review. Touch base briefing with Works Manager. Briefing with Josh Kirk regarding Flood Damage, Works, Murchison Roads Project, Resealing Works and Main Roads WA SKA Roads Agreement. Touch base with Jamie Pickles (Hybrid Systems) and Josh Hoskens regarding Microgrid Project. |
| 6.08.2022 to 8.09.2022 | Fuel Review Work |
| 9.08.2022 | Budget & Fuel Review Work. Follow up Roadhouse development options. Grants Commission advice. Attend RFDS call out |
| 10.08.2022 | Meeting with Works Manager. Attend PIA Wadjarri Council Meeting at PIA. Meeting with Will Bastian. |
| 11.08.2022 | Meeting with Admin Staff. Follow up Murchison Roads Project. General Administration |
| 12.08.2022 | Attend PIA Wadjarri NAIDOC Celebrations. General Administration. Liaise with Travis Bate on finance and budget. Murchison Roads Project follow up |
| 13.08.2022 | Murchison Roads Project follow up. Annual Report Work. Meeting with Community Manager DCEO |
| 14.08.22 to 16.08.2022 | Annual Report. Monologue Work |
| 17.08.2022 | Monologue, Annual Report and Budget Work. Attend Murchison Experience Project Workshop via Teams |
| 18.08.2022 | Monologue and Annual Report Work. Finalise and send Main Roads WA Submission. Flood damage administration work. |
| 19.08.2022 | Annual Report and Budget Work. Teams Meeting with Adam Murszewski and Nils Hay (MWDC) |
| 20.08.2022 to 21.08.22 | Budget Work. Annual Report. Agenda Work |
| 22.08.2022 | TOIL |

Recommendation

That Council note the CEO's Activity Report.

Voting Requirements

Simple Majority

| | | |
|-------------------------|---------------------|----------------|
| Council Decision | | |
| Moved: Cr | Seconded: Cr | |
| Carried/Lost | For | Against |

21 ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

22 MEETING CLOSURE

The Shire President closed the meeting at.