



SHIRE OF WYNDHAM | EAST KIMBERLEY

**MINUTES
ORDINARY COUNCIL
MEETING**

28 June 2022

DISCLAIMER

Members of the Public are advised that recommendations to Council contained within this Agenda and decisions arising from the Council meeting can be subject to alteration. Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

An audio and/or video record will be made of these proceedings to assist in the taking of minutes.

Signed on behalf of Council



VERNON LAWRENCE
CHIEF EXECUTIVE OFFICER

NOTES

- 1. Councillors wishing to make alternate motions to officer recommendations are requested to provide notice of such motions electronically to the minute taker prior to the Council Meeting.**
- 2. Councillors needing clarification on reports to Council are requested to seek this from relevant Officers prior to the Council meetings.**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	4
2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	4
3. DECLARATION OF INTEREST	5
4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	5
5. PUBLIC QUESTION TIME	5
6. APPLICATIONS FOR LEAVE OF ABSENCE.....	5
7. PETITIONS.....	6
8. CONFIRMATION OF MINUTES	6
9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	6
10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	7
11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS.....	7
12. REPORTS	8
12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL	8
12.1.1. Consideration of recommendations contained within the minutes of the Audit (Finance and Risk) Committee of 13 June 2022	8
12.2. CHIEF EXECUTIVE OFFICER.....	14
12.2.1. Standing Item - Outstanding Actions from Previous Council Resolutions	14
12.2.2. North West Defence Alliance.....	17
12.2.3. Standing Item - Use of the Common Seal	20
12.3. PLANNING AND COMMUNITY DEVELOPMENT	23
12.3.1. Temporary Caravan Park and Camping Ground Application - Kununurra Agricultural Society.....	23
12.3.2. Temporary Caravan Park and Camping Ground Application - Kununurra Campdraft & Rodeo Association.....	28
12.4. CORPORATE SERVICES	33
12.4.1. Monthly Financial Report May 2022	33
12.4.2. List of Accounts Paid From Municipal Fund and Trust Fund.....	37
12.4.3. Plant and Equipment - Purchase of Street Sweeper	40
12.4.4. Annual Budget 2022/23	43
12.5. INFRASTRUCTURE	93
13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	93
14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	93
15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	93
16. MATTERS BEHIND CLOSED DOORS	93
17. CLOSURE	94

**SHIRE OF WYNDHAM EAST KIMBERLEY
ORDINARY COUNCIL MEETING MINUTES
KUNUNURRA COUNCIL CHAMBERS
TO BE HELD ON TUESDAY 28 JUNE 2022 AT 5:00PM**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Members of the Public are advised that recommendations to Council contained within this Agenda and decisions arising from the Council meeting can be subject to alteration.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

An audio and/or video record will be made of these proceedings to assist in the taking of minutes.

The Shire President declared the Meeting open at 5:00pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)**

Cr D Menzel	Shire President
Cr T Chafer	Deputy Shire President
Cr N Brook	Councillor
Cr M Dear	Councillor
Cr J Farquhar	Councillor
Cr B Kyne	Councillor
Cr C McNeil	Councillor (via video conference)
V Lawrence	Chief Executive Officer
F Heading	Director Corporate Services
N Kearns	Director Planning and Community Development
Paul Webb	Director Infrastructure
N Bray	Minute Taker
M Blair	Shire Officer
W Buttle	Resident

Apologies

Cr D Hearty	Councillor
Cr M McKittrick	Councillor

3. DECLARATION OF INTEREST

- Financial Interest

Nil

- Impartiality Interest

Item	Person	Declaration
12.3.2	Cr C McNeil	Is a committee member of the Kununurra Campdraft & Rodeo Association

- Proximity Interest

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr M McKittrick has provided a written request for a leave of absence for the 28 June 2022 Ordinary Council Meeting.

OFFICER RECOMMENDATION

That Council approve a leave of absence for *Cr McKittrick* for the 28 June 2022 Ordinary Council Meeting.

Council Decision

Minute Number: 28/06/2022 – 118655

That Council approve a leave of absence for *Cr McKittrick* for the 28 June 2022 Ordinary Council Meeting.

Moved: Cr T Chafer

Seconded: Cr J Farquhar

Decision: 7/0

7. PETITIONS

Nil

8. CONFIRMATION OF MINUTES

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 31 May 2022.

Council Decision

Minute Number: 28/06/2022 - 118656

That Council confirms the Minutes of the Ordinary Council Meeting held on 31 May 2022.

Moved: Cr T Chafer

Seconded: Cr J Farquhar

Decision: 7/0

Note: The Minutes of the Ordinary Council Meeting held on 31 May 2022 are provided under separate cover via www.swek.wa.gov.au

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

02 June 2022

- North West Defence Alliance Meeting – Attended by CEO and Shire President.
- Meeting with RareX - Attended by the Shire President and CEO met with RareX for a briefing on the status of their operations and future plans.

03 June 2022

- Anti-Social Behaviour Meeting – Attended by Shire President and CEO

09 June 2022

- Launch of the Taste of the Kimberley - Attended by CEO and Shire President.
- Dept. Premier and Cabinet – CEO met with Nick Duff, Assistant Director – Aboriginal Engagement (DPC), regarding a potential place-based partnership in the East Kimberley Place-Based Partnership (Local Solutions)

10 June 2022

- Department of Lands, Planning and Heritage – Attended by Director Planning and Community Development Nick Kearns

- Anti-Social Behaviour Meeting – Attended by Shire President and CEO

13 June 2022

- Kimberley Regional Group – Attended by CEO meeting.
- Audit Finance and Risk Committee Meeting – attended by Cr McKittrick, Cr Hearty and Cr Chafer with Cr Kyne in attendance as well.

16 June 2022

- Airport Committee Meeting #1 – Attended by Shire President, Deputy Shire President and CEO met with the Airport Manager to commence the 1st Airport Committee Meeting to provide governance oversight of the Airport business unit as a significant business operation of the Shire.

17 June 2022

- Anti-Social Behaviour Meeting – Attended by Shire President and CEO
- Ord River Stakeholder Meeting – Attended by the CEO and Shire President.

21 June 2022

- Kimberley Zone and Joint Kimberley Regional Group Meeting – Attended by CEO, Shire President and Deputy Shire President.

22 June 2022

- Development WA Board and Executive – Attended by The Shire President, Deputy Shire President, CEO and Planning staff attended – discussed a wide range of items related to the provision of accommodation in the Shire.

24 June 2022

- Anti-Social Behaviour Meeting – Attended by Shire President

27 June 2022

- Meeting with Lanie Chopping, Director General Department of Local Government, Sport and Cultural Industries to discuss local issues, DAMA and election commitments.
- Shire President and CEO met with the Minister for Corrections, the Hon Bill Johnston and the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services, the Hon Simone McGurk via video conference - re the Justice Response package and the location of the Kimberley Prison.

10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

12. REPORTS

12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1. Consideration of recommendations contained within the minutes of the Audit (Finance and Risk) Committee of 13 June 2022

DATE:	28 June 2022
AUTHOR:	Director Corporate Services
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
ASSESSMENT NO:	Various - As Detailed in the Minutes of 13 June 2022 Audit (Finance and Risk) Committee meeting
FILE NO:	Various - As Detailed in the Minutes of 13 June 2022 Audit (Finance and Risk) Committee meeting
DISCLOSURE OF INTERESTS:	Nil
COUNCILS ROLE IN THE MATTER:	Leader - Plan and provide direction through policy and practices Regulator - Responsible for the enforcement of statutory requirements
VOTING REQUIREMENT:	Simple Majority

Cr T Chafer moved that Committee Recommendations 1-5 be considered en-bloc. The motion was seconded by Cr N Brook

Decision: 7/0

COMMITTEE RECOMMENDATION 1

That Council, with reference to Item 7.1 “Standing Item - Rates Debtors” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes, accept the report that the actions being undertaken by the administration in regard to rates debtors including rates debts in legal process are sufficient and appropriate.

Council Decision

Minute Number: 28/06/2022 – 118657

That Council, with reference to Item 7.1 “*Standing Item - Rates Debtors*” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes, accept the report that the actions being undertaken by the administration in regard to rates debtors including rates debts in legal process are sufficient and appropriate.

Moved: Cr T Chafer

Seconded: Cr N Brook

Decision: 7/0

COMMITTEE RECOMMENDATION 2

That Council, with reference to Item 7.2 “*Standing Item - Sundry Debtors*” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes, accept the report that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate.

Council Decision

Minute Number: 28/06/2022 - 118658

That Council, with reference to Item 7.2 “*Standing Item - Sundry Debtors*” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes, accept the report that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate.

Moved: Cr T Chafer

Seconded: Cr N Brook

Decision: 7/0

COMMITTEE RECOMMENDATION 3

That Council, with reference to Item 7.3 “*Standing Item - Insurance Claims*” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes, note the Insurance Claims Report and associated

attachments to the Agenda/Minutes of the 13 June 2022 Audit (Finance and Risk) Committee meeting.

Council Decision

Minute Number: 28/06/2022 - 118659

That Council, with reference to Item 7.3 “*Standing Item - Insurance Claims*” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes, note the Insurance Claims Report and associated attachments to the Agenda/Minutes of the 13 June 2022 Audit (Finance and Risk) Committee meeting.

Moved: Cr T Chafer

Seconded: Cr N Brook

Decision: 7/0

COMMITTEE RECOMMENDATION 4

That Council, with reference to Item 7.4 “*Standing Item - Leases*” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes, note the Confidential Lease Schedule and the New and Renewal Lease Schedule attached to the Agenda/Minutes of the 13 June 2022 Audit (Finance and Risk) Committee Meeting.

Council Decision

Minute Number: 28/06/2022 - 118660

That Council, with reference to Item 7.4 “*Standing Item - Leases*” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes, note the Confidential Lease Schedule and the New and Renewal Lease Schedule attached to the Agenda/Minutes of the 13 June 2022 Audit (Finance and Risk) Committee Meeting.

Moved: Cr T Chafer

Seconded: Cr N Brook

Decision: 7/0

COMMITTEE RECOMMENDATION 5

That Council, with reference to Item 7.5 “*Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls*” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes:

Note the progress report contained within the Confidential Attachments to the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes arising from the Chief Executive Officer’s review on the appropriateness and effectiveness of the Shire’s systems and procedures in relation to risk management, internal control and legislative compliance as required by Regulation 17 of the Local Government (Audit) Regulations 1996 and the review of the appropriateness and effectiveness of the financial management systems and procedures of the Shire as required by Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996.

Council Decision

Minute Number: 28/06/2022 - 118661

That Council, with reference to Item 7.5 “*Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls*” as detailed in the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes:

Note the progress report contained within the Confidential Attachments to the 13 June 2022 Audit (Finance and Risk) Committee Agenda/Minutes arising from the Chief Executive Officer’s review on the appropriateness and effectiveness of the Shire’s systems and procedures in relation to risk management, internal control and legislative compliance as required by Regulation 17 of the Local Government (Audit) Regulations 1996 and the review of the appropriateness and effectiveness of the financial management systems and procedures of the Shire as required by Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996.

Moved: Cr T Chafer

Seconded: Cr N Brook

Decision: 7/0

PURPOSE

To consider the recommendations from the Audit (Finance and Risk) Committee made at its meeting held on 13 June 2022.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The background and details supporting the recommendations are contained within the Minutes of the 13 June 2022 Audit (Finance and Risk) Committee meeting and confidential attachments to the Agenda/Minutes.

STATUTORY IMPLICATIONS

Various - detailed within the Minutes of the 13 June 2022 Audit (Finance and Risk) Committee meeting and confidential attachments to the Agenda/Minutes.

POLICY IMPLICATIONS

Various - detailed within the Minutes of the 13 June 2022 Audit (Finance and Risk) Committee meeting and confidential attachments to the Agenda/Minutes.

FINANCIAL IMPLICATIONS

Various - detailed within the Minutes of the 13 June 2022 Audit (Finance and Risk) Committee meeting and confidential attachments to the Agenda/Minutes.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027

Focus Area 4: PERFORMANCE - Civic Leadership

Goal: 4.3: Ensure a strong and progressive organisation delivering customer focused services

Strategy 4.3.2: Integrate all planning, resources and reporting in accordance with best practice and statutory requirements.

Goal 4.4: Sustainably maintain the Shire's financial viability

Strategy 4.4.4: Apply best practice financial management to ensure long term sustainability

RISK IMPLICATIONS

Various - detailed within the Minutes of the 13 June 2022 Audit (Finance and Risk) Committee meeting and confidential attachments to the Agenda/Minutes.

COMMUNITY ENGAGEMENT

Various - detailed within the Minutes of the 13 June 2022 Audit (Finance and Risk) Committee meeting and confidential attachments to the Agenda/Minutes.

COMMENTS

Various - detailed within the Minutes of the 13 June 2022 Audit (Finance and Risk) Committee meeting and confidential attachments to the Agenda/Minutes.

ATTACHMENTS

Nil

12.2. CHIEF EXECUTIVE OFFICER

12.2.1. Standing Item - Outstanding Actions from Previous Council Resolutions

DATE:	28 June 2022
AUTHOR:	Executive Officer to the CEO
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
DISCLOSURE OF INTERESTS:	NIL
COUNCIL'S ROLE IN THE MATTER:	Leader - plan and provide direction through policy and practices
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

That Council notes the report - Outstanding Actions from Previous Council Resolutions.

Council Decision

Minute Number: 28/06/2022 - 118662

That Council notes the report - Outstanding Actions from Previous Council Resolutions.

Moved: Cr N Brook

Seconded: Cr T Chafer

Decision: 7/0

PURPOSE

To report to the Council on the progress of and provide comment on outstanding actions from Council resolutions.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

At each meeting of Council, resolutions are made which require actions to be taken by officers to implement those resolutions. This monthly update advises the Council as to the status of the implementation of resolutions.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027

Focus Area 4: Civic Leadership

Goal 4.2: Good decision making through engagement with the community

Strategy 4.2.2: Ensure community input informs planning and decision making

Goal 4.3: Ensure a strong and progressive organisation delivering customer focused services

Strategy 4.3.2: Create a culture that encourages innovation, collaboration, best practice and organisational discipline to improve efficiency, effectiveness and productivity

RISK IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Not applicable as referenced in individual reports presented to the Council.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

A list of actions from previous Council resolutions that have been completed as at June 2022 are detailed in Attachment 1.

Attachment 2 summarises all other actions that are outstanding from previous Council resolutions.

ATTACHMENTS

Attachment 1 - Council Action Register - Completed - June 2022

Attachment 2 - Council Action Register - In Progress - June 2022

12.2.2. North West Defence Alliance

DATE:	28 June 2022
AUTHOR:	Chief Executive Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Advocator - advocate and support initiatives on behalf of the community Facilitator - bring stakeholders together
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Endorses the Shire President and Chief Executive Officer to attend North West Defence Alliance meetings on behalf of the Shire of Wyndham East Kimberley, and**
- 2. Endorses an appropriation of \$5,000 from General Ledger Account 102040213 - Lobby and Representation - Governance to contribute towards funding the advocating operations of the North West Defence Alliance.**

Council Decision

Minute Number: 28/06/2022 - 118663

That Council:

- 1. Endorses the Shire President and Chief Executive Officer to attend North West Defence Alliance meetings on behalf of the Shire of Wyndham East Kimberley, and**
- 2. Endorses an appropriation of \$5,000 from General Ledger Account 102040213 - Lobby and Representation - Governance to contribute towards funding the advocating operations of the North West Defence Alliance.**

Moved: Cr D Menzel

Seconded: Cr M Dear

Decision: 7/0

PURPOSE

The purpose of the report is to: inform Council of the function and goals of the North West Defence Alliance; to endorse the Shire President and the CEO to attend meetings and act on behalf of Council, and to contribute an equal share of \$5,000 towards the advocacy costs of the north West Defence Alliance.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

This has not been previously considered by Council.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the Strategic Community Plan 2017-2027:

Focus Area 3: PROSPERITY - Economic Prosperity

Focus Area 4: PERFORMANCE - Civic Leadership

Goal 3.2: To be business friendly and the Shire of choice for inward investment in the Kimberley

Goal: 4.1: Effective representation through advocacy at a regional, state and national level

Strategy 3.2.1: Market the East Kimberley as the place to live, visit and do business

Strategy 3.2.2: Develop a viable regional centre as a key to retaining services and supporting population growth

Strategy 3.2.4: Support the identification and development of investment opportunities that create jobs

Strategy 4.1.1: Advocate and lobby effectively on behalf of the community

Strategy 4.1.2: Foster relationships and partnerships with key stakeholders to achieve community outcomes

FINANCIAL IMPLICATIONS

There is an initial contribution of \$5,000 to the north West Defence Alliance that will fund the advocacy operations for the immediate future. Detailed budgets have been circulated to Councillors at the June 2022 briefing session.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The north-west of the Australian continent covers one million square kilometres over the Kimberley, Pilbara and Gascoyne. It contains the world's greatest mineral province with enormous reserves of iron ore, natural gas, oil, lithium, copper, gold, cobalt, manganese, zinc, lead, rare earths and other minerals vital for today's technological society. Hundreds of billions of dollars are invested in mines, ports, offshore facilities and gas plants. In the last year this region exported \$140 billion of resource products – nearly one half of Australia's export total.

This area fronts the Indian Ocean, with 35 other countries and nearly 3 billion people. Two-thirds of the world's seaborne bulk cargo pass through this contested area. The sea-route from the Indonesian archipelago through Australia's north-west Maritime Jurisdiction is heavily trafficked, carrying over 900 million tonnes of our exports north each year.

This area is sparsely populated, with approximately 100,000 people and only a few dozen Defence personnel which is insufficient for the importance of this region. The north-west needs a larger and more visible military presence to maintain the security and integrity of our greatest export industry. The importance of this region to the state of the Australian economy has been emphasised during the Covid-19 pandemic.

There are significant opportunities for the local governments that make up the North West Defence Alliance to secure investment in defence infrastructure. To this end, AMCER Consulting will prepare a position paper for use at the Indian Ocean Defence and Security Conference in Perth on 26th and 27th July 2022.

The Shire has infrastructure that can be of benefit to the defence of the region. These include the Airports at Kununurra and Wyndham, the Wyndham Port, road and bridge infrastructure and communications infrastructure (fibre). There are also businesses that can supply services to the defence industry.

Shire Officers consider that this is an opportunity that needs to be developed and that Council support the initial investment of \$5,000 and the time invested by the Shire President and CEO.

ATTACHMENTS

Nil

12.2.3. Standing Item - Use of the Common Seal

DATE:	28 June 2022
AUTHOR:	Executive Officer to the CEO
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
DISCLOSURE OF INTERESTS:	NIL
COUNCIL'S ROLE IN THE MATTER:	Regulator - enforce state legislation and local laws
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 18 May 2022 to 17 June 2022.

Council Decision

Minute Number: 28/06/2022 - 118664

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 18 May 2022 to 17 June 2022.

**Moved: Cr Farquhar
Seconded: Cr McNeil**

Decision: 7/0

PURPOSE

For Council to receive this report on the application of the Shire of East Kimberley Common Seal for the period 18 May 2022 to 17 June 2022.

STATUTORY IMPLICATIONS

Local Government Act 1995

9.49A. Execution of documents

(1) A document is duly executed by a local government if —

- (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
- (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
- (a) *the mayor or president; and*
- (b) *the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

POLICY IMPLICATIONS

NIL

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027

Focus Area 4: Civic Leadership

Goal 3.1: To deliver the critical infrastructure that will create the conditions for economic growth across the Shire

RISK IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

There were 7 documents for the time period of 18 May 2022 to 17 June 2022 with the Shire of Wyndham East Kimberley Common Seal applied as per the table below:

Date of Use	Document
31 May 2022	Lot 402 & 403 DP 432057 Weaber Plain Road Reticulated Sewage
31 May 2022	Lot 402 & 403 DP 432057 Weaber Plain Road Potable Water
02 June 2022	Lot 44 Weaber Plain Road Reticulated Sewage
02 June 2022	Lot 44 Weaber Plain Road Potable Water
08 June 2022	Grant Agreement ECPN012-2021 - Changing Places - Kununurra Leisure Centre
08 June 2022	Grant Agreement ARPRCCW018-2021 - Supporting Our Team
08 June 2022	Lease Lot 508 Millington Drive, Part Reserve 50467 - Lake Kununurra Boat Hire

ATTACHMENTS

NIL

12.3. PLANNING AND COMMUNITY DEVELOPMENT

12.3.1. Temporary Caravan Park and Camping Ground Application - Kununurra Agricultural Society

DATE:	28 June 2022
AUTHOR:	Senior Environmental Health Officer
RESPONSIBLE OFFICER:	Nick Kearns, Director Planning and Community Development
ASSESSMENT NO:	A7620
FILE NO:	PH.12.5
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Regulator - enforce state legislation and local laws
VOTING REQUIREMENT	Simple Majority

OFFICER'S RECOMMENDATION

That Council

1. Authorises the Chief Executive Officer to sign the application form for the Temporary Caravan Park and Camping Ground Licence for the Kununurra Agricultural Society at Reserve 29799, 199 (Lot 504) Coolibah Drive, Kununurra.
2. Grants a temporary caravan park licence to Kununurra Agricultural Society for 40 short stay sites at the Kununurra Agricultural Grounds from 2 July 2022 to 10 July 2022 subject to the following conditions:
 - a. The existing licence for a Caravan Park and Camping Ground located at the site will be suspended for the duration of the Kununurra Agricultural Show.
 - b. Only event staff associated with the Kununurra Agricultural Show are to be accommodated in the park.
 - c. The following minimum ablution facilities are to be available for the duration of the licence: 4 toilets, 2 hand basins, and 2 showers.
 - d. All wastewater (including sullage water) is to be collected and removed from the site to be disposed of at an approved wastewater dump point.
 - e. Rubbish bins are to be sealed and provided within 90 metres of

- every site. All rubbish is to be removed from site.
- f. Fire extinguishers are to be located within 90 metres of every site.

Council Decision

Minute Number: 28/06/2022 - 118665

That Council

- 1. Authorises the Chief Executive Officer to sign the application form for the Temporary Caravan Park and Camping Ground Licence for the Kununurra Agricultural Society at Reserve 29799, 199 (Lot 504) Coolibah Drive, Kununurra.**

- 2. Grants a temporary caravan park licence to Kununurra Agricultural Society for 40 short stay sites at the Kununurra Agricultural Grounds from 2 July 2022 to 10 July 2022 subject to the following conditions:**
 - a. The existing licence for a Caravan Park and Camping Ground located at the site will be suspended for the duration of the Kununurra Agricultural Show.**
 - b. Only event staff associated with the Kununurra Agricultural Show are to be accommodated in the park.**
 - c. The following minimum ablution facilities are to be available for the duration of the licence: 4 toilets, 2 hand basins, and 2 showers.**
 - d. All wastewater (including sullage water) is to be collected and removed from the site to be disposed of at an approved wastewater dump point.**
 - e. Rubbish bins are to be sealed and provided within 90 metres of every site. All rubbish is to be removed from site.**
 - f. Fire extinguishers are to be located within 90 metres of every site.**

Moved: Cr N Brook

Seconded: Cr M Dear

Decision: 7/0

PURPOSE

For Council to consider an application made by the Kununurra Agricultural Society for a Temporary Caravan Park and Camping Ground Licence at the Kununurra Agricultural Grounds for the annual Kununurra Agricultural Show.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Kununurra Agricultural Society hosts the Kununurra Agricultural Show as an annual event in July. This year the event will run on 8 and 9 July 2022.

The Kununurra Agricultural Society has applied for a temporary caravan park and camping ground licence from 2 July 2022 to 10 July 2022 at the Kununurra Agricultural Grounds in order to meet the accommodation needs of site holders.

This extended period around the actual event dates is to allow amusement vendors and staff to arrive in Kununurra from other venues, as well as time for the set up and dismantling of their amusement rides and stalls after the event. The need for the temporary camping onsite is to allow amusement vendors and other travelling site holders to stay in proximity to their equipment for security reasons, and outlying station staff to stay in proximity of their animals.

The Kununurra Agricultural Society already holds a caravan park and camping ground licence for the site which will be temporarily suspended for the duration of the event as the grounds layout will be significantly altered for this purpose. Only staff/site holders associated with the event will be permitted to be accommodated on site.

A copy of the Temporary Caravan Park and Camping Ground application is provided as Attachment 1.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 (the Act)

s. 7(5) Before granting a licence a local government must ensure that -

- (a) the applicant has complied with the requirements of this Act;*
- (b) The applicant is the owner of the land on which the facility is situated, or is to be situated, or has the written approval of the owner of that land to apply for a licence.*

Caravan Parks and Camping Ground Regulations 1997 (the Regulations)

r. 47 Applications not dealt with within time are taken to be refused

(1) If within -

- (a) 63 days of receiving an application for a licence; or*
- (b) 35 days of receiving an application for a renewal of a licence, the local government to which the application was made has not informed the applicant whether or not the application has been granted, the applicant may give the chief executive officer of the local government a notice requiring the local government to inform the applicant, within 14 days, whether or not the application is granted.*

(2) If within 14 days after receiving a notice referred to in subregulation (1), the local government has not informed the applicant whether or not the application is granted, the local government is to be taken to have refused the application and the applicant may make an application for review to the State Administrative Tribunal under section 27 of the Act.

r. 54 Temporary Licence

- (1) A local government may, on payment of the fee set out in item 3 of Schedule 3, grant a temporary licence for a facility which is to remain in force for such period of less than one year, as is provided in the licence.
- (2) A local government is to endorse on a temporary licence for a facility as conditions of the licence -
 - (a) the maximum number of sites of particular types that may be used at the facility and
 - (b) The services and facilities that are to be provided.

POLICY IMPLICATIONS

Council Policy CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds provides guidelines for the approval of temporary licences. The Policy provides for a reduction in amenity and requirements of the Regulations which is considered appropriate as temporary licences are usually issued only for a short time.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2017-2027*:

Focus Area 1: PEOPLE - Healthy vibrant active communities

Focus Area 2: PLACE - Enhancing the environment

Goal 1.1: Bring community together and promote our rich culture and heritage

Goal 2.3: Make towns safe and inviting for locals and visitors

Strategy 1.1.2: Support and promote an increase in the number of events and activities that encourage a sense of identity, belonging and promote cultural diversity

Strategy 2.3.5: Enforce effective public health and safety

Service Area: Regulatory Services - Environmental Health

RISK IMPLICATIONS

Risk: Failure to comply with minimum health and safety standards resulting in illness or injury to members of the public.

Control: Inspection by Shire officers and compliance with minimum requirements based on legislative requirements for Nature Based Parks.

FINANCIAL IMPLICATIONS

If the Kununurra Agricultural Society is granted a temporary licence, they will be invoiced for a licence fee to be calculated in accordance with Schedule 3 of the Regulations. For the proposed licence, the minimum fee of \$100 will be applicable.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The proposed licence meets the requirements and intentions of *Council Policy CP-HTH-3762 Licencing of Temporary Caravan Parks and Camping Grounds*. The area will be occupied only by event staff/exhibitors, and amusement vendors who will stay on site with their equipment or animals and is recommended for approval.

Ablution facilities that are to be provided for the temporary camping onsite are in accordance with the Nature Based Parks minimum requirements detailed in the regulations for the proposed number of sites, being for 40 sites. Other conditions are also recommended within regards to waste water disposal, rubbish bins and fire extinguishers in accordance with the regulations.

ATTACHMENTS

Attachment 1 - Kununurra Agricultural Society - Temporary Caravan Park Application

12.3.2. Temporary Caravan Park and Camping Ground Application - Kununurra Campdraft & Rodeo Association

DATE:	28 June 2022
AUTHOR:	Senior Environmental Health Officer
RESPONSIBLE OFFICER:	Nick Kearns, Director Planning and Community Development
ASSESSMENT NO:	A8072
FILE NO:	PH.12.5
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Regulator - enforce state legislation and local laws
VOTING REQUIREMENT	Simple Majority

OFFICER'S RECOMMENDATION

1. Authorises the Chief Executive Officer to sign the application form for the Temporary Caravan Park and Camping Ground Licence for the Kununurra Campdraft & Rodeo Association at R30290, Lot 707 Drovers Road, Kununurra
2. Grants a temporary caravan park licence to the Kununurra Campdraft & Rodeo Association for 50 camp sites at the Kununurra Rodeo Grounds from 28 to 31 July 2022 subject to the following conditions:
 - a. Only event staff/competitors associated with the Kununurra Rodeo and Campdraft are to be accommodated in the park;
 - b. The following minimum ablution facilities are to be available for the duration of the licence: 5 toilets, 3 hand basins, and 3 showers;
 - c. All wastewater (including sullage water) is to be collected and removed from site to be disposed of at an approved wastewater dump point;
 - d. rubbish bins are to be sealed and provided within 90 metres of every site. All rubbish is to be removed from site;
 - e. Fire extinguishers are to be located within 90 metres of every site.

Council Decision

Minute Number: 28/06/2022 - 118666

- 1. Authorises the Chief Executive Officer to sign the application form for the Temporary Caravan Park and Camping Ground Licence for the Kununurra Campdraft & Rodeo Association at R30290, Lot 707 Drovers Road, Kununurra**

- 2. Grants a temporary caravan park licence to the Kununurra Campdraft & Rodeo Association for 50 camp sites at the Kununurra Rodeo Grounds from 28 to 31 July 2022 subject to the following conditions:**
 - a. Only event staff/competitors associated with the Kununurra Rodeo and Campdraft are to be accommodated in the park;**
 - b. The following minimum ablution facilities are to be available for the duration of the licence: 5 toilets, 3 hand basins, and 3 showers;**
 - c. All wastewater (including sullage water) is to be collected and removed from site to be disposed of at an approved wastewater dump point;**
 - d. rubbish bins are to be sealed and provided within 90 metres of every site. All rubbish is to be removed from site;**
 - e. Fire extinguishers are to be located within 90 metres of every site.**

Moved: Cr T Chafer

Seconded: Cr N Brook

Decision: 7/0

PURPOSE

For Council to consider an application made by the Kununurra Campdraft & Rodeo Association for a Temporary Caravan Park and Camping Ground Licence at the Kununurra Rodeo Grounds for the annual Kununurra Campdraft and Rodeo.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Kununurra Campdraft and Rodeo is an annual event held at the Kununurra Rodeo Grounds, with the Kununurra Campdraft and Rodeo Association having applied for a temporary caravan park and camping ground licence from 28 July to 31 July 2022. The intent of the temporary caravan park and camping ground licence at the rodeo grounds is for the accommodation needs of event staff and campdraft competitors.

Event staff and participants camping will have access to and be able to use the ablution facilities within the licenced area and within the rodeo grounds.

The campsites would mainly be located on a licence area referred to as 'campground' adjoining (to the west and north west of) the Kununurra Campdraft and Rodeo Association

lease area, with seven of the campsites proposed to be located on the Kununurra Race Club lease area, being along the river to the south west.

A copy of the Temporary Caravan Park and Camping Ground application form is provided at Attachment 1. Authorisation is required from the Chief Executive officer on this form.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 (the Act)

- s. 7(5) Before granting a licence a local government must ensure that -*
- (a) the applicant has complied with the requirements of this Act;*
 - (b) The applicant is the owner of the land on which the facility is situated, or is to be situated, or has the written approval of the owner of that land to apply for a licence.*

Caravan Parks and Camping Ground Regulations 1997 (the Regulations)

- r. 47 Applications no dealt with within time are taken to be refused*
- (1) If within -*
 - (a) 63 days of receiving an application for a licence; or*
 - (b) 35 days of receiving an application for a renewal of a licence, the local government to which the application was made has not informed the applicant whether or not the application has been granted, the applicant may give the chief executive officer of the local government a notice requiring the local government to inform the applicant, within 14 days, whether or not the application is granted.*
 - (2) If within 14 days after receiving a notice referred to in subregulation (1), the local government has not informed the applicant whether or not the application is granted, the local government is to be taken to have refused the application and the applicant may make an application for review to the State Administrative Tribunal under section 27 of the Act.*

r. 54 Temporary Licence

- (1) A local government may, on payment of the fee set out in item 3 of Schedule 3, grant a temporary licence for a facility which is to remain in force for such period of less than one year, as is provided in the licence.*
- (2) A local government is to endorse on a temporary licence for a facility as conditions of the licence -*
 - (a) the maximum number of sites of particular types that may be used at the facility and*
 - (b) The services and facilities that are to be provided.*

POLICY IMPLICATIONS

Council Policy CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds provides guidelines for the approval of temporary licences. The Policy provides for a reduction in amenity and requirements of the Regulations which is considered appropriate as temporary licences are usually issued only for a short time.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2017-2027*:

Focus Area 1: PEOPLE - Healthy vibrant active communities

Focus Area 2: PLACE - Enhancing the environment

Goal 1.1: Bring community together and promote our rich culture and heritage

Goal 2.3: Make towns safe and inviting for locals and visitors

Strategy 1.1.2: Support and promote an increase in the number of events and activities that encourage a sense of identity, belonging and promote cultural diversity

Strategy 2.3.5: Enforce effective public health and safety

This matter relates to the following sections of the *Corporate Business Plan 2021-2025*:

Service Area: Regulatory Services - Environmental Health

RISK IMPLICATIONS

Risk: Failure to comply with minimum health and safety standards resulting in illness or injury to members of the public.

Control: inspection by Shire officers and compliance with minimum requirements based on legislative requirements for Nature Based Parks.

FINANCIAL IMPLICATIONS

If the Kununurra Campdraft & Rodeo Association is granted a temporary licence, they will be invoiced for a licence fee to be calculated in accordance with Schedule 3 of the Regulations. For the proposed licence, the minimum fee of \$100 will be applicable.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The proposed licence meets the requirements and intentions of *Council Policy CP-HTH-3762 Licencing of Temporary Caravan Parks and Camping Grounds*. The area will be occupied only by event staff/campdraft participants who will stay on site with their animals and is recommended for approval.

Ablution facilities that are to be provided for the temporary camping onsite are in accordance with the Nature Based Parks minimum requirements detailed in the regulations for the proposed number of sites, being for 40 sites. Other conditions are also recommended within

regards to waste water disposal, rubbish bins and fire extinguishers in accordance with the regulations.

It is recommended that authorisation be provided to the Chief Executive Officer for the application and that the temporary caravan park licence be approved subject to conditions.

Although verbal approval has been given by the Kununurra Race Club President for some of the campsites to be located on the adjoining Kununurra Race Club lease area, written approval has not yet been received by the Kununurra Campdraft and Rodeo Association.

It is proposed that the Temporary Caravan Park and Camping Ground licence will be issued once written approval/confirmation from the Kununurra Race Club has been received by Shire officers. Alternatively, should this written approval not be received prior to the event commencing, the Temporary Caravan Park and Camping Ground Licence can be issued only for those 33 sites located on the 'campground' licence area.

ATTACHMENTS

Attachment 1 - Temporary Caravan Park and Camping Ground Application - Kununurra Rodeo Campdraft

12.4. CORPORATE SERVICES

12.4.1. Monthly Financial Report May 2022

DATE:	28 June 2022
AUTHOR:	Coordinator Finance
RESPONSIBLE OFFICER:	Felicity Heading, Director Corporate Services
FILE NO:	FM.09.29
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Regulator - Responsible for the enforcement of statutory requirements
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Monthly Financial Report for the period ended 31 May 2022.

Council Decision

Minute Number: 28/06/2022 - 118667

That Council receives the Monthly Financial Report for the period ended 31 May 2022.

Moved: Cr N Brook

Seconded: Cr M Dear

Decision: 7/0

PURPOSE

For Council to receive the Interim Monthly Financial Reports for the period ended 31 May 2022.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Council is to prepare monthly financial reports as required by section 34 of the *Local Government (Financial Management Regulations) 1996*.

At the 27 July 2021 Ordinary Council Meeting, the Council resolved the following:

Council Decision

Minute Number: 27/07/2021 - 11496

That Council, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, approves the materiality level for monthly reporting to be set at +/- 10% and +/- \$20,000 at account level and +/- 10% and +/- \$100,000 at financial statement level.

Moved: Cr G Lodge

Seconded: Cr M McKittrick

Decision 9/0

The above materiality levels have been applied in the preparation of this report.

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4.

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.

Local Government (Financial Management) Regulations 1996, Regulation 34.

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and

(b) budget estimates to the end of the month to which the statement relates; and

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

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

(2) Each statement of financial activity is to be accompanied by documents containing —

(a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and

(b) an explanation of each of the material variances referred to in subregulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown —

(a) according to nature and type classification; or

(b) by program; or

(c) by business unit.

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

(a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

(b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

POLICY IMPLICATIONS

CP/FIN-3201 Significant Accounting Policies has been applied in the preparation of the report.

FINANCIAL IMPLICATIONS

There are no additional costs associated with the preparation of this report. Monthly financial reporting is a primary financial management and control process. This report provides Council with the ability to oversee the Shire's financial performance against budgeted targets.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027

Focus Area 4: Performance - Civic Leadership

Goal 4.4: Sustainably maintain the Shire's financial viability

Strategy 4.4.4: Apply best practice financial management to ensure long term sustainability

RISK IMPLICATIONS

Risk: Failure to manage the disbursement of funds to meet the needs of the Shire's forward planning requirements, including the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plans and Annual Budget.

Controls: Monthly Financial Report and List of Accounts Paid reported to Council on a monthly basis as required by Legislation and Regulations.

COMMUNITY ENGAGEMENT

No community engagement is required in relation to this item.

COMMENTS

The Shire has engaged Moore Australia to prepare the Monthly Financial Report on an ongoing basis. The basis of the report is the same as for previous Monthly Financial Reports but in addition to the Statements of Financial Activity by Program and by Nature or Type, the report includes summary information in the form of graphs showing budgets versus actuals, an executive summary of key financial activities, and additional explanatory notes to the financial statements.

The Monthly Financial Report for the period ended 31 May 2022 includes the adjusted opening surplus as at 30 June 2021 and adjustments to carry forward figures at 30 June 2021 for the capital works program. The budget figures include amendments to the 2021/22 budget approved by Council following the mid-year budget review. Comments in relation to budget versus actual variances are included at note 16 in the Financial Statements.

ATTACHMENTS

Attachment 1 - Monthly Financial Report May 2022

12.4.2. List of Accounts Paid From Municipal Fund and Trust Fund

DATE:	28 June 2022
AUTHOR:	Finance Creditors Officer
RESPONSIBLE OFFICER:	Felicity Heading, Director Corporate Services
FILE NO:	FM.09.29
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Regulator - Responsible for the enforcement of statutory requirements
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

That Council receive the lists of accounts paid from the Municipal and Trust funds for May, being:

Municipal EFT 143200 - 143312 (04/05/2022 - 31/05/2022)	\$	1,511,069.48
Municipal Cheques 52023-52024 (12/05/2022)	\$	1,039.80
Trust EFT 52035 - 52052 (02/05/2022 - 30/05/2022)	\$	8,140.45
Payroll (04/05/2022 - 24/05/2022)	\$	474,527.86
Direct Bank Debits (02/05/2022 - 19/05/2022)	\$	177,020.88
Total	\$	2,171,798.47

Council Decision

Minute Number: 28/06/2022 - 118668

That Council receive the lists of accounts paid from the Municipal and Trust funds for May, being:

Municipal EFT 143200 - 143312 (04/05/2022 - 31/05/2022)	\$	1,511,069.48
Municipal Cheques 52023-52024 (12/05/2022)	\$	1,039.80
Trust EFT 52035 - 52052 (02/05/2022 - 30/05/2022)	\$	8,140.45
Payroll (04/05/2022 - 24/05/2022)	\$	474,527.86
Direct Bank Debits (02/05/2022 - 19/05/2022)	\$	177,020.88
Total	\$	2,171,798.47
Moved: Cr N Brook		
Seconded: Cr J Farquhar		
		Decision: 7/0

PURPOSE

To present the list of accounts paid from the Municipal Fund and Trust Fund in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

In accordance with Council's Delegations Register which was adopted by Council on 27 October 2020, the Council has delegated to the CEO the exercise of its power under Regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996* to make payments from Municipal Fund and Trust Fund.

STATUTORY IMPLICATIONS

Local Government Act 1995 - Section 5.42 Delegation of some power and duties to CEO
Local Government (Financial Management) Regulations 1996 -
 Regulation 5. CEO's duties as to financial management.
 Regulation 11. Payments, procedures for making etc.
 Regulation 12. Payments from municipal fund or trust fund, restrictions on making.
 Regulation 13. Payments from municipal fund or trust fund by CEO, CEO's duties etc.

POLICY IMPLICATIONS

Sub-delegation 12 "Payments from the Municipal Fund and Trust Fund" applies subject to compliance with *Council Policy CP/FIN-3204 Purchasing*.

FINANCIAL IMPLICATIONS

There are no financial implications arising out of the preparation of this report. The financial implications arising from the payments made from the Municipal and Trust funds have been provided for in the 2021/22 Adopted Budget and any subsequent amendments thereto. This

report provides for the ongoing management of the Shire's funds by providing the Council with sufficient information to monitor and review those payments made.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027.

Focus Area 4: Performance - Civic Leadership

Goal 4.4: Sustainably maintain the Shire's financial viability

Strategy 4.4.4: Apply best practice financial management to ensure long term sustainability.

RISK IMPLICATIONS

Risk: Failure to manage the disbursement of funds to meet the needs of the Shires forward planning requirements, including the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and Annual Budget.

Controls: Monthly Financial Report and List of Accounts Paid reported to Council on a monthly basis as required by Legislation and Regulations.

COMMUNITY ENGAGEMENT

No community engagement is required in relation to this item.

COMMENTS

In accordance with statutory requirements, each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled each month showing: the payee's name; the amount of the payment; the date of the payment; and sufficient information to identify the transaction. The list is to be presented to Council at the next ordinary meeting of Council after the list is prepared and is to be recorded in the minutes of the meeting at which it is presented.

ATTACHMENTS

Attachment 1 - List of Accounts Paid May 2022

12.4.3. Plant and Equipment - Purchase of Street Sweeper

DATE:	28 June 2022
AUTHOR:	Chief Executive Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Provider - provide physical infrastructure and essential services
VOTING REQUIREMENT:	Absolute Majority

OFFICER'S RECOMMENDATION

That Council endorses the acquisition of a Street Sweeper acquired at auction on 26 May 2022 in the amount of \$37,505 funded from available funds in the Plant and Equipment budget.

Council Decision

Minute Number: 28/06/2022 - 118669

That Council endorses the acquisition of a Street Sweeper acquired at auction on 26 May 2022 in the amount of \$37,505 funded from available funds in the Plant and Equipment budget.

Moved: Cr J Farquhar

Seconded: Cr T Chafer

Decision: 7/0

PURPOSE

For Council to endorse the purchase of a Street Sweeper acquired at auction on 26 May 2022.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

There are no previous direct Council decisions on this matter. The Council approved the 2021/22 Annual Budget which included an amount for the acquisition of Plant and Equipment of \$475,000 being for the purchase of a new excavator. This amount was increased to \$725,000 after the procurement process due to the anticipated increase in costs at the Mid Year Budget Review.

After the order for the excavator was placed, the final pricing indicated that the Shire would have funds left over from the acquisition. The surplus funds were estimated to be \$75,000.

At this time the Shire was having difficulty in getting its roads swept by its contractor and was receiving a number of complaints about the amount of glass bottles that were on the roads. A possible solution for this was for the Shire to acquire an inexpensive pre-owned street sweeper to self-perform this function in the absence of the contractor being able to deliver this service. Shire staff identified an item to purchase at auction. They spoke to the previous owners (Liverpool Council, NSW) and established the condition of the machine. The Shire registered to bid at auction and bid on the item when it came up and the Shire was the highest bidder but the item did not make reserve. Officers then negotiated with the auctioneer and secured the item at a price exclusive of GST of \$37,505. The cost of transporting the vehicle to Kununurra is approximately \$12,000.

STATUTORY IMPLICATIONS

As the funds that are being used for the acquisition of the street sweeper have been allocated for the purposes of purchasing Plant and Equipment when approving the Annual Budget and the Mid Year Budget Review, the allocation of the funds does not require an additional Council decision as the funds are already set aside in that program. However, Shire Officers consider that due to the nature of the item being purchased and the implications for the ongoing operations, this expenditure should be considered by Council separately as good governance.

POLICY IMPLICATIONS

The Procurement Policy is relevant for this item. It should be noted that the Policy does not contemplate the acquisition of goods for the Shire by auction. Officer's therefore have regarded it as prudent that Council were properly briefed on this item at the last Briefing Session and that the transaction be ratified by Council in a formal report.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the Strategic Community Plan 2017-2027:

Focus Area 2: PLACE - Enhancing the environment

Focus Area 4: PERFORMANCE - Civic Leadership

Goal 2.3: Make towns safe and inviting for locals and visitors

Goal: 4.3: Ensure a strong and progressive organisation delivering customer focused services

Strategy 2.3.3: Improve streetscapes and promote greater vibrancy and activity within town centres, particularly through a mix of commercial and residential development

Strategy 4.3.3: Improve organisational systems with a focus on innovative solutions to improve efficiency, effectiveness and productivity

This matter relates to the following sections of the Corporate Business Plan 2021-2025:

Shire Project: 413 - Improve the management and life cycle cost of mobile plant

RISK IMPLICATIONS

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Control: Ensure procurement practices meet relevant legislation and compliance standards.

FINANCIAL IMPLICATIONS

There are no adverse financial implications for the purchase of this item of plant. The acquisition of the plant is covered by having approximately \$75,000 funds available for the acquisition, transport and minor repair that the equipment needs to be fully functional. There are savings of approximately \$12,500 per month (on average) from the Street Sweeping contract that will cover the operating costs of the street sweeper and recoup the cost of the plant.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The need for the purchase of the street sweeper was due to the contractor not being able to meet their obligations under the street sweeping contract. The amount of broken glass on our streets in recent times has created a reputational issue for the Shire and reflects badly on our community. Since we were not receiving the service we required from the contractor the Shire decided that we would try and see if we could self-perform this function and perform it in a reasonably short period of time. For this reason the purchase of a new item of plant was excluded due to both time for delivery and more importantly the cost - approximately \$300,000. A good second-hand machine was decided upon and Officer's then researched what was needed and where was the best place to secure one.

A number of street sweepers were investigated. Officers decided on one and did an investigation into the vehicle. The vehicle details are at Attachment 1. The Shire confirmed the mileage indicated was genuine. The person responsible for the maintenance of the vehicle from Liverpool Council confirmed that the vehicle was in good order apart from a torn rear vacuum hose which will cost approximately \$5,000 to replace. Otherwise, the vehicle is fully equipped to carry out the function for which it has been purchased and is anticipated to be operational by the end of this month.

ATTACHMENTS

Nil

12.4.4. Annual Budget 2022/23

DATE:	28 June 2022
AUTHOR:	Director Corporate Services
RESPONSIBLE OFFICER:	Felicity Heading, Director Corporate Services
FILE NO:	FM.05.24
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Leader - Plan and provide direction through policy and practices. Provider - Provide physical infrastructure and essential services. Funder - Provide funds or other resources Regulator - Responsible for the enforcement of statutory requirements. Partner - Collaborate with external stakeholders to deliver services and projects.
VOTING REQUIREMENT:	Absolute Majority

VOTING REQUIREMENT 1

Absolute Majority

OFFICER'S RECOMMENDATION 1

That Council adopt the revised *Council Policy CP/FIN-3200 Strategic Rating (Attachment 1)* incorporating the following rating categories for 2022/23 rating purposes:

GRV Residential

Includes all GRV valued land within the town site, other than land zoned Rural Residential or Rural Smallholdings, which is used primarily for residential purposes with the exception of Workforce Accommodation (Transient Accommodation in previous scheme), as outlined in Appendix A. of *Council Policy CP/FIN-3200 Strategic Rating*.

GRV Other Vacant

Includes all GRV valued land within the town site which is deemed to be vacant land (unimproved land).

GRV Commercial

Includes all GRV land which is used primarily for commercial purposes, and may include land uses such as caravan parks, fast food outlets, hotels, restaurants, or veterinary centres as outlined in Appendix A of *Council Policy CP/FIN-3200 Strategic Rating*.

GRV Industrial

Includes all GRV valued land which is used primarily for industrial purposes and as outlined in Appendix A of the *Council Policy CP/FIN-3200 Strategic Rating*.

GRV Rural Residential

Includes all GRV valued land that is zoned Rural Residential and Rural Smallholdings which is used primarily for or capable of being used primarily for rural residential purposes.

UV Rural Residential

Includes all UV valued land located outside the gazetted town site that is zoned Rural Residential or Rural Smallholding which is used primarily for or capable of being used primarily for rural residential purposes.

UV Pastoral

Includes all UV valued land located outside the gazetted town site which is used or capable of use primarily for pastoral purposes. Properties such as these have the characteristics of a commercial operation in an undeveloped and sparsely populated area.

UV Commercial/Industrial

Includes all UV valued land located outside the gazetted town site that is used primarily for, or capable of being used primarily for commercial, industrial and/or tourism purposes.

UV Agriculture

Includes all UV valued land located outside the gazetted town site which is zoned Agriculture – State or Regional Significance or Rural which is used or capable of being used primarily for extensive agriculture, agroforestry and/or horticultural purposes.

UV Horticulture

Includes all UV valued land located outside the gazetted town site which is zoned Local Horticulture which is used primarily for, or is capable of use primarily for intensive agriculture and/or horticultural purposes.

UV Mining

Includes all UV valued land located outside the gazetted town site which is used primarily for mining purposes and encompasses mining leases, petroleum exploration permits and general purpose mining leases.

UV Mining Exploration and Prospecting

Includes all UV valued land located outside the gazetted town site which is used primarily for mining purposes and encompasses exploration and prospecting licences.

UV Other

Includes all UV valued land located outside the gazetted town site which is not otherwise rated as UV Rural Residential, UV Pastoral, UV Commercial/Industrial, UV Agriculture, UV Horticulture, UV Mining, or UV Mining Exploration and Prospecting.

Council Decision

Minute Number: 28/06/2022 - 118670

That Council adopt the revised *Council Policy CP/FIN-3200 Strategic Rating* (Attachment 1) incorporating the following rating categories for 2022/23 rating purposes:

GRV Residential

Includes all GRV valued land within the town site, other than land zoned Rural Residential or Rural Smallholdings, which is used primarily for residential purposes with the exception of Workforce Accommodation (Transient Accommodation in previous scheme), as outlined in Appendix A. of *Council Policy CP/FIN-3200 Strategic Rating*.

GRV Other Vacant

Includes all GRV valued land within the town site which is deemed to be vacant land (unimproved land).

GRV Commercial

Includes all GRV land which is used primarily for commercial purposes, and may include land uses such as caravan parks, fast food outlets, hotels, restaurants, or veterinary centres as outlined in Appendix A of *Council Policy CP/FIN-3200 Strategic Rating*.

GRV Industrial

Includes all GRV valued land which is used primarily for industrial purposes

and as outlined in Appendix A of the *Council Policy CP/FIN-3200 Strategic Rating*.

GRV Rural Residential

Includes all GRV valued land that is zoned Rural Residential and Rural Smallholdings which is used primarily for or capable of being used primarily for rural residential purposes.

UV Rural Residential

Includes all UV valued land located outside the gazetted town site that is zoned Rural Residential or Rural Smallholding which is used primarily for or capable of being used primarily for rural residential purposes.

UV Pastoral

Includes all UV valued land located outside the gazetted town site which is used or capable of use primarily for pastoral purposes. Properties such as these have the characteristics of a commercial operation in an undeveloped and sparsely populated area.

UV Commercial/Industrial

Includes all UV valued land located outside the gazetted town site that is used primarily for, or capable of being used primarily for commercial, industrial and/or tourism purposes.

UV Agriculture

Includes all UV valued land located outside the gazetted town site which is zoned Agriculture – State or Regional Significance or Rural which is used or capable of being used primarily for extensive agriculture, agroforestry and/or horticultural purposes.

UV Horticulture

Includes all UV valued land located outside the gazetted town site which is zoned Local Horticulture which is used primarily for, or is capable of use primarily for intensive agriculture and/or horticultural purposes.

UV Mining

Includes all UV valued land located outside the gazetted town site which is used primarily for mining purposes and encompasses mining leases, petroleum exploration permits and general purpose mining leases.

UV Mining Exploration and Prospecting

Includes all UV valued land located outside the gazetted town site which is used primarily for mining purposes and encompasses exploration and prospecting

licences.

UV Other

Includes all UV valued land located outside the gazetted town site which is not otherwise rated as UV Rural Residential, UV Pastoral, UV Commercial/Industrial, UV Agriculture, UV Horticulture, UV Mining, or UV Mining Exploration and Prospecting.

Moved: Cr Dear

Seconded: Cr Chafer

Decision: 7/0

VOTING REQUIREMENT 2

Absolute Majority

OFFICER'S RECOMMENDATION 2

That Council, pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* and the revised *Council Policy CP/FIN-3200 Strategic Rating*, imposes differential general rates and minimum payments on Gross Rental Value properties and Unimproved Value properties for the 2022/23 financial year as follows:

As per Ordinary Council Meeting 31 May 2022 (Minute No: 31/05/2022-118647):

Rating Category	General Rate in the Dollar \$	Minimum Payments
GRV - Residential	0.1487	\$1,400
GRV - Other Vacant	0.2306	\$1,400
GRV - Commercial	0.1467	\$1,400
GRV - Industrial	0.1426	\$1,400
GRV - Rural Residential	0.1487	\$1,400
UV - Rural Residential	0.0134	\$1,400
UV - Pastoral	0.0570	\$1,400
UV - Commercial/Industrial	0.0079	\$1,400
UV - Agriculture	0.0119	\$1,400
UV - Horticulture	0.0104	\$1,400
UV - Mining	0.2813	\$1,400

UV - Mining Exploration and Prospecting	0.1406	\$390
UV - Other	0.0067	\$1,400

Council Decision

Minute Number: 28/06/2022 - 118671

That Council, pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* and the revised *Council Policy CP/FIN-3200 Strategic Rating*, imposes differential general rates and minimum payments on Gross Rental Value properties and Unimproved Value properties for the 2022/23 financial year as follows:

As per Ordinary Council Meeting 31 May 2022 (Minute No: 31/05/2022-118647):

Rating Category	General Rate in the Dollar \$	Minimum Payments
GRV - Residential	0.1487	\$1,400
GRV - Other Vacant	0.2306	\$1,400
GRV - Commercial	0.1467	\$1,400
GRV - Industrial	0.1426	\$1,400
GRV - Rural Residential	0.1487	\$1,400
UV - Rural Residential	0.0134	\$1,400
UV - Pastoral	0.0570	\$1,400
UV - Commercial/Industrial	0.0079	\$1,400
UV - Agriculture	0.0119	\$1,400
UV - Horticulture	0.0104	\$1,400
UV - Mining	0.2813	\$1,400
UV - Mining Exploration and Prospecting	0.1406	\$390
UV - Other	0.0067	\$1,400

Moved: Cr J Farquhar

Seconded: Cr M Dear

Decision: 7/0

VOTING REQUIREMENT 3

Absolute Majority

OFFICER'S RECOMMENDATION 3

That Council, pursuant to section 66 of the *Waste Avoidance and Resource Recovery Act 2007*, adopt a general rate for the Waste Management Charge to be imposed on all rated properties for the 2022/23 financial year at a rate in the dollar of:

Rating Category	Cent in the Dollar
GRV - Residential	0.0001
GRV - Other Vacant	0.0001
GRV - Commercial	0.0001
GRV - Industrial	0.0001
GRV - Rural Residential	0.0001
UV - Rural Residential	0.0001
UV - Pastoral	0.0001
UV - Commercial/Industrial	0.0001
UV - Agriculture	0.0001
UV - Horticulture	0.0001
UV - Mining	0.0001
UV - Mining Exploration and Prospecting	0.0001
UV - Other	0.0001

Council Decision

Minute Number: 28/06/2022 - 118672

That Council, pursuant to section 66 of the *Waste Avoidance and Resource Recovery Act 2007*, adopt a general rate for the Waste Management Charge to be imposed on all rated properties for the 2022/23 financial year at a rate in the dollar of:

Rating Category	Cent in the Dollar
GRV - Residential	0.0001
GRV - Other Vacant	0.0001
GRV - Commercial	0.0001
GRV - Industrial	0.0001
GRV - Rural Residential	0.0001
UV - Rural Residential	0.0001
UV - Pastoral	0.0001
UV - Commercial/Industrial	0.0001
UV - Agriculture	0.0001
UV - Horticulture	0.0001
UV - Mining	0.0001
UV - Mining Exploration and Prospecting	0.0001
UV - Other	0.0001

Moved: Cr N Brook
Seconded: Cr B Kyne

Decision: 7/0

VOTING REQUIREMENT 4

Absolute Majority

OFFICER'S RECOMMENDATION 4

That Council, pursuant to section 66 of the *Waste Avoidance and Resource Recovery Act 2007* and Part 5 of the *Local Government (Financial Management) Regulations 1996*, adopt a minimum payment to apply to the Waste Management Charge imposed on all rated properties in accordance with for the 2022/23 financial year of:

Rating Category	Minimum Payment
GRV - Residential	\$200
GRV - Other Vacant	\$200
GRV - Commercial	\$200
GRV - Industrial	\$200
GRV - Rural Residential	\$200
UV - Rural Residential	\$200
UV - Pastoral	\$200
UV - Commercial/Industrial	\$200
UV - Agriculture	\$200
UV - Horticulture	\$200
UV - Mining	\$200
UV - Mining Exploration and Prospecting	\$200
UV - Other	\$200

Council Decision

Minute Number: 28/06/2022 - 118673

That Council, pursuant to section 66 of the *Waste Avoidance and Resource Recovery Act 2007* and Part 5 of the *Local Government (Financial Management) Regulations 1996*, adopt a minimum payment to apply to the Waste Management Charge imposed on all rated properties in accordance with for the 2022/23 financial year of:

Rating Category	Minimum Payment
GRV - Residential	\$200
GRV - Other Vacant	\$200
GRV - Commercial	\$200
GRV - Industrial	\$200
GRV - Rural Residential	\$200
UV - Rural Residential	\$200
UV - Pastoral	\$200
UV - Commercial/Industrial	\$200
UV - Agriculture	\$200

UV - Horticulture	\$200
UV - Mining	\$200
UV - Mining Exploration and Prospecting	\$200
UV - Other	\$200

Moved: Cr D Menzel
Seconded: Cr T Chafer

Decision: 7/0

VOTING REQUIREMENT 5

Absolute Majority

OFFICER'S RECOMMENDATION 5

That Council, pursuant to section 6.45 of the *Local Government Act 1995* and in accordance with Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, nominates the following due dates for the payment of rates and service charges for the 2022/23 financial year:

- a. 2 September 2022 or to pay in full within 35 days of the issue of the rates notice;**
- b. To pay by 2 (50%) equal instalments being:

 - i. 2 September 2022 or within 35 days of the issue of the rates notice;**
 - ii. 10 February 2023 or within 4 months of (i);****
- c. To pay by 4 (25%) equal instalments being:

 - i. 2 September 2022 or within 35 days of the issue of the rates notice;**
 - ii. 4 November 2022 or within 2 months of (i);**
 - iii. 10 February 2023 or within 2 months of (ii);**
 - iiii. 14 April 2023 or within 2 months of (iii) being 6 months from the expiration of the initial 35 day period and 6 months and 35 days from the date of issue of the rates notice.****

Council Decision

Minute Number: 28/06/2022 - 118674

That Council, pursuant to section 6.45 of the *Local Government Act 1995* and in accordance with Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, nominates the following due dates for the payment of rates and service charges for the 2022/23 financial year:

- a. 2 September 2022 or to pay in full within 35 days of the issue of the rates notice;
- b. To pay by 2 (50%) equal instalments being:
 - i. 2 September 2022 or within 35 days of the issue of the rates notice;
 - ii. 10 February 2023 or within 4 months of (i);
- c. To pay by 4 (25%) equal instalments being:
 - i. 2 September 2022 or within 35 days of the issue of the rates notice;
 - ii. 4 November 2022 or within 2 months of (i);
 - iii. 10 February 2023 or within 2 months of (ii);
 - iii. 14 April 2023 or within 2 months of (iii) being 6 months from the expiration of the initial 35 day period and 6 months and 35 days from the date of issue of the rates notice.

Moved: Cr N Brook

Seconded: Cr J Farquhar

Decision: 7/0

VOTING REQUIREMENT 6

Absolute Majority

OFFICER'S RECOMMENDATION 6

That Council, pursuant to section 6.46 of the *Local Government Act 1995* and Regulation 26 of the *Local Government (Financial Management) Regulations 1996*, adopt the following Rates Payment Incentive Scheme prize draws for the 2022/23 financial year with a total value of \$9,000 budgeted for and provided from municipal funds, noting that elected members and employees of the Shire are ineligible and will be excluded from the draw:

1. Prize Draw A of \$6,000 - Open to all rate assessments paid in full, including all arrears and outstanding interest charges, by 4:00pm on 2 September 2022 or within 35 days of the issue of the rates notice.
 - i. First Prize - \$3,000

- ii. **Second Prize - \$1,500**
- iii. **Third Prize - \$500**
- iv. **Fourth - Seventh Prizes - \$250**

2. Prize Draw B of \$3,000 - Open to;

- a. **All rate assessments paid via two instalments that are paid in full, including all arrears and outstanding interest charges, by 4:00pm on 10 February 2023 or within 4 months of the first instalment due date.**
- b. **All rate assessments paid via four instalments that are paid in full, including all arrears and outstanding interest charges, by 4:00pm on 14 April 2023 or within 6 months of the first instalment due date.**
- c. **All rate assessments on an approved payment arrangement with all payments up to date as at 4:00pm on 14 April 2023 or within 6 months of the first instalment due date.**
 - i. **First Prize - \$1,500**
 - ii. **Second Prize - \$750**
 - iii. **Third Prize - \$250**
 - iv. **Fourth - Seventh Prizes - \$125**

3. Payment to be made by purchase order issued to businesses operating within the Shire of Wyndham East Kimberley.

Council Decision

Minute Number: 28/06/2022 - 118675

That Council, pursuant to section 6.46 of the *Local Government Act 1995* and Regulation 26 of the *Local Government (Financial Management) Regulations 1996*, adopt the following Rates Payment Incentive Scheme prize draws for the 2022/23 financial year with a total value of \$9,000 budgeted for and provided from municipal funds, noting that elected members and employees of the Shire are ineligible and will be excluded from the draw:

- 1. **Prize Draw A of \$6,000 - Open to all rate assessments paid in full, including all arrears and outstanding interest charges, by 4:00pm on 2 September 2022 or within 35 days of the issue of the rates notice.**
 - i. **First Prize - \$3,000**
 - ii. **Second Prize - \$1,500**
 - iii. **Third Prize - \$500**
 - iv. **Fourth - Seventh Prizes - \$250**

- 2. Prize Draw B of \$3,000 - Open to;**
- a. All rate assessments paid via two instalments that are paid in full, including all arrears and outstanding interest charges, by 4:00pm on 10 February 2023 or within 4 months of the first instalment due date.**
 - b. All rate assessments paid via four instalments that are paid in full, including all arrears and outstanding interest charges, by 4:00pm on 14 April 2023 or within 6 months of the first instalment due date.**
 - c. All rate assessments on an approved payment arrangement with all payments up to date as at 4:00pm on 14 April 2023 or within 6 months of the first instalment due date.**
 - i. First Prize - \$1,500**
 - ii. Second Prize - \$750**
 - iii. Third Prize - \$250**
 - iv. Fourth - Seventh Prizes - \$125**
- 3. Payment to be made by purchase order issued to businesses operating within the Shire of Wyndham East Kimberley.**

Moved: Cr N Brook

Seconded: Cr J Farquhar

Decision: 7/0

VOTING REQUIREMENT 7

Absolute Majority

OFFICER'S RECOMMENDATION 7

That Council:

- 1. Pursuant to section 6.16 of the *Local Government Act 1995*, adopt the amended Schedule of Fees and Charges for 2022/23 outlined in Attachment 2 to be effective from either 1 July 2022 or 1 January 2023, whichever date is indicated in Attachment 2.**

Council Decision

Minute Number: 28/06/2022 - 118676

That Council:

1. Pursuant to section 6.16 of the *Local Government Act 1995*, adopt the amended Schedule of Fees and Charges for 2022/23 outlined in Attachment 2 to be effective from either 1 July 2022 or 1 January 2023, whichever date is indicated in Attachment 2.

Moved: Cr D Menzel
Seconded: Cr B Kyne

Decision: 7/0

VOTING REQUIREMENT 8

Absolute Majority

OFFICER'S RECOMMENDATION 8

That Council:

1. Pursuant to section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, impose an interest rate of 2.5% where the owner has elected to pay rates and service charges through an instalment option (excluding eligible pensioners and seniors).
2. Pursuant to section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, impose an instalment administration charge where the owner has elected to pay rates and service charges through an instalment option of \$6.00 per instalment after the initial instalment is paid.
3. Pursuant to amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.45 of the *Local Government Act 1995*, resolve that the requirement to pay an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments does not apply to a person who is considered to be suffering financial hardship as a consequence of the COVID-19 Pandemic in accordance with *Council Policy CP/FIN-3219 COVID-19 Financial Hardship - Rates and Sundry Debtors*.

Council Decision

Minute Number: 28/06/2022 - 118677

That Council:

1. Pursuant to section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, impose an interest rate of 2.5% where the owner has elected to pay rates and service charges through an instalment option (excluding eligible pensioners and seniors).
2. Pursuant to section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, impose an instalment administration charge where the owner has elected to pay rates and service charges through an instalment option of \$6.00 per instalment after the initial instalment is paid.
3. Pursuant to amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.45 of the *Local Government Act 1995*, resolve that the requirement to pay an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments does not apply to a person who is considered to be suffering financial hardship as a consequence of the COVID-19 Pandemic in accordance with *Council Policy CP/FIN-3219 COVID-19 Financial Hardship - Rates and Sundry Debtors*.

Moved: Cr B Kyne

Seconded: Cr J Farquhar

Decision: 7/0

VOTING REQUIREMENT 9

Absolute Majority

OFFICER'S RECOMMENDATION 9

That Council:

1. Pursuant to section 6.51(1) and amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.51 and subject to section 6.51(4) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, impose an interest rate of 7.0% per annum for rates and service charges and costs of proceedings to recover such charges that remain unpaid after becoming due and payable (excluding eligible pensioners and seniors); and

2. Pursuant to amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.51 of the *Local Government Act 1995*, resolve that the requirement to pay interest on overdue rates and services charges does not apply to a person who is considered to be suffering financial hardship as a consequence of the COVID-19 Pandemic in accordance with *Council Policy CP/FIN-3219 COVID-19 Financial Hardship - Rates and Sundry Debtors*.

Council Decision

Minute Number: 28/06/2022 - 118678

That Council:

1. Pursuant to section 6.51(1) and amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.51 and subject to section 6.51(4) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, impose an interest rate of 7.0% per annum for rates and service charges and costs of proceedings to recover such charges that remain unpaid after becoming due and payable (excluding eligible pensioners and seniors); and
2. Pursuant to amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.51 of the *Local Government Act 1995*, resolve that the requirement to pay interest on overdue rates and services charges does not apply to a person who is considered to be suffering financial hardship as a consequence of the COVID-19 Pandemic in accordance with *Council Policy CP/FIN-3219 COVID-19 Financial Hardship - Rates and Sundry Debtors*.

Moved: Cr N Brook

Seconded: Cr T Chafer

Decision: 7/0

VOTING REQUIREMENT 10

Absolute Majority

OFFICER'S RECOMMENDATION 10

That Council:

1. Pursuant to section 6.13 and amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.13 of the *Local Government Act 1995* impose an interest rate of 7.0% per annum to be applied to any amount of money (other than rates and service charges) which is owed to Shire and has been owed for a period of 35 days in accordance with *Council Policy CP/FIN-3214 Sundry Debt Collection*.
2. Pursuant to amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.13 of the *Local Government Act 1995*, resolve that the requirement to pay interest on any amount of money (other than rates and services charges) which is owed to the Shire does not apply to a person who is considered to be suffering financial hardship as a consequence of the COVID-19 Pandemic in accordance with *Council Policy CP/FIN-3219 COVID-19 Financial Hardship - Rates and Sundry Debtors*.

Council Decision

Minute Number: 28/06/2022 - 118679

That Council:

1. Pursuant to section 6.13 and amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.13 of the *Local Government Act 1995* impose an interest rate of 7.0% per annum to be applied to any amount of money (other than rates and service charges) which is owed to Shire and has been owed for a period of 35 days in accordance with *Council Policy CP/FIN-3214 Sundry Debt Collection*.
2. Pursuant to amendments SL 2020/57, SL 2021/66 and SL 2022/107 to section 6.13 of the *Local Government Act 1995*, resolve that the requirement to pay interest on any amount of money (other than rates and services charges) which is owed to the Shire does not apply to a person who is considered to be suffering financial hardship as a consequence of the COVID-19 Pandemic in accordance with *Council Policy CP/FIN-3219 COVID-19 Financial Hardship - Rates and Sundry Debtors*.

Moved: Cr T Chafer

Seconded: Cr B Kyne

Decision: 7/0

VOTING REQUIREMENT 11

Absolute Majority

OFFICER'S RECOMMENDATION 11

That Council:

- 1. Notes that the Elected Members annual attendance fees and annual allowances have been determined with reference to the revised *Council Policy CP/CNC-3141 Elected Member Allowances and Entitlements* adopted at the 31 May 2022 Ordinary Meeting of Council (Minute No. 31/05/2022 - 118644) to be incorporated into the 2022/23 Municipal Fund Budget.**
- 2. Notes the revised *Council Policy CP/CNC-3141 Elected Member Allowances and Entitlements* adopted at the 31 May 2022 Ordinary Meeting of Council (Minute No. 31/05/2022 - 118644) provide for the maximum Salaries and Allowances Tribunal (SAT) determination levels so that:**
 - a. The President's Annual Meeting Attendance Fee is 75% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.**
 - b. The Elected Members Annual Meeting Attendance Fee is 75% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.**
 - c. The President's Annual Allowance is 100% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.**
 - d. The Deputy President's Annual Allowance is 25% of the President's Allowance.**
 - e. The Elected Members will receive an ICT Allowance of \$2,400 per annum.**
- 3. Pursuant to section 5.99 of the *Local Government Act 1995*, adopt the following annual fees for payment of elected members in lieu of individual meeting attendance fees:**
 - a. President \$23,946.00**
 - b. Councillors \$17,858.25**
- 4. Pursuant to section 5.98(5) of the *Local Government Act 1995*, adopt the following annual local government allowance to be paid in addition to the annual meeting allowance:**
 - a. President \$64,938.00**

5. Pursuant to section 5.98A(1) of the *Local Government Act 1995*, adopt the following annual local government allowance to be paid in addition to the annual meeting allowance:
 - a. Deputy President \$16,234.50

Council Decision

Minute Number: 28/06/2022 - 118680

That Council:

1. Notes that the Elected Members annual attendance fees and annual allowances have been determined with reference to the revised *Council Policy CP/CNC-3141 Elected Member Allowances and Entitlements* adopted at the 31 May 2022 Ordinary Meeting of Council (Minute No. 31/05/2022 - 118644) to be incorporated into the 2022/23 Municipal Fund Budget.
2. Notes the revised *Council Policy CP/CNC-3141 Elected Member Allowances and Entitlements* adopted at the 31 May 2022 Ordinary Meeting of Council (Minute No. 31/05/2022 - 118644) provide for the maximum Salaries and Allowances Tribunal (SAT) determination levels so that:
 - a. The President's Annual Meeting Attendance Fee is 75% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.
 - b. The Elected Members Annual Meeting Attendance Fee is 75% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.
 - c. The President's Annual Allowance is 100% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.
 - d. The Deputy President's Annual Allowance is 25% of the President's Allowance.
 - e. The Elected Members will receive an ICT Allowance of \$2,400 per annum.
3. Pursuant to section 5.99 of the *Local Government Act 1995*, adopt the following annual fees for payment of elected members in lieu of individual meeting attendance fees:
 - a. President \$23,946.00
 - b. Councillors \$17,858.25
4. Pursuant to section 5.98(5) of the *Local Government Act 1995*, adopt the

following annual local government allowance to be paid in addition to the annual meeting allowance:

a. President \$64,938.00

5. Pursuant to section 5.98A(1) of the *Local Government Act 1995*, adopt the following annual local government allowance to be paid in addition to the annual meeting allowance:

a. Deputy President \$16,234.50

Moved: Cr J Farquhar

Seconded: Cr M Dear

Decision: 7/0

VOTING REQUIREMENT 12

Absolute Majority

OFFICER'S RECOMMENDATION 12

That Council, pursuant to Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, approves the materiality level for monthly reporting to be set at +/- 10% and +/- \$20,000 at account level and +/- 10% and +/- \$100,000 at financial statement level.

Council Decision

Minute Number: 28/06/2022 - 118681

That Council, pursuant to Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, approves the materiality level for monthly reporting to be set at +/- 10% and +/- \$20,000 at account level and +/- 10% and +/- \$100,000 at financial statement level.

Moved: Cr M Dear

Seconded: Cr J Farquhar

Decision: 7/0

VOTING REQUIREMENT 13

Absolute Majority

OFFICER'S RECOMMENDATION 13

That Council:

- 1. Adopt the Significant Accounting Policies contained within the Municipal Fund Budget for 2022/23 as contained in Attachment 3 to this agenda, subject to any changes to relevant Regulations or Accounting Standards; and**
- 2. Rescind *Council Policy CP/FIN-3201 Significant Accounting Policies.***

Council Decision

Minute Number: 28/06/2022 - 118682

That Council:

- 1. Adopt the Significant Accounting Policies contained within the Municipal Fund Budget for 2022/23 as contained in Attachment 3 to this agenda, subject to any changes to relevant Regulations or Accounting Standards; and**
- 2. Rescind *Council Policy CP/FIN-3201 Significant Accounting Policies.***

Moved: Cr B Kyne

Seconded: Cr T Chafer

Decision: 7/0

VOTING REQUIREMENT 14

Absolute Majority

OFFICER'S RECOMMENDATION 14

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 Attachment 5 of this agenda, for the Shire of Wyndham East Kimberley for the 2022/23 financial year which includes the following:

- 1. Statement of Comprehensive Income by Nature and Type**
- 2. Statement of Comprehensive Income by Program**
- 3. Statement of Cash Flows;**
- 4. Rate Setting Statement showing a net amount required to be raised from**

- rates of \$11,023,735;
5. Notes to and forming Part of the Budget.

Council Decision

Minute Number: 28/06/2022 - 118683

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 Attachment 5 of this agenda, for the Shire of Wyndham East Kimberley for the 2022/23 financial year which includes the following:

- 1. Statement of Comprehensive Income by Nature and Type**
- 2. Statement of Comprehensive Income by Program**
- 3. Statement of Cash Flows;**
- 4. Rate Setting Statement showing a net amount required to be raised from rates of \$11,023,735;**
- 5. Notes to and forming Part of the Budget.**

Moved: Cr J Farquhar

Seconded: Cr D Menzel

Decision: 7/0

PURPOSE

The purpose of this report is to consider the Municipal Fund Budget for the 2022/23 Financial Year together with the supporting schedules, including the imposition of Differential Rates and Minimum Payments, adoption of the Fees and Charges, setting of Elected Members Fees for the year and other consequential matters arising from the Budget papers.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Lead - Plan and provide direction through policy and practices

Provide - Provide physical infrastructure and essential services

Fund - Provide funds or other resources

Regulate - Responsible for the enforcement of statutory requirements

Partner - Collaborate with external stakeholders to deliver services and projects

Advocate - Proactively represent the community

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Introduction

The Annual Municipal Fund Budget is one of the most important documents that Council produces in any one year. The Annual Budget is a key component of the Shire's Integrated

Planning and Reporting Framework. The document has an impact on the community in that it not only raises funds from the community but also uses those funds to provide functions and services for the benefit of the community as a whole. It aligns with the Shire's current Strategic Community Plan and Corporate Business Plan and addresses priorities highlighted in the 2021 Community Scorecard Survey. The Shire is currently engaging the community to inform a major review of the Strategic Community Plan to ensure that it reflects the needs and aspirations of the community. Once Council adopts the new Strategic Community Plan a major review of the Corporate Business Plan will be undertaken which will inform the 2023/24 Annual Municipal Fund Budget and the Long Term Financial Plan.

The Budget sets out the financial resources that the Shire can rely on to fund the expenditure necessary to meet the service obligations that the community expects. It is evident that the supply of funds is never sufficient to meet all the needs of the Community. Priorities need to be established and difficult decisions need to be made. These decisions need to be made in the context of what the Shire's legal obligations for service delivery are, what its asset management responsibilities are, what the Council and the Community regards as important and the ability of the Shire to fund these various matters in a sustainable manner.

The 2022/23 Budget process commenced in February 2022. The process is a comprehensive one involving the CEO, Directors, Managers and Responsible Officers in all departments of the Shire. It includes a detailed analysis of the current year revenue and expenditure for both operating and capital items, forecasting the 30 June 2022 budget position, and determining the funding requirements to maintain service levels and asset renewal obligations for the 2022/23 financial year where possible.

The current economic climate influenced by local and international events has had an impact on the preparation of the Shire's budget. Uncertainty in forecasting and significant inflationary pressures make it more difficult to forecast future expenditure with a high degree of certainty. The March 2022 WALGA Economic Briefing highlights that costs for local governments continue to rise at a fast pace, and that the current level of uncertainty makes it increasingly difficult for local governments preparing budgets

In developing the 2022/23 Budget the Shire continues to focus on providing assistance to ratepayers and the local Community as a whole and to focus expenditure towards supporting local business. Both State and Federal Governments have provided additional funds for programs for this purpose which are reflected in the budget details.

Decisions of Council relevant to the 2022/23 budget process

Council Decision

Minute Number: 22/03/2022 – 118605

That Council adopt the amended CP-FIN-3211 Fees and Charges Pricing Policy.

Moved: Cr T Chafer

Seconded: Cr D Hearty

Decision: 8/0

Council Decision

Minute Number: 26/04/2022– 118632

That Council adopts the revised policy CP/FIN-3219 COVID-19 Financial Hardship - Rates and Sundry Debtors.

Moved: Cr C McNeil

Seconded: Cr M McKittrick

Decision: 8/0

Council Decision

Minute Number: 31/05/2022- 118644

That Council adopts the amended Council policy CP/CNC-3141 Elected Member Allowances and Entitlements.

Moved: Cr J Farquhar

Seconded: Cr M Dear

Decision: 8/0

At the 26 April 2022 Ordinary Council Meeting the proposed Fees and Charges, Strategic Rating Policy and Rating Model were adopted for advertising. The Fees and Charges incorporated an average increase of 2.5%, and the Strategic Rating Policy and Rating Model incorporated an increase of 1.65% in the Rate in the Dollar and an increase in Minimum Payments for most rate categories from \$1,123 to \$1,400.

Council Decision

Minute Number: 118635 - 26/04/2022

That Council:

- 1. Pursuant to section 6.16 and 6.18 of the Local Government Act 1995, adopt the proposed Schedule of Fees and Charges for 2022/23 outlined in attachment 1 to be effective from either 1 July 2022 or 1 January 2023, whichever date is applicable as indicated in the attachment; and***
- 2. Request the Chief Executive Officer to give local public notice of Council's intention to impose the Schedule of Fees and Charges 2022/23, to apply from 1 July 2022 or 1 January 2023 as applicable, in accordance with section 6.19 of the Local Government Act 1995; and***
- 3. Pursuant to Section 6.13 of the Local Government Act 1995, adopt a reduced interest rate of 7% to be applied to any amount of money (other than rates and service charges) which is owed to Shire and has been owed for a period of 35 days in accordance with Council Policy CP/FIN- 3214-Sundry Debt Collection, subject to:***
 - a. This interest rate cannot be applied to a person who is considered to be suffering financial hardship as a consequence of the COVID-19 Pandemic in accordance with Council Policy CP/FIN-3219 COVID-19 Financial Hardship - Rates and Sundry Debtors.***

Moved: Cr B Kyne

Seconded: Cr M Dear

Decision: 8/0

Council Decision

Minute Number: 26/04/2022 - 118633

Moved: Cr M Dear

Seconded: Cr M McKittrick

That Council:

1. **Endorse the revised Council Policy CP/FIN-3200 Strategic Rating;**
2. **Endorse the 2022/23 Rating Model as follows, with the intention of seeking public submissions thereon and thereafter reporting to Council before striking the rates as part of the 2022/22 Budget adoption, subject to receiving Ministerial approval where required by legislation;**

Differential Rating Category	Total Properties	Total Rateable Value of Properties \$	Proposed Minimum Payment \$	Proposed Rate in the Dollar	% of Properties on Minimum Payments	Proposed Rates Revenue Budget 2022/23 \$
GRV - Residential	1,710	32,826,775	1,400	0.1487	6.32%	4,901,790
GRV - Other Vacant	122	508,216	1,400	0.2306	81.97%	202,320
GRV - Commercial	192	13,186,549	1,400	0.1467	32.81%	1,948,929
GRV - Industrial	178	7,457,086	1,400	0.1426	7.30%	1,072,301
GRV - Rural Residential	26	272,424	1,400	0.1487	30.77%	43,452
UV - Rural Residential	200	28,979,000	1,400	0.0134	41.00%	426,256
UV - Pastoral	21	10,227,738	1,400	0.0570	0.00%	582,981
UV - Commercial/Industrial	68	12,038,500	1,400	0.0079	38.24%	121,756
UV - Agriculture	80	60,935,109	1,400	0.0119	1.25%	725,540
UV - Horticulture	93	27,183,000	1,400	0.0104	0.00%	282,703
UV - Mining	65	1,840,908	1,400	0.2813	46.15%	544,333
UV - Mining Exploration and Prospecting	41	509,393	390	0.1406	21.95%	72,973
UV - Other	5	8,960,000	1,400	0.0067	40.00%	60,755
TOTALS	2,801	204,924,698				10,986,089

3. **Endorse for advertising for a minimum of twenty-one (21) days and seek public submissions on:**
 - a. **Council Policy CP/FIN-3200 Strategic Rating (Attachment 1) that outlines the principles which underpin the proposed 2022/23 rating model, including the Object of and Reasons for Differential Rates;**
 - b. **The 2022/23 Rating Model (Attachment 2) which incorporates the Object of and Reasons for Differential Rates, along with the proposed differential rates and minimum payments to be applied from 1 July 2022 for the 2022/23 financial year in accordance with section 6.36 of the Local Government Act 1995.**

Carried: 8/0

Council Decision

Minute Number: 31/05/2022 - 118647

Moved: Cr M Dear

Seconded: Cr T Chafer

That Council

- 1. Endorse the 2022/23 Rating Model as follows, with the intention of striking the rates as part of the 2021/22 Budget adoption, subject to receiving Ministerial approval where required by legislation.**

Differential Rating Category	Total Properties	Total Rateable Value of Properties \$	Proposed Minimum Payment \$	Proposed Rate in the Dollar	% of Properties on Minimum Payments	Proposed Rates Revenue Budget 2022/23 \$
GRV - Residential	1,711	32,835,927	1,400	0.1487	6.32%	4,903,190
GRV - Other Vacant	121	507,316	1,400	0.2306	81.97%	200,920
GRV - Commercial	191	13,181,349	1,400	0.1467	32.46%	1,947,529
GRV - Industrial	178	7,457,086	1,400	0.1426	7.30%	1,072,301
GRV - Rural Residential	26	272,424	1,400	0.1487	30.77%	43,452
UV - Rural Residential	199	32,168,500	1,400	0.0134	25.63%	436,751
UV - Pastoral	21	9,773,238	1,400	0.0570	0.00%	557,075
UV - Commercial/Industrial	68	12,034,900	1,400	0.0079	38.24%	121,756
UV - Agriculture	80	60,935,109	1,400	0.0119	1.25%	725,540
UV - Horticulture	93	27,404,000	1,400	0.0104	0.00%	285,002
UV - Mining	65	2,010,583	1,400	0.2813	46.15%	590,510
UV - Mining Exploration and Prospecting	44	552,851	390	0.1406	18.18%	78,954
UV - Other	5	8,960,000	1,400	0.0067	40.00%	60,755
TOTALS	2,802	208,093,283				11,023,735

- 2. Requests the CEO, or their delegate to seek approval from the Minister for Local Government; Heritage; Culture and the Arts to approve the Shire of Wyndham East Kimberley applications to:**
 - a. Impose minimum payments for vacant land which will result in more than 50% of the properties in the GRV Other Vacant rating category**

subject to minimum payments in accordance with section 6.35(5) of the Local Government Act 1995; and

- b. Impose a rate in the dollar which will result in it being more than twice the lowest differential general rate imposed for UV Mining, UV Mining Exploration and Prospecting and UV Pastoral rating categories, in accordance with section 6.33(3) of the Local Government Act 1995.*

Decision: 8/0

STATUTORY IMPLICATIONS

The 2022/23 Budget has been prepared in accordance with the requirements of the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996*, and other relevant legislation detailed below:

Local Government Act 1995

Part 5 Administration

Division 5 - Annual reports and planning

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.*
(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996

Part 5 - Annual reports and planning Division 3 - Planning for the future 19DA.

Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
(2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
(3) A corporate business plan for a district is to —
(a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
(b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
(4) A local government is to review the current corporate business plan for its district every year.
(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine whether or not to adopt the plan or the modifications.*
**Absolute majority required.*
(7) If a corporate business plan is, or modifications of a corporate business plan are,

adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

5.63. Some interests need not be disclosed

(1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter —

- (a) an interest common to a significant number of electors or ratepayers; or*
- (b) an interest in the imposition of any rate, charge or fee by the local government; or*
- (c) an interest relating to (i) a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers;*

Local Government Act 1995

Part 2 – Constitution of local government

Division 2 – Local governments and councils of local government

2.7. Role of council

(1) The council —

- (a) governs the local government’s affairs; and*
- (b) is responsible for the performance of the local government’s functions.*

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government’s finances and resources; and*
- (b) determine the local government’s policies.*

Local Government Act 1995

Part 6 - Financial management

Division 2 - Annual Budget

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

** Absolute majority required.*

(2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —

- (a) the expenditure by the local government; and*
- (b) the revenue and income, independent of general rates, of the local government; and*
- (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.*

(3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.

(4) The annual budget is to incorporate —

- (a) particulars of the estimated expenditure proposed to be incurred by the local government; and*

(b) detailed information relating to the rates and service charges which will apply to land within the district including —

- (i) the amount it is estimated will be yielded by the general rate; and*
- (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges; and*

- (c) the fees and charges proposed to be imposed by the local government; and*

- (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and*
 - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and*
 - (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and*
 - (g) such other matters as are prescribed.*
- (5) Regulations may provide for —*
- (a) the form of the annual budget; and*
 - (b) the contents of the annual budget; and*
 - (c) the information to be contained in or to accompany the annual budget.*

6.11. Reserve accounts

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (2) Subject to subsection*
- (3), before a local government —*
- (a) changes* the purpose of a reserve account; or*
 - (b) uses* the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use. * Absolute majority required.*
- (3) A local government is not required to give local public notice under subsection (2) —*
- (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or*
 - (b) in such other circumstances as are prescribed.*
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.*
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.*

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —*
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) waive or grant concessions in relation to any amount of money; or*
 - (c) write off any amount of money, which is owed to the local government.*
- * Absolute majority required.*
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

6.13. Interest on money owing to local governments

(1) Subject to any other written law, a local government may resolve* to require a person to pay interest at the rate set in its annual budget on any amount of money (other than rates and service charges) which —

(a) that person owes to the local government; and

(b) has been owed for the period of time referred to in subsection (6).

* Absolute majority required.

(2) A resolution under subsection (1) is to be included in the annual budget.

(3) The rate of interest that may be set by the local government under this section is not to exceed the rate for the time being prescribed as the maximum rate of interest that may be set for the purposes of this section.

(4) Where a local government imposes interest under subsection (1) on any outstanding amount of money the local government is not to also impose an additional charge in relation to that amount.

(5) Accrued interest is, for the purpose of its recovery, taken to form part of the money owed to the local government on which it is charged.

(6) A local government is not to impose interest on any amount of money under subsection (1) until the money has been owed to the local government for the period of time set by the local government in its annual budget (not being less than 35 days) after the date which is stated on the relevant account for payment as being the date the account was issued.

(7) Regulations may provide for the method of calculation of interest.

Local Government (COVID-19 Response) Orders 2020 SL 2020/57, SL 2021/66 and SL2022/107 amendments to Section 6.13 of the Local Government Act 1995

8. Section 6.13 modified (interest on money owing to local governments)

(1) Section 6.13 is modified as set out in this clause in relation to a resolution of a local government under section 6.13(1) that is to be included in -

(a) Its 2020/21 annual budget; or

(b) Its 2021/22 annual budget; or

(c) Its 2022/23 annual budget

(2) The resolution-

(a) cannot require a person who is considered by the local government to be suffering financial hardship as a consequence of the COVID-19 pandemic to pay interest; and

(b) is to specify that the requirement to pay interest does not apply to a person who is considered by the local government to be suffering financial hardship as a consequence of the COVID-19 Pandemic.

(3) The rate of interest that may be set by the local government under section 6.13 -

(a) In its 2020/21 annual budget is not to exceed 8%; and

(b) In its 2021/22 annual budget is not to exceed 7%; and

(c) In its 2022/23 annual budget is not to exceed 7%.

(4) Subclause (3) applies despite the Local Government (Financial Management) Regulations 1996 regulation 19A.

Local Government Act 1995

Part 6, Division 5 – Financing local government activities

Subdivision 2 - Fees and Charges

6.16 Imposition of fees and charges

(1) A local government may impose* and recover a fee or charge for any goods and service it provides or proposed to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

(2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) supplying a service or carrying out work at the request of a person;*
- (c) subject to section 5.94, providing information from local government records;*
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) supplying goods;*
- (f) such other service as may be prescribed.*

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed* during a financial year; and*
- (b) amended* from time to time during a financial year.*

** Absolute majority required.*

6.17 Setting level of fees and charges

(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –

- (a) the cost to the local government of providing the service or goods; and*
- (b) the importance of the service or goods to the community; and*
- (c) the price at which the service or goods could be provided by an alternative provider.*

(2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.

(3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —

- (a) under section 5.96; or*
- (b) under section 6.16(2)(d); or*
- (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*

(4) Regulations may —

- (a) prohibit the imposition of a fee or charge in prescribed circumstances; or*
- (b) limit the amount of a fee or charge in prescribed circumstances.*

6.18. Effect of other written laws

(1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —

- (a) determine an amount that is inconsistent with the amount determined under the other written law; or*
- (b) charge a fee or charge in addition to the amount determined by or under the other written law.*

(2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

Division 6 - Rates and service charges

Subdivision 2 - Categories of rates and service charges

6.33. Differential general rates

(1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —

- (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the Planning and Development Act 2005; or
- (b) a purpose for which the land is held or used as determined by the local government; or
- (c) whether or not the land is vacant land; or
- (d) any other characteristic or combination of characteristics prescribed.

(2) Regulations may —

- (a) specify the characteristics under subsection (1) which a local government is to use; or
- (b) limit the characteristics under subsection (1) which a local government is permitted to use.

(3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

(4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.

(5) A differential general rate that a local government purported to impose under this Act before the Local Government Amendment Act 2009 section 39(1)(a) came into operation 1 is to be taken to have been as valid as if the amendment made by that paragraph had been made before the purported imposition of that rate.

6.34. Limit on revenue or income from general rates

Unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency.

6.35. Minimum payment

(1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.

(2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.

(3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —

- (a) 50% of the total number of separately rated properties in the district; or
- (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.

(4) A minimum payment is not to be imposed on more than the prescribed percentage of —

- (a) the number of separately rated properties in the district; or

(b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.

(5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.

(6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —

(a) to land rated on gross rental value; and

(b) to land rated on unimproved value; and

(c) to each differential rating category where a differential general rate is imposed.

6.36. Local government to give notice of certain rates

(1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.

(2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).

(3) A notice referred to in subsection (1)

(a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency;

(b) is to contain -

(i) details of each rate or minimum payment the local government intends to impose;

(ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and

(iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed; and

(c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.

(4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

(5) Where a local government -

(a) in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or

(b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4), it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.

6.45. Options for payment of rates or service charges

(1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —

(a) 4 equal or nearly equal instalments; or

(b) such other method of payment by instalments as is set forth in the local government's annual budget.

(2) Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge (a) by a single payment; or

(b) by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.

(3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.

(4) Regulations may —

(a) provide for the manner of making an election to pay by instalments under subsection (1) or (2); and

(b) prescribe circumstances in which payments may or may not be made by instalments; and

(c) prohibit or regulate any matters relating to payments by instalments; and

(d) provide for the time when, and manner in which, instalments are to be paid; and

(e) prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and

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

[Section 6.45 modified: SL 2020/57 1M.]

Local Government (COVID-19 Response) Orders SL 2020/57, SL 2021/66 and SL 2022/107 amendments to Section 6.45 of the Local Government Act 1995

13. Section 6.45 (options for payment of rates or service charges)

(1) In this clause —

financial hardship policy, in relation to a local government, means a policy addressing the manner in which the local government will deal with financial hardship that may be suffered by ratepayers and other persons who are required to make payments to the local government.

(2) Section 6.45 is modified as set out in this clause in relation to payment by instalments of a rate or service charge imposed by a local government in -

(a) the 2020/21 financial year; or

(b) the 2021/22 financial year; or

(c) the 2022/23 financial year.

(3) The local government cannot impose an additional charge (including an amount by way of interest) under section 6.45(3) in respect of payment by instalments made by an excluded person.

(4) If the local government has not adopted a financial hardship policy, the maximum rate of interest that may be imposed by the local government under section 6.45(3) is 3%.

Subclause (4) applies despite the Local Government (Financial Management) Regulations 1996 regulation 68.

6.46. Discounts

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may, when imposing a rate or service charge, resolve* to grant a discount or other incentive for the early payment of any rate or service charge.

* Absolute majority required

6.47. Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

* Absolute majority required.

6.50. Rates or service charges due and payable

(1) Subject to —

(a) subsections (2) and (3); and

(b) any concession granted under section 6.47; and

(c) the Rates and Charges (Rebates and Deferments) Act 1992, a rate or service charge becomes due and payable on such date as is determined by the local government.

(2) The date determined by a local government under subsection (1) is not to be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued.

(3) Where a person elects to pay a rate or service charge by instalments the second and each subsequent instalment does not become due and payable at intervals of less than 2 months.

6.51. Accrual of interest on overdue rates or service charges

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

(a) a rate or service charge (or any instalment of a rate or service charge); and

(b) any costs of proceedings to recover any such charge, that remains unpaid after becoming due and payable.

* Absolute majority required.

(2) The rate of interest that may be set by the local government under this section is not to exceed the rate for the time being prescribed as the maximum rate of interest that may be set for the purposes of this section.

(3) Accrued interest is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.

(4) If a person is entitled under the Rates and Charges (Rebates and Deferments) Act 1992 or under this Act (if the local government in a particular case so resolves) to a rebate or deferment in respect of a rate or service charge —

(a) no interest is to accrue in respect of that rate or service charge payable by that person; and

(b) no additional charge is to be imposed under section 6.45(3) on that person.

Local Government (COVID-19 Response) Orders 2020 SL 2020/57, SL 2021/66 and SL 2022/107 amendments to Section 6.51 of the Local Government Act 1995

14. Section 6.51 modified (accrual of interest on overdue rates or service charges)

(1) Section 6.51 is modified as set out in this clause in relation to a resolution made under section 6.51(1) by a local government at the time of imposing a rate or service charge for -

(a) the 2020/21 financial year; or

(b) the 2021/22 financial year; or

(c) the 2022/23 financial year.

(2) The resolution —

(a) cannot impose interest in respect of a rate or service charge payable by an excluded person; and

(b) is to specify that the imposition of interest does not apply in respect of a rate or service charge payable by an excluded person.

- (3) *The rate of interest that may be set by the local government under section 6.51 -*
- (a) *for the 2020/21 financial year is not to exceed 8%; and*
 - (b) *for the 2021/22 financial year is not to exceed 7%; and*
 - (c) *for the 2022/23 financial year is not to exceed 7%.*
- (4) *Subclause (3) applies despite the Local Government (Financial Management) Regulations 1996 regulation 70.*

Local Government (Financial Management) Regulations 1996

Part 2 – General financial management

5. CEO's duties as to financial management

- (1) *Efficient systems and procedures are to be established by the CEO of a local government —*
- (g) *to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.*
- (2) *The CEO is to —*
- (b) *assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year).*

Part 3 - Annual Budget

26. Discounts for early payment etc., information about required

- (1) *The annual budget is to include for each discount or other incentive proposed to be granted for early payment of any money and in respect of each waiver or concession proposed in relation to any money —*
- (a) *in respect of a discount —*
 - (i) *the amount of the discount, or the percentage discount, to be allowed; and*
 - (ii) *the circumstances in which the discount will be granted; and*
 - [(b) *deleted*]
 - (c) *in relation to a waiver or concession —*
 - (i) *a brief description of the waiver or concession; and*
 - (ii) *a statement of the circumstances in which it will be granted; and*
 - (iii) *details of the persons or class of persons to whom it is available; and*
 - (iv) *the objects of, and reasons for, the waiver or concession.*
- (2) *The annual budget is to include, separately in relation to all general rates, each specified area rate, each service charge and all fees and charges imposed under the Act or any other written law an estimate of —*
- (a) *the total amount of the discounts which may be granted; and*
 - (b) *the total cost to the local government of each incentive scheme; and*
 - (c) *the total cost, or reduction of revenue, to the local government of a waiver or grant of a concession; and*
 - (d) *the total amount of money to be written off.*

Part 5 – Rates and service charges

52A. Differential general rates - s. 6.33(1)(d)

6.33 (1)(d) *For the purposes of section 6.33(1)(d), the following are prescribed characteristics —*

- (a) *whether or not the land is situated in a townsite as defined in the Land Administration Act 1997 section 3(1);*
- (b) *whether or not the land is situated in a particular part of the district of the local government.*

53. Amount prescribed for minimum payment (Act s. 6.35(4))

The amount prescribed for the purposes of section 6.35(4) is \$200.

Waste Avoidance and Resource Recovery Act 2007

Part 6, Division 3 – Local laws and local government rates, fees and charges

66. Local government may impose waste collection rate

(1) A local government may impose on rateable land within its district, and cause to be collected, an annual rate for the purpose of providing for the proper performance of all or any of the waste services it provides

(2) The annual rate must not exceed —

(a) 12 cents in the dollar on the gross rental value; or

(b) where the system of valuation on the basis of the unimproved value is adopted, 3 cents in the dollar on the unimproved value of the land in fee simple.

(3) The provisions of the Local Government Act 1995 relating to the making, payment and recovery of general rates apply with respect to rates referred to in subsection(1).

67. Local government may impose receptacle charge

(1) A local government may, in lieu of, or in addition to a rate under section 66, provide for the proper disposal of waste, whether within its district or not, by making an annual charge per waste receptacle, payable in one sum or by equal monthly or other instalments in advance, in respect of premises provided with a waste service by the local government.

(2) The charge is to be imposed on the owner (as defined in section 64(1)) or occupier, as the local government may decide, of any premises provided with a waste service by the local government.

(3) The provisions of the Local Government Act 1995 relating to the recovery of general rates apply with respect to a charge referred to in subsection (1).

(4) In the case of premises being erected and becoming occupied during the year for which payment is to be made, the charge for the service provided is to be the sum that proportionately represents the period between the occupation of the premises and the end of the year for which payment is made.

(5) Notice of any charge made under this section may be included in any notice of rates imposed under section 66 or the Local Government Act 1995, but the omission to give notice of a charge does not affect the validity of the charge or the power of the local government to recover the charge.

(6) A charge may be limited to premises in a particular portion of the area under the control of the local government.

(7) Charges under this section may be imposed in respect of and are to be payable for all premises in respect of which a waste service is provided, whether such premises are rateable or not.

(8) A local government may make different charges for waste services rendered in different portions of its district.

68. Fees and charges fixed by local government

Nothing in this Part prevents or restricts a local government from imposing or recovering a fee or charge in respect of waste services under the Local Government Act 1995 section 6.16.

Cemeteries Act 1986

Part VII – Financial provisions

53. Fees and charges

There are also numerous other sections of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* that deal with specific parts of the Annual Budget. Where relevant the sections and/or regulations have been specifically mentioned in the officer's recommendations.

POLICY IMPLICATIONS

The following Council Policies are relevant in the adoption of the annual budget and have been reviewed as required as part of the budget process:

- *CP/FIN-3201 - Significant Accounting Policies*
- *CP/FIN-3200 - Strategic Rating*
- *CP/FIN-3208 - Rates Exemptions for Charitable Organisations (Non Rateable Land)*
- *CP/FIN-3211 - Fees and Charges Pricing*
- *CP/CNC-3141 - Elected Member Allowances and Entitlements*
- *CP/FIN-3219 - COVID-19 Financial Hardship - Rates and Sundry Debtors*
- *CP/COM-3582 - Community Grants Scheme*

FINANCIAL IMPLICATIONS

The annual Municipal Fund Budget is the primary means for a local government to manage and allocate its financial resources. The budget also provides the ability to impose rates, which is one of the primary means for a local government to raise income to fund the services the Shire is required to deliver.

The proposed budget aims to raise \$21,348,257 in operating revenue and \$21,617,871 in capital grants and other capital income. A net amount of \$11,760,201 will be transferred from the Shire's Reserves in support of both the capital works program and operations. This revenue together with existing cash resources and new loans will fund \$30,162,486 in operating expenses, \$30,868,061 in capital works and \$966,824 of debt repayments.

Detailed financial implications are outlined in the Comments section of this report and in the 2022/23 Budget at Attachment 3 to this report.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017 to 2027

Focus Area: 4: Civic Leadership

Goal 4.4: Sustainably maintain the Shire's financial viability

Strategy 4.4.1: Diversifying and strengthening funding streams and pursue non-rates revenue opportunities

Strategy 4.4.2: Secure the maximum grant assistance available, whilst ensuring the greatest relevant benefit to the community

Strategy 4.4.3: Adequately plan for and fund asset maintenance and renewal to deliver planned services

Strategy 4.4.4: Apply best practice financial management to ensure long term sustainability

RISK IMPLICATIONS

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Control: Implementation of LTFP and Annual Budget.

Risk: Failure to manage and implement an effective, forward planned capital works program which meets the safety and functional requirements of the community.

Control: Long Term Financial Plan, Asset Management Strategy, Asset Management Policy and Forward Capital Works Programs.

Risk: Failure to manage the disbursement of funds to meet the needs of the Shires forward planning requirements, including the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plans and Annual Budget.

Control: Corporate Business Plan Review, Mid Year Budget Review, Monthly Management accounts, Monthly Financial Report to Council.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire's Community Engagement Guidelines and includes the following:

26 April 2022- Ordinary Council Meeting

Council endorsed the Rates Model that determined the proposed Rate In the Dollar, endorsed the revised Council Policy *CP/FIN-3200 Strategic Rating and Community Engagement Plan* for the purposes of seeking public submissions (Minute Number: 26/04/2022 - 118634). Local Public Notice to Impose Differential General Rates and Minimum Payments was endorsed to advertise seeking Public Submissions from 1 May 2022. The closing date for Public Submissions was 27 May 2022.

In accordance with the Community Engagement Plan, advertising occurred in the following manner in order to seek public submissions on the proposed rate in the dollar:

- Local Public Notice in the Kimberley Echo newspaper on 05 May 2022;
- Local Public Notice in the May 2022 issue of the Bastion Bulletin
- A copy of the Notice to Impose Differential General Rates and Minimum Payments for 2022/23 placed on the Coles Kununurra noticeboard on 02 May 2022;

- A copy of the Notice to Impose Differential General Rates and Minimum Payments for 2022/23 placed on the IGA Kununurra noticeboard on 02 May 2022;
- A copy of the Notice to Impose Differential General Rates and Minimum Payments for 2022/23 placed on the Wyndham Post Office noticeboard on 02 May 2022;
- A copy of the Notice to Impose Differential General Rates and Minimum Payments posted on the Shire's Facebook page and website on 02 May 2022;
- A copy of the Notice to Impose Differential General Rates and Minimum Payments for 2022/23, including Council Policy *CP/FIN-3200 Strategic Rating* placed on the Shire's website, public notice boards at the Libraries in both Kununurra and Wyndham on 02 May 2022.

31 May 2022 - Ordinary Council Meeting

Council considered four public submissions received and endorsed a rating model incorporating a 1.65% rate in the dollar increase on all rate categories excluding UV Pastoral, and a minimum payment of \$1,400 on all rate categories, excluding UV Mining Exploration and Prospecting for which the minimum payment is \$390 at the 31 May 2022 Ordinary Council meeting for inclusion in the 2022/23 Budget (Minute Numbers: 31/05/2022 - 118646 and 31/05/2022 - 118647).

COMMENTS

General

As outlined in the Background section of this report, in preparing the Annual Budget there are many factors that the Shire needs to take into consideration. The Budget must align with the Shire's Strategic Community Plan and Corporate Business Plan to ensure the Shire is delivering on the strategic vision in an achievable and sustainable manner. Priorities need to be established and decisions made in the context of what the Shire's legal obligations for service delivery are, what its asset management responsibilities are, what the Council and the Community regards as important and the ability of the Shire to fund these various matters in a sustainable manner.

Economic Indicators

Rates and Fees and Charges combined make up approximately 85% of the Shire's operating revenue. In determining likely increases to the cost of operations and the required increases in Rates and Fees and Charges to fund these operations, as part of the Budget process the Shire takes into consideration the current economic conditions and uses historical data, forecasts and economic indicators to determine appropriate increases.

Consumer Price Index

There are a number of economic indicators that can be used. The most commonly used one is the Consumer Price Index (CPI). The CPI is an index determined by the Australian Bureau of Statistics that is the rate of change in prices on a 'basket of goods' measured on a quarterly basis. This index is not a good measure of the change in the cost of doing business for local Government as this basket of goods does not generally reflect the components of costs that the Shire incur in delivering our services. This index does however provide an indication of the impact of rising prices on household income and the state of the economy in broad terms. The Perth CPI increase for the 12 months to March 2022 was 7.6%.

Local Government Cost Index

A more accurate measure of the Shire's cost profile is the Local Government Cost Index (LGCI). This index is based on the 'bundle of goods' relating to local government incorporating ten cost components which provide an accurate indicator of cost movements affecting local governments. The LGCI therefore provides an indication of those changes in costs that relate more closely to the function of local government. The Shire utilises the LGCI forecasts in the WALGA Local Government Economic Briefings. The March 2022 Briefing forecasts a full year increase for 2021/22 of 5.7% with the largest increases occurring in Non-residential building (11.7%), Non-road infrastructure (11.1%), and Road and bridge construction (8.9%). The forecast increases for 2022/23 and 2023/24 are 2.5% and 2.2% respectively.

Other Factors

The Shire recognises that the Shire does have relatively high rates. Some of the factors that lead to having higher rates are unavoidable, however the Shire needs to continue to address the cost of service delivery aspects of the operation thoroughly to ensure that rate increases continue to be moderate. Matters that continue to be addressed include Officers compiling detailed forward capital works programs to determine the timing and extent of funds needed to renew our asset base and how we deliver those works. The Shire also needs to establish and document the services that the community value, the service levels required and the ongoing cost of providing those services. The financial strategies as set out in the Long Term Financial Plan are being implemented to ensure that the Shire progresses to a sustainable and consistently moderately rated Shire.

Budget Efficiencies

The increasing cost of maintaining Shire infrastructure and providing services without a corresponding increase in rates revenue over several years has required Shire officers, as part of the annual budget process, to critically evaluate the expenditure estimates for efficiencies and possible savings, and to prioritise expenditure. The process of identifying efficiency gains is ongoing and Shire officers continue to seek to provide better value for money for the rates the community pays. The current economic environment and rapidly increasing costs makes this even more important and officers have worked diligently to ensure that the 2022/23 budget when finalised will reflect efficiency gains that have been identified which include:

- Reviewing the condition and replacement cost of all assets to ensure accurate asset management planning occurs, that replacements are prioritised according to need, and that depreciation expenses are accurately calculated.
- Identifying works that can be undertaken in house and revising works programs accordingly, including acquiring plant to self perform works previously contracted out.
- Reviewing customer service processes and systems to ensure that services are provided in the most efficient and effective manner thereby reducing costs.
- Reviewing procurement policies and processes to ensure that goods and services procured continue to provide the best value for money possible for the community
- Using local suppliers where possible to reduce mobilisation and freight costs.
- Capping CPI salary increases at 2%.
- Reviewing all staff positions when they become vacant to ensure they continue to meet operational and service delivery requirements.

Budget Timing

The Shire is adopting its budget prior to it having audited financial information for the 2021/22 year. This is to ensure that at the start of the financial year there is a budget in place and that the priorities for the full financial year can be addressed from the start of the year. It is therefore necessary to estimate the financial position at 30 June 2022 as the starting point for the 2022/23 Municipal Fund Budget. In estimating the 30 June forecasts Shire Officers have monitored the financial performance throughout the financial year and documented any significant variances from the budget position and used this data to project end of year balances and consequently the opening funding requirements and funding capacity for 2022/23 year.

These projections remain estimates and are subject to change as actual data is captured. The results for the 2021/22 financial year end will be finalised in October 2022 with the annual audit. It is likely that there will be differences between the actual audited results reported and the projected data used in the 2022/23 Budget which may impact the final end of year surplus (or deficit) identified in the Rate Setting Statement. Once the Annual Financial Report is finalised, differences between the actual data and the budget data will be determined and the 2022/23 budget data amended to reflect the necessary changes if material. This will be reported to Council at the appropriate time.

Budget Analysis

The documents contained in Attachment 3 provide the details for the Statutory Annual Budget. They include the following:

- Statement of Comprehensive Income by Nature and Type
- Statement of Cash Flows
- Rate Setting Statement by Nature and Type
- Notes to the financial statements

Attachment 4 details the Capital Works Budget including the following:

- Forecasts for 2021/22
- Carry forward amounts
- New and total budgeted expenditure
- Works type
- Funding sources

These documents reflect the overall picture of the proposed budget. The details supporting the data have been presented to Council in working papers presented at budget briefings.

Statement of Comprehensive Income

The Statement of Comprehensive Income by Nature or Type shows budgeted Operating Revenue of \$21,348,257, Operating Expenditure of \$30,162,486, Non Operating Grants of \$21,617,871 resulting in a Net Result of \$12,762,142. This is an increase on the prior years Net Result mainly due to an increase in Non-Operating Grants (Capital Grants) to fund the capital works program.

Statement of Cash Flows

The Cash Flow Budget for 2022/23 shows a reduction in cash at the end of the financial year from the 30 June 2022 forecast figure of \$20,734,396 to \$7,272,258. This is mainly due to the

forecast figure including new loans totalling \$4.7m received in 2021/22 for Capital Works to be undertaken in 2022/23 and advance payment of 2022/23 Financial Assistance Grants of \$2.9m.

Rate Setting Statement

The Rate Setting Statement Shows a forecast surplus for the 2021/22 financial year of \$80,287 which represents a decrease in the surplus from 2020/21 of \$3,929,693. This is mainly due to the transfer of funds to reserves including unspent loans and grants to fund the 2022/23 Capital works program.

Operating Budget

Operating Revenue

Comments relating to the changes in each operating revenue category, comparing the 2022/23 Municipal Fund Budget to the 2020/21 and 2021/22 budgets and 2021/22 forecast actuals are provided below.

Operating Revenue By Category	2022/23 Proposed Budget \$	2021/22 Forecast \$	2021/22 Adopted Budget \$
Rates	11,026,368	10,422,840	10,485,671
Operating Grants	1,743,019	5,628,386	2,290,088
Fees and Charges	7,977,780	7,735,852	6,689,792
Interest Earnings	181,000	151,250	272,194
Other Revenue	420,090	411,927	377,925
Total	21,348,257	24,350,255	20,115,669

Rates Revenue

Council is being requested to adopt the rating model for 2022/23 as endorsed at the 31 May 2022 Ordinary Council Meeting following the receipt of Ministerial approval of the Differential Rates and Minimum Payments where required.

The proposed Rates for the budget process were modelled within the guidelines in Council's Strategic Rating Policy. In determining the amount of rates to be raised the Shire applied the principles set out in the policy by ensuring that the setting of the Minimum Rate and calculation of the General Rate (Rate-in-the-Dollar) only recovers an amount (referred to as the Budget Deficiency), which is considered essential to the running of Shire's activities and ensuring the Shire's long term financial sustainability.

The budgeted rate revenue of \$11,026,368 consists of gross rate revenue of \$11,023,735 plus ex-gratia rates of \$2,633. This will result in an overall increase in rate revenue of \$546,015 or 5.21% over the 2021/22 budget. The Shire does not budget for interim rates received. While the Shire expects to receive some interim rates it cannot predict with any certainty the timing and extent of any amounts that may be received.

Rates incentives and assistance

For the 2020/21 and 2021/22 years Council introduced several measures to assist ratepayers and members of the community affected by the financial impacts of the COVID-19 pandemic including the following:

- Adoption of Council policy CP/FIN-3219 COVID-19 Financial Hardship-Rates and Sundry Debtors
- Extended payment arrangement terms
- Waiving of some Fees and Charges
- Reduction in penalty interest for outstanding rates and fees and charges
- A Rates Incentive Prize draw
- A reduction in penalty interest for outstanding rates and fees and charges to 7%
- Reduction in interest rate for rates instalments from 5.5% to 2.5%
- Reduction in the Instalment Administration Fee from \$12.00 to \$6.00
- Removal of the Special Payment Arrangement Administration fee of \$61.30

The 2022/23 budget also includes these provisions to continue to assist ratepayers.

The rates incentive prizes will be split into two prize draws pools, one of \$6,000 for those that pay their rates in full on or before the 1st instalment date, and one of \$3,000 for those that pay their rates in full via an instalment option or are up to date with their agreed payment plan. Each prize will be drawn individually and only one prize will be available per rate assessment. Where more than one ratepayer is listed on the rates assessment the prize will be awarded in the name of the first listed ratepayer. The Chief Executive Officer and Director Corporate Services will conduct the draw, using the dedicated software program within the rating system. Shire Councillors and Shire employees will be ineligible and will be excluded from the draw.

Operating Grants, Contributions & Subsidies

The majority of Operating Grants and Subsidies remain fairly constant, however as part of the Federal Government's post Covid economic stimulus strategy, the Shire received \$2.9m or approximately 75% of its 2022/23 allocation of Financial Assistance Grants (FAGs) in April 2022. The accounting standards require the Shire to recognise FAGs revenue in the year in which it is received however these advance payments are not included in the budgeted amounts. This has resulted in the forecast revenue for 2021/22 being higher and budgeted revenue for 2022/23 being reduced resulting in the budgeted amount for 2022/23 being reduced by \$547,069 from the 2020/21 budget.

Fees and Charges

The setting of the Fees and Charges is completed in accordance with the Council Policy CP/FIN-3211 *Fees and Charges Pricing*.

Each year all fees and charges imposed by Council are reviewed as part of the budget process to ensure compliance requirements are met, cost recoveries are in place and market rates are

comparable. At the April 2022 Ordinary Council Meeting Council resolved to apply a 2.5% average increase to fees and charges for 2022/23 and this is reflected in the Schedule of Fees and Charges. In keeping with past practice the proposed Schedule of Fees and Charges was adopted prior to the adoption of the annual budget so that the amended Fees and Charges could be advertised and affected parties advised.

The fees and charges become effective from 1 July 2022 or from 1 January 2023 where it relates to Aerodromes. In addition, following legislative amendments put in place during the COVID-19 pandemic, the interest rate for overdue Fees and Charges is set at 7.0% with restrictions on the ability to charge interest to debtors assessed as being in financial hardship.

Council is being requested to re-adopt the Schedule of Fees and Charges for the 2022/23 financial year as there have been minor changes made since the previous adoption.

The Shire currently has approximately 700 fees and charges (including statutory fees). The projected fees and charges revenue for 2022/23 is \$7,977,780 or 37% of total operating revenue. This is an increase of \$1,287,988 over the 2021/22 budget. This is due in part to the 2.5% increase in Fees and Charges but is mainly due to higher projected Aircraft Landing and Passenger Handling Fees.

The setting of the Fees and Charges was completed in accordance with Council Policy *CP/FIN-3211 Fees and Charges Pricing*. The intent of the Policy acknowledges that there are competing priorities between community service obligations, full cost recovery in a “user pays” environment and ensuring that the community is not unduly burdened. Where there is not a full cost recovery fee in place, the shortfall is made up by the ratepayers in general from municipal funds. Therefore, the Policy seeks to ensure that the Shire’s Fees and Charges are determined utilising key principles that ensure fair and reasonable charging to the community for the goods and services that the Shire provides, thereby achieving an appropriate balance between these competing principles.

Interest Earnings

Budgeted interest earnings for 2022/23 are \$181,000, a reduction of \$91,194 from the 2021/22 budget and an increase of \$29,750 over the 2021/22 forecast of \$151,250. This is a reflection of cash rates remaining relatively low but improving from the prior year. The Shire is further estimating a decrease in cash on hand levels during the forecast period due to the Shire having to fund the DRFAWA works before being reimbursed by the Department of Fire and Emergency Services .

Other Revenue

The majority of the revenue for the Other Revenue category relates to the Emergency Services Levy (ESL). Local Governments are required to collect ESL on behalf of the Department of Fire and Emergency Services (DFES). This is billed to all ratepayers as part of the Annual Rates Notices and there is a matching expense when this amount is paid to DFES.

Operational Expenditure

The table below details the summarised operational expenditure proposed for 2022/23.

Operating Expenditure By Category	2022/23 Proposed Budget \$	2020/21 Forecast \$	2021/22 Adopted Budget \$
Employee Costs	12,292,485	10,521,212	11,227,445
Materials and contracts	7,001,960	5,642,036	6,134,193
Utility Charges	1,326,807	1,219,103	1,268,730
Depreciation	7,116,240	7,116,240	7,116,239
Interest Expenses	216,930	62,292	99,221
Insurance Expenses	590,958	549,728	476,501
Other Expenditure	1,617,106	1,200,288	1,478,816
Total	30,162,486	26,310,899	27,801,145

Employee Costs

Employee Costs incorporate salaries and allowances, superannuation, workers compensation insurance, safety and protective clothing, training, fringe benefits tax, and other employee costs associated with recruitment and reallocation.

The 2022/23 Employee Costs budget of \$12,292,485 is based on 100 FTEs and incorporates a 2% CPI wage increase for employees covered by the Shire's Enterprise Agreement. When compared to the 2021/22 budget this reflects an increase of 6 FTEs. This increase follows a review of operational staffing requirements across all departments and consists of 4 FTEs at the East Kimberley Regional Airport funded from the airport reserve, 1 FTE in operations to increase the number of trained operators for the self performing of works and 1 FTE at the Kununurra Leisure centre due to increased staffing requirements with the completion of the water playground and proposed redevelopment of the aquatic facility.

Materials and Contracts

Materials and Contracts expenditure incorporates the majority of operating costs for the Shire other than employee costs. The total budgeted amount for 2022/23 of \$7,001,960 has increased by \$867,767 or 14% over the 2021/22 budget. This is a reflection of significant increases in the costs of materials and service costs as well as additional operating costs for newly constructed assets such as the Water Park.

Utility Charges

Utility charges comprising Electricity, Water and Gas are based on forecast unit charges together with any growth in usage. The budget for 2022/23 is \$1,326,807, an increase of \$58,007 or 4.5% over the 2021/22 budget amount.

Shire Officers have commenced investigations into the development of a Energy Strategy focused on energy supply and use and reducing the Shire's energy costs through investment in alternative sources of power and technology. Initial investigations have focused on the East Kimberley Regional Airport, the Kununurra Administration Centre and the Kununurra Leisure Centre as the facilities with the highest electricity consumption and costs. The Shire has recently made an application to Horizon Power for an allocation under the latest release of capacity for the installation of solar power.

Depreciation

Depreciation is an accounting process which recognises the consumption of the Shire's property, plant and equipment including infrastructure assets such as roads, drains and footpaths that have occurred during the financial year. The depreciation charge is also a reflection of what the Shire should be spending on renewing its asset base annually in order to preserve the service potential of that asset base. The calculation of the depreciation charge is determined by establishing the "fair value" of the asset then estimating what its useful life and its remaining useful life is.

The depreciation charge for 2022/23 has been calculated to be \$7,116,240 which is in line with the 2021/22 budget amount. Shire Officers continue to work on the asset data to determine what the true commitment to asset renewals should be and consequently the depreciation charge. Data to be gathered from the capital works program and condition reports will inform ongoing assessments of the fair value of the Shire's asset base and the amount needed to provide for the renewal of those assets. The Shire is required to conduct a revaluation of assets every 5 years with this process being undertaken for road infrastructure and land and building assets as at 30 June 2022. Any changes to depreciation estimates resulting from these revaluations will be incorporated into the mid year budget process.

Insurance Expenses

Insurance rates increased by an average of 7.5% for the 2022/23 financial year. This is against an initial anticipated increase of 15% advised by the Shire's insurers. The Shire's claims history in the past three years has been good and the Shire continues to look for value in its risk mitigation processes. It should be noted that the 2022/23 budgeted amount of \$590,958 is not the entire insurance cost for the year as some insurance costs have been included in the cost of providing services and workers compensation insurance budgeted at \$208,969 has been included in Employee Costs.

Interest Expenses

The Interest Expenses relate to loan agreements with Western Australian Treasury Corporation (WATC). Note 7 of the 2022/23 Statutory Budget (refer Attachment 3) details the Shire's ongoing loan commitments. New borrowings of \$4,700,000 were taken out in the 2021/22 financial year, \$3,000,000 being for the Kununurra Leisure Centre Aquatic Pool Renewal, \$1,400,000 for Stage 1 of the East Kimberley Regional Airport Infrastructure Upgrade, and \$300,000 for the Kununurra Water Playground. As a result total loan principal outstanding at 30 June 2022 increased to \$5,898,283 and is expected to decrease to

\$4,931,459 at 30 June 2023. Total Interest expenses budgeted for 2022/23 including the new loans is \$216,930 an increase of \$117,709 over the 2021/22 budget.

Other Expenses

Other Expenses relate to a number of items the more significant of which are:

- Members Allowances and Entitlements \$285,069
- Annual Community Grants Scheme \$350,000
- Marketing Tourism \$260,000
- Emergency Services Levy Payment to DFES \$351,466

Reserves

In accordance with section 6.11 of the *Local Government Act 1995*, a local government is required to establish and maintain a reserve account where it wishes to set aside money for use for a specific purpose in a future financial year. The local government is also required to disclose where a change of the purpose of the use of money is proposed.

The 2022/23 Budget includes transfers to Reserves of \$484,684 and transfers from Reserves of \$12,244,885 giving a budgeted total Reserves closing balance of \$8,865,964.

In 2020 in response to the COVID-19 pandemic the Department of Local Government Sport and Cultural Industries urged local governments to repurpose their reserves in support of local business. To this end Council passed a resolution at its 26 May 2020 Ordinary Council Meeting to create a COVID-19 Response Reserve. At the end of the 2019/20 financial year \$1,438,228 was repurposed from existing reserves into the COVID-19 Response Reserve for the express purpose of supporting the local economy in delivering capital works programs based on consultation with the community. The forecast for the 2021/22 financial year is for \$703,001 to be transferred from the COVID-19 Response Reserve for works undertaken to date and the 2022/23 budget includes the transfer of a further \$525,244 for projects funded from this reserve during the 2022/23 financial year.

Capital Works Program

The Capital Works Program is developed with the aim of primarily ensuring that the Shire renews its assets as they fall due in order that they continue to maintain the current service levels being delivered. The priority for these works is determined by the condition of the assets and the amount of funds both internal and external grant funds that are available to the Shire. Forward capital works programs continue to be developed to be included in the Asset Management Plans that will assist with the programming of maintenance, renewal, upgrade and replacement of existing assets in future periods. The current works program has been determined in part based on the condition of assets, risk of asset failure and obsolescence, community input and the availability of grant funding. It has also been determined by the availability of funding for specific projects to construct or upgrade assets.

During the 2021/22 financial year Shire Officers have continued to provide input to the Asset Management Plan and the 10 year Capital Works Plan. Every asset category has now been documented and condition assessments completed for major items. This work has been critical to provide input to the Shire's asset and renewal needs. The Capital Works Plan includes recommendations for strategic capital investments over the next 10 years to address the Shire's portfolio of ageing infrastructure and amenities and ensure the Shire remains in a

financially sustainable and resilient position. The 10 year Capital Works Plan is a living document and will be reviewed and updated regularly at the following points:

- Annually;
- As changes occur and new priorities and risks emerge;
- As and when grants and funding are secured; and
- To address Council and Community priorities.

Capital works expenditure is classified into three types being renewal, upgrade and new:

Renewal - The replacement or refurbishment of an existing asset with a new asset capable of delivering the same level of service;

Upgrade - Expenditure carried out on an existing asset to provide a higher level of service;

New - Expenditure on new assets that provides a service that does not currently exist.

In order to meet the Asset Management obligations under the benchmarks set out by the Department of Local Government, Sport and Cultural Industries Guidelines, the majority of expenditure is focused on renewals rather than upgrading and constructing new assets. However, the Shire does recognise that it is important to “future proof” its asset base that in the process of renewal consideration must be given to ensure that future cost are kept to a minimum. The Shire is expected to meet its asset sustainability and consumption benchmarks for the 2022/23 financial year based on these estimates. The Shire has committed in this budget to spend an amount that is well in excess of the amount its asset base depreciates by, and thereby is renewing its asset base as required and managing it in a sustainable manner.

The planned Capital Works Program for 2022/23 will cost \$30,868,061. The total renewal expenditure in this amount is \$16,146,926 which compares favourably with the current estimate of depreciation of \$7,116,240. This means for the budget period the Shire will renew assets faster than the expected use of those assets. The Shire further expects to spend \$13,777,860 on upgrading assets and \$931,275 to construct or acquire new assets during 2022/23. The remaining costs of \$12,000 relate to design and inspection costs that will ultimately form part of the cost of construction for new or renewed assets.

The funding of the Capital Works Program is from a combination of current municipal funds, new loans, reserves and grant funding. The reserve amount of \$4,669,346 includes amounts transferred from reserves created from unspent municipal funds from capital works allocated to reserves. \$18,188,865 or 59% of the Capital Works Program is funded from grant funding and the Shire will contribute \$3,609,850 of its own funds and \$4,400,000 in new loans to the Capital Works Program.

The Capital Works Program for 2022/23 is guided by Council and community priorities. Proposed investments will focus on the following areas:

- Renewal and expansion of transport infrastructure including East Kimberley Regional Airport, roads and drainage.
- Investment in town centre recreational facilities.
- Town centre connectivity with a key focus on footpaths and landscaping.
- Emergency works as a result of wet season damage, with funding from the Disaster Recovery Funding Arrangements Western Australia (DRFAWA).

Details of the Capital Works Program are provided in Attachment 4. The following are some of the more significant projects for 2022/23:

Recreation Facilities

- Kununurra Leisure Centre Aquatic Pool Upgrade \$9,000,000
- Kununurra Leisure Centre Squash Courts Air Conditioners Renewal \$150,000
- Wyndham (Clarrie Cassidy) Oval Change rooms \$800,000
- Wyndham (Clarrie Cassidy) Oval Surface Upgrade \$60,000

Airports

- East Kimberley Regional Airport Infrastructure Upgrade \$10,091,442
- East Kimberley Regional Airport - Cabin Baggage CT machine \$550,000
- East Kimberley Regional Airport Apron Lighting \$195,000
- East Kimberley Regional Airport Pavement Rejuvenation \$110,000
- Wyndham Airport Electrical System and Generator Replacement \$120,000

Roads and Drainage Infrastructure

- Weaber Plain Rd/Ironwood Drive intersection Reconstruction \$1,258,836
- Lake Argyle Road Shoulder and Reseal \$910,282
- Bandicoot Drive Renewal works Stage 3 \$766,960
- Lakeview Drive Kununurra Safety Improvements, Widening and lighting \$655,207
- Road Reseal Program 2022/23 \$400,000
- Nutwood and Rosewood Kerbing \$279,711
- St Peter Way Wyndham \$255,839

Footpaths

- Footpath Renewal Kununurra to Swim Beach \$175,030
- Kununurra Streetscape Coolibah Dr/Chestnut Ave Footpath Lighting, Landscaping and Reticulation \$150,000
- Kununurra Streetscape Footpath/Parking adjacent to Waterpark \$150,000

Other

- Public Convenience Renewals \$200,000
- Kununurra Childcare Security and Fencing upgrades \$70,000
- Kununurra Youth Centre Refurbishment \$58,000

Setting of materiality for monthly reporting

The *Local Government Act 1995* and associated regulations require the Council to set the materiality level at which explanations are required for variations between year to date budget and year to date actual figures. The materiality level established for 2021/22 was +/- 10% and +/- \$20,000 at account level (this is general ledger account number level), and +/- \$100,000 at a financial statement level. It is recommended that these materiality levels remain for 2022/23.

Summary

Council is being requested to adopt the 2022/23 Annual Budget and attached schedules as provided at Attachment 3. In addition to this separate Officer recommendations are included relating to the following:

1. Strategic Rating Policy and rating categories incorporated in the rate model for adoption
2. Differential Rates and Minimum Payments
3. Waste Management Charges
4. Waste Management Minimum Charges
5. Dates for payment of rates in full or by instalments
6. Rates Incentive Scheme prizes
7. Schedule of Fees and Charges
8. Rates instalment interest and administration charges
9. Interest on outstanding rates and service charges
10. Interest on monies other than rates or service charges
11. Elected Member annual fees and allowances
12. Materiality levels for Monthly Financial Reporting
13. Significant Accounting Policies

ATTACHMENTS

Attachment 1 - CP/FIN-3200 Strategic Rating Policy 2022-23

Attachment 2 - Schedule of Fees and Charges 2022-23

Attachment 3 - Statutory Budget 2022/23

Attachment 4 - Capital Works Schedule 2022/23

Attachment 5 - Ministerial Approval Differential Rates and Minimum Payments

(**Note:** Attachment 5 - this document has not been received from the Ministers Office as yet and it will be provided at the meeting.)

12.5. INFRASTRUCTURE

Nil

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

16. MATTERS BEHIND CLOSED DOORS

Nil

17. CLOSURE

The Meeting was declared closed at 5:39pm