



AGENDA

Ordinary Council Meeting

26 June 2024

Shire of Victoria Plains
Council Chambers, Calingiri
AND
via E-Meeting Protocol

Commencing – 2.00pm

DISCLAIMER:

The recommendations contained in this document are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

Recording of Meeting

Members of the public are advised that meetings of Council are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.

You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

E – Disclaimer

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

Commonly-used abbreviations

AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALSC	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALGA	WA Local Government Association
WSM	Works and Services Manager
WSFN	Wheatbelt Secondary Freight Network
EPA	Environmental Protection Authority
DPIRD	Department of Primary Industries and Regional Development
HCWA	Heritage Council of Western Australia
WAPC	Western Australian Planning Commission
WDC	Wheatbelt Development Commission

CONTENTS

1.	DECLARATION OF OPENING	5
1.1	Opening	5
1.2	Announcements by Shire President	5
2.	REMOTE ATTENDANCE BY ELECTED MEMBERS.....	5
3.	RECORD OF ATTENDANCE	6
4.	DISCLOSURES OF INTEREST	6
5.	PUBLIC QUESTION TIME	6
5.1	Public Questions With Notice.....	6
5.2	Public Questions Without Notice.....	6
6.	PRESENTATIONS AND DEPUTATIONS	7
6.1	Presentations	7
6.2	Deputations.....	7
7.	APPLICATIONS FOR LEAVE OF ABSENCE	7
8.	MINUTES OF MEETINGS	7
8.1	Confirmation of Council Meeting Minutes.....	7
9.	REPORTS REQUIRING DECISION	8
9.1	Accounts for Endorsement – May 2024	8
9.2	Monthly Financial Statements – May 2024	11
9.3	2024/2025 ANNUAL BUDGET – Fees and Charges, Elected Members Fees and Allowances, Financial Reporting Material Variances.....	18
9.4	Differential Rating 2024-2025	22
9.5	Review of Planning Delegations	25
9.6	Voting Delegates – WALGA AGM 9 October 2024	29
10.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	32
11.	NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION	32
12.	MEETING CLOSED TO PUBLIC	32
13.	CLOSURE OF MEETING	33



AGENDA NOTICE

Dear President and Councillors

NOTICE is given that the next Ordinary Meeting of the Shire of Victoria Plains Council Will be held in the Calingiri Shire Chambers and/or via E-meeting Protocol on **26 June 2024** commencing at 2.00pm

Sean Fletcher
Chief Executive Officer

1. DECLARATION OF OPENING

1.1 Opening

1.2 Announcements by Shire President

2. REMOTE ATTENDANCE BY ELECTED MEMBERS

THAT:

- Under regulation 14C (2)(b) of the Admin Regulations, the Shire President can approve Elected Member attendance by electronic means;
- In doing so, under r.14C (5) the Shire President must have regard as to whether the location that the Elected Member intends to attend the meeting, and the equipment intended to be used to attend the meeting, are suitable;
- Electronic means includes, as per r.14CA(2) by telephone or video conference;
- Suitable equipment would include an electronic device that can hold a Teams meeting, and perhaps, the use of headphones;
- In accordance with r.14CA (5) the Elected Member must declare that they are able to maintain confidentiality during the meeting. Under r.14CA(7), the declaration by the Elected Member is recorded in the minutes of the meeting;
- Summarily, according to Departmental guidance, a suitable location is one that is quiet and private e.g. a private room in your house. If there are other people at the location at the time of the meeting, an Elected Member may be required to close a door and wear headphones.

Approval to Attend and Declaration of Confidentiality

THAT:

Cr has been approved to attend the Ordinary Council Meeting by electronic means as approved by the Shire President and that a declaration has been received regarding confidentiality and other requirements as noted in Section 2 herewith.

3. RECORD OF ATTENDANCE

Members present

Staff attending

Apologies

Approved leave of absence

Visitors

Members of the public

4. DISCLOSURES OF INTEREST

Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.

<i>Type</i>	<i>Item</i>	<i>Person / Details</i>
-------------	-------------	-------------------------

4.1 Financial

4.2 Proximity

4.3 Impartiality

5. PUBLIC QUESTION TIME

Refer – Local Government Act, Regulations, Local Law and Submission Form & Guidelines circulated.

5.1 Public Questions With Notice

Public Question Time was opened to the floor at

5.2 Public Questions Without Notice

Public question time closed at

6. PRESENTATIONS AND DEPUTATIONS

6.1 Presentations

6.2 Deputations

7. APPLICATIONS FOR LEAVE OF ABSENCE

8. MINUTES OF MEETINGS

8.1 Confirmation of Council Meeting Minutes

Officer Recommendation

Moved:

Seconded:

That the Minutes of the following meeting:

- *Ordinary Council Meeting held 22 May 2024,*

as circulated, be **CONFIRMED** as a true and correct record,

For / Against

Public Agenda

9. REPORTS REQUIRING DECISION**9.1 Accounts for Endorsement – May 2024**

File reference	2348-6998		
Report date	06 June 2024		
Applicant/proponent	Nil		
Officer disclosure of interest	Nil		
Previous meeting references	Nil		
Prepared by	Glenn Deocampo – Coordinator Financial Services		
Senior Officer	Colin Ashe – Deputy Chief Executive Officer		
Authorised by	Sean Fletcher – Chief Executive Officer		
Attachments			
Attachment 1	Page	2	Schedule Attachments to Agenda

PURPOSE

This Item presents the attached List of Accounts Paid, paid under delegated authority, for May 2024.

BACKGROUND

As per Local Government Act and Financial Management Regulations.

COMMENT

Each month Council is to be advised of payments made during the preceding month, the amount, payee, date and reason for payment.

Please note a serial column has been added to the payment listing for ease of referencing specific line payment queries raised by council.

CONSULTATION

None

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.8(2)(b) – expenditure is to be reported to the next ordinary meeting of Council

Local Government (Finance) Regulations 1996 –

- r.13 Payments for municipal fund or trust fund
 - (1) the Chief Executive Officer is to provide a list of accounts paid from the Municipal fund or Trust fund, a list of all accounts paid each month showing for each account paid –
 - a) The payee's name
 - b) The amount of the payment
 - c) The date of the payment
 - d) Sufficient information to identify the transaction
 - (2) the listing to be presented to the Council at the next ordinary meeting of Council after preparation.

CORPORATE CONTEXT

Delegations Register –

- 3.2 – Municipal Fund and Trust Fund – Payments from Bank Accounts
 - o CEO authorised, subject to conditions
 - o compliance with legislation and procedures
 - o Minimum of 2 signatories with varying level of authorisation

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

Policy Implications

Policy Manual –

- 3.1 Purchasing Framework

Other Corporate Document

- N/A

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance	Extreme (5) Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers	Unlikely (2) The event could occur at some time	High (10)	Senior Management Team / CEO Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Policies and processes including preparation by Finance staff and two-step process for payment will ensure that the residual risk is moderate.

FINANCIAL IMPLICATIONS

All payments are in accordance Council’s adopted budget.

VOTING REQUIREMENTS

Absolute Majority Required: No

Officer Recommendation

Moved Cr _____

Seconded Cr _____

That the payments made for May 2024 from the Municipal Bank Account/Trust Bank Account as per the attached listing and summarised below, be **ENDORSED**:

Payment type	References from – to	\$ Amount
Creditor EFT Payments**	13165 – 13262	1,272,555.82
Creditor Cheque Payments	Nil	0.00
Direct Debit Payments**	DD14803-DD14832	48,951.57
Salaries & Wages EFT	PE 10/04/24, PE 24/04/2024	112,262.76
Credit Card–Bendigo Bank- Fuel Card – Wright Express	DD14837.1 DD14837.2	3,161.32 710.26
Trust Payments		0.00
TOTAL		\$1,437,641.73

Local Spending	\$	%
Local Supplier	49,478.31	3.44
Payroll	112,262.76	7.81
Total	161,741.07	11.25

**includes salary and wages deductions, and SGC

For _____ / Against _____

9.2 Monthly Financial Statements – May 2024

File reference	2348-10191		
Report date	18 June 2024		
Applicant/proponent	Shire of Victoria Plains		
Officer disclosure of interest	Nil		
Previous meeting references	Nil		
Prepared by	Colin Ashe, DCEO		
Authorised by	Sean Fletcher, CEO		
Attachments			
Attachment 1	Page	15	Monthly Financial Statements – 31 May 2024
Attachment 2	Page	36	Adjusted Statement of Financial Activity and Net Current Assets – 31 May 2024

PURPOSE

To receive the monthly financial statements for the period ending 31 May 2024.

BACKGROUND

Section 6.4 of the Local Government Act 1995 requires a Local Government to prepare financial reports.

The Local Government (Financial Management) Regulations 34 & 35 set out the form and content of the financial reports which have been prepared for the periods as above and are presented to Council for approval.

COMMENT

The May 24 Monthly Financial Statements have been prepared by shire staff as part of the transition from previously contractor provisioning.

For the first time the shire has transacted into overdraft with a slightly negative bank balance (\$5,466) as forecast in the preceding months. Whilst funding for some capital expenditure has now been received a number of projects that have been funded, need their funding replenished back into restricted funding or risk having a (deficit) closing balance at financial year end.

The accounting transactions are somewhat complicated as it involves reducing contract liabilities of funding that has been received in previous years and which the work has now been completed in 23-24 and increasing the same for those projects that have not. This is a similar process for contract assets. Normally RSM undertake both of these adjustments as a financial year-end process.

As this has not occurred as yet the 'unadjusted' Statement of Financial Activity will show a somewhat concerning deficit but an indicative adjustment will be made and explained on what the deficit figure should be in this report.

STATEMENT OF FINANCIAL ACTIVITY:

The month of May 24 references an actual deficit of **(\$1,041,120)** as shown on the Statement of Financial Activity which on the surface would be considered a concern but needs to be adjusted by the following.

Note 1 – Contract Assets

This depicts work that has been carried out, but funding has not been provided (hence an asset). The opening balance comprised of;

PROJECT	AMOUNT \$
LRCI Ph1	44,833
LRCI Ph2	57,161
AGLIME	100,790
TOTAL	202,784

This work has now been completed and funding provided so no longer an asset and reducing the balance.

In 23-24 the following work has been completed but funding not yet received:

PROJECT	AMOUNT \$
LRCI Ph3	88,002
LRCI Ph4	76,282
TOTAL	164,284

So the balance will increase by the above amount.

Note 1 – Contract (Other) Liabilities

This depicts (often) grant monies that have been received previously but not spent, often referred to as legacy items. The opening balance comprised an amount of \$1,212,823 of which \$1,170,370 has been expended initially reducing the shires liability as follows:

PROJECT	AMOUNT \$
R2R	185,596
LRCI Ph3	5,476
WSFN 005	445,228
WSFN 006	510,137
WSFN 007	23,933
TOTAL	1,170,370

However in 23-24 the shire has received the following grant monies which needs to be carried over into 24-25 to be expensed once completed, a liability in the sense it has been received but not expended:

PROJECT	AMOUNT \$
Waste Sorting	135,000
Traineeship	38,000
LRCI Ph4	228,847
WSFN	53,995
TOTAL	455,842

Of note, the WSFN of \$53,995 is basically the funding in excess of what has been expended. This may change depending on further engagement with WSFN hence the need to budget fully as provided in the budget 24-25 briefing session.

Placing all of these transactions into a running balance provides the adjusted (deficit):

May 24 Statement of Financial Activity		(1,041,120)
Contract Assets		
add work completed	(202,784)	
less work completed funds not received	164,284	(38,500)
Contract Liabilities		
add work completed	1,170,370	
less work to be completed	(455,842)	714,528
Adjust Surplus (Deficit)		<u>(365,092)</u>

The adjusted (deficit) is reflected to some extent to the current overdraft balance in the Municipal Account which at the time of writing is (\$246,296).

In summary, through the Statement of Activity, the operating aspects have performed well a showing a positive net amount. Where the variance and therefore deficit can be attributed to is budgeted Capital Grants not being received and the reduced Capital Expenditure has not been commensurate with this reduction.

FORECAST:

- In terms of the May 24 Financial Statements there is still some capital monies not reflected as to be received such as the final claim for Blackspot Funding.
- It is likely that Grants Commission monies will be received on or before 30 Jun 24 which will allow grant monies received to be cash backed and maintain an overall surplus.

NOTES TO ACCOUNT

The following provides a summary and explanation of the major notes in the May 24 Financial Statement.

Note 2 Cash and Financial Assets:

The current total cash position balance is \$959,821 with an Unrestricted Municipal Bank Balance of **(\$5,466)** and \$965,287 in Restricted Cash, the latter comprising:

- \$879,674 in Reserves.
- \$85,613 major grant funding received and quarantined.

The previous cashflow risk has now been realised as shown in the Unrestricted Municipal Bank noting the overdraft has been increased to \$500,000 to meet short term liquidity. Whilst not ideal, this is not unusual given the end of financial year approaching. To meet short term liquidity, some funds have been transferred from restricted assets in May 24 and if Grants Commissions monies is received, this will be replenished before EOFY.

Note 4 – Debtors:

An overall balance of \$146,050 of which 44% relates to rates receivable and 56% sundry debtors including GST receivable.

Rates outstanding of \$36,531 comprises of:

- \$20,675 or 56% are with or about to be with debt collectors.
- \$12,168 or 33% have arrangement plans, generally as part of councils' hardship policy.
- A collection rate of 99% of rates levied for 23-24.

Sundry Debtors of \$81,562 noting:

- 92% is current (i.e. due within 30 days) and includes ATO totalling \$69,610.

Note 5 Reserves:

Current balance is \$879,674 with major transfers transacted for Plant Replacement which has offset some of the capital cost. The term deposit has been rolled over for a further 6 months maturing on 05 Dec 24 at 4% interest.

Should Grants Commission monies be received, the budgeted transfers to Reserves will occur.

Note 7 – Capital Program

The entire capital program is virtually complete with the following to be completed before EOFY:

- Mogumber Hall – final invoice received and awaiting final inspection by EHO/PBS.
- Fire Fighting Units - planned to be completed by 30 Jun 24.
- Wongan, Calingiri- Carani East Road (Blackspot) – completed and final claim made.
- Mogumber-Yarawindah Rd – line marking completed and awaiting final invoice.
- E-Waste Transfer Station – planned to be completed by 30 Jun 24.

- RV Dump Point - planned to be completed by 30 Jun 24.
- Piawaning Desalination Bore / Plant - planned to be completed by 30 Jun 24.

The following items will be carried over into 24-25:

- 13 Lambert Flooring
- Prime Mover Float Refurbishment
- Tag Trailer
- Animal Pound Shelter – subject to successful grant funding.
- Mogumber-Yarawindah Rd Geotechnical Investigation – funding restricted and carried over to 24-25.
- LRCI Phase 4 – funding restricted and carried over to 24-25.

Note 10 – Grants and Subsidies

No major changes during May 24 for capital grant funding except for receipt of \$27,830 as the final LRCI Ph 2 payment.

Note 11 – Restricted Funding

As at 30 May 24 (\$327,325) needs to be transferred from the Municipal Account to cash back all funding that has been received and not been expended. This has been included in the adjusted (deficit) noted in earlier in this report.

Note 12 – LRCI Program

Phase 1 – completed.

Phase 2 – completed.

Phase 3 – completed.

Phase 4 – originally budget to fund sections of the Mogumber-Yarrawindah Rd but no longer required. Funds will be placed in Restricted Funding and form part of the 2024-25 budget.

Phase 4B – completed.

Note 13 – Local Government Grant Scheme (LGGS) – Bushfire ESL Grant

This is a new note added to the suite that provides the grant funding received through the ESL and expenditure against the grant. As at May 24 \$13,878 or 13% remains unspent.

Note 14 – Material Variances

This provides an explanation of variances in excess of 10% and \$10,000 as per council policy. The major negative variance is grant funding budgeted but not received.

CONSULTATION

Coordinator Financial Services
CEO

STATUTORY CONTEXT

Local Government (Financial Management) Regulations 1996 –

- r.34 – financial activity statement required each month and details of what is to be included.

CORPORATE CONTEXT

Delegations Register –
Section 3 – Financial Management

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

Policy Implications

Policy Manual –
- 3 Financial Management

Other Corporate Document

- N/A

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance	Extreme (5) Non-compliance results in litigation, criminal charges or significant damages	Unlikely (2) The event could occur at some time	High (10)	Senior Management Team / CEO Risk acceptable with excellent controls, managed by senior	Policies and processes including preparation by Finance staff ensure that the residual risk is moderate.

	or penalties to Shire/Officers			management / executive and subject to monthly monitoring	
--	--------------------------------	--	--	--	--

FINANCIAL IMPLICATIONS

None

VOTING REQUIREMENTS

Absolute Majority Required: No

Officer Recommendation / Council Resolution

Moved Cr _____

Seconded Cr _____

That Council **RECEIVE** the 31 May 2024 Monthly Financial Reports as presented.

For _____ / Against _____

Public Agenda

9.3 2024/2025 ANNUAL BUDGET – Fees and Charges, Elected Members Fees and Allowances, Financial Reporting Material Variances

File reference	2348-8921		
Report date	04 June 2024		
Applicant/proponent	Shire of Victoria Plains		
Officer disclosure of interest	NIL		
Previous meeting references	N/A		
Prepared by	Colin Ashe, Deputy CEO		
Authorised by	Sean Fletcher, CEO		
Attachments			
Attachment 1	Page	38	2024/2025 Fees and Charges Schedule

PURPOSE

To consider and adopt the Fees and Charges schedule for the 2024/2025 financial year, setting of elected members fees and material variance thresholds for the year as part of the budget process.

BACKGROUND

In previous years the Annual Statutory Budget and supporting schedules have been prepared on block but as per 2023-24, there is an opportunity to split this process to adopt:

- fees and charges.
- elected members fees and allowances.
- financial reporting material variances.

This will somewhat streamline the formal budget adoption later in the year.

COMMENT

Fees and Charges 2024/25:

The draft fees and charges for 2024/2025 have been reviewed and circulated to staff and management with a recommendation of broadly no increase to assist with the cost of living to ratepayers and residents with the exception of any increase in statutory charges, rental and refuse charges.

Refuse charges are recommended to increase by 8% in line with the likely rate increase. Recycling charges are recommended to continue in accordance with the rating strategy and policy which requires parity in 2024-25. The prime reasoning behind this is the cost of recycling is the same as refuse collection (with an argument that it actually costs more).

Sewerage charges are also recommended to increase by 8% for consistency with these charges provided in the table below:

Amount	Measure		GST
Rubbish Removal Charge - Domestic/Commercial			
General Waste - Weekly Service	bin	No	\$ 250.00
- Additional service	bin	No	\$ 250.00
Recycling - Fortnightly Service	bin	No	\$ 250.00
- Additional Service	bin	No	\$ 250.00
Sewerage Scheme Charge			
- Calingiri		No	\$ 267.00
- Yerecoin		No	\$ 267.00

Other areas of note include;

- Changes in statutory charges for swimming pool inspections.
- An additional category of gym charges for sporting clubs to utilise the facility during inclement weather.
- Rental charge increase for APU's in accordance with the Department of Communities recommendation.
- Increases in orders and requisitions for property sales based on recommendations from staff who indicate complex settlements can require significant research.

The full schedule of fees and charges is provided in attachment 1 and streamlined from the previous year.

Councillor Fees and Charges:

Council Fees and Allowances are primarily dictated by the SAT and for 2024/25 this has been advised as a 4% increase. Previously council has resolved to pay an annual fee rather than an attendance fee and this is prescribed as a maximum and minimum. For Band 4 local governments the range is between \$3,884 and \$10,286 and it is recommended this method continue for 2024/25 using the advised increase as a guide. The following table provides a comparison and recommendation for 2024-25:

Attendance Fee	2023-24 \$	2024-25 \$
President	7,615	7,850
Deputy President	7,615	7,850
Councillors	7,615	7,850
Allowance for President and Deputy President		
President	10,200	10,500
Deputy President (25% of President Allowance)	2,550	2,650
Other:		
Telecommunications Allowance	7,500	7,500
Travelling Reimbursements	2,000	2,000

Noting the recommended increase in attendance fees, President and Deputy President allowances is below 4%, there will also be an increase in the telecommunication allowance per councillor due to the reduction in council members from 2023-24.

Material Variances:

Financial Reporting of material variances is a requirement under regulation 34(5) of the Local Government (Financial Management) Regulations 1996 of which it is recommended for change to a threshold of 10% and a minimum of \$10,000.

CONSULTATION

CEO
Senior Management and Consultants
All Other Staff

STATUTORY CONTEXT

Section 5.99 of the Local Government Act 1995 and regulation 34 of the Local Government (Administration) Regulations 1996.
5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996.
6.2 (4) (c) of the Local Government Act 1995 (*Fees and Charges*).
Regulation 34(5) of the Local Government (Financial Management) Regulations 1996 (*Materiality levels*).

CORPORATE CONTEXT

Section 3 – Financial Management

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

FINANCIAL IMPLICATIONS

fees and charges, elected members fees and allowances and financial reporting material variances will all impact the 2024/25 budget and its subsequent adoption.

VOTING REQUIREMENTS

Absolute majority required: **Yes** for some of the parts of the recommendations.

OFFICER RECOMMENDATION

Moved Cr _____

Seconded Cr _____

That Council adopt:

1. Fees and Charges schedule for 2024/25 as set out in attachment 1.
2. The following annual fees for payment of elected members in lieu of individual meeting attendance fees:

President	\$7,850
Deputy President	\$7,850
Councillors	\$7,850

Telecommunications Allowance \$7,500

Travelling Reimbursements \$2,000

President and Deputy President annual local government allowance to be paid in addition to the annual meeting allowance:

President	\$10,500
Deputy President	\$2,650

ABSOLUTE MAJORITY REQUIRED

The level to be used in statements of financial activity in 2024/2025 for reporting material variances shall be 10% and a minimum of \$10,000.

SIMPLE MAJORITY

9.4 Differential Rating 2024-2025

File reference	2348-9862		
Report date	13 Jun 24		
Applicant/proponent	Shire of Victoria Plains		
Officer disclosure of interest	Nil		
Previous meeting references	June 23		
Prepared by	Colin Ashe, DCEO		
Authorised by	Sean Fletcher, CEO		
Attachments			
Attachment 1	Page	51	Draft Statement of Objects and Reasons – Differential Rates 2024-2025

PURPOSE

To consider the continuation of differential rating for UV Mining 2024/2025.

BACKGROUND

The Rating Strategy and Rating Policy was endorsed by Council in Apr 23 and part of this was for UV mining. For the 2023-24 budget this was implemented with the intent for other rating strategies to be implemented in the future years.

As explained in the Jun 24 briefing session unfortunately other strategies have had to be delayed for a number of reasons but UV mining is still extant.

COMMENT

The Local Government Act s.6.36 requires that local public notice be given of the intention to adopt differential rates and this is to undertaken each year of imposition. Section 6.36(3)(b)(ii) states the period of local public notice to be 21 days, meaning the day after the day of publication is the first day. All other requirements of local public notice remain unmodified.

Presuming adoption of the Statement of Objects and Reasons – Differential Rates 2024-2025 at this meeting, the following timelines will be applied:

27 Jun 24 – local public notice advertising.

28 Jun 24 – 21 days commences.

19 Jul 24 – submissions close (allowing for an additional day).

Submissions can then be considered post 22 Jul 24 noting the 19 Jul 24 is a Friday.

Adoption of the rate/\$ and minimums with this consideration will not occur until the Budget meeting, indicatively planned for 24 July 24.

The draft Statement attached is based on –

Unimproved Value	2023/24		Proposed 2024/25	
	Rate / \$	Minimum payment	Rate / \$	Minimum payment
Agricultural	0.005673	\$673.90	0.004715	\$728.00
Commercial / Industrial > 5 ha			No assessments at this time	
Mining / Other	0.01134	\$1,347.80	0.009430	\$1,456.00

Where the differential is more than 2 times the general rate/\$ or minimum, Ministerial approval is required. It should be noted that the Statement of Objects and Reasons – Differential Rates 2024-2025 includes details on proposed GRV rating for context and is not subject to differential rating.

Should differential rating be approved, there are statutory disclosure requirements in both the annual budget and annual report documents.

CONSULTATION

Sean Fletcher, Chief Executive Officer
Sue Bryan, Rates Officer

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.32 authority to impose rates and service charges
- s.6.33 differential rates
- s.6.35 minimum payment
- s.6.36 notice of certain rates

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

FINANCIAL IMPLICATIONS

The purpose of the Rating Strategy is to:

- establish a framework by which a fair and equitable share of property rates fees and charges are paid by property owners, for the services and infrastructure within the Shire of Victoria Plains and;
- create consistency amongst property rates and charges and their revenue for the Shire.

Differential rating particularly in the category of mining is the first step to achieve these outcomes and will yield an estimated \$78,624 of rate income for 24-25.

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation

Moved Cr _____

Seconded Cr _____

That Council –

- (a) **ENDORSE** the draft Statement of Objects and Reasons – Differential Rates 2024-2025, with the following proposed categories, rate/\$ and minimums –

Unimproved Value	2023/24		Proposed 2024/25	
	Rate / \$	Minimum payment	Rate / \$	Minimum payment
Agricultural	0.005673	\$673.90	0.004715	\$728.00
Commercial / Industrial > 5 ha			No assessments at this time	
Mining / Other	0.01134	\$1,347.80	0.009430	\$1,456.00

- (b) give local public **NOTICE** in accordance with the Local Government Act s.6.36 and Administration Regulation 3A(1);
- (c) the CEO **REPORT** on public submissions received to the Council meeting after the public submission period.

For _____ / Against _____

9.5 Review of Planning Delegations

File reference	2348-9875		
Report date	13 June 2024		
Applicant/proponent	CEO, Consultant Town Planner, Director General, Department of Planning, Lands and Heritage		
Officer disclosure of interest	N/A – Statutory Requirement		
Previous meeting references	Item 8.8 OCM May 2024 – Resolution 2207-5		
Prepared by	Mr Sean Fletcher, Chief Executive Officer		
Senior Officer	N/A		
Authorised by	CEO		
Attachments			
Attachment 1	Page	55	Letter – Reforms to Decision Making on Single Houses
Attachment 2	Page	58	Current Delegations 1.1.8, 10.2, 10.3 and 10.4
Attachment 3	Page	66	New Delegation 10.2

PURPOSE

That Council in acting on changes to the *Planning and Development Act 2005* from 1 July 2024 and recognising that the existing delegations require updating to reflect current requirements:

1. Revoke Delegations (Attachment 2):
 - a. 1.1.8 – Local Planning Scheme
 - b. 10.2 – Illegal Development
 - c. 10.3 – Control of Planning Matters
 - d. 10.4 – Applications for Subdivision and Amalgamation
2. Implement Delegation 10.2 (Attachment 3)

BACKGROUND

Earlier this year the Minister for Planning announced that a number of planning reforms would **commence on 1 July 2024**, including changes to local government roles and responsibilities in decision making on development applications for single houses.

The letter from the Director General Planning, Lands and Heritage (Attachment 1) states:

“This reform will see implementation of Part 4 of the Planning and Development Amendment Act 2023 supported by amendments to Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations that:

- Introduce a new section 257C into the *Planning and Development Act 2005*, which provides the ability for regulations to specify that certain types of development applications must be determined by the officers of the local government; and
- Amend Schedule 2 of the Regulations to specify that a single house development or any development associated with a single house such as additions, alterations, patios or carports, where not otherwise exempt, are to be determined by the Chief Executive Officer

(CEO) of the local government or other local government officer/s authorised by the CEO. This will not apply to any heritage protected place as defined in Schedule 2.”

As advised previously regarding the completion of the annual review of delegations at the May OCM, on the back of the changes to the Planning and Development Act, the author and the Consultant Town Planner, Mr Joe Douglas have reviewed the Shire’s planning delegations. The review takes into account the changes and also amends and improves, what are in effect outdated delegations, resulting in a consolidated instrument.

COMMENT

Mr Joe Douglas (the Shire’s consultant town planner) undertook the review of the delegations in consultation with the author and drafted the new delegation to replace them.

The Shire’s current approved delegations for town planning related matters (Attachment 2) clearly need to be amended to account for these impending legislative and regulatory changes from 1 July 2024. The current town planning delegations, which were not prepared by Mr Douglas, are also outdated and in need of significant improvement including consolidation.

A good, clear town planning delegation is important and helps to ensure compliant development applications, or ones proposing variations to Scheme standards and requirements with little to no impacts, can be dealt with efficiently, cost effectively and in a timely manner. They also allow for the processing of subdivision applications, subdivision clearances, Development Assessment Panel (DAP) applications, and general compliance related matters.

The draft delegation (Attachment 3) is in the new format recommended at the end of the Shire’s current Delegations Register and consolidates all current town planning related delegations into one (1) new delegation that is all encompassing, clearer and easier to use.

Summary of Changes

The summary of the changes recommended by the author are as follows:

Existing Delegation(s) to be Revoked (Attachment 2)	New Delegation 10.2 Control of Planning Matters (Attachment 3)	Other
1.1.8 Local Planning Scheme (CEO can delegate to enter/inspect a property)	Delegation 1.1.8 is not required as the CEO already has this power under cl.79 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	
10.2 Illegal Development – Issue Notices	Replaced by new Clause 6 - Directions Regarding Unauthorised Development	
10.3 Control of Planning Matters i.e. all planning matters and functions in accordance with appropriate legislation, Shire planning schemes and Shire policies	Replaced by Clauses 1, 2, 3, 4, 5, 6, 7	Clause 2.6 sets out those matters the CEO must refer to Council (except for single houses or any development associated with a single dwelling – excludes heritage places. Determining single housing applications is the CEO’s new power under the Planning and Development Act)

10.4 Applications for and Subdivision Amalgamation	Replaced by Clause 8	
--	----------------------	--

CONSULTATION

1. Mr Joe Douglas, Consultant Town Planner
2. Regulatory Services Team June Meeting (CEO, Mr Douglas, Mr Houston, Mrs Zenab Azam and Mrs Saoirse Kelly)

STATUTORY CONTEXT

Planning and Development Act 2005

As per the Background section in this report.

Local Government Act 1995 – Section 5.42

Delegations under the Local Government Act and the Planning and Development Act must be by an absolute majority.

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

Not applicable as legislative changes to planning are generally a tactical matter as opposed to a strategic one for the Shire.

Risk Analysis

It is imperative that the Shire has an appropriate and up to date planning delegation(s) in place to prevent Council (and the CEO) acting beyond its powers and with regard to matters being challenged at SAT or in the courts.

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance Lack of a clear and up to date delegation could see the Shire breach its planning responsibilities that may also prove costly	Major (4) \$250,001 to \$1,000,000	Unlikely (2) The event could occur at some time (10%) – at least once in 10 years	Moderate (8)	Service Manager Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Through the respective managers and town planning consultant in conjunction with the CEO reviewing matters at the monthly Regulatory Services meetings will see the residual risk move from moderate to low

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority required: **Yes**

Officer Recommendation

Moved Cr _____

Seconded Cr _____

That Council:

1. **REVOKE** Delegations (Attachment 2):

- a. 1.1.8 – Local Planning Scheme
- b. 10.2 – Illegal Development
- c. 10.3 – Control of Planning Matters
- d. 10.4 – Applications for Subdivision and Amalgamation

2. **IMPLEMENT** Delegation 10.2 (Attachment 3)

For _____ / Against _____

Public Agenda

9.6 Voting Delegates – WALGA AGM 9 October 2024

File reference	2348-9864		
Report date	13 June 2024		
Applicant/proponent	Western Australian Local Government Association		
Officer disclosure of interest	Nil		
Previous meeting references	N/A		
Prepared by	Mr Sean Fletcher, Chief Executive Officer		
Senior Officer	N/A		
Authorised by	CEO		
Attachments			
Attachment 1	Page	70	2024 Notice of WALGA AGM
Attachment 2	Page	72	2024 Guideline for the Submission of Member Motions
Attachment 3	Page	74	2024 AGM Member Motion Template

PURPOSE

For Council to appoint two voting delegates and two proxy delegates for the WALGA AGM to be held at the **Perth Convention and Exhibition Centre** on Wednesday, 9 October at 2:30PM.

BACKGROUND

WALGA holds its Annual General Meeting each year as part of the Local Government Convention (Local Government Week).

The CEO has received Notice of the Annual General Meeting, together with general information on the meeting and the guidelines for the preparation and submission of motions. WALGA will send to the author in due course a link to register the Voting Delegates.

The meeting will be held at the Perth Convention and Exhibition Centre.

Key dates are as follows:

- Thursday 8 August – Notice to CEO if there are proposed amendments to the Association Constitution;
- Friday, 23 August – Deadline to submit elected member motions for the AGM Agenda (via the local government CEO);
- Friday, 6 September – The Agenda will be published;
- Friday, 27 September – Close off of delegate registrations (though can be submitted up until the commencement of the AGM).

COMMENT

As per the background in this report.

CONSULTATION

Council Support Officer, Mrs Julie Klobas

STATUTORY CONTEXT

Nil

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

4. CIVIC LEADERSHIP	
4.1 Forward planning and implementation of plans to achieve community priorities	Performance against targets are regularly reported to the community
	We attend meetings of key local and regional organisations to jointly plan for our community
	Demonstrated progress towards achievement of the Corporate Business Plan
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councillors attend training and feel supported in their role
	Council is supported by a skilled team

Local Government Week is a key forum that allows the elected members to engage with other members of industry, AROC and the Avon-Midlands Zone, politicians and attend sessions that improve their understanding of issues before local government.

Risk Analysis

Where possible, the Shire of Victoria Plains should be represented at the WALGA AGM each year. It is important that the Shire is part of the industry’s key decision making process. However, the industry is generally well represented at the Convention and matters for inclusion in debate can be raised by others by way of example at the AGM. The Shire is also a member of the Zone and AROC.

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Reputation If the Shire does not submit its voting members, it will not be able to vote on the matters being considered, which may undermine how the Shire is viewed by the industry.	Insignificant (1) Unsubstantiated, low impact, no media involvement <u>Example</u> Gossip, Facebook item seen by limited persons	Unlikely (2) The event could occur at some time (10%) – At least once in 10 years	Low (2)	Supervisor/Team Leader Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	WALGA advises the CEO directly each year regarding the need for Council to register its delegates

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation

Moved Cr _____

Seconded Cr _____

That Council **APPOINTS** the following Voting Delegates for the 2024 WALGA Annual General Meeting:

1. Voting Delegates

Cr _____

Cr _____

2. Proxy Delegates

Cr _____

Cr _____

For _____ / Against _____

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11. NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION

Admitted by resolution of Council

12. MEETING CLOSED TO PUBLIC

Public Agenda

13. CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at _____ pm.

CERTIFICATION

These minutes were confirmed at the Ordinary Council Meeting held on _____
2024.

Signed _____ Date _____
(Presiding member at the meeting which confirmed the minutes)

**Council Minutes are unconfirmed until they have been adopted at the following meeting
of Council.**

Public Agenda