



MINUTES

Ordinary Council Meeting Tuesday, 16 July 2024

Date: Tuesday, 16 July 2024

Time: 4:00pm

**Location: Council Chambers
110 Massingham Street
Kellerberrin WA 6410**

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**MINUTES OF SHIRE OF KELLERBERRIN
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, 110 MASSINGHAM STREET, KELLERBERRIN WA 6410
ON TUESDAY, 16 JULY 2024 AT 4:00PM**

1 DECLARATION OF OPENING

The Chairperson declared the meeting open at 4.00pm

2 ACKNOWLEDGEMENT OF COUNTRY

We begin today by acknowledging the Ballardong Noongar people as traditional custodians of the land and skies on which we gather, and we pay our respects to their elders, past, present and emerging

3 ANNOUNCEMENT BY PRESIDING PERSON WITHOUT DISCUSSION

4 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

PRESENT:

President Matt Steber (President),
Cr Emily Ryan (Deputy President),
Cr David Leake,
Cr Dennis Reid,
Cr Monica Gardiner,

IN ATTENDANCE:

Raymond Griffiths (Chief Executive Officer),
Mick Jones (Manager Works & Services),
Brett Taylor (Senior Finance Officer)

APOLOGIES

Cr Paul Brown
Cr Kelsey Pryer
Morgan Ware (Manager of Governance)

LEAVE OF ABSENCE

Nil

5 DECLARATION OF INTEREST

Note: Under Section 5.60 – 5.62 of the Local Government Act 1995, care should be exercised by all Councillors to ensure that a “financial interest” is declared and that they refrain from voting on any matters which are considered may come within the ambit of the Act.

A Member declaring a financial interest must leave the meeting prior to the matter being discussed or voted on (unless the members entitled to vote resolved to allow the member to be present). The member is not to take part whatsoever in the proceedings if allowed to stay.

6 PUBLIC QUESTION TIME

Council conducts open Council meetings. Members of the public are asked that if they wish to address the Council that they state their name and put the question as precisely as possible. A maximum of 15 minutes is allocated for public question time. The length of time an individual can speak will be determined at the President’s discretion.

6.1 Response to Previous Public Questions taken on Notice

6.2 Public Question Time

7 CONFIRMATION OF PREVIOUS MEETINGS MINUTES

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 18 JUNE 2024

File Ref: MIN
Author: Michelle Wilson, Executive Assistant
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Minutes of the Council Meeting held on 18 June 2024

STAFF RECOMMENDATION

That the Minutes of the Council Meeting held on 18 June 2024 be received as a true and correct record of the meeting.

COUNCIL RESOLUTION

MIN 087/24 MOTION - Moved Cr. Reid Seconded Cr. Gardiner

That the Minutes of the Council Meeting held on 18 June 2024 be received as a true and correct record of the meeting.

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner
Against: Nil

CARRIED 5/0

8 PRESENTATIONS

8.1 Petitions

8.2 Presentations

8.3 Deputations

9 REPORTS OF COMMITTEES

Nil

10 CORPORATE SERVICES REPORTS

10.1 STATUS REPORT OF ACTION SHEET

File Ref:	Various
Author:	Michelle Wilson, Executive Assistant
Authoriser:	Raymond Griffiths, Chief Executive Officer
Attachments:	1. Status Report of Action Sheet July 2024 (under separate cover)

BACKGROUND

Council at its March 2017 Ordinary Meeting of Council discussed the use of Council's status report and its reporting mechanisms.

Council therefore after discussing this matter agreed to have a monthly item presented to Council regarding the Status Report which provides Council with monthly updates on officers' actions regarding decisions made at Council.

It can also be utilised as a tool to track progress on Capital projects.

STAFF COMMENT

This report has been presented to provide an additional measure for Council to be kept up to date with progress on items presented to Council or that affect Council.

Council can add extra items to this report as they wish.

The concept of the report will be that every action from Council's Ordinary and Special Council Meetings will be placed into the Status Report and only when the action is fully complete can the item be removed from the register. However, the item is to be presented to the next Council Meeting shading the item prior to its removal.

This provides Council with an explanation on what has occurred to complete the item and ensure they are happy prior to this being removed from the report.

TEN YEAR FINANCIAL PLAN

There is no direct impact on the long term financial plan.

FINANCIAL IMPLICATIONS

Financial Implications will be applicable depending on the decision of Council. However this will be duly noted in the Agenda Item prepared for this specific action.

STATUTORY IMPLICATIONS

NIL known at this time.

STAFF COMMENT

This report has been presented to provide an additional measure for Council to be kept up to date with progress on items presented to Council or that affect Council.

Council can add extra items to this report as they wish.

The concept of the report will be that every action from Council's Ordinary and Special Council Meetings will be placed into the Status Report and only when the action is fully complete can the item be removed from the register. However the item is to be presented to the next Council Meeting shading the item prior to its removal.

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TEN YEAR FINANCIAL PLAN

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FINANCIAL IMPLICATIONS

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STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

Section 2.7. The role of the council

- (1) The council —
 - (a) Directs and controls 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.

Section 2.8. The role of the mayor or president

- (1) The mayor or president —
 - (a) presides at meetings in accordance with this Act;
 - (b) provides leadership and guidance to the community in the district;
 - (c) carries out civic and ceremonial duties on behalf of the local government;
 - (d) speaks on behalf of the local government;
 - (e) performs such other functions as are given to the mayor or president by this Act or any other written law; and
 - (f) liaises with the CEO on the local government's affairs and the performance of its functions.
- (2) Section 2.10 applies to a councillor who is also the mayor or president and extends to a mayor or president who is not a councillor.

Section 2.9. The role of the deputy mayor or deputy president

The deputy mayor or deputy president performs the functions of the mayor or president when authorised to do so under section 5.34.

Section 2.10. The role of councillors

A councillor —

- (a) represents the interests of electors, ratepayers and residents of the district;
- (b) provides leadership and guidance to the community in the district;
- (c) facilitates communication between the community and the council;
- (d) participates in the local government's decision-making processes at council and committee meetings; and
- (e) performs such other functions as are given to a councillor by this Act or any other written law.

5.60. When person has an interest

For the purposes of this Subdivision, a relevant person has an interest in a matter if either —

- (a) the relevant person; or
- (b) a person with whom the relevant person is closely associated,
- (c) has —
 - (d) a direct or indirect financial interest in the matter; or
 - (e) a proximity interest in the matter.

[Section 5.60 inserted by No. 64 of 1998 s. 30.]

5.60A. Financial interest

For the purposes of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

5.60B. Proximity interest

(1) For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns —

- (a) a proposed change to a planning scheme affecting land that adjoins the person's land;
- (b) a proposed change to the zoning or use of land that adjoins the person's land; or
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

(2) In this section, land (**the proposal land**) adjoins a person's land if —

- (a) the proposal land, not being a thoroughfare, has a common boundary with the person's land;
- (b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
- (c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.

(3) In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No. 64 of 1998 s. 30.]

5.61. Indirect financial interests

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

5.62. Closely associated persons

(1) For the purposes of this Subdivision a person is to be treated as being closely associated with a relevant person if —

- (a) the person is in partnership with the relevant person; or
- (b) the person is an employer of the relevant person; or
- (c) the person is a beneficiary under a trust, or an object of a discretionary trust, of which the relevant person is a trustee; or
- (ca) the person belongs to a class of persons that is prescribed; or
- (d) the person is a body corporate —
 - (i) of which the relevant person is a director, secretary or executive officer; or
 - (ii) in which the relevant person holds shares having a total value exceeding —
 - (I) the prescribed amount; or
 - (II) the prescribed percentage of the total value of the issued share capital of the company,whichever is less;

or

(e) the person is the spouse, de facto partner or child of the relevant person and is living with the relevant person; or

(ea) the relevant person is a council member and the person —

- (i) gave a notifiable gift to the relevant person in relation to the election at which the relevant person was last elected; or
- (ii) has given a notifiable gift to the relevant person since the relevant person was last elected;

or

- (eb) the relevant person is a council member and since the relevant person was last elected the person —
 - (i) gave to the relevant person a gift that section 5.82 requires the relevant person to disclose; or
 - (ii) made a contribution to travel undertaken by the relevant person that section 5.83 requires the relevant person to disclose;
- or
- (f) the person has a relationship specified in any of paragraphs (a) to (d) in respect of the relevant person's spouse or de facto partner if the spouse or de facto partner is living with the relevant person.

(2) In subsection (1) —

notifiable gift means a gift about which the relevant person was or is required by regulations under section 4.59(a) to provide information in relation to an election;

value, in relation to shares, means the value of the shares calculated in the prescribed manner or using the prescribed method.

[Section 5.62 amended by No. 64 of 1998 s. 31; No. 28 of 2003 s. 110; No. 49 of 2004 s. 51; No. 17 of 2009 s. 26.]

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;
 - (b) an interest in the imposition of any rate, charge or fee by the local government;
 - (c) an interest relating to 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;
 - (d) an interest relating to the pay, terms or conditions of an employee unless —
 - (i) the relevant person is the employee; or
 - (ii) either the relevant person's spouse, de facto partner or child is the employee if the spouse, de facto partner or child is living with the relevant person;
 - [(e) deleted]*
 - (f) an interest arising only because the relevant person is, or intends to become, a member or office bearer of a body with non-profit making objects;
 - (g) an interest arising only because the relevant person is, or intends to become, a member, office bearer, officer or employee of a department of the Public Service of the State or Commonwealth or a body established under this Act or any other written law; or
 - (h) a prescribed interest.
- (2) If a relevant person has a financial interest because the valuation of land in which the person has an interest may be affected by —
 - (a) any proposed change to a planning scheme for any area in the district;
 - (b) any proposed change to the zoning or use of land in the district; or
 - (c) the proposed development of land in the district,

then, subject to subsection (3) and (4), the person is not to be treated as having an interest in a matter for the purposes of sections 5.65, 5.70 and 5.71.

- (3) If a relevant person has a financial interest because the valuation of land in which the person has an interest may be affected by —
 - (a) any proposed change to a planning scheme for that land or any land adjacent to that land;
 - (b) any proposed change to the zoning or use of that land or any land adjacent to that land; or
 - (c) the proposed development of that land or any land adjacent to that land,

then nothing in this section prevents sections 5.65, 5.70 and 5.71 from applying to the relevant person.

- (4) If a relevant person has a financial interest because any land in which the person has any interest other than an interest relating to the valuation of that land or any land adjacent to that land may be affected by —
- any proposed change to a planning scheme for any area in the district;
 - any proposed change to the zoning or use of land in the district; or
 - the proposed development of land in the district,

then nothing in this section prevents sections 5.65, 5.70 and 5.71 from applying to the relevant person.

- (5) A reference in subsection (2), (3) or (4) to the development of land is a reference to the development, maintenance or management of the land or of services or facilities on the land.

[Section 5.63 amended by No. 1 of 1998 s. 15; No. 64 of 1998 s. 32; No. 28 of 2003 s. 111; No. 49 of 2004 s. 52; No. 17 of 2009 s. 27.]

[5.64.] Deleted by No. 28 of 2003 s. 112.]

5.65. Members' interests in matters to be discussed at meetings to be disclosed

- (1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest —
- in a written notice given to the CEO before the meeting; or
 - at the meeting immediately before the matter is discussed.

Penalty: \$10 000 or imprisonment for 2 years.

- (2) It is a defence to a prosecution under this section if the member proves that he or she did not know —
- that he or she had an interest in the matter; or
 - that the matter in which he or she had an interest would be discussed at the meeting.
- (3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.66. Meeting to be informed of disclosures

If a member has disclosed an interest in a written notice given to the CEO before a meeting then —

- before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matters to which the disclosure relates are discussed.

[Section 5.66 amended by No. 1 of 1998 s. 16; No. 64 of 1998 s. 33.]

5.67. Disclosing members not to participate in meetings

A member who makes a disclosure under section 5.65 must not —

- preside at the part of the meeting relating to the matter; or
- participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under section 5.68 or 5.69.

Penalty: \$10 000 or imprisonment for 2 years.

5.68. Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter —
- may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and

- (b) may allow, to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if —
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest —
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers.
- (2) A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3) This section does not prevent the disclosing member from discussing, or participating in the decision making process on, the question of whether an application should be made to the Minister under section 5.69.

5.69. Minister may allow members disclosing interests to participate etc. in meetings

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the council or the CEO may apply to the Minister to allow the disclosing member to participate in the part of the meeting, and any subsequent meeting, relating to the matter.
- (2) An application made under subsection (1) is to include —
 - (a) details of the nature of the interest disclosed and the extent of the interest; and
 - (b) any other information required by the Minister for the purposes of the application.
- (3) On an application under this section the Minister may allow, on any condition determined by the Minister, the disclosing member to preside at the meeting, and at any subsequent meeting, (if otherwise qualified to preside) or to participate in discussions or the decision making procedures relating to the matter if —
 - (a) there would not otherwise be a sufficient number of members to deal with the matter; or
 - (b) the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- (4) A person must not contravene a condition imposed by the Minister under this section.

Penalty: \$10 000 or imprisonment for 2 years.

[Section 5.69 amended by No. 49 of 2004 s. 53.]

5.69A. Minister may exempt committee members from disclosure requirements

- (1) A council or a CEO may apply to the Minister to exempt the members of a committee from some or all of the provisions of this Subdivision relating to the disclosure of interests by committee members.
- (2) An application under subsection (1) is to include —
 - (a) the name of the committee, details of the function of the committee and the reasons why the exemption is sought; and
 - (b) any other information required by the Minister for the purposes of the application.
- (3) On an application under this section the Minister may grant the exemption, on any conditions determined by the Minister, if the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- (4) A person must not contravene a condition imposed by the Minister under this section.

Penalty: \$10 000 or imprisonment for 2 years.

[Section 5.69A inserted by No. 64 of 1998 s. 34(1).]

5.70. Employees to disclose interests relating to advice or reports

- (1) In this section —

employee includes a person who, under a contract for services with the local government, provides advice or a report on a matter.

- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.
- (3) An employee who discloses an interest under this section must, if required to do so by the council or committee, as the case may be, disclose the extent of the interest.

Penalty: \$10 000 or imprisonment for 2 years.

5.71. Employees to disclose interests relating to delegated functions

If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and —

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and
- (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter.

Penalty: \$10 000 or imprisonment for 2 years.

STRATEGIC COMMUNITY PLAN

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

- 1. Relationships that bring us tangible benefits (to the Shire and our community)
- 2. Our lifestyle and strong sense of community
- 3. We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

COMMUNITY CONSULTATION

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Manager Works and Services
- Council Staff
- Council
- Community Members.

STAFF RECOMMENDATION

That Council receive the status report.

COUNCIL RESOLUTION

MIN 088/24 MOTION - Moved Cr. Leake Seconded Cr. Ryan

That Council receive the status report.

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

CARRIED 5/0

10.2 KEEPING OF THREE DOGS - 24 HAMMOND STREET

File Ref: A1683, ICR243212
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Shire of Perenjori Approval Letter

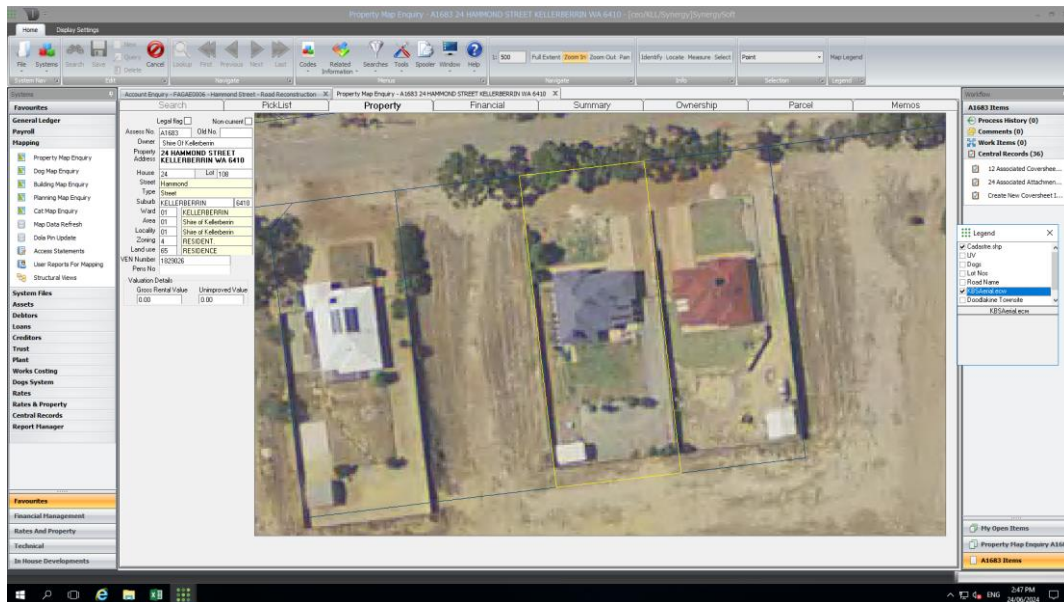
BACKGROUND

Council on the Friday, 21st June 2024 received an emailed to Council for the application to keep three (3) dogs at 24 Hammond Street, Kellerberrin.

The property is owned by the Shire of Kellerberrin and is allocated to the Officer in Charge of Police for the Kellerberrin Station. The new Sargeant is relocating from Perenjori and currently has three (3) dogs and is seeking permission to have them reside at 24 Hammond Street, Kellerberrin.

Attached is the permission that Nathan received from the Shire of Perenjori for the keeping of three dogs at a residential property.

STAFF COMMENT



Tag No	Name of Dog	Desc.	Colour Marking	Sex	Sterilised	Owner Other Name	Owner Surname	Microchip No
LT11131	Flip	Kelpie X	Tan/Black	Female	Yes	Nathan	Good	953010001248436
LT10141	Jim	Rottwiler	Black/Tan	Male	Yes	Nathan	Good	981000300708899
24012	Doug	Rotti X	Tan	Male	Booked for Sterilisation in August 2024.	Nathan	Good	953010100696250

Doug is registered until the 31st October 2024 though on completion of being sterilised Doug will be registered for a life time.

The property at 24 Hammond Street has secure fencing and will host all three (3) dogs without any issues for neighbours.

TEN YEAR FINANCIAL PLAN

Nil (not applicable at this date and therefore unknown)

FINANCIAL IMPLICATIONS

All adult dogs are required to be registered with the Council and an annual registration fee is payable, with two dogs currently registered as life registrations.

The third dog hasn't been registered or paid for at this time.

STATUTORY IMPLICATIONS

- Dog Act 1976 as amended

Part V — The keeping of dogs

26. Limitation as to numbers

- (1) The provisions of this Part shall not operate to prevent the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age.
- (2) Subject to subsection (1), a local government, pursuant to local laws, may limit the number of dogs over the age of 3 months, or the number of such dogs of any specified breed or kind, that may be kept on any premises situate in a specified area to which those local laws apply unless those premises are licensed as an approved kennel establishment or are exempt.
- (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —
 - (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;
 - (b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and
 - (c) may be revoked or varied at any time.

- (4) Subject to the provisions of subsection (3), a person who keeps on any premises, not being premises licensed as an approved kennel establishment, dogs over the age of 3 months in numbers exceeding any limit imposed in relation to those dogs by a local law made under subsection (2) commits an offence.

Penalty: \$1 000 and a daily penalty of \$100.

- (5) Any person who is aggrieved —

- (a) by the conditions imposed in relation to any exemption from the provisions of a local law placing a limitation on the number of dogs that may be kept on any premises; or
(b) by the refusal of a local government to grant such an exemption, or by the revocation of an exemption,

may apply to the State Administrative Tribunal for a review of the decision.

- (6) An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.

[Section 26 amended by No. 23 of 1987 s. 22; No. 14 of 1996 s. 4; No. 24 of 1996 s. 16; No. 55 of 2004 s. 256 and 268.]

Shire of Kellerberrin Dogs Local Law 2012

EXTRACT from "Dogs Local Laws"

PART 3—REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

3.1 Dogs to be confined

- (1) An occupier of premises on which a dog is kept must—

- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
(b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
(c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;
(d) maintain the fence and all gates and doors in the fence in good order and condition; and
(e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.

- (2) Where an occupier fails to comply with subclause (1), he or she commits an offence.

Penalty: Where the dog kept is a dangerous dog, \$2,000; otherwise \$1,000.

3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been—

- (a) licensed under Part 4 as an approved kennel establishment; or
(b) granted an exemption under section 26(3) of the Act.

- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act—

- (a) two dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or

- (b) four dogs over the age of 3 months and the young of those dogs under that age if the premises is situated outside a townsite.

STRATEGIC COMMUNITY PLAN

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

- 1. Relationships that bring us tangible benefits (to the Shire and our community)
- 2. Our lifestyle and strong sense of community
- 3. We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

COMMUNITY CONSULTATION

The following Community Consultation has been undertaken;

- Chief Executive Officer;

STAFF RECOMMENDATION

That Council approves the keeping of three dogs at 24 Hammond Street Kellerberrin subject to the following conditions:-

- 1. *Maintenance of suitable fencing to contain the dog;*
- 2. *The dogs not causing a nuisance. This includes barking, odours emanating from the yard or house due to accumulated faeces and or urine etcetera, intimidation of lawful passers-by by the demonstration of aggressive behaviour by the dogs either singly or in concert;*
- 3. *The approval becomes **void** if any “condition” is breached and the approval is not transferable to another property or persons; and*
- 4. *The approval does not entitle the holder to replace any of the existing dogs in the event of loss, sale or dogs are given away.*

COUNCIL RESOLUTION

MIN 089/24 MOTION - Moved Cr. Gardiner Seconded Cr. Reid

That Council approves the keeping of three dogs at 24 Hammond Street Kellerberrin subject to the following conditions:-

- 1. ***Maintenance of suitable fencing to contain the dog;***
- 2. ***The dogs not causing a nuisance. This includes barking, odours emanating from the yard or house due to accumulated faeces and or urine etcetera, intimidation of lawful passers-by by the demonstration of aggressive behaviour by the dogs either singly or in concert;***
- 3. ***The approval becomes void if any “condition” is breached and the approval is not transferable to another property or persons; and***
- 4. ***The approval does not entitle the holder to replace any of the existing dogs in the event of loss, sale or dogs are given away.***

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

CARRIED 5/0

10.3 2024/2025 BUDGET ADOPTION

File Ref: FIN04
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

Council’s Roadworks Advisory Committee Meeting June 2024 – 18th June 2024

MIN 004/24 MOTION - Moved Mr. Gardiner Seconded Mr. Tiller

That the Roadworks Advisory Committee;

- *Endorse the following proposed capital works for the 2024/25 Roadworks program and request these program be presented to Council for incorporation into its 2024/2025 Draft Budget;*
 - *Doodlakine South Road – RRG*
 - *Goldfields Road – Commodity Route*
 - *Sewell Street – RTR*
 - *Hammond Street – RTR*
 - *Scott Street – RTR*

CARRIED 7/0

Council’s June 2024 Ordinary Meeting of Council – 18th June 2024

MIN 001/24 MOTION - Moved Cr. Pryer Seconded Cr. Leake

That Council;

1. *Adopts the fees and charges for 2024/25 as presented; and*
2. *Include the fees and charges in the 2024/25 Draft Budget.*

**CARRIED 7/0
 BY ABSOLUTE MAJORITY**

Council’s May 2024 Confidential Meeting of Council – 21st May 2024

MIN 052/24 MOTION - Moved Cr. Pryer Seconded Cr. Reid

That Council:

1. *Receives the Salaries and Wages schedule as presented.*
2. *Instructs Council’s Chief Executive Officer to incorporate the Draft Salary and Wages Budget as presented into Council’s 2024/25 Draft Budget.*

**CARRIED 7/0
 BY ABSOLUTE MAJORITY**

Council’s May 2024 Ordinary Meeting of Council – 21st May 2024

MIN 058/24 MOTION - Moved Cr. Pryer Seconded Cr. Reid

That Council endorses the following rating information and charges to be incorporated into the 2024/2025 draft budget.

1. **Option**

<i>Option A - One Payment</i>	<i>Due By 23rd August 2024</i>
<i>Option B – 2 Instalment Option</i>	<i>50% due 23rd August 2024</i>
	<i>50% due 3rd January 2025</i>
<i>Option C – 4 Instalment Option</i>	<i>25% due 23rd August 2024</i>
	<i>25% due 25th October 2024</i>

25% due 3rd January 2025

25% due 7th March 2025

Option D – Special Arrangement

Arrangements made prior to 23rd August 2024 as per approved payment arrangement ensuring rates are paid off in full as soon as possible with the final payment being no later than 30 June 2025.

- 2. Instalment option is offered for rubbish charges - no instalment interest or penalty interest to apply.**
- 3. Administration fee of \$5.00 per reminder rate notice (Options B and C)**
- 4. Instalment interest to be levied at 5.5%.**
- 5. Late payment penalty interest to be levied at 7% for Rates and Emergency Services Levy for all outstanding rates from 23rd August 2024.**
- 6. That rate incentives prizes be offered to ratepayers for early payment of rates within 35 days at no cost to Council.**
- 7. The draft rate model two (2) incorporating an average 6.15% rate increase in the total revenue received for rates across all categories.**
- 8. Acknowledge the following rate in the dollars to facilitate the above rate increases in the total rate revenue.**
 - 1. GRV - Kellerberrin Residential – decreases to 0.127950c and minimum to \$924.00.**
 - 2. GRV - Other Residential – decreases to 0.127950c minimum to \$924.00.**
 - 3. GRV – Commercial – decreases to 0.130000c minimum to \$1,013.00.**
 - 4. GRV – Industrial - decreases 0.130000c minimum to \$1,013.00.**
 - 5. UV - Mining Tenements – decreases to 0.011185c minimum to \$924.00.**
 - 6. UV – Rural – decreases to 0.011185c minimum to \$924.00.**
- 7. 9. Acknowledge differential Rating for GRV Industrial and Commercial properties as shown in model 2, and the DLG is informed of this prior to budget adoption for 24/25.**

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

Council’s May 2024 Ordinary Meeting of Council – 21 st May 2024
--

MIN 05/24 MOTION - Moved Cr. Brown Seconded Cr. Pryer

That Council resolve to:

- 1. Advertise the following differential rates and minimum rate for the 2024/2025 financial year.**

Gross Rental Value Properties		
Description	Rate in \$	Minimum Rate
Kellerberrin Residential	\$0.127950	\$ 924.00
Other Residential	\$0.127950	\$ 924.00
Kellerberrin Commercial	\$0.130000	\$1013.00
Other Commercial	\$0.130000	\$1013.00
Unimproved Value Properties		
Mining Tenements	\$0.011185	\$ 924.00
Rural	\$0.011185	\$ 924.00

- 2. Adopt the Objects and Reasons for the differential rate as shown in the attachment presented.**

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

Against: Nil

CARRIED 7/0 Council’s April 2024 Ordinary Meeting of Council – 16th April 2024

MIN 002/24 MOTION - Moved Cr. Pryer Seconded Cr. Leake
That Council approve the following Community Budget Submissions for 2024/2025;

Local Sporting/Community Group	Council Approval
Kellerberrin Golf Club	<i>In kind – Plant & Labour</i>
Kellerberrin Riding & Pony Club	<i>In kind – Plant & Labour</i>
Kellerberrin Playgroup	<i>In kind – Plant & Labour</i>
Kellerberrin District High School	<i>In kind – Facilities & Equipment</i>
Kellerberrin CRC	\$2,802.70
Kellerberrin Town Teams	\$1,677.50

CARRIED 7/0

COMMENT

Council in producing the 2024/2025 budget has seen some similar challenges to last year with the Federal Government paying our approximately 85% of Councils FAG grants.

There has been significant increases in expenditure with CPI increases of around 4% and more being passed on by all service providers.

The budget has a significant Capital Program through its Roads program, Plant and infrastructure renewal.

Council since receiving the Roadworks Budget from the Roadworks Advisory Committee received advice from the Federal Government that it was successful in its Heavy Vehicle Safety Productivity Program (HVSP) funding to complete Goldfields Road to the tune of \$1,410,500 which is an extension of the current programmed works for the 24/25 year. The total cost of the program is \$1,935,500 with Council’s contribution being \$175,000 as the other \$350,000 is Commodity Route funding.

TEN YEAR FINANCIAL PLAN

Long term financial plan has been incorporated into the budget with modifications.

FINANCIAL IMPLICATIONS

The Shire of Kellerberrin 2024/2025 Budget

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

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 installments; or
 - (b) Such other method of payment by installments 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 installments 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 installments under subsection (1) or (2);
 - (b) prescribe circumstances in which payments may or may not be made by installments;
 - (c) prohibit or regulate any matters relating to payments by installments;
 - (d) provide for the time when, and manner in which, installments are to be paid;
 - (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.

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*

Local Government Act 1995

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

- (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
 - (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;
 - (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;
 - (b) the contents of the annual budget; and
 - (c) the information to be contained in or to accompany the annual budget.

[Section 6.2 amended by No. 49 of 2004 s. 42(8) and 56.]

STRATEGIC COMMUNITY PLAN

Council's Vision – To welcome diversity, culture and industry; promote a safe and prosperous community with a rich, vibrant and sustainable lifestyle for all to enjoy.

Core Drivers - Core drivers identify what Council will be concentrating on as it works towards achieving Council's vision. The core drivers developed by Council are:

1. *Relationships that bring us tangible benefits (to the Shire and our community)*
2. *Our lifestyle and strong sense of community.*
3. *We are prepared for opportunities and we are innovative to ensure our relevancy and destiny*

COMMUNITY CONSULTATION

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Senior Finance Officer
- Manager Works & Services
- Roadworks Advisory Committee
- Council

STAFF RECOMMENDATION

That Council:

PART A – MUNICIPAL FUND BUDGET FOR 2024/2025

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*, the council adopt the Municipal Fund Budget as contained in the Attachments of this agenda and the minutes, for the Shire of Kellerberrin for the 2024/2025 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type and by Program;
- *Statement of Cash Flows of the Statutory Budget.*
- *Rate Setting Statement of the Statutory Budget showing an amount required to be raised from rates of \$2,668,133..*
- *Notes to and Forming Part of the Budget*
- *Budget Program Schedules as detailed in attachments*
- *Transfers to / from Reserve Accounts as detailed*

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, council pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following differential general rates and minimum payments on Gross Rental and Unimproved Values. 1.1. General Rates*
 - Kellerberrin Residential (GRV) 12.7950 cents in the dollar
 - Other Residential (GRV) 12.7950 cents in the dollar
 - Kellerberrin Commercial (GRV) 13.0000 cents in the dollar
 - Other Commercial (GRV) 13.0000 cents in the dollar
 - Rural (UV) 1.1185cents in the dollar
 - Mining (UV) 1.1185 cents in the dollar
 - Kellerberrin Residential (GRV) \$924
 - Other Residential (GRV) \$924
 - Kellerberrin Commercial (GRV) \$1,003
 - Other Commercial (GRV) \$1,003
 - Rural (UV) \$924
 - Mining Tenements (UV) \$924
2. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, council nominates the following due dates for the payment in full by instalments:
 - Full payment and instalment due date 23rd August 2024
 - 2nd half instalment (Option 2) due date 3rd January 2025
 - 2nd quarterly instalment due date 25th October 2024
 - 3rd quarterly instalment due date 3rd January 2025
 - 4th quarterly instalment due date 7th March 2025
3. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$5.00 for each instalment after the initial instalment is paid.
4. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 68 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 5% where the owner has elected to pay rates and service charges through an instalment option.
5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 7% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

PART C – GENERAL FEES AND CHARGES FOR 2024/2025

Pursuant to Section 6.16 of the *Local Government Act 1995*, council adopts the Fees and Charges included, inclusive of the draft 2024/2025 budget included as Attachments of this agenda and minutes.

PART D – OTHER STATUTORY FEES FOR 2024/2025

1. Pursuant to Section 53 of the *Cemeteries Act 1986* the council adopts the Fees and Charges for the Kellerberrin Cemetery
2. Pursuant to Section 245A(8) of the *Local Government (Miscellaneous Provisions) Act 1960* the council adopts a swimming pool inspection fee of \$58.45 inclusive of GST.
3. Pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, council adopt the following charges for the removal and deposit of domestic and commercial waste:
 - a. Residential Premises
 - i. 240ltr bin per weekly collection \$260 pa
 - ii. Additional Bins \$285 pa

- b. Commercial Premises
 - i. 240ltr bin per weekly collection \$260 pa
 - ii. Additional Bins \$285 pa

SIMPLE MAJORITY

- 4. Pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, and Section 6.16 of the *Local Government Act 1995* council adopt the following charges for the deposit of domestic and commercial waste:
 - a. Kellerberrin Waste Transfer Station

Load or volume:

- Trailer (6 x 4) – First Per Annum – Free
- Trailer (6 x 4) – After First Load Per Annum – \$30.00
- Trailer (8 x 5) – First Per Annum – Free
- Trailer (8 x 5) – After First Load Per Annum – \$40.00
- Commercial waste (per cubic metre) – Cost Recovery Plus 5%
- Bed Mattress - \$55 per mattress

PART E – ELECTED MEMBERS’ FEES AND ALLOWANCES FOR 2024/2025

- 1. Pursuant to Section 5.99 of the *Local Government Act 1995* and regulation 34 of the *Local Government (Administration) Regulations 1996*, council adopts the following meeting attendance fees for payment of elected members in lieu of Annual fees:
 - President \$350 per meeting.
 - Councillors \$200 per meeting
- 2. Pursuant to Section 5.99A of the *Local Government Act 1995* and regulations 34A and 34AA of the *Local Government (Administration) Regulations 1996*, council adopts the following annual allowances for elected members:
 - Travel Allowance – President - \$550
 - Travel Allowance – Councillor - \$550
 - ICT Allowance – President - \$429
 - ICT Allowance – Councillor - \$429
- 3. Pursuant to Section 5.98(5) of the *Local Government Act 1995* and regulation 33 of the *Local Government (Administration) Regulations 1996*, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
 - President \$5,000
 - Deputy President \$1,250
- 4. Pursuant to Section 5.98(1)(b) and (2A)(b) of the *Local Government Act 1995*, council adopts the following meeting attendance fees
 - GECZ \$110 per member, per meeting plus travel allowance
 - WEROC \$110 per member, per meeting plus travel allowance
 - CEACA \$110 per member, per meeting plus travel allowance
 - Roadworks Advisory \$110 per member, per meeting plus travel allowance
 - LEMC \$110 per member, per meeting plus travel allowance
 - Sport and Rec \$110 per member, per meeting plus travel allowance
 - Audit Committee \$110 per member, per meeting plus travel allowance

PART F – MATERIAL VARIANCE REPORTING FOR 2024/2025

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2024/2025 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

COUNCIL RESOLUTION		
MIN 090/24	MOTION - Moved Cr. Leake	Seconded Cr. Ryan

That Council:**PART A – MUNICIPAL FUND BUDGET FOR 2024/2025**

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, the council adopt the Municipal Fund Budget as contained in the Attachments of this agenda and the minutes, for the Shire of Kellerberrin for the 2024/2025 financial year which includes the following:

- **Statement of Comprehensive Income by Nature and Type and by Program;**
- **Statement of Cash Flows of the Statutory Budget.**
- **Rate Setting Statement of the Statutory Budget showing an amount required to be raised from rates of \$2,668,133..**
- **Notes to and Forming Part of the Budget**
- **Budget Program Schedules as detailed in attachments**
- **Transfers to / from Reserve Accounts as detailed**

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, council pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following differential general rates and minimum payments on Gross Rental and Unimproved Values. 1.1. General Rates*

- **Kellerberrin Residential (GRV) 12.7950 cents in the dollar**
- **Other Residential (GRV) 12.7950 cents in the dollar**
- **Kellerberrin Commercial (GRV) 13.0000 cents in the dollar**
- **Other Commercial (GRV) 13.0000 cents in the dollar**
- **Rural (UV) 1.1185cents in the dollar**
- **Mining (UV) 1.1185 cents in the dollar**
- **Kellerberrin Residential (GRV) \$924**
- **Other Residential (GRV) \$924**
- **Kellerberrin Commercial (GRV) \$1,003**
- **Other Commercial (GRV) \$1,003**
- **Rural (UV) \$924**
- **Mining Tenements (UV) \$924**

2. Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full by instalments:

- **Full payment and instalment due date 23rd August 2024**
- **2nd half instalment (Option 2) due date 3rd January 2025**
- **2nd quarterly instalment due date 25th October 2024**
- **3rd quarterly instalment due date 3rd January 2025**
- **4th quarterly instalment due date 7th March 2025**

3. Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$5.00 for each instalment after the initial instalment is paid.

4. Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 5% where the owner has elected to pay rates and service charges through an instalment option.

5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 7% for rates (and service

charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

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Pursuant to Section 6.16 of the Local Government Act 1995, council adopts the Fees and Charges included, inclusive of the draft 2024/2025 budget included as Attachments of this agenda and minutes.

PART D – OTHER STATUTORY FEES FOR 2024/2025

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- 2. Pursuant to Section 245A(8) of the Local Government (Miscellaneous Provisions) Act 1960 the council adopts a swimming pool inspection fee of \$58.45 inclusive of GST.**
- 3. Pursuant to Section 67 of the Waste Avoidance and Resources Recovery Act 2007, council adopt the following charges for the removal and deposit of domestic and commercial waste:**
 - a. Residential Premises**
 - i. 240ltr bin per weekly collection \$260 pa**
 - ii. Additional Bins \$285 pa**
 - b. Commercial Premises**
 - i. 240ltr bin per weekly collection \$260 pa**
 - ii. Additional Bins \$285 pa**

SIMPLE MAJORITY

- 4. Pursuant to Section 67 of the Waste Avoidance and Resources Recovery Act 2007, and Section 6.16 of the Local Government Act 1995 council adopt the following charges for the deposit of domestic and commercial waste:**
 - a. Kellerberrin Waste Transfer Station**

Load or volume:

- Trailer (6 x 4) – First Per Annum – Free**
- Trailer (6 x 4) – After First Load Per Annum – \$30.00**
- Trailer (8 x 5) – First Per Annum – Free**
- Trailer (8 x 5) – After First Load Per Annum – \$40.00**
- Commercial waste (per cubic metre) – Cost Recovery Plus 5%**
- Bed Mattress - \$55 per mattress**

PART E – ELECTED MEMBERS' FEES AND ALLOWANCES FOR 2024/2025

- 1. Pursuant to Section 5.99 of the Local Government Act 1995 and regulation 34 of the Local Government (Administration) Regulations 1996, council adopts the following meeting attendance fees for payment of elected members in lieu of Annual fees:**
 - President \$350 per meeting.**
 - Councillors \$200 per meeting**
- 2. Pursuant to Section 5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, council adopts the following annual allowances for elected members:**
 - Travel Allowance – President - \$550**
 - Travel Allowance – Councillor - \$550**
 - ICT Allowance -- President - \$429**
 - ICT Allowance – Councillor - \$429**
- 3. Pursuant to Section 5.98(5) of the Local Government Act 1995 and regulation 33 of the Local Government (Administration) Regulations 1996, council adopts the**

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

- **President \$5,000**
- **Deputy President \$1,250**

4. Pursuant to Section 5.98(1)(b) and (2A)(b) of the Local Government Act 1995, council adopts the following meeting attendance fees

- **GECZ \$110 per member, per meeting plus travel allowance**
- **WEROC \$110 per member, per meeting plus travel allowance**
- **CEACA \$110 per member, per meeting plus travel allowance**
- **Roadworks Advisory \$110 per member, per meeting plus travel allowance**
- **LEMC \$110 per member, per meeting plus travel allowance**
- **Sport and Rec \$110 per member, per meeting plus travel allowance**
- **Audit Committee \$110 per member, per meeting plus travel allowance**

PART F – MATERIAL VARIANCE REPORTING FOR 2024/2025

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2024/2025 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

**CARRIED 5/0
BY ABSOLUTE MAJORITY**

10.4 CHEQUE LIST JUNE 2024

File Ref: N/A
Author: Nikayla Ovens, Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Payment List June 2024 (under separate cover)

BACKGROUND

Accounts for payment from 1st June – 30st June 2024

TRUST

Trust Total **\$1,323.30**

MUNICIPAL FUND

Cheque	\$28,490.74
EFT	\$490,792.73
Direct Debit	\$75,367.56
Municipal Total	\$595,974.33

STAFF COMMENT

During the month of June 2024, the Shire of Kellerberrin made the following significant purchases: Please note the Shire of Kellerberrin is the host to Wheatbelt Secondary Freight Network (WSFN), costs associated are reimbursed as per contractual agreement.

Woodstock Electrical Services	\$ 5,307.37
Repair Faults in Main Sewerage Farm Pump	
Landgate	\$ 7,014.00
Rural UV General Valuations for Rating Purposes	
Realmark Commercial	\$ 7,258.05
WSFN 37, 5 Keane St Midland Rent July 2024	
Youlie and Son Contracting	\$ 7,963.45
Wet hire of Grader for May 2024	
Fire And Emergency Services (WA)	\$ 8,425.74
2023/24 ESL Quarter 4	
United Card Services Pty Ltd	\$ 8,958.95
United Card Fuel Purchases for the Month of May 2024	
Doncon Electrical Contractors	\$ 9,751.94
Lighting upgrade to Hockey oval	
MB Power & Aircon	\$ 9,791.22
Supply and install additional CCTV camera and power to Pool	
Avon Waste	\$ 11,454.43
Domestic Collections May 2024	
Landgate	\$ 12,738.05
GRV General Valuation Country for Rating Purposes	
Stirling Asphalt (Juel Enterprises PTY LTD)	\$ 12,900.80
Profile, Machine Sweep and Apply Tack Coat – Moore St	
R Munns Engineering Consulting Services	\$ 14,685.00
Consulting Work on the RRG Funded Kellerberrin-Yelbeni Rd	
Dylan Copeland	\$ 14,929.20
Consultant: Kellerberrin-Yelbeni Rd, Doodlakine Sth Rd and Protecting Remnants.	
AFGRI Equipment Australia Pty Ltd	\$ 18,534.09
Hydraulic Pump and various O Rings for Grader	
Timber Insight PTY LTD	\$ 35,561.05
Bridge Repairs – Kellerberrin-Bencubbin Rd	

WCS Concrete Pty Ltd

Supply and Install Concrete - Sewell St Works

\$ 81,007.30

TEN YEAR FINANCIAL PLAN

There is no direct impact on the Long-Term Financial Plan

FINANCIAL IMPLICATIONS

Shire of Kellerberrin 2023/2024 Operating Budget

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

11. Payment of accounts

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
 - (a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
 - (b) Petty cash systems.
- (2) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (3) Payments made by a local government —
 - (a) Subject to sub-regulation (4), are not to be made in cash; and
 - (b) Are to be made in a manner which allows identification of —
 - (i) The method of payment;
 - (ii) The authority for the payment; and
 - (iii) The identity of the person who authorised the payment.
- (4) Nothing in sub-regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.

[Regulation 11 amended in Gazette 31 Mar 2005 p. 1048.]

12. Payments from municipal fund or trust fund

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) If the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) Otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

[Regulation 12 inserted in Gazette 20 Jun 1997 p. 2838.]

13. Lists of accounts

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) The payee's name;
 - (b) The amount of the payment;
 - (c) The date of the payment; and
 - (d) Sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —

- (a) For each account which requires council authorisation in that month —
 - (i) The payee’s name;
 - (ii) The amount of the payment; and
 - (iii) Sufficient information to identify the transaction;
 And
 - (b) The date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub-regulation (1) or (2) is to be —
- (a) Presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) Recorded in the minutes of that meeting.

STRATEGIC COMMUNITY PLAN

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

1. Relationships that bring us tangible benefits (to the Shire and our community)
2. Our lifestyle and strong sense of community
3. We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny

COMMUNITY CONSULTATION

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Finance Officer

STAFF RECOMMENDATION

That Council notes that during the month of June 2024, the Chief Executive Officer has made the following payments under council’s delegated authority as listed in appendix A to the minutes.

1. *Municipal Fund payments totalling \$595,974.33 on vouchers EFT, CHQ, Direct payments.*
2. *Trust Fund payments totalling \$1,323.30 on vouchers EFT, CHQ, Direct payments.*

COUNCIL RESOLUTION

MIN 091/24 MOTION - Moved Cr. Gardiner Seconded Cr. Ryan

That Council notes that during the month of June 2024, the Chief Executive Officer has made the following payments under council’s delegated authority as listed in appendix A to the minutes.

1. ***Municipal Fund payments totalling \$595,974.33 on vouchers EFT, CHQ, Direct payments.***
2. ***Trust Fund payments totalling \$1,323.30 on vouchers EFT, CHQ, Direct payments.***

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

CARRIED 5/0

10.5 DIRECT DEBIT LIST AND VISA CARD TRANSACTIONS - JUNE 2024

File Number: N/A
Author: Brett Taylor, Senior Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

Pl ease see below the Direct Debit List and Visa Card Transactions for the month of June 2024.

Municipal Direct Debit List

Date	Name	Details	\$	Amount
3-Jun-24	3e Advantage	Copier Lease WSFN		246.40
3-Jun-24	NAB	Merchant Fees - Pool		20.00
3-Jun-24	NAB	Merchant Fees - Trust		6.26
3-Jun-24	NAB	Merchant Fees - Muni		82.46
3-Jun-24	NAB	Merchant Fees - Caravan Park		86.65
4-Jun-24	Department of Communities	Rent 73 Gregory Street		420.00
6-Jun-24	Shire of Kellerberrin	Precision Superannuation		13,866.93
6-Jun-24	Shire of Kellerberrin	Pay Run		70,287.62
10-Jun-24	ATO	May BAS Payment 2024		36,888.00
10-Jun-24	Western Power	Power Upgrade Plan Caravan Park		1,320.00
13-Jun-24	Shire of Kellerberrin	Creditors Payments		289,083.18
18-Jun-24	Department of Communities	Rent 73 Gregory Street		420.00
20-Jun-24	Shire of Kellerberrin	Precision Superannuation		14,263.52
20-Jun-24	Nayax Australia Pty Ltd	Vending Machine Caravan Park		38.17
20-Jun-24	Shire of Kellerberrin	Pay Run		70,871.27
27-Jun-24	Shire of Kellerberrin	Creditors Payments		201,709.55
27-Jun-24	NAB	NAB Connect Fee		59.48
28-Jun-24	Shire of Kellerberrin	Creditors Payments		3,195.00
28-Jun-24	NAB	Account Fees - Trust		10.00
28-Jun-24	NAB	Account Fees - Muni		50.20
28-Jun-24	NAB	BPAY Fee		24.84
28-Jun-24	NAB	Merchant Fees - Caravan Park		110.51
28-Jun-24	NAB	Merchant Fees - Muni		65.78
28-Jun-24	NAB	Merchant Fees - Trust		1.69
28-Jun-24	NAB	Merchant Fees - Pool		20.00
		TOTAL	\$	703,147.51

Visa Transactions

Date	Name	Details	\$	Amount
19-Jun-24	Kellerberrin Bakery	Council Meeting Lunch		27.00
19-Jun-24	Micro Products	Purchase New Animal Microchip Scanner		335.10
28-Jun-24	NAB	Card Fee		9.00
		TOTAL - CEO	\$	371.10
Date	Name	Details	\$	Amount
11-Jun-24	Kellerberrin CRC	Licencing P23 Roller		397.20
28-Jun-24	NAB	Card Fee		9.00
		TOTAL -DCEO		406.20
Date	Name	Details	\$	Amount
10-Jun-24	The Teelands Toronto	Unauthorised Transaction - Card Cancelled		274.41
28-Jun-24	NAB	Card Fee		17.23
		TOTAL -WSFN PROGRAMME DIRECTOR		291.64
Date	Name	Details	\$	Amount
31-May-24	Cunderdin Farmers Coop	Meals WSFN Programme Manager		9.50
31-May-24	The Commercial Hotel Merredin	Meals WSFN Programme Manager		67.00
03-Jun-24	Moorine Rock General Store	Meals WSFN Programme Manager		42.00
03-Jun-24	Merredin Tourist Park	Accommodation WSFN Programme Manager		210.00
04-Jun-24	BP Merredin	Meals WSFN Programme Manager		14.00
05-Jun-24	Shire of Dowerin	Accommodation WSFN Programme Manager		280.00
06-Jun-24	Wongan Hills Bakery	Meals WSFN Programme Manager		29.00
06-Jun-24	Commercial Hotel Dowerin	Meals WSFN Programme Manager		60.00
06-Jun-24	Shire of Mt Marshall	Accommodation WSFN Programme Manager		480.00
07-Jun-24	KC Café Bencubbin	Meals WSFN Programme Manager		41.60
10-Jun-24	Kellerberrin Bakery	Meals WSFN Programme Manager		30.80
10-Jun-24	Koorda IGA	Meals WSFN Programme Manager		64.93

10-Jun-24	Beacon Co-op	Meals WSNF Programme Manager	58.33
11-Jun-24	JB Hi Fi Malaga	Stationery WSNF Office	79.95
11-Jun-24	Shire of Kellerberrin Caravan Park	Accommodation WSNF Programme Manager	198.00
12-Jun-24	Narembeen Roadhouse	Meals WSNF Programme Manager	53.98
13-Jun-24	Narembeen Roadhouse	Meals WSNF Programme Manager	30.50
13-Jun-24	Kellerberrin Hotel	Meals WSNF Programme Manager	78.00
14-Jun-24	Mukinbudin Café	Meals WSNF Programme Manager	41.60
14-Jun-24	Moora Bakery	Meals WSNF Programme Manager	50.20
14-Jun-24	Beacon Country Club	Meals WSNF Programme Manager	50.00
20-Jun-24	Woolworths Midland	Catering WSNF Technical Meeting	56.00
21-Jun-24	Australia Post Midland	Stationery WSNF Office	123.40
25-Jun-24	Aroma Café Kewdale	Catering WSNF Technical Meeting	242.17
26-Jun-24	Miss Mauds North Perth	Catering WSNF Technical Meeting	247.65
28-Jun-24	NAB	Card Fee	9.00
		TOTAL -WSFN PROGRAMME MANAGER	2,647.61
		TOTAL VISA TRANSACTIONS	\$ 3,716.55

STAFF COMMENT

The Direct Debit List and Visa Card Transactions are presented for Council to note for the month of June 2024.

Please note The Shire of Kellerberrin is the host to Wheatbelt Secondary Freight Network (WSFN), costs associated are reimbursed as per contractual agreement.

TEN YEAR FINANCIAL PLAN

There is no direct implication on the Long-Term Financial Plan.

FINANCIAL IMPLICATIONS

Financial Management of 2023/2024 Budget.

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — 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);
 - (b) budget estimates to the end of the month to which the statement relates.
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates.
 - (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.
 - (b) an explanation of each of the material variances referred to in sub regulation (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 December 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 sub regulation (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.

STRATEGIC COMMUNITY PLAN

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

1. Relationships that bring us tangible benefits (to the Shire and our community)
2. Our lifestyle and strong sense of community
3. We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny

COMMUNITY CONSULTATION

The following consultation took place.

- Chief Executive Officer
- Manager of Governance
- Senior Finance Officer

STAFF RECOMMENDATION

That Council note the direct debit list for the month of June 2024 comprising of,
 (a) *Municipal Fund – Direct Debit List*
 (b) *Trust Fund – Direct Debit List*
 (c) *Visa Card Transactions*

COUNCIL RESOLUTION

MIN 092/24 MOTION - Moved Cr. Leake Seconded Cr. Reid

That Council note the direct debit list for the month of June 2024 comprising of,
(a) Municipal Fund – Direct Debit List
(b) Trust Fund – Direct Debit List
(c) Visa Card Transactions

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

CARRIED 5/0

10.6 FINANCIAL ACTIVITY STATEMENT - JUNE 2024
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File Number: FIN
Author: Brett Taylor, Senior Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

The Regulations detail the form and manner in which financial activity statements are to be presented to the Council on a monthly basis, and are to include the following:

- Annual budget estimates
- Budget estimates to the end of the month in which the statement relates.
- Actual amounts of revenue and expenditure to the end of the month in which the statement relates.
- Material variances between budget estimates and actual revenue/expenditure (including an explanation of any material variances)
- The net current assets at the end of the month to which the statement relates (including an explanation of the composition of the net current position)

Additionally, and pursuant to Regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year.

Council's July 2023 Ordinary Meeting of Council – 18 th July 2023
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MIN 001/23 MOTION - Moved Cr. Forsyth Seconded Cr. Reid

That Council:

PART F – MATERIAL VARIANCE REPORTING FOR 2023/2024

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2023/2024 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

STAFF COMMENT

Pursuant to Section 6.4 of the Local Government Act 1995 (the Act) and Regulation 34(4) of the Local Government (Financial Management) Regulations 1996 (the Regulations), a local government is to prepare, monthly, a statement of financial activity that reports on the Shire's financial performance in relation to its adopted / amended budget.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year-to-date basis for the period ending 30th June 2024.

TEN YEAR FINANCIAL PLAN

Financial Management of 2023/2024 Budget.

FINANCIAL IMPLICATIONS

Financial Management of 2023/2024 Budget.

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — 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).
 - (b) budget estimates to the end of the month to which the statement relates.
 - (c) actual amounts of expenditure, revenue, and income to the end of the month to which the statement relates.
 - (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.
 - (b) an explanation of each of the material variances referred to in sub regulation (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 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 sub regulation (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.

STRATEGIC COMMUNITY PLAN

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

1. Relationships that bring us tangible benefits (to the Shire and our community)
2. Our lifestyle and strong sense of community
3. We are prepared for opportunities, and we are innovative to ensure our relevancy and destiny.

COMMUNITY CONSULTATION

The following consultation took place.

- Chief Executive Officer
- Manager of Governance
- Senior Finance Officer
- LG Corporate Solutions

STAFF RECOMMENDATION

That Council adopt the Draft Financial Report for the month of June as the final June Report will be finalised following the Annual Audit and the completion of the 2023/24 Annual Financial Report.

The draft financial report comprises.

- (a) *Statement of Financial Activity.*

(b) Note 1 to Note 13

COUNCIL RESOLUTION

MIN 093/24 MOTION - Moved Cr. Ryan Seconded Cr. Leake

That Council adopt the Draft Financial Report for the month of June as the final June Report will be finalised following the Annual Audit and the completion of the 2023/24 Annual Financial Report.

The draft financial report comprises.

(a) Statement of Financial Activity.

(b) Note 1 to Note 13

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

**CARRIED 5/0
BY ABSOLUTE MAJORITY**

10.7 BUILDING REPORTS JUNE 2024

File Ref: BUILD06
Author: Jacki Peak, Administration Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Return of Building Permits Licences Issued

BACKGROUND

Council has provided delegated authority to the Chief Executive Officer, which has been delegated to the Building Surveyor to approve of proposed building works which are compliant with the *Building Act 2011*, Building Code of Australia and the requirements of the Shire of Kellerberrin Town Planning Scheme No.4.

STAFF COMMENT

1. There were zero (0) applications received for a "Building Permit" during the June period.
2. There was one (1) "Building Permit" issued in the June period.

TEN YEAR FINANCIAL PLAN

There is no direct impact on the Long Term Financial Plan.

FINANCIAL IMPLICATIONS

There is income from Building fees and a percentage of the levies paid to other agencies.

ie: "Building Services Levy" and "Construction Industry Training Fund" (when construction cost exceeds \$20,000).

STATUTORY IMPLICATIONS

- Building Act 2011
- Shire of Kellerberrin Town Planning Scheme 4

STRATEGIC COMMUNITY PLAN

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COMMUNITY CONSULTATION

The following consultation took place:

- Building Surveyor
- Owners
- Building Contractors
- Chief Executive Officer

STAFF RECOMMENDATION

That Council;

1. Acknowledge the "Return of Proposed Building Operations" for the June 2024 period.
2. Acknowledge the "Return of Building Permits Issued" for the June 2024 period.

COUNCIL RESOLUTION

MIN 094/24 MOTION - Moved Cr. Gardiner Seconded Cr. Leake

That Council;

- 1. Acknowledge the "Return of Proposed Building Operations" for the June 2024 period.***
- 2. Acknowledge the "Return of Building Permits Issued" for the June 2024 period***

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

CARRIED 5/0

11 DEVELOPMENT SERVICES REPORTS

Nil

12 WORKS & SERVICES REPORTS

12.1 CARBON FARMING - MCNEIL ROAD, MT CAROLINE

File Ref: A117
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Applicant: Greg McNeil
Location: Lot 57 McNeil Road, Mt Caroline
Attachments: 1. Signed_McNeil_New_Dev App
 2. McNeil_unsigned_New App for dev

BACKGROUND

Council has received a planning application for an agriculture-intensive proposal involving the planting of over 700 native trees per hectare for the purposes of honey production and carbon for farmer program.

As per the zoning table outlined in the Shire of Kellerberrin Local Planning Scheme No 4, the designation for Agriculture Intensive use in a general agriculture zone is classified as 'D.' This classification signifies that the use is not automatically permitted unless the local government exercises its discretion by granting development approval.

The applicant is seeking approval for intensive agriculture. The proposal aims to plant 700 stems per hectare over 200 ha. The trees are a mixture of local native trees, for the purposes of honey production and carbon for farmers program.

Residential dwelling currently on site and the site is currently undergoing a proposed subdivision with WAPC

SITE



Figure 1 Subject Site Location

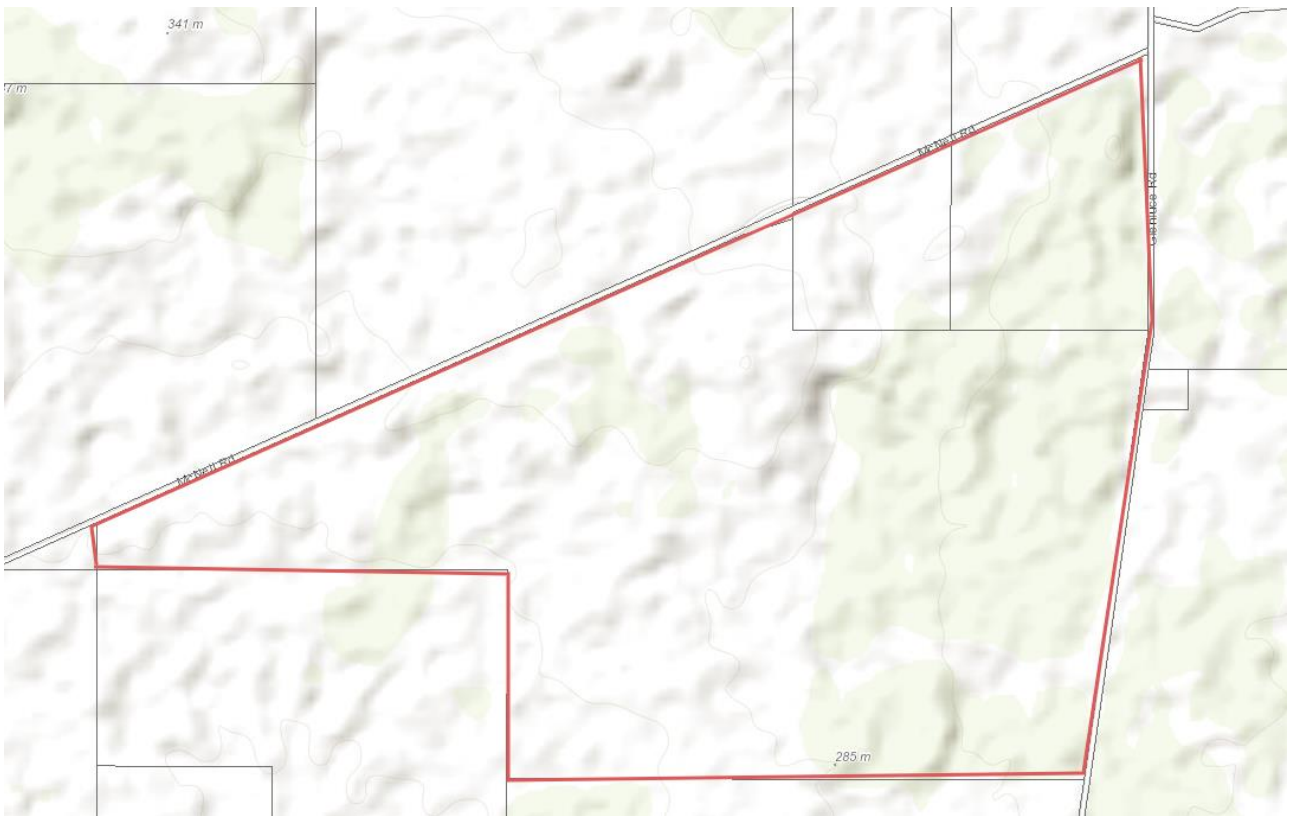
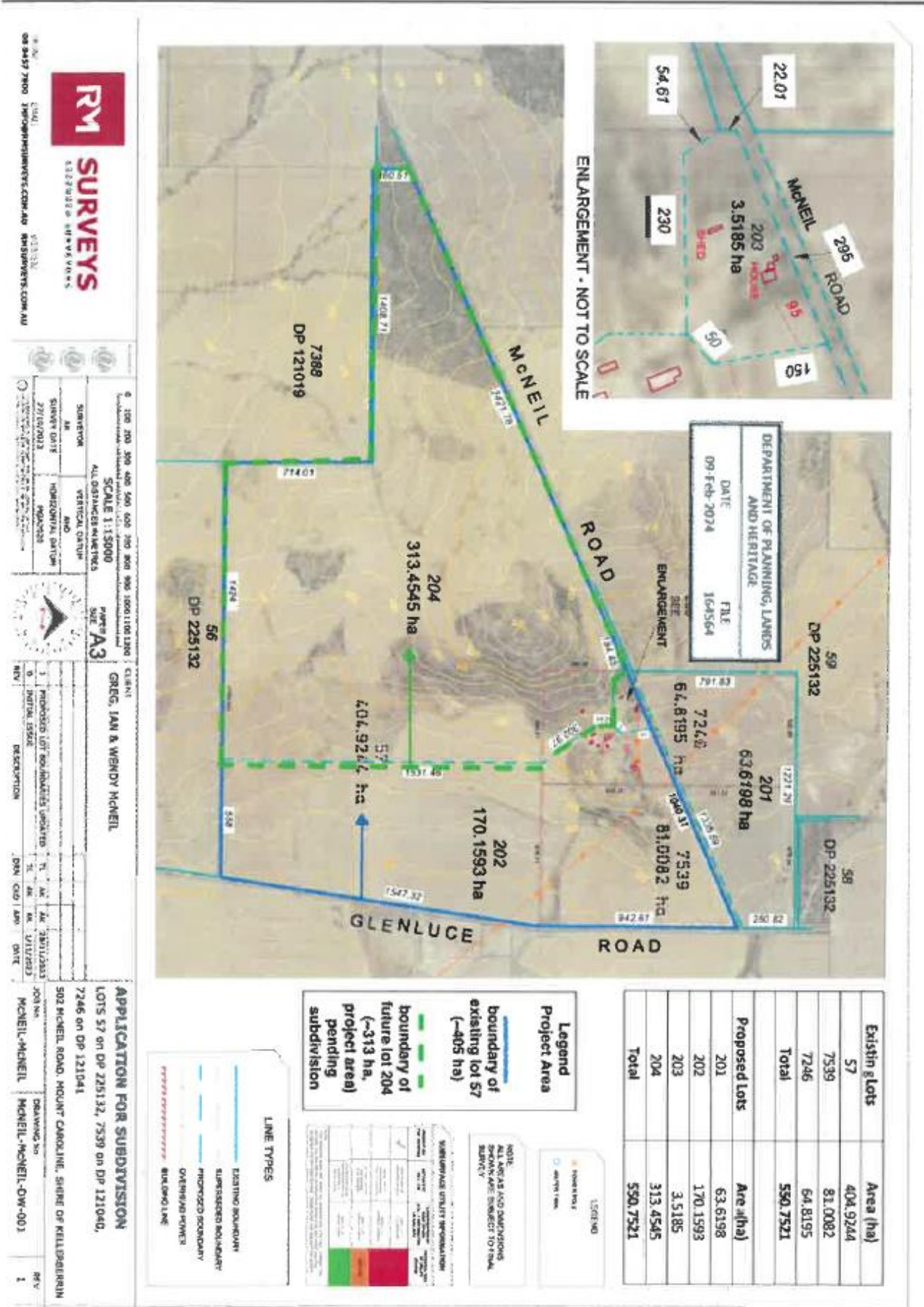


Figure 2 subject site land scheme zone-general agriculture



Shire of Kellerberrin Local Planning Scheme

<p>Shire of Kellerberrin Local Planning Scheme (LPS) No.4 <i>(Statutory instrument)</i></p>	
Current Zoning	General Agriculture
Permissibility (Table 1 – Zoning Table)	<i>Table 1 – Zoning Table of LPS 4 qualifies Agriculture – intensive as ‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting development approval.</i>
Definitions	<p><i>The Planning and Development (Local Planning Schemes) Regulations 2015 define production of native plants as follows:</i></p> <p><i>agriculture – intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following –</i></p> <p><i>(a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;</i></p> <p><i>(b) the establishment and operation of plant or fruit nurseries;</i></p> <p><i>(c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);</i></p> <p><i>(d) aquaculture;</i></p>
Objectives	<p><i>General Agriculture Zone</i></p> <p><i>(a) To ensure the continuation of broad-hectare farming as the principal land use in the District and encouraging where appropriate the retention and expansion of agricultural activities.</i></p> <p><i>(b) To consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.</i></p> <p><i>(c) To allow for facilities for tourists and travellers, and for recreation uses.</i></p>
Development Standards	<p><i>LPS 4 stipulates the following standards for development in the Rural Zone:</i></p> <ul style="list-style-type: none"> • R Code
<p>Planning and Development (Local Planning Scheme) Regulations 2015 <i>(Statutory instrument)</i></p>	
Schedule 2; Part 9; Clause 68(2)	<i>This clause empowers Council to determine Development Applications under the planning legislation having regard to the zoning and other Scheme provisions pertinent to the application under consideration.</i>
Schedule 2; Part 9; Clause 76 (1) and (2)	<i>This part of the Planning Regulations affords the applicant the right to apply to the State Administration Tribunal (SAT) for a review of the Council’s decision in relation to the decision on the proposed use and or development of the land.</i>
<p>State Planning Policy 3.7 – Planning in Bushfire Prone Areas <i>(Statutory instrument – tied to Planning Regulations)</i></p>	
Generally	<i>No trees to be planted within 100m of existing development</i>

The risk assessment in relation to this development is low it poses no significant environmental implications to the site or neighbouring properties. The development is minor.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

STRATEGIC PLAN IMPLICATIONS

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

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COMMUNITY CONSULTATION

The following consultation took place;

- Chief Executive Officer
- Consulting Planning Officer

PLANNING ASSESSMENT

- Due to Bushfire Risk - No intensive tree planting to be within 100m of the existing development.
- The Carbon Farming must align with the ‘Western Australia Carbon Farming and Land Restoration Program’. Or as approved by the CEO

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- a) This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Act 2016. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Kellerberrin

- b) Nothing in the approval shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- c) The applicant is advised a Building Permit is required prior to commencement of any building works. In this regard the applicant is advised that conditions relating to BAL assessment may result in conditions being imposed at the building permit stage to mitigate the risk for burning embers as part of a preventative approach to bushfire attack
- d) In addition to planning and building requirements, the development must comply with Environmental Protection (Noise) Regulations 1997).
- e) The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act, 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.

STAFF RECOMMENDATION

That Council approve the development application for intensive agriculture on Lot 57, McNeil Road with the planting of are a mixture of local native trees, for the purposes of honey production and carbon for farmers program.

General Conditions

- Due to Bushfire Risk - No intensive tree planting to be within 100m of the existing development.
- The Carbon Farming must align with the 'Western Australia Carbon Farming and Land Restoration Program'. Or as approved by the CEO

Advice Notes

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- a) This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Act 2016. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Kellerberrin
- b) Nothing in the approval shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- c) The applicant is advised a Building Permit is required prior to commencement of any building works. In this regard the applicant is advised that conditions relating to BAL assessment may result in conditions being imposed at the building permit stage to mitigate the risk for burning embers as part of a preventative approach to bushfire attack
- d) In addition to planning and building requirements, the development must comply with Environmental Protection (Noise) Regulations 1997).
- e) The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act, 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.

COUNCIL RESOLUTION

MIN 095/24 MOTION - Moved Cr. Reid Seconded Cr. Gardiner

That Council approve the development application for intensive agriculture on Lot 57, McNeil Road with the planting of are a mixture of local native trees, for the purposes of honey production and carbon for farmers program.

General Conditions

- *Due to Bushfire Risk - No intensive tree planting to be within 100m of the existing development.*
- *The Carbon Farming must align with the 'Western Australia Carbon Farming and Land Restoration Program'. Or as approved by the CEO*

Advice Notes

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- a) This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Act 2016. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Kellerberrin*
- b) Nothing in the approval shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.*
- c) The applicant is advised a Building Permit is required prior to commencement of any building works. In this regard the applicant is advised that conditions relating to BAL assessment may result in conditions being imposed at the building permit stage to mitigate the risk for burning embers as part of a preventative approach to bushfire attack*
- d) In addition to planning and building requirements, the development must comply with Environmental Protection (Noise) Regulations 1997).*
- e) The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act, 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.*

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

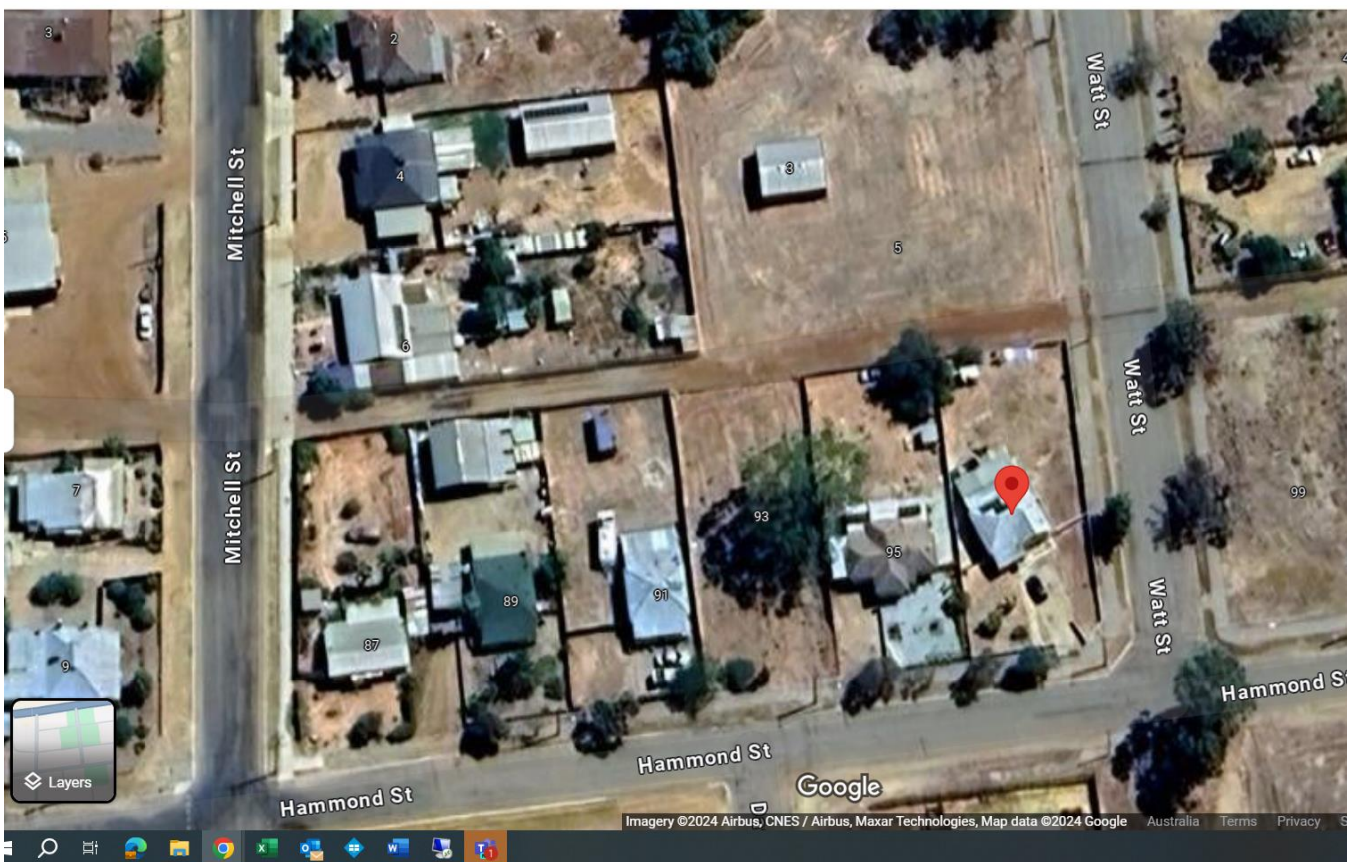
CARRIED 5/0

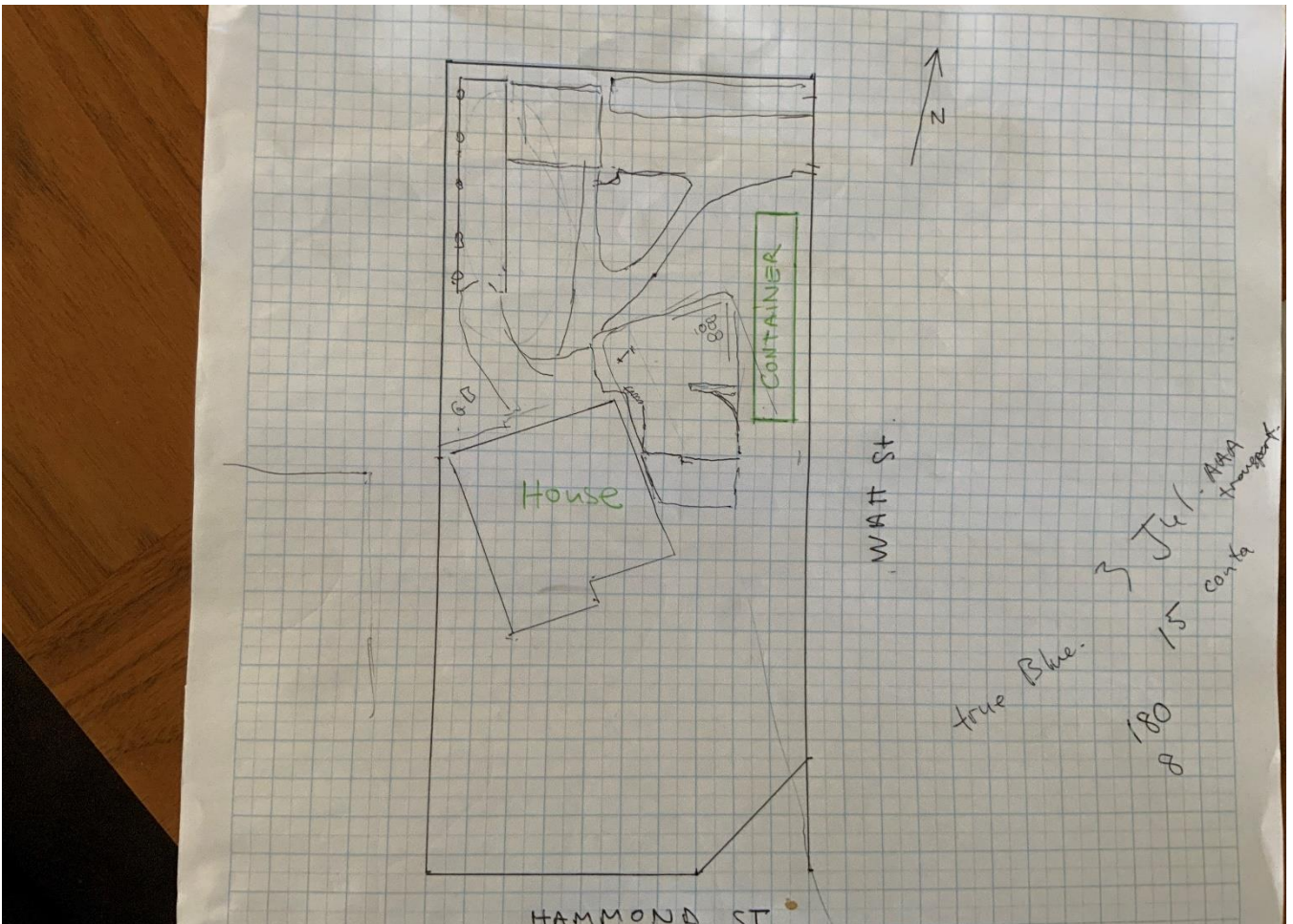
12.2 DEVELOPMENT APPLICATION - SEA CONTAINER - 97 HAMMOND STREET

File Ref: IPA24165, A329
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Applicant: Julien Granich
Location: 97 Hammond Street, Kellerberrin
Attachments: 1. Sea Container Application

BACKGROUND

An application has been received from Julien Granich for the development and use of a sea container for storage purposes at 97 Hammond Street, Kellerberrin. The applicant proposes a 20ft sea container to be located on the Eastern side of the property adjacent to the fence as per plan below.





SITE

97 Hammond Street, Kellerberrin

Lot size: 893m²

Zoning: Residential

Coding: R10/40

Proposed Use: storage purposes

Shire of Kellerberrin Local Planning Scheme**Local Planning Scheme No.4****Zone: General Agriculture**

4.2.1 Residential Zone

- (a) To retain the single dwelling as the predominant form of residential development in the Shire's townsites.
- (b) To provide for lifestyle choice in and around the townsites with a range of residential densities.
- (c) To allow for the establishment of non-residential uses subject to local amenities not being adversely affected.

Local Planning Policy- Sea Containers**5.0 POLICY STATEMENT**

5.1 Exemptions from planning approval Planning consent is not required for:

- a) the use of sea containers fully enclosed within a building.
- b) the loading or unloading of containers for shipping, provided that the container(s) does not remain on the lot for longer than seven (7) days.
- c) the use of up to two (2) containers on land in the General Agriculture or Industrial zones (per rate notice),
- d) the temporary storage of equipment and materials during construction works (maximum of 12 months), where: i.building approval has been issued for the construction works and remains valid; and ii.the sea container has been removed from the site within a month of completing construction works.

5.2 General Requirements for Sea Containers

5.2.1 Unless exempt from planning approval requirements specified in Clause 5.1 above, Approval by the Shire is required for use of all sea containers. Sea containers shall:

- i. comply with the requirements of the Scheme;
- ii. comply with the criteria set out in Table 1 of this policy; I. be used as detached outbuildings and not as ancillary accommodation; II. be fitted with doors that can be opened from the inside to ensure safety of users;
- iii. be painted to match either the existing dwelling or other outbuildings on the lot;
- iv. be located a minimum of 1.8m from septic tanks, leach drains and utilities;
- v. be located to the rear of a the dwelling on the lot (as depicted in Schedule 1 of this Policy);
- vi. be suitably screened from road frontages, public space and neighbouring properties. Where a sea container is visible from a public space, the installation of screening to a minimum height of that of the sea container may be required; and
- vii. not be located on vacant land in the Residential, Rural Residential, Rural Townsite and Town Centre zones unless for the storage for building and construction purposes, as outlined in Clause 5.1 (d).

5.2.2 If a landowner wishes to exceed the acceptable standards in Table 1, the application will be formally referred to Council for determination.

5.2.3 Sea containers will not be permitted for habitable use or conversion for habitable use unless it can be demonstrated that the proposal meets the provisions of the Building Code of Australia and will not detrimentally impact the amenity of the locality where the development is to be situated. The use of sea containers as a dwelling is considered a repurposed dwelling under

the Scheme and all applications should comply with the provisions of Scheme, Residential Design Codes (R-Codes) and Local Planning Policy 4.0 'Repurposed and Second Hand Dwellings'.

5.2.4 Sea containers are to be included in the gross total allowable area for outbuildings and are required satisfy open space requirements as set out in the R-Codes. Gross total area maximums are outlined in Local Planning Policy 1.0 'Outbuildings' (Section 7).

5.2.5 Sea containers that are not permanent are not required to conform with Clauses 5.2.1 (ii) and (v) or the special requirements in table 1).

5.2.6 All applicants will be required to gain a building permit from the Shire of Kellerberrin

Zone (s):	Setback:	Number and size of Sea Container(s) allowed:	Special requirements:
Town Centre	In accordance with the R-Codes	1 x 12m (40 ft)	The sea containers shall be fitted with a pitched roof. The sea container shall not be compromised or obstruct vehicle access ways, vehicle truncations, access to parking areas or parking bays provided on the site. The sea container shall only be used for storage purposes.
Residential and Rural Townsite	In accordance with the R-Codes	1x 12m (40 ft)	The sea container shall be fitted with a pitched roof. The sea containers shall be used in association with the approved use of the property.

Planning and Development (Local Planning Scheme) Regulations 2015

67. Matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- c) any approved State planning policy;
- d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);
- e) any policy of the Commission;
- f) any policy of the State;
- g) any local planning policy for the Scheme area;
- h) any structure plan, activity centre plan or local development plan that relates to the development;
- i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- k) the built heritage conservation of any place that is of cultural significance;
- l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- n) the amenity of the locality including the following —
 - i. environmental impacts of the development;
 - ii. the character of the locality;

- iii. social impacts of the development;
- o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- s) the adequacy of —
 - i. the proposed means of access to and egress from the site; and
 - ii. arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- u) the availability and adequacy for the development of the following —
 - i. public transport services;
 - ii. public utility services;
 - iii. storage, management and collection of waste;
 - iv. access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
 - v. access by older people and people with disability;
- v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- w) the history of the site where the development is to be located;
- x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- y) any submissions received on the application;
- za) the comments or submissions received from any authority consulted under clause 66;
- zb) any other planning consideration the local government considers appropriate.

STRATEGIC PLAN IMPLICATIONS

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

1. Relationships that bring us tangible benefits (to the Shire and our community)
2. Our lifestyle and strong sense of community
3. We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

COMMUNITY CONSULTATION

The following consultation took place;

- Chief Executive Officer
- Consulting own Planner
- Julien Granich

PLANNING ASSESSMENT

The proposed container raises no significant planning concerns as it is believed the screening from Watt Street is adequate with the fence. Furthermore, as advised from the Department of planning, Lands and Heritage, the container shall be painted in a light or white colour to ensure it fits with the existing fire station. It was also advised that the need for a pitched roof on the container be waived. A pitched roof could create a greater need for screening of the container due to its potential unsightly nature.

STAFF RECOMMENDATION

That Council Grants development approval for one 20ft sea container to be located at 97 Hammond Street, Kellerberrin with the following conditions;

General Conditions

- i. Planning approval will expire if the development is not substantially commenced within two years of this approval;*
- ii. The endorsed approved plans shall not be altered without prior written approval of the Shire;*
- iii. the character of the significant fabric, the finishes of the proposed sea container and roofing are to match with the external colour scheme of the current residence or to the satisfaction of the CEO.*
- iv. The Sea Container be fitted with doors that can be opened from the inside to ensure safety of users;*
- v. Use of the building shall be for domestic purposes only; and*
- vi. The outbuilding shall not be used for human habitation at any given time unless written approval has been granted by the shire.*

Advice Notes

Planning approval is not considered building approval. A building permit shall also be obtained.

COUNCIL RESOLUTION

MIN 096/24 MOTION - Moved Cr. Ryan Seconded Cr. Leake

That Council Grants development approval for one 20ft sea container to be located at 97 Hammond Street, Kellerberrin with the following conditions;

General Conditions

- i. Planning approval will expire if the development is not substantially commenced within two years of this approval;***
- ii. The endorsed approved plans shall not be altered without prior written approval of the Shire;***
- iii. the character of the significant fabric, the finishes of the proposed sea container and roofing are to match with the external colour scheme of the current residence or to the satisfaction of the CEO.***
- iv. The Sea Container be fitted with doors that can be opened from the inside to ensure safety of users;***
- v. Use of the building shall be for domestic purposes only; and***
- vi. The outbuilding shall not be used for human habitation at any given time unless written approval has been granted by the shire.***

Advice Notes

Planning approval is not considered building approval. A building permit shall also be obtained.

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

CARRIED 5/0

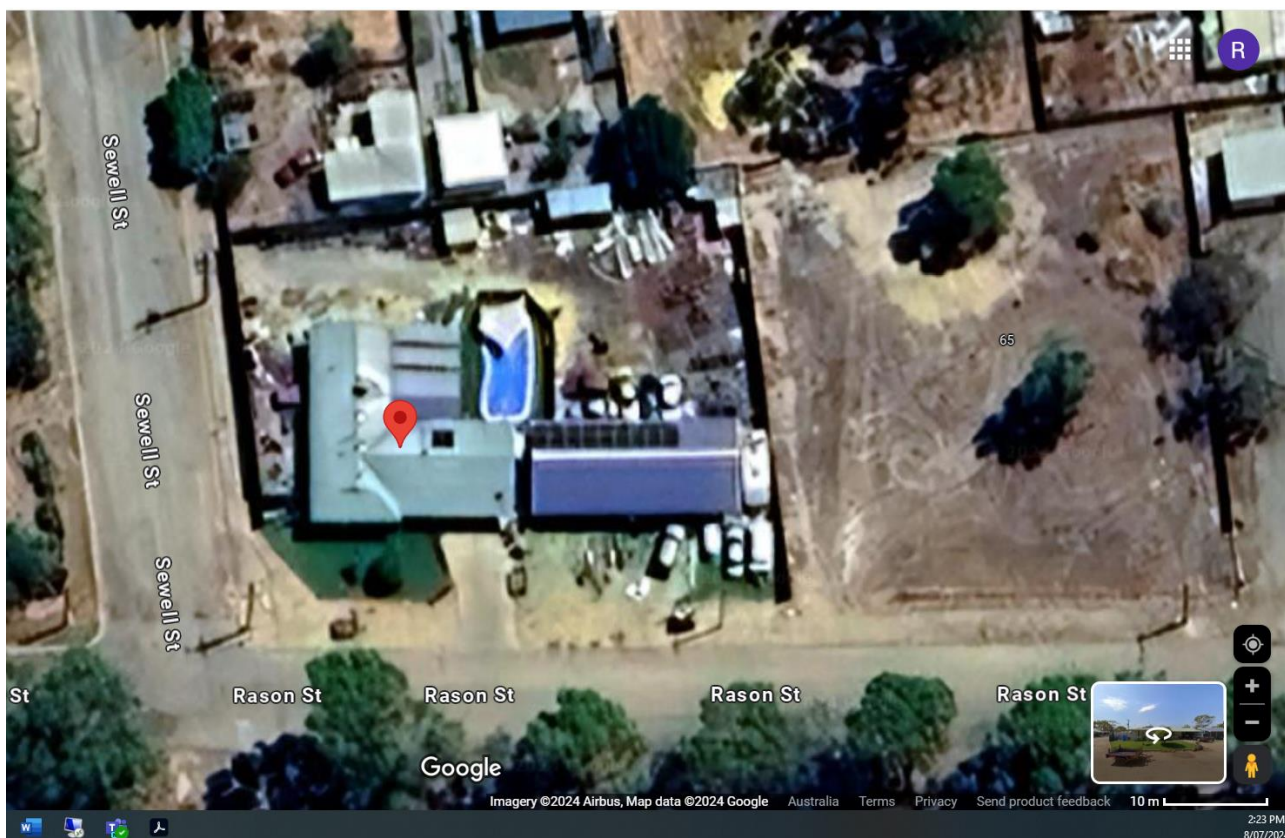
12.3 DEVELOPMENT APPLICATION - WATER TANK

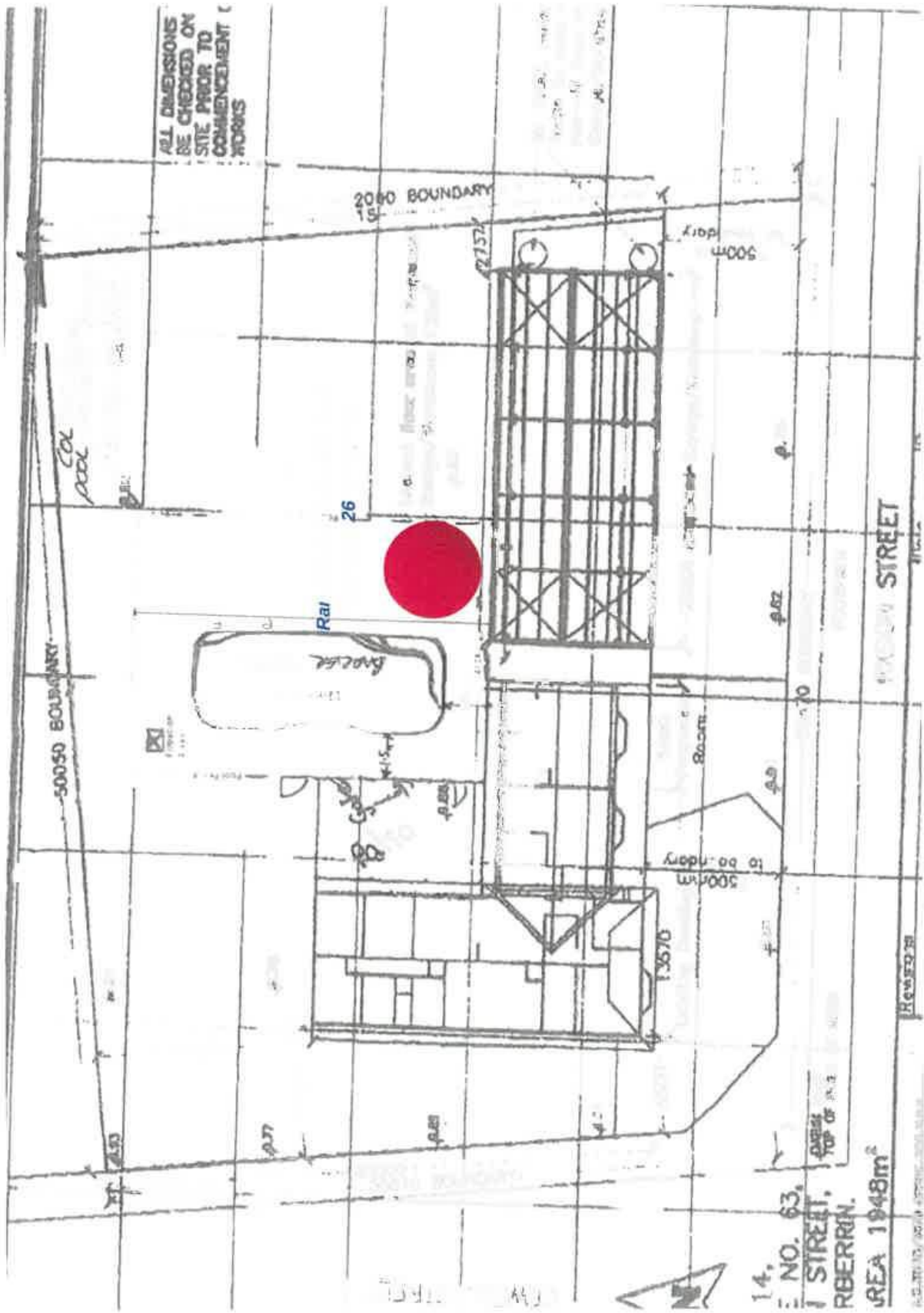
File Ref: IPA24164, A573
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Applicant: Jason Stevens
Location: 63 Rason Street, Kellerberrin
Attachments: 1. Water Tank Application

BACKGROUND

A development application has been received from Jason Stevens for the installation of a 66,700L Steel water tank at 63 Rason Street, Kellerberrin.

SITE





Shire of Kellerberrin Local Planning Scheme

3.2. OBJECTIVES OF THE ZONES The objectives of the zones are — 3.2.1 Residential Zone

(a) To retain the single dwelling as the predominant form of residential development in the Shire's townsites.

(b) To provide for lifestyle choice in and around the townsites with a range of residential densities.

(c) To allow for the establishment of non-residential uses subject to local amenities not being adversely affected

67. Matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- c) any approved State planning policy;
- d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);
- e) any policy of the Commission;
- f) any policy of the State;
- g) any local planning policy for the Scheme area;
- h) any structure plan, activity centre plan or local development plan that relates to the development;
- i) any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;
- j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- k) the built heritage conservation of any place that is of cultural significance;
- l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- n) the amenity of the locality including the following —
 - i. environmental impacts of the development;
 - ii. the character of the locality;
 - iii. social impacts of the development;
- o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- s) the adequacy of —
 - i. the proposed means of access to and egress from the site; and

- ii. arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- u) the availability and adequacy for the development of the following —
 - i. public transport services;
 - ii. public utility services;
 - iii. storage, management and collection of waste;
 - iv. access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
 - v. access by older people and people with disability;
- v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- w) the history of the site where the development is to be located;
- x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- y) any submissions received on the application;
- z) the comments or submissions received from any authority consulted under clause 66;
- aa) any other planning consideration the local government considers appropriate.

POLICY IMPLICATIONS

Residential Design Codes – Volume 2 – 2024

Setback proposed won't be an issue as it is located in the middle of the property behind the shed.

Table 1: General site requirements for all single house(s) and grouped dwellings; and multiple dwellings in areas coded

1 R-Code	2 Dwelling type	3 Minimum site area per dwelling (m ²) ◆	4 Minimum lot area/rear battleaxe (m ²) ▼	5 Minimum frontage (m) ▼	6 Open space		7 Minimum setbacks (m)		
					min total (% of site)	min outdoor living (m ²)	primary street	secondary street ●	other/rear
R2	Single house or grouped dwelling	Min 5000	-	50	80	-	20	10	10
R2.5	Single house or grouped dwelling	Min 4000	-	40	80	-	15	7.5	7.5
R5	Single house or grouped dwelling	Min 2000	-	30	70	-	12	6	*6
R10	Single house or grouped dwelling	Min 875 Av 1000	925	20	60	-	7.5	3	*6

Table 2b: Boundary setbacks - Walls with major openings

Wall height (m)	Wall length (m)														
	9 or less	10	11	12	13	14	15	16	17	18	19	20	25	Over 25	
3.5 or less*	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	
4.0	1.8	2.0	2.2	2.4	2.5	2.7	2.8	3.0	3.1	3.3	3.4	3.6	4.5	5.0	
4.5	2.0	2.2	2.4	2.6	2.8	3.0	3.1	3.2	3.4	3.7	3.8	4.0	4.8	5.4	
5.0	2.3	2.5	2.6	2.8	3.0	3.2	3.3	3.5	3.7	3.9	4.0	4.2	5.1	5.7	
5.5	2.5	2.7	2.9	3.1	3.3	3.5	3.6	3.7	3.9	4.2	4.4	4.6	5.5	6.0	
6.0	2.8	3.0	3.1	3.3	3.5	3.8	3.9	4.0	4.2	4.5	4.7	4.9	5.7	6.3	
6.5	3.0	3.2	3.4	3.6	3.8	4.0	4.1	4.2	4.4	4.7	4.9	5.2	6.1	6.6	
7.0	3.3	3.5	3.7	3.8	4.1	4.3	4.4	4.6	4.8	5.0	5.2	5.5	6.4	7.0	
7.5	3.5	3.7	3.9	4.2	4.4	4.6	4.7	4.9	5.1	5.3	5.5	5.7	6.6	7.3	
8.0	3.8	4.0	4.2	4.4	4.6	4.8	5.0	5.2	5.4	5.6	5.8	6.0	7.0	7.7	
8.5	4.0	4.3	4.5	4.7	4.9	5.2	5.3	5.5	5.7	5.9	6.1	6.3	7.3	8.0	
9.0	4.3	4.5	4.7	5.0	5.2	5.4	5.6	5.8	6.0	6.2	6.4	6.6	7.6	8.3	
9.5	4.6	4.8	5.0	5.2	5.4	5.7	5.8	5.0	6.2	6.4	6.6	6.9	8.0	8.7	
10.0	4.8	5.0	5.2	5.4	5.7	6.0	6.1	6.3	6.5	6.7	6.9	7.2	8.2	9.0	

STRATEGIC PLAN IMPLICATIONS

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

1. Relationships that bring us tangible benefits (to the Shire and our community)
2. Our lifestyle and strong sense of community
3. We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

COMMUNITY CONSULTATION

The following consultation took place;

- Chief Executive Officer
- Councils Town Planner
- Owner/Occupier

PLANNING ASSESSMENT

The proposed water tank raises no planning concerns. The water tank will be located behind the shed that faces Rason Street and will not visible from the primary or secondary street. The water tank adheres to all setbacks in the R-Codes. It is noted that only water tanks below 5000L capacity are exempt from planning approval requirements.

STAFF RECOMMENDATION

1. That Council; approve the development of a 66,700 Litre water tank to be located at 63 Rason Street, Kellerberrin;

General Conditions

- i. Planning approval will expire if the development is not substantially commenced within two years of this approval; and
- ii. The endorsed approved plans shall not be altered without prior written approval of the Shire.

Advice Notes

Planning approval is not considered building approval. A building permit shall also be obtained.

COUNCIL RESOLUTION

MIN 097/24 MOTION - Moved Cr. Gardiner Seconded Cr. Reid

1. ***That Council; approve the development of a 66,700 Litre water tank to be located at 63 Rason Street, Kellerberrin;***

General Conditions

- i. Planning approval will expire if the development is not substantially commenced within two years of this approval; and***
- ii. The endorsed approved plans shall not be altered without prior written approval of the Shire.***

Advice Notes

Planning approval is not considered building approval. A building permit shall also be obtained.

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan and Monica Gardiner

Against: Nil

CARRIED 5/0

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

15 CONFIDENTIAL MATTERS

Nil

16 CLOSURE OF MEETING

The Meeting closed at 4.15pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 August 2024.

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CHAIRPERSON