UNCONFIRMED MINUTES
OF THE SPECIAL MEETING OF COUNCIL
HELD IN THE
COUNCIL CHAMBER, YALGOO
ON FRIDAY 14 SEPTEMBER 2018
COMMENCING AT 10.00 AM
No responsibility whatsoever is implied or accepted by the Shire of Yalgoo for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Yalgoo disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person’s or legal entity’s own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Yalgoo during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Yalgoo. The Shire of Yalgoo warns that anyone who has an application lodged with the Shire of Yalgoo must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Yalgoo in respect of the application.
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Agenda of the Special Meeting of the Yalgoo Shire Council,
held in the Council Chambers, 37 Gibbons Street, Yalgoo,
on Friday 14 September 2018 commencing at 10.00 am

PLEASE TURN OFF ALL MOBILE PHONES PRIOR TO THE COMMENCEMENT OF THE MEETING

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

President Cr Joanne Kanny declared the Ordinary Council Meeting open at 10.00 am.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

<table>
<thead>
<tr>
<th>MEMBERS</th>
<th>Cr Joanne Kanny, Shire President</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cr Gregory Payne, Deputy President</td>
</tr>
<tr>
<td></td>
<td>Cr Percy Lawson</td>
</tr>
<tr>
<td></td>
<td>Cr Gail Trenfield</td>
</tr>
<tr>
<td></td>
<td>Cr Tamisha Hodder</td>
</tr>
<tr>
<td>STAFF</td>
<td>Silvio Brenzi, Chief Executive Officer</td>
</tr>
<tr>
<td>GUESTS</td>
<td>Nil</td>
</tr>
<tr>
<td>OBSERVERS</td>
<td>Nil</td>
</tr>
<tr>
<td>LEAVE OF ABSENCE</td>
<td>Nil</td>
</tr>
<tr>
<td>APOLOGIES</td>
<td>Nil</td>
</tr>
</tbody>
</table>

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

Nil
4. PUBLIC QUESTION TIME

1.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE
Nil

1.2 QUESTIONS WITHOUT NOTICE
Nil

6. BUSINESS AS NOTIFIED

6.0 Purpose of Meeting
The purpose of the meeting is to adopt the Differential General Rates for the 2018-19 financial year and adopt the 2018-19 Annual Budget.

6.1 Differential General Rates 2018-19

<table>
<thead>
<tr>
<th>Gross Rental Value</th>
<th>Rate in $</th>
<th>Minimum Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Imposed</td>
<td>7.678277 cents</td>
<td>$280.00</td>
</tr>
<tr>
<td>Town site Vacant</td>
<td>7.678277 cents</td>
<td>$620.00</td>
</tr>
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<tr>
<th>Unapproved Value</th>
<th>Rate in $</th>
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<tbody>
<tr>
<td>Pastoral/Rural</td>
<td>6.77242 cents</td>
<td>$280.00</td>
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<tr>
<td>Mining/Mining Tenement</td>
<td>37.43025 cents</td>
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<tr>
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<td>19.88253 cents</td>
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In accordance with Section 6.32, 6.33 and 6.36 of the Local Government Act 1995 the following actions were undertaken:

1/. The proposed differential general rates and minimums were advertised.
2/. One submission was received and Council gave consideration at its Ordinary Council Meeting held on 27 July 2018.
3/. Ministerial approval was obtained in accordance with Section 6.33(3) of the Local Government Act 1995.
The deficiency of expenditure over income for the purpose of striking the rates for the 2018-19 financial year amounts to $1,784,557 and results in an increase in revenue of $10,369 when compared to rates levied and interim rates received in 2017-18.

**Background**

The Council at its Ordinary Meeting held on the 28 July 2017 resolved that it intended to impose the rate in the dollar and minimums for each of the differential rating categories as detailed above.

**Statutory Environment**

*Local Government Act 1995*

s.6.32, 6.33 and 6.36

**Consultation**

Nil

**Comment**

A letter dated 3 September 2018 received from the Department of Local Government, Sport and Cultural Industries stating that approval has been given to the Shire to impose differential general rates which are more than twice the lowest rate in the dollar for UV Exploration/Prospecting and Mining/Mining Tenement.

**Voting Requirements**

Absolute Majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**


That Council adopts the following differential general rates for the 2018/2019 financial year.

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Moved: Cr Gregory Payne  Seconded: Cr Gail Trenfield  Motion put and carried: 5/0
6.2 Payment of Rate Charge 2018-19

Author: Dominic Carbone
Interest Declared: No interest to disclose
Date: 21 August 2018
Attachments Nil

Matter for Consideration

The purpose of the report is for the Council to consider and impose a rate of interest on overdue rates for the 2018/19 financial year.

Background

Section 6.45 of the Local Government Act 1995 states that Rates charged may be made by single payment or a person may elect to make payment by 4 equal or nearly equal instalments, or such other method of payment by instalments as is set in the annual budget. A local Government may impose an additional charge (including an amount by the way of interest where payment of a rate charge is made by instalments).

The Shire has traditionally offered a four instalment payment option.

Financial Management Regulation 67 and 68 permits a council to impose additional charges where payment of rates is by instalments.

Section 6.50 of the Local Government Act 1995 permits a Council to determine when a rate charge becomes due and payable. The due date cannot be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued. Where a person elects to pay a rate charge by instalments the second and each subsequent instalment does not become due and payable at intervals of less than 2 months.

It is recommended that the due date of each instalment for the 2018/2019 financial year is as follows:

- 1st Instalment Monday, 29 October 2018
- 2nd Instalment Monday, 31 December 2018
- 3rd Instalment Monday, 4 March 2019
- 4th Instalment Monday, 6 May 2019

Section 6.51 of the Local Government Act permits the Council to impose on a rate or service charge that remains unpaid (including by instalments):

a) Where no election has been made to pay the rate charge by instalments due
   (I) After it becomes due and payable; or
   (II) 35 days after the date of issue of the rate notice whichever is the later.

b) Where an election has been made to pay the rate charge by instalments and an instalment remains unpaid after its due and payable.

Financial Management Regulation 70 states that the maximum rate of interest on overdue rates to be imposed under Section 6.51 of the Local Government Act is 11%.

It is recommended that Council impose a rate of interest of 11% to apply on overdue rates and service charges.

Section 6.45 permits a Council to impose an additional charge for the recovery of the additional cost of administration for payments made by instalment, including an amount by way of interest. Regulation 68 limits the maximum component to be imposed to be of 5.5%.

In recognition of foregone interest earnings the Shire could otherwise have achieved if rates payments were received in one payment earlier in the financial year, together with the increased administrative burden in managing multiple instalments which includes the costs of printing, postage and handling, it is recommended that the Shire apply an instalment Administration charge of $10 (GST free). This would only
be applicable to the second/third/fourth instalment as one charge where ratepayers elect to pay by the prescribed instalment due dates, and any alternative payment plan arrangements established.

Financial Consideration

The 2018/2019 Annual Budget has included $10,000 for the interest charge on overdue rates.

Financial Management Regulation 71 details the method of calculation of interest on overdue rates.

1) Interest on rates and service charges and the cost of any proceedings to recover such charges, that remain unpaid after the due date of becoming due and payable (“the due date”) is to be calculated on a simple interest basis for the number of days from the due date until the day before the day on which a payment is received by the local government.

2) The principal sum on which interest is calculated for a financial year may include interest accrued but not paid in a previous financial year but is not to include interest accrued in the current financial year.

3) If payment is received by the local government during the period 1st July in a financial year until the annual budget for that financial year is adopted, interest referred to in sub regulation (1) for the period is to be at the interest imposed under section 6.51 (1) for the previous financial year.

The 2018/19 Annual Budget has included $1,500 for charges to be divided on the instalment plan (administration charge plus rate of interest).

Statutory Environment

Local Government Act 1995

s.6.45, 6.51 and Financial Management Regulations 67, 68, 70 and 71.

Consultation

Nil

Comment

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

S2018-0902  Payment of Rate Charge 2018-19

That Council:

1. Pursuant to Section 6.45 of the Local Government Act 1995, impose an instalment administration charge of $10 (GST free), and interest of 5.5 %.

2. Pursuant to Section 6.51 of the Local Government Act 1995, Impose an 11% rate of penalty interest on overdue rates that remain unpaid.

Moved: Cr Gail Trenfield    Seconded: Cr Gregory Payne    Motion put and carried: 5/0
6.3 **Imposition of Fees and Charges for 2018-19**

<table>
<thead>
<tr>
<th>Author:</th>
<th>Dominic Carbone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared:</td>
<td>No interest to disclose</td>
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<tr>
<td>Date:</td>
<td>21 August 2018</td>
</tr>
<tr>
<td>Attachments</td>
<td>Nil</td>
</tr>
</tbody>
</table>

**Matter for Consideration**

The purpose of this report is for Council to give consideration to adopting the Fees and Charges detailed in the schedule of Fees and Charges incorporated in the 2018/19 Annual Budget.

**Background**

Pursuant to Section 6.16 of the Local Government Act 1995 and Financial Management Regulation 25, A Local Government may impose and recover a fee for a charge for any goods or services it provides or proposes to provide other than a service for which a service charge is imposed.

Notes to the Annual Budget No 16 – Fees and Charges information, details total Revenue to be derived from fees and charges for each program as required by Financial Management Regulation 25.

**Statutory Environment**

*Local Government Act 1995s 6.16 and Financial Management Regulation 25*

**Consultation**

Nil

**Comment**

Nil

**Voting Requirements**

Absolute Majority

Cr Gail Trenfield Moved that the Officer Recommendation be amended to include merchandise sales being the last average purchase price plus the maximum of 25% commission.

This was duly seconded by Cr Percy Lawson there be no further debate the president put the amendment to the vote which was carried 5/0.

**OFFICER RECOMMENDATION / COUNCIL DECISION**

S2018-0903 **Imposition of Fees and Charges for 2018-19**

That Council pursuant to Section 6.16 of the Local Government Act 1995, adopts the Fees and Charges detailed in the “Schedule of Fees and Charges” in report 2018/19 Annual Budget with the following amendment.

By the insertion of merchandise sales being the late average purchase price plus the maximum of 25% commission.

Moved: Cr Gail Trenfield    Seconded: Cr Tamisha Hodder    Motion put and carried: 5/0
6.4 Rate Payment Incentive Scheme for 2018-19

<table>
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<tr>
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</table>

**Matter for Consideration**

The purpose of this report is to inform Council of the rate incentive scheme prize to ratepayers for the 2018/19 Financial Year.

**Background**

Council in past years approved a rate incentive scheme as an incentive for ratepayers to pay their rates by the due date in one lump sum by way of a $1,000.00 cash payment.

The sum of $1,000.00 has been allocated in the 2018/19 Annual Budget for an early incentive payment.

The following prize is offered by the Shire:

Cash prize of $1,000.00 to the first drawn of the ratepayers who have paid their rates by the due date and in one lump sum.

**Statutory Environment**

Nil

**Consultation**

Nil

**Comment**

Nil

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

S2018-0904 Rate Payment Incentive Scheme for 2018-19

That Council:

1. Receive Report No 6.1.4 Rate Payment Incentive Scheme for 2018/19
2. The draw for the prizes to be conducted on Friday, 26th October 2018.

Moved: Cr Gregory Payne  Seconded: Cr Gail Trenfield  Motion put and carried: 5/0
6.5  2018-19 Annual Budget

<table>
<thead>
<tr>
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</tr>
</tbody>
</table>

**Matter for Consideration**

The purpose of this report is for Council to give consideration and adopt the 2018/19 Annual Budget.

**Background**

The 2018/2019 Annual Budget has been prepared in accordance with Section 6.2 of the Local Government Act 1995 and Financial Management Regulations Part 3, Regulations 22 to 33.

**DETAILS**

The 2018/2019 Annual Budget comprises the following information, which is contained in the Budget Booklet:

- Budget Statement of Comprehensive Income for the year ending 30 June 2019
- Budget Rate Setting Statement for the year ending 30 June 2019
- Budget Cash flow Statement for the year ending 30 June 2019
- Budget Financial Activity Statement for the year ending 20 June 2019

**Notes to the Annual Budget:**

1. Significant Accounting Policies
2. Operating, Revenues and Expenses
3. Descriptions of Functions/Activities
4. Operating, Revenues and Expenses
5. Cash
6. Disposal of Assets
7. Borrowing Information
8. Reserves
9. Cash Flow Information
10. Trust Fund Information
11. Comparison with Rate Setting Budget
12. Rating Information
13. Service Charges
14. Information about Discounts, Incentives, Concessions and Write Offs
15. Interest Charges for the Late Payment of Rate Charges
16. Fees and Charges Information
17. Investments
18. Council Members – Fees, Expenses and Allowances
19. Depreciation and Non-Current Assets
20. Major Land Transactions
21. Joint Venture
22. Trading Undertakings
23. Capital and Leasing Commitments
24. Financial Instruments
25. Position at Commencement of Financial Year
26. Acquisitions of Assets

- Schedule of Fees and Charges
Statutory Environment

Section 6.2 of the Local Government Act 1995 and Financial Management Regulations 22 to 33

Consultation

Nil

Comment

The 2018-19 Annual Budget has been prepared pursuant to the requirements of Section 6.2 of the Local Government Act 1995 and the Financial Management Regulations 22 to 33.

Voting Requirements

Absolute Majority
OFFICER RECOMMENDATION / COUNCIL DECISION

S2018-0904  2018-19 Annual Budget

That Council:

(1) Pursuant to Section 6.2 of the Local Government Act 1995 and Financial Management Regulation Part 3, Regulation 22 to 33, adopts the following Annual Budget as attached hereto.

(a) Budget Statement of Comprehensive Income for the year ending 30 June 2019
(b) Budget Rate Setting Statement for the year ending 30 June 2019
(c) Budget Cash Flow Statement for the year ending 30 June 2019
(d) Budget Financial Activity Statement for the year ending 30 June 2019
(e) Notes to the Annual Budget, being:
   1) Significant Accounting Policies
   2) Operating, Revenue and Expenses
   3) Descriptions of Functions/Activities
   4) Operating, Revenues and Expenses
   5) Cash
   6) Disposal of Assets
   7) Borrowing Information
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  12) Rating Information
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  16) Fees and Charges Information
  17) Investments
  18) Council Members – Fees, Expenses and Allowances
  19) Depreciation on Non-Current Assets
  20) Major land Transaction
  21) Joint Venture
  22) Trading Undertakings
  23) Capital and leasing Commitments
  24) Financial Instruments
  25) Position at Commencement of Financial Year
  26) Acquisitions of Assets

(g) Schedule of fees and Charges for 2018/19

Moved: Cr Percy Lawson  Seconded: Cr Gail Trenfield  Motion put and carried: 5/0
7. **URGENT BUSINESS**

Nil

8. **MEETING CLOSURE**

There being no further business, the President declared the Ordinary meeting closed at 10.21 am

**DECLARATION**

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

Signed: ___________________________________________________

Person presiding at the meeting at which these minutes were confirmed.