



UNCONFIRMED MINUTES
FOR THE
SPECIAL MEETING OF COUNCIL
HELD IN
THE COUNCIL CHAMBERS, YALGOO
ON THURSDAY, 20 AUGUST 2020
COMMENCING 5.30 PM



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Minutes of the Special Meeting of the Yalgoo Shire Council,
the Council Chambers, 37 Gibbons Street, Yalgoo,
on Thursday 20 August 2020 commencing at 5.30 pm

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

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Shire President Cr Gregory Payne declared the Special Meeting open at 5.30 pm

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr Gregory Payne, Shire President Cr Raul Valenzuela Cr Percy Lawson Cr Tamisha Hodder Cr Gail Simpson
STAFF	John Read, Chief Executive Officer Elisha Hodder, Executive Assistant
GUESTS	Nil
OBSERVERS	Nil
LEAVE OF ABSENCE	Nil
APOLOGIES	Cr Gail Trenfield, Deputy President

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

Nil

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE - Nil

4.2 QUESTIONS WITHOUT NOTICE - Nil

5. BUSINESS AS NOTIFIED

5.0 Purpose of Meeting

The purpose of this meeting is to deal with the following matters;

- Differential General Rates 2020-21
- Payment of Rate Charge 2020-21
- Imposition of Fees and Charges for 2020-21
- 2020-21 Annual Budget
- Monthly Statement of financial Activity Reporting Material Variance

5.1 Differential General Rates 2020-21

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 August 2020
Attachments	Letter dated 14 August 2020 from the Department of Local Government, Sports and Cultural Industries

Matter for Consideration

The purpose of the report is for council to adopt the differential general rates imposed on the rateable property within each differential rating category. The differentiated rating categories determined by the Council are as follows.

Gross Rental Value	Rate in \$	Minimum Rate
Town Imposed	7.83184 cents	\$290.00
Town site Vacant	7.83184 cents	\$290.00
Mining Infrastructure	29.75000 cents	

Unapproved Value	Rate in \$	Minimum Rate
Pastoral/Rural	6.900787 cents	\$290.00
Mining/Mining Tenement	32.00000 cents	\$290.00
Exploration/Prospecting	19.88253 cents	\$290.00

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/. No submissions were received.

- 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 2020-21 financial year amounts to \$2,654,309 and results in an increase in revenue of \$620,618 when compared to rates levied and interim rates received in 2019-20.

Background

The Council at its Ordinary Meeting held on the 3 July 2020 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 14 August 2020 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

Acting CEO John Read informed Council approval from the Minister of Local Government has been received to allow the Council to impose the differential rates.

OFFICER RECOMMENDATION / COUNCIL DECISION

S2020-0801 Differential General Rating 2020/2021

That Council adopts the following differential general rates for the 2020/2021 financial year.

Gross Rental Value	Rate in \$	Minimum Rate
Town Improved	7.83184 cents	\$290.00
Town Site Vacant	7.83184 cents	\$290.00
Mining Infrastructure	29.75000 cents	

Unapproved Value	Rate in \$	Minimum Rate
Pastoral/Rural	6.90787 cents	\$290.00
Mining/Mining Tenement	32.00000 cents	\$290.00
Exploration/Prospecting	19.88253 cents	\$290.00

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

Motion put and carried: 5/0

5.2 Payment of Rate Charge 2020-21

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 August 2020
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 2020/21 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 2020/2021 financial year is as follows:

- 1st Instalment Monday, 12 OCTOBER 2020
- 2nd Instalment Monday, 14 DECEMBER 2020
- 3rd Instalment Monday, 15 FEBRUARY 2020
- 4th Instalment Monday, 19 APRIL 2020

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 8%. It is recommended that Council impose a rate of interest of 0% 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 3.0%. It is recommended that Council impose a rate of interest of 0%.

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 \$0 (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 2020/2021 Annual Budget has included \$0 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 2020/21 Annual Budget has included \$0 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

Interest rates of 0% and no administration charge be imposed for the 2020-21 financial due to Covid 19.

Voting Requirements

Absolute Majority

Acting CEO John Read informed Council it was instructed by the Minister of Local Government that due to Covid 19 no rate interest and penalty interest are to be imposed.

Cr Raul Valenzuela enquired as to how long will this be in place

Acting CEO John Read advised only for the 2020-2021 financial year.

OFFICER RECOMMENDATION / COUNCIL DECISION

S2020-0802 Payment of Rate Charge 2020-21

That Council:

- 1. Pursuant to Section 6.45 of the Local Government Act 1995, impose an instalment administration charge of \$0 (GST free), and interest of 0%.**
- 2. Pursuant to Section 6.51 of the Local Government Act 1995, Impose an 0% rate of penalty interest on overdue rates that remain unpaid.**

Moved: Cr Tamisha Hodder

Seconded: Cr Raul Valenzuela

Motion put and carried: 5/0

5.3 Imposition of Fees and Charges for 2020-21

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 August 2020
Attachments	Nil

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 2020/21 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 Raul Valenzuela raised concerns regarding if any of the fees and charges have been changed.

Acting CEO John Read advised Cr Valenzuela that the only changes relate to the hire of plant equipment which had undergone a thorough review..

OFFICER RECOMMENDATION / COUNCIL DECISION

S2020-0803 Imposition of Fees and Charges for 2020-21

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 2020/21 Annual Budget.

Moved: Cr Raul Valenzuela

Seconded: Cr Percy Lawson

Motion put and carried: 5/0

5.4 2020-21 Annual Budget

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 August 2020
Attachments	2020-21 Annual Budget

Matter for Consideration

The purpose of this report is for Council to give consideration and adopt the 2020/21 Annual Budget.

Background

The 2020/2021 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 2020/2021 Annual Budget comprises the following information, which is contained in the Budget Booklet:

- Budget Statement of Comprehensive Income for the year ending 30 June 2021
- Budget Rate Setting Statement for the year ending 30 June 2021
- Budget Cash flow Statement for the year ending 30 June 2021
- Budget Financial Activity Statement for the year ending 20 June 2021

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 2020-21 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

Acting CEO John Read presented a power point presentation outlining the capital works as well as additional works set out in the annual budget.

President Cr Gregory Payne requested an agenda item be placed in the Ordinary Council Meeting Agenda to be tabled at the meeting held on Wednesday, 26 August 2020 to have the train tanks sealed up to stop vandals.

OFFICER RECOMMENDATION / COUNCIL DECISION**S2020-0804 2020-21 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 2021**
- (b) Budget Rate Setting Statement for the year ending 30 June 2021**
- (c) Budget Cash Flow Statement for the year ending 30 June 2021**
- (d) Budget Financial Activity Statement for the year ending 30 June 2021**
- (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**
 - 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 Charge**
 - 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 2020/21**

Moved: Cr Percy Lawson**Seconded: Cr Raul Valenzuela****Motion put and carried: 5/0**

5.5 Monthly Statement of Financial Activity – Reporting of Material Variance

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 August 2020
Attachments	Nil

Matter for Consideration

The Local Government Financial Management Regulations 1996 requires a Local Government to prepare monthly Financial Activity Statements and report Material Variance. Council is now required to set the material variance for the 2020/21 financial year.

Background

Regulation 34 of the Local Government (Financial Management) Regulation 1996 require the following in relation to the Financial Activity Statement:

- 1/. A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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.
 - (b) Budget estimates to the end of 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);
 - (e) The net current at the end of month to which the statement relates.
- 2/. Each Statement of Financial Activity to 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 may be shown-
 - (a) According to nature and type classification;
 - (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 to the Council:
 - (i) At the next ordinary meeting of the Council following the end of the month to which the statement relates; or
 - (ii) If the Statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the Council after that meeting; 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 AAS 5, to be used in Statements of Financial Activity for reporting material variances.
- 6/. In this regulation:

