



MINUTES OF THE
SPECIAL COUNCIL MEETING
HELD ON WEDNESDAY
4TH SEPTEMBER 2019



WILDFLOWER COUNTRY

SHIRE OF THREE SPRINGS

MINUTES OF SPECIAL MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 4th September 2019 COMMENCING AT 4.13 PM.

Table of Contents

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS
2	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
4	PUBLIC QUESTION TIME
5	APPLICATIONS FOR LEAVE OF ABSENCE
6	CONFIRMATION OF PREVIOUS MINUTES
7	ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION
8	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS
9	OFFICERS REPORTS
	9.1.1 Budget Amendments 2019/2020 Differential Rates/ICT Expenses
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
	11.1 ELECTED MEMBERS
	11.2 STAFF
12	QUESTIONS BY MEMBERS WITHOUT NOTICE
13	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
14	TIME AND DATE OF NEXT MEETING
15	CONFIDENTIAL ITEMS – MEETING CLOSED TO THE PUBLIC
	15.1.1 Budget Amendments 2019/2020 Employee Salary

**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN COUNCIL
CHAMBERS ON 4th September 2019 COMMENCING AT 4.13PM.**

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr Chris Lane declared the meeting open at 4.13pm

2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

2.1. PRESENT

C Lane	President
C Connaughton	Deputy President
RJ Heal	Councillor
JD Mutter	Councillor
R Sunner	DCEO
M Bennett	Manager of Works
P McKeon	Customer Service Officer

STAFF

A Lamb	Acting Chief Executive Officer
--------	--------------------------------

PUBLIC

Nil

2.2 APOLOGIES

R Thorpe	Councillor
AEC Thomas	Councillor

2.3 LEAVE OF ABSENCE

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF PREVIOUS MEETING MINUTES

Nil

7. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

8. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9. OFFICERS REPORTS

9.1.1 BUDGET AMNEDMENTS DIFFERENTIAL RATES 2019-2020

Agenda Reference: DCEO 09/19 - 01
Location/Address: Shire of Three Springs
Name of Applicant: Shire of Three Springs
File Reference: ADM0130
Disclosure of Interest: Nil
Date: 30th August 2019
Author: Rajinder Sunner, DCEO

Signature of Author: _____

SUMMARY

For Council to approve the removal of Differential Rates from the 2019-2020 Budget and add provision for an ICT Allowance.

ATTACHMENT

Nil

BACKGROUND

During the Budget process required notice under Local Government Act 1995 (6.36), relating to differential rates, was not followed. It has been confirmed with DLGSC that rate notices may not be issued until the required process is conducted or the budget amended to remove provision for a differential rate.

The ICT allowance is put forward for consideration due to growing costs of communications coupled with the need to equitably meet Members out of pocket expenses.

COMMENT

In order to comply with Local Government Act, it will take another 2-3 months to properly introduce differential rates. This will have a major impact on the cash flow for next few months.

Differential rates were proposed in 2019/2020 budget:

GRV Mining	\$0.23921
GV Mining	\$0.03067

New proposed rates for 2019-2020 Budget:

GRV Mining	\$0.119606
GV Mining	\$0.015334

One barrier to attracting citizens to nominate for Council may be the personal cost and so the relevant legislation provides for costs to be met by the Shire. In essence, holding the important civic office of Councillor should impose no significant financial burden.

Among other things, the Local Government Act provides for Councillors to be reimbursed for:

- Rental charges in relation to one telephone and one facsimile machine (Reg 31(1)(a)).

- Any other expenses that relate to information and communication technology (for example, telephone call costs and internet services) (Reg 32(1)).

Phone and email communication between Councillors and electors, the Shire office, other Councils and the like, are vital. Councillors also need to be able to access the internet for research and the like.

The cost of administering reimbursements led to provisions being made for an annual allowance as an option and this is by far the favoured manner of addressing costs where possible.

The Salaries and Allowances Tribunal determination for 2019 (copy attached) set the ICT allowance at a minimum of \$500 and maximum of \$3,500. It is suggested that Councillors costs would be toward the upper end of the range and so an annual allowance of \$3,000 is recommended.

Net impact of no differential rates for 2019/2020 and the ICT allowances will be a \$32,025 reduction to rate revenue and an increase in expenditure of \$21,000. It is proposed that that this will be funded by reducing the planned transfer to Housing Reserve.

CONSULTATION

CEO, DLGSC

STATUTORY ENVIRONMENT

Local Government Act 1995

6.36. Local government to give notice of certain rates

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

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

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

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

(b) is to contain —

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

(ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any

related matters within 21 days (or such longer period as is specified in the notice) of the notice; and

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

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

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

(5) Where a local government —

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

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

SALRIES AND ALLOWANCES TRIBUNAL

6.2 COUNCIL MEETING ATTENDANCE FEES – PER MEETING

(1) The ranges of fees in Table 4 and Table 5 apply where a local government or regional local government decides by an absolute majority to pay a council member a fee referred to in section 5.98(1)(b) of the LG Act for attendance at a council meeting.

Table 4: Council meeting fees per meeting – local governments

Band	For a council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$615	\$793	\$615	\$1,189
2	\$373	\$582	\$373	\$780
3	\$193	\$410	\$193	\$634
4	\$91	\$238	\$91	\$490

Table 5: Council meeting fees per meeting – regional local governments

	For a council member other than the chair		For a council member who holds the office of chair	
	Minimum	Maximum	Minimum	Maximum
All regional local governments	\$91	\$238	\$91	\$490

6.3 COMMITTEE MEETING AND PRESCRIBED MEETING ATTENDANCE FEES – PER MEETING

(1) The ranges of fees in Table 6 and Table 7 apply where a local government or regional local government decides to pay a council member a fee referred to in –

- (a) section 5.98(1)(b) of the LG Act for attendance at a committee meeting; or
- (b) section 5.98(2A)(b) of the LG Act for attendance at a meeting of a type prescribed in regulation 30(3A) of the LG Regulations.

Table 6: Committee meeting and prescribed meeting fees per meeting – local governments
For a council member
(including the mayor or president)

Band	Minimum	Maximum
1	\$308	\$396
2	\$186	\$291
3	\$97	\$205
4	\$46	\$119

Table 7: Committee meeting and prescribed meeting fees per meeting – regional local governments

For a council member
(including the chair)

	Minimum	Maximum
All regional local governments	\$46	\$119

6.4 ANNUAL ATTENDANCE FEES IN LIEU OF COUNCIL MEETING, COMMITTEE MEETING AND PRESCRIBED MEETING ATTENDANCE FEES

(1) The ranges of fees in Table 8 and Table 9 apply where a local government or regional local government decides by an absolute majority that, instead of paying council members an attendance fee referred to in section 5.98 of the LG Act, it will pay an annual fee to all council members who attend council, committee or prescribed meetings.

Table 8: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – local governments

Band	For a council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$24,604	\$31,678	\$24,604	\$47,516
2	\$14,865	\$23,230	\$14,865	\$31,149
3	\$7,688	\$16,367	\$7,688	\$25,342
4	\$3,589	\$9,504	\$3,589	\$19,534

Table 9: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – regional local governments

	For a council member other than the chair		For a council member who holds the office of chair	
	Minimum	Maximum	Minimum	Maximum
All regional local governments	\$1,795	\$10,560	\$1,795	\$15,839

PART 7: ANNUAL ALLOWANCE FOR A MAYOR, PRESIDENT, CHAIR, DEPUTY MAYOR, DEPUTY PRESIDENT AND DEPUTY CHAIR

This Part deals with annual allowances payable to mayors, presidents, chair and their deputies, in addition to any entitlement to meeting attendance fees or the reimbursement of expenses.

7.1 GENERAL

(1) Pursuant to section 5.98(5) of the LG Act, the mayor or president of a local government and the chair of a regional local government are entitled, in addition to any fees or reimbursement of expenses payable under section 5.98(1) or (2), to be paid the annual allowance set by the local government or regional local government within the range determined in section 7.2 of this Part.

(2) Pursuant to section 5.98A(1) of the LG Act, a local government or regional local government may decide, by an absolute majority, to pay the deputy mayor or deputy president of the local government, or the deputy chair of the regional local government, an allowance of up to the percentage that is determined by the Tribunal of the annual allowance to which the mayor or president of the local government, or the chair of the regional local government, is entitled under section 5.98(5) of the LG Act. That percentage is determined in section 7.3 of this Part. This allowance is in addition to any fees or reimbursement of expenses payable to the deputy mayor, deputy president or deputy chair under section 5.98 of the LG Act.

(3) In determining the allowances set out in this Part, the Tribunal has taken into account a range of factors including the following –

- (a) the leadership role of the mayor, president or chair;
- (b) the statutory functions for which the mayor, president or chair is accountable;
- (c) the ceremonial and civic duties required of the mayor, president or chair, including local government business related entertainment;
- (d) the responsibilities of the deputy mayor, deputy president or deputy chair when deputising;
- (e) the relative "size" of the local government as reflected in the Tribunal's local government banding model;
- (f) the civic, ceremonial and representation duties particular to the Lord Mayor of Western Australia's capital city.

7.2 ANNUAL ALLOWANCE FOR A MAYOR, PRESIDENT OR CHAIR

(1) The ranges of allowances in Table 10 apply where a local government sets the amount of the annual local government allowance to which a mayor or president is entitled under section 5.98(5) of the LG Act.

(2) The range of allowances in Table 11 apply where a regional local government sets the amount of the annual local government allowance to which a chair is entitled under section 5.98(5) of the LG Act.

(3) Despite the provisions of subsection (1), the Perth City Council is to set the amount of the annual local government allowance to which the Lord Mayor is entitled within the range of \$61,509 to \$137,268.

Table 10: Annual allowance for a mayor or president of a local government

Band	For a mayor or president	
	Minimum	Maximum
1	\$51,258	\$89,753
2	\$15,377	\$63,354
3	\$1,025	\$36,957
4	\$513	\$20,063

Table 11: Annual allowance for a chair of a regional local government

For a chair		
	Minimum	Maximum
All regional local governments	\$513	\$20,063

7.3 ANNUAL ALLOWANCE FOR A DEPUTY MAYOR, DEPUTY PRESIDENT OR DEPUTY CHAIR

(1) The percentage determined for the purposes of section 5.98A(1) of the LG Act is 25 per cent.

PART 8: EXPENSES TO BE REIMBURSED

This Part deals with expenses for which council members are entitled to be reimbursed.

8.1 GENERAL

(1) Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 31(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined in section 8.2(1) to (5) of this Part.

(2) Regulation 31(1) of the LG Regulations prescribes the following kinds of expenses that are to be reimbursed:

rental charges incurred by a council member in relation to one telephone and one facsimile machine; and

child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.

(3) Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 32(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined in section 8.2(6) to (8) of this Part.

(4) Regulation 32(1) of the LG Regulations prescribes the following kinds of expenses that may be approved by a local government for reimbursement –

(a) an expense incurred by a council member in performing a function under the express authority of the local government;

- (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
- (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

8.2 EXTENT OF EXPENSES TO BE REIMBURSED

- (1) The extent to which a council member can be reimbursed for rental charges in relation to one telephone and one facsimile machine is the actual expense incurred by the council member.
- (2) The extent to which a council member can be reimbursed for child care costs incurred because of attendance at a meeting referred to in regulation 31(1)(b) of the LG Regulations is the actual cost per hour or \$30 per hour, whichever is the lesser amount.
- (3) The extent to which a council member of a local government can be reimbursed for reasonable travel costs referred to in regulation 31(1)(b) of the LG Regulations is:
 - (a) if the person lives or works in the local government district or an adjoining local government district, the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or
 - (b) if the person does not live or work in the local government district or an adjoining local government district, the actual cost, in relation to a journey from the person's place of residence or work and back:
 - (i) for the person to travel from the person's place of residence or work to the meeting and back; or
 - (ii) if the distance travelled referred to in subparagraph (i) is more than 100 kilometres, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.
- (4) The extent to which a council member of a regional local government can be reimbursed for reasonable travel costs referred to in regulation 31(1)(b) of the LG Regulations is the actual cost for the person to travel from the person's place of residence or work to the meeting and back.
- (5) For the purposes of subsections (3) and (4), travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained in Section 30.6 of the Local Government Officers' (Western Australia) Interim Award 2011 as at the date of this determination.
- (6) The extent to which a council member can be reimbursed for child care costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is the actual cost per hour or \$30 per hour, whichever is the lesser amount.
- (7) The extent to which a council member can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission as at the date of this determination.
- (8) The extent to which a council member can be reimbursed for any other cost incurred under regulation 32(1) of the LG Regulations is the actual cost upon presentation of sufficient evidence of the cost incurred.

PART 9: ANNUAL ALLOWANCES IN LIEU OF REIMBURSEMENT OF EXPENSES

This Part deals with annual allowances that a local government or regional local government may decide to pay.

9.1 GENERAL

(1) Pursuant to section 5.99A of the LG Act, a local government or regional local government may decide by absolute majority that instead of reimbursing council members under the LG Act section 5.98(2) for all of a particular type of expense, it will pay all council members, for that type of expense, the annual allowance determined in section 9.2 of this Part or, as the case requires, an annual allowance within the range determined in that section.

(2) Where a local government or regional local government has decided to pay council members an annual allowance for an expense of a particular type instead of reimbursing expenses of that type under section 5.98(2) of the LG Act, section 5.99A of the LG Act provides for reimbursement of expenses of that type in excess of the amount of the allowance.

(3) In determining the maximum annual allowance for expenses of a particular type, the Tribunal has taken into account a range of factors including the following:

- (a) the intent of the allowance to reflect the extent and nature of the expenses incurred and not to result in a windfall gain for council members;
- (b) the capacity of local governments to set allowances appropriate to their varying operational needs;
- (c) the particular practices of local governments in the use of information and communication technology (e.g. laptop computers, iPads); and
- (d) the varying travel requirements of council members in local governments associated with geography, isolation and other factors.

9.2 ANNUAL ALLOWANCES DETERMINED INSTEAD OF REIMBURSEMENT FOR PARTICULAR TYPES OF EXPENSES

(1) In this section:

ICT expenses means:

- (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; or
- (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations;

travel and accommodation expenses means:

- (a) travel costs, as prescribed by regulation 31(1)(b) of the LG Regulations; or
- (b) any other expenses that relate to travel or accommodation and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations.

(2) For the purposes of section 5.99A(b) of the LG Act, the minimum annual allowance for ICT expenses is \$500 and the maximum annual allowance for ICT expenses is \$3,500.

(3) For the purposes of section 5.99A(a) of the LG Act, the annual allowance for travel and accommodation expenses is \$50.

SCHEDULE 1: LOCAL GOVERNMENT BAND ALLOCATIONS

Local Government	Band
Albany City	1

Armadale City	1
Ashburton Shire	2
Augusta-Margaret River Shire	2
Bassendean Town	3
Bayswater City	1
Belmont City	1
Beverley Shire	4
Boddington Shire	4
Boyup Brook Shire	4
Bridgetown-Greenbushes Shire	3
Brookton Shire	4
Broome Shire	2
Broomehill-Tambellup Shire	4
Bruce Rock Shire	4
Bunbury City	1
Busselton City	1
Cambridge Town	2
Canning City	1
Capel Shire	3
Carnamah Shire	4
Carnarvon Shire	2
Chapman Valley Shire	4
Chittering Shire	3
Christmas Island Shire	3
Claremont Town	3
Cocos (Keeling) Islands Shire	4
Cockburn City	1
Collie Shire	3
Coolgardie Shire	3
Coorow Shire	4
Corrigin Shire	4
Cottesloe Town	3
Cranbrook Shire	4
Cuballing Shire	4
Cue Shire	4
Cunderdin Shire	4
Dalwallinu Shire	3
Dandaragan Shire	3
Dardanup Shire	3
Denmark Shire	3
Derby-West Kimberley Shire	2
Donnybrook Balingup Shire	3
Dowerin Shire	4
Dumbleyung Shire	4
Dundas Shire	4
East Fremantle Town	3
East Pilbara Shire	2

Esperance Shire	2
Exmouth Shire	3
Fremantle City	1
Gingin Shire	3
Gnowangerup Shire	4
Goomalling Shire	4
Gosnells City	1
Greater Geraldton City	1
Halls Creek Shire	3
Harvey Shire	2
Irwin Shire	3
Jerramungup Shire	4
Joondalup City	1
Kalamunda Shire	2
Kalgoorlie-Boulder City	1
Karratha City	1
Katanning Shire	3
Kellerberrin Shire	4
Kent Shire	4
Kojonup Shire	3
Kondinin Shire	4
Koorda Shire	4
Kulin Shire	4
Kwinana City	1
Lake Grace Shire	4
Laverton Shire	3
Leonora Shire	3
Mandurah City	1
Manjimup Shire	2
Meekatharra Shire	3
Melville City	1
Menzies Shire	4
Merredin Shire	3
Mingenew Shire	4
Moora Shire	3
Morawa Shire	4
Mosman Park Town	3
Mount Magnet Shire	4
Mount Marshall Shire	4
Mukinbudin Shire	4
Mundaring Shire	2
Murchison Shire	4
Murray Shire	3
Nannup Shire	4
Narembeen Shire	4
Narrogin Shire	3
Nedlands City	2

Ngaanyatjarraku Shire	4
Northam Shire	2
Northampton Shire	3
Nungarin Shire	4
Peppermint Grove Shire	4
Perenjori Shire	4
Perth City	1
Pingelly Shire	4
Plantagenet Shire	3
Port Hedland Town	1
Quairading Shire	4
Ravensthorpe Shire	3
Rockingham City	1
Sandstone Shire	4
Serpentine-Jarrahdale Shire	2
Shark Bay Shire	4
South Perth City	2
Stirling City	1
Subiaco City	2
Swan City	1
Tammin Shire	4
Three Springs Shire	4
Toodyay Shire	3
Trayning Shire	4
Upper Gascoyne Shire	4
Victoria Park Town	2
Victoria Plains Shire	4
Vincent City	2
Wagin Shire	4
Wandering Shire	4
Wanneroo City	1
Waroon Shire	3
West Arthur Shire	4
Westonia Shire	4
Wickepin Shire	4
Williams Shire	4
Wiluna Shire	4
Wongan-Ballidu Shire	4
Woodanilling Shire	4
Wyalkatchem Shire	4
Wyndham-East Kimberley Shire	2
Yalgoo Shire	4
Yilgarn Shire	3
York Shire	3

Signed on 9 April 2019.

M Seares AO
CHAIR

B A Sargeant PSM
MEMBER

C Murphy PSM
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

LOCAL GOVERNMENT ELECTED MEMBERS EXPLANATORY NOTES

This section does not form part of the determination

1. Entitlements

The entitlement of a council member to a fee, allowance or reimbursement of an expense established under the LG Act, the LG Regulations and this determination, cannot be proscribed, limited or waived by a local government. Any eligible claim against those entitlements is to be paid in accordance with the applicable financial procedures of the local government.

2. Local governments to set amounts within the range determined

Where the Tribunal has determined a minimum and maximum amount for a fee, expense or allowance for members of the council of a local government or a regional local government, each council is to set, by absolute majority, an amount within the relevant range determined and the amount set will be payable to elected council members.

3. Superannuation

Nothing in this determination establishes a liability for the payment of superannuation by local governments. Elected council members are eligible for superannuation payments if their council has resolved unanimously to become an Eligible Local Governing Body (ELGB) pursuant to section 221A and section 221B of the Income Tax Assessment Act 1936 (Cwlth). Where the council is an ELGB, it is deemed to have an employer/employee relationship with its elected council members and this attracts the application of a number of statutory obligations. Alternative arrangements described in Australian Taxation Office (ATO) Interpretative Decision ATO ID 2007/205 allow for elected council members and councils to agree for whole or part of meeting attendance fees to be paid into a superannuation fund. Where the council is an ELGB, fees for attendance at council, committee and prescribed meetings (whether paid via a per meeting fee or annual allowance) are to be inclusive of any superannuation guarantee liability. This information is not published by way of legal or financial advice.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The reduction in rate income and increase in expenditure will be met by a reduction to the planned transfer to Housing Reserve.

STRATEGIC IMPLICATIONS

Nil

190901 COUNCIL RESOLUTION – ITEM 9.2.4

1 PART A - That the adopted 2019-2020 Budget be amended by

1. Removing provision for a differential rate.
2. Reducing the transfer to the Housing Reserve by \$32,025.

1 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

general rates and minimum payments on Gross Rental and Unimproved Values.

1.1 General Rates

- | | |
|------------------------|-----------------------------|
| • Residential (GRV) | 11.9606 cents in the dollar |
| • Mining (GRV) | 11.9606 cents in the dollar |
| • Rural and Arrino(UV) | 1.5334 cents in the dollar |
| • Mining (UV) | 1.5334 cents in the dollar |

1.2 Minimum Payments

- | | |
|-------------------------|-------|
| • Residential (GRV) | \$455 |
| • Mining (GRV) | \$455 |
| • Rural and Arrino (UV) | \$455 |
| • Mining | \$455 |

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 1 st instalment due date | 8 th November 2019 |
| • 2 nd instalment due date | 10 th January 2020 |
| • 3 rd instalment due date | 13 th March 2020 |
| • 4 th instalment due date | 15 th May 2020 |

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 through an instalment option of \$12 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 5.5% where the owner has elected to pay rates 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 11% for rates and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.

2 ICT Allowance

That the 2019/20 Budget be amended to provide for a ICT Allowance of \$3,000 and that the planned transfer to the Housing Reserve be reduced by \$21,000.00

VOTING REQUIREMENT - ABSOLUTE MAJORITY

COUNCIL DECISION

MOVED: Cr Heal
SECONDED: Cr Connaughton

- 1 **PART A - That the adopted 2019-2020 Budget be amended by**
 1. Removing provision for a differential rate.
 2. Reducing the transfer to the Housing Reserve by \$32,025.
- 1 **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 general rates and minimum payments on Gross Rental and Unimproved Values.
 - 1.1 General Rates

• Residential (GRV)	11.9606 cents in the dollar
• Mining (GRV)	11.9606 cents in the dollar
• Rural and Arrino (UV)	1.5334 cents in the dollar
• Mining (UV)	1.5334 cents in the dollar
 - 1.2 Minimum Payments

• Residential (GRV)	\$455
• Mining (GRV)	\$455
• Rural and Arrino (UV)	\$455
• Mining	\$455
 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 1 st instalment due date	8 th November 2019
• 2 nd instalment due date	10 th January 2020
• 3 rd instalment due date	13 th March 2020
• 4 th instalment due date	15 th May 2020
 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 through an instalment option of \$12 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 5.5% where the owner has elected to pay rates 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 11% for rates and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.

2 ICT Allowance

That the 2019/20 Budget be amended to provide for a ICT Allowance of \$3,000 and that the planned transfer to the Housing Reserve be reduced by \$21,000.00

AMENDMENT

MOVED: Cr Connaughton
SECONDED: Cr Heal

That the propose ICT Allowance be \$2,000 per Council Member and the transfer to the Housing Reserve be reduced by \$14,000.

CARRIED BY ABSOLUTE
MAJORITY
VOTE 4/0

AMENDED MOTION

1 PART A - That the adopted 2019-2020 Budget be amended by

3. Removing provision for a differential rate.
4. Reducing the transfer to the Housing Reserve by \$32,025.

1 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 general rates and minimum payments on Gross Rental and Unimproved Values.

1.2 General Rates

- | | |
|-------------------------|-----------------------------|
| • Residential (GRV) | 11.9606 cents in the dollar |
| • Mining (GRV) | 11.9606 cents in the dollar |
| • Rural and Arrino (UV) | 1.5334 cents in the dollar |
| • Mining (UV) | 1.5334 cents in the dollar |

1.2 Minimum Payments

- | | |
|-------------------------|-------|
| • Residential (GRV) | \$455 |
| • Mining (GRV) | \$455 |
| • Rural and Arrino (UV) | \$455 |
| • Mining | \$455 |

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 1st instalment due date 8th November 2019
- 2nd instalment due date 10th January 2020
- 3rd instalment due date 13th March 2020
- 4th instalment due date 15th May 2020

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 through an instalment option of \$12 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 5.5% where the owner has elected to pay rates 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 11% for rates and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.

2 ICT Allowance

That the 2019/20 Budget be amended to provide for a ICT Allowance of \$2,000 per Council Member and that the planned transfer to the Housing Reserve be reduced by \$14,000.00

**CARRIED BY ABSOLUTE
MAJORITY**
VOTE 4/0

10. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
Nil
11. **BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
 - 11.1. **ELECTED MEMBERS**
 - 11.2. **STAFF**
12. **QUESTIONS BY MEMBERS WITHOUT NOTICE**
Nil
13. **QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
14. **TIME AND DATE OF NEXT MEETING**

The Next Ordinary Council Meeting will be held on Wednesday 18th September 2019 at 1.30pm.

15. **CONFIDENTIAL ITEMS – MEETING CLOSED TO THE PUBLIC**

15.1.1 BUDGET AMENDMENTS 2019/2020 EMPLOYEE SALARY

MOVED: Cr Mutter

SECONDED: Cr Heal

That the meeting be closed in accordance with Section 5.23(2)(b) and (e) of the Local Government Act 1995.

CARRIED

Voted: 4/0

M Bennett Manager of Works left the meeting at 4.25pm

MOVED: Cr Heal

SECONDED: Cr Connaughton

That Council re-open the meeting to members of the public after discussion of confidential items.

CARRIED

Voted: 4/0

COMMENT: The Local Government Act requires that no Council vote is to be secret (Sec. 5.25(1)(d) of the Act and Local Government (Administration) Regulation 9). It is therefore necessary for the Council to hold its discussions and debate on the appointment behind closed doors, then re-open the meeting for the purpose of making the decision.

190902 COUNCIL RESOLUTION – ITEM 15.1.1

MOVED: Cr Connaughton

SECONDED: Cr Mutter

That Council amend the 2019/2020 Budget by increasing employee costs by \$137,450 and reducing provision to transfer to reserves as follows:

- Reduce transfer to Housing and Development Reserve by \$41,975
- Reduce transfer to Plant Reserve by \$95,475

CARRIED By Absolute Majority

Voted: 4/0

16. MEETING CLOSURE

There being no further business the Presiding Officer closed the meeting at 4.38pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____

Presiding Officer
Date: 21st August 2019