



SHIRE OF YORK

**MINUTES OF THE SPECIAL
MEETING OF THE COUNCIL
HELD ON 25 JUNE 2015
COMMENCING AT 5.00pm
AT THE YORK RECREATION &
CONVENTION CENTRE, YORK**

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SHIRE OF YORK

THE SPECIAL MEETING OF THE COUNCIL
HELD ON THURSDAY, 25TH JULY, 2015, COMMENCING AT
5.00PM AT THE YORK RECREATION & CONVENTION CENTRE, YORK

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

1. OPENING

1.1 Declaration of Opening

Commissioner, James Best, declared the meeting open at 5.00pm.

1.2 Disclaimer

The Commissioner advised the following:

"I wish to draw attention to the Disclaimer Notice contained within the agenda document and advise members of the public that any decisions made at the meeting today, can be revoked, pursuant to the Local Government Act 1995.

Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material."

1.3 Standing Orders

Clause 3.2 – Order of Business

Commissioner declared current Standing Orders will apply.

1.4 Announcement of Visitors

Commissioner, James Best welcomed Crs Smythe and Wallace, Freeman Gordon Marwick

1.5 Declarations of Interest that Might Cause a Conflict

Financial Interests

Nil

Disclosure of Interest that May Affect Impartiality

Nil

2. ATTENDANCE

2.1 Commissioner
James Best

2.2 Staff
Graeme Simpson, Acting Chief Executive Officer; Allan Rourke, Manager Works & Services, Gail Maziuk, Compliance/Human Resources; Tabitha Bateman, Financial Controller; Kira Strange, Town Planner; Helen D'Arcy-Walker, Executive Support Officer

2.3 Apologies
Cr Pat Hooper

2.4 Leave of Absence Previously Approved
Nil

2.5 Number of People in Gallery at Commencement of Meeting
There were 12 people in the Gallery at the commencement of the meeting

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Previous Public Questions Taken on Notice
Nil

4. PUBLIC QUESTION TIME

The Presiding Member to read the following statement in full at the commencement of Public Question Time:

Statement by the Presiding Member at the Opening of Public Question Time at Ordinary and Special Council Meetings

“Public Question Time is provided for under the provisions of Section 5.24 of the Local Government Act and the Local Government (Administration) Regulations 1996.

To provide equal opportunity for people to ask questions a limit of two (2) questions per person per time will be applied. If there is time available in Public Question Time people may be given the opportunity to ask a further two (2) questions at a time.

Procedures

- Questions submitted in writing prior to the meeting will be dealt with initially.
- Questions from the floor will be taken in the order recorded in a register.
- Statements, opinions and attachments will not be recorded in the minutes.
- Questions requiring research will be taken on notice and a response will be prepared in a reasonable timeframe. The original questions and the response will be included in the Agenda and Minutes of the next Ordinary Council meeting.
- Questions may be deemed inappropriate because they contain defamatory remarks or offensive language, they question the competency of elected members or staff, they relate to the personal affairs of elected members or staff, they relate to legal processes and confidential matters or they have been responded to previously and these will not be accepted or recorded in the Minutes.
- The minutes may only record a summary of the question asked and the response given.
- Where possible questions asked should be submitted in writing at the completion of question time or at the end of the meeting.

- At Special Council Meetings questions must relate to the items on the Agenda.
- Shire of York guidelines for Public Question Time are included on the meeting agenda.”

PRESIDING OFFICER

21 October 2013

4.1 Written Questions – Current Agenda

Public Question Time commenced at 5.02pm

The Commissioner reminded the Gallery that as it is a Special Council Meeting only questions relating to the budget will be taken.

Ms Liz Christmas

Question 1:

For the sake of clarity, viewing page 56 of the Draft Budget (Fees & Charges) - Does the subcategory Deposits apply to FOI applications as it seems to?

Response:

The Acting CEO stated that was correct.

Question 2:

Immediately below the above there is a sentence not indented under any specific sub-heading which says – “For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.”

Does this sentence refer to a concession on Rates, or a concession on the unspecified Deposits, or FOI's? If it applies to Rates, it would be clearer if there were a sub-heading ‘Concessions on Rates’.

Response:

The Acting CEO responded that the item titled ‘For Financially Disadvantaged’ does not refer to a concession on rates. The concession relates to FOI applications, other deposits and therefore would apply also to all deposits.

Question 3:

Are the only concessions for Pensioners:

- (a) Use of the Swimming Pool
- (b) Use of the New Gym
- (c) FOI Application

Response:

The Acting CEO responded that it was Yes to all of the above.

Question 4:

Local Government Rates Rebate – the concession is available as either a rebate on, or the deferment of, this charge. In the Draft Annual Budget 2015/16 it states – for financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.

Response:

The Acting CEO clarified the point that the percentage given is changed by the State Government, not the Shire of York, it is beyond the control of the Shire. State law over rules Shire law. Concessions are applied for at the time of receiving the rates notice if the ratepayer has an approved card.

Question 5:

Why is it not referred to in the Draft Budget?

Response:

The information is contained in Budget Note 14 which states – Information about Discounts, Incentives, Concessions and Write Offs – Pursuant to Sections 6.4 and 6.12 of the Local Government Act 1995, Council may, when adopting the Annual Budget, grant an incentive or discount for early payment of Rates and Charges. Discount on Rates and Services Charges – No discount is offered to all who pay rates and charges within 35 days of the date of service (which appears on the rate notice) as Council has implemented an Incentive Scheme.

Question 6:

Putting together the Shire's intentions to – Purchase a property being Lots 800 & 801 South Street, York, borrowing \$625,000 to fund the purchase of these lots and to establish a Town Square – presumably these actions are all for the same purpose. Is that correct?

Response:

Yes

Question 7:

Is it correct that this involves buying a Heritage Building next to Peace Park?

Response:

Yes

Question 8:

How does the Shire intend to cover the costs of maintenance of another Heritage Building and grounds over its ongoing life?

Response:

The Commissioner stated that a building and engineering report indicates that the building is sound. The building is the first school in York and we need to look after our heritage. The key is to take Peace Park from a 'L' shape, turn into a green town square shape and enhance the economic development potential by holding bigger and more frequent community events and Festivals.

Question 9:

How does the Shire envisage making use of the Town Square?

Response:

The Commissioner stated that by taking the current 'L' shape and incorporating the current car park from the Old School House to make a proper Town Square making Peace Park a more significant feature of the town.

Question 10:

What does the Shire consider are the benefits of a Town Square?

Response:

The Commissioner stated that it is an opportunity to make the area into a Town Square and encouraging festivals, etc that can be held in the area.

Cr Smythe interjected stating that this was a debate.

4.2 Public Question Time

- *Questions from the floor will be taken in the order recorded in a register.*
- *Statements, opinions and attachments will not be recorded in the minutes.*
- *Questions requiring research will be taken on notice and a response will be prepared in a reasonable timeframe.*

Ms Tricia Walters

Question:

The building that you are about to buy – I understand that once the Shire owns a building and then sells it the Shire cannot purchase the building back.

Response:

The Commissioner stated that this is not the case.

Mr Bill Roy

Question 1:

Given that York ratepayers have had, in recent years, to accept a succession of budgets setting rate increases well ahead of the CPI and rate of inflation how does Council justify such an impost on the community?

Response:

The Acting CEO replied that we were originally working on a 7% increase on rates. We also have had a new GRV re-valuation from the Landgate – therefore some property rates may go up and others may come down. On average we expect rate increases of up to 9.5%.

The Commissioner spoke regarding the upkeep of roads, the sealing of roads and the need to primary seal a road when constructed and then applying a second seal the following year to maximise the life of the road, as well as increasing the grading of gravel roads. The swimming pool is also in need of a new pump after 50 years of service. If the pump is not renewed and it fails the pool will need to be closed.

Question 2:

Given that the increase is above 7% and given that the Council are returning in the next few weeks – could the adoption of the Budget wait until their return?

Response:

The Commissioner stated that he did consider this, however if a Councillor is away or sick we would not be able to pass the budget as there will not be an absolute majority as required. The Commissioner has spoken to the Department regarding this issue and we are not proposing to defer the adoption of the budget.

Question 3:

I note that contained in the Section 8.1 (Borrowings) within the Budget papers there is a statement – “For the 2015/16 year, Council has decided to borrow \$625,000 to fund the purchase of Lot 800,801 South Street, York.” My question is in four parts:

Question 1(a)

When was it decided by Council to make such a purchase?

Response:

Commissioner stated when he was made aware that it was up for sale.

Question:

Did it go to Council?

Response:

The Commissioner stated it did not go to Council as there was no need. The loan is tied up with this budget and will be purchased in this financial year.

Question (b)

For what purpose is the purchase being made?

Response:

The Commissioner stated that it was a strategic decision to turn Peace Park into the Town Square as there is a need to improve the iconic nature of York. The Town Square would also be a more suitable location for festivals, events, etc.

Question:

Given that our Elected Members are answerable to the community and the Commissioner is answerable to the Department.

Response:

The Commissioner stated that he is the Council.

Question:

Would it not be more appropriate for the elected members to make the decision?

Response:

The Commissioner stated that there would not be an absolute majority until after the elections in October 2015.

Question:

This concept has not been discussed with the members of the community.

Response:

The Commissioner stated it is a bold decision in the long term, in the short term the building will be leased.

Question (c):

What additional costs will be incurred to make the building suitable for its proposed use?

Response:

The Commissioner stated that there is no money in the budget for alterations to the building. The car park will move into the Town Square first and it will be up to the leasee to pay for changes to the building.

Question:

Is it responsible to the community to buy a heritage building that may require major works?

Response:

The Commissioner stated that an engineering report has been completed and there are no major works required.

Question (d):

Has a Business Plan been prepared?

Response:

Yes, a draft business plan has been prepared. The Commissioner stated that the decision is his and it will be a good opportunity of making Peace Park into the Town Square. It will make York a festival town and will be an asset to the town.

Cr Denese Smythe

Question 1:

\$215,000 was allocated to footpath construction and this has not been spent because we could not afford it. Why then are we now going to buy a building for \$625,000?

Response:

The Manager of Works & Services stated that there was \$100,000 for footpaths that was deferred into next years budget as no one wanted to make a decision as to what materials to use to construct the footpaths.

Question 2:

Has Council made an offer to buy this building and has this been accepted?

Response:

The Commissioner stated that an offer has been made subject to finance, the budget needs to be passed before this can be finalised.

Question 3:

Would it not have been better to spend the money on restoring the Town Hall?

Response:

The Acting CEO stated that he thought that was a political issue. As far as the Administration goes this would be a good idea to do both buildings.

Mr Tony Robinson

Question 1:

We had a meeting with you a couple of weeks ago regarding the state of the rural roads. The community in general are exhausted by increased rates.

Response:

The Commissioner stated that this is why we have not made any cuts to rural roads.

Question 2:

Only \$1.6 million got spent and you are proposing to cut this years road funding.

Response:

The Manager of Works & Services stated – the total Capital Budget for transport for the 2015/16 financial year is \$1,946 million. This is made up of \$566,000 for Roads to Recovery Projects, \$590,000 for Regional Road Projects, \$487,000 for Municipal Projects and an additional \$189,000 of Municipal funds for footpaths and \$105,000 for the Bridge Project. These funded projects will provide upgrades and renewal to our regional and strategic roads and also providing safety to all roads users. The major focus with the budget is not only on construction but also preservation of the many roads throughout the Shire of York's Urban and Rural Roads Network and in particular School Bus Routes. The General Road Maintenance has a budget of \$970,000 which will allow the Shire to start to bring our Urban and Rural infrastructure up to a standard that is required and expected from residents of the Shire of York. Some of the commitments are an extensive tree pruning program, grading of roads will increase and verge maintenance. Drainage and kerbing maintenance, safety railing in the town of York at large culvert and drain areas. A designated road maintenance crew has been budgeted for all year round service. The Works & Services department has produced a realistic and achievable budget.

Mr Chris Winton**Question 1:**

The purchase of this property smacks of mates rates. Who is the current owners of this property?

Response:

The Acting CEO stated that Mr & Mrs Bliss are the owners.

Question 2:

Without prior knowledge, maybe within a week, we are told we are going to purchase this building. We have not heard any discussion of developing Peace Park. I understood the car park behind the Chemist was going to be the Town Square.

Response:

The Commissioner stated that Peace Park is owned in fee simple and could be sold at any time. By making it into a Town Square for festivals, etc would be a very good outcome for York.

Mr Bill Cebula**Question:**

Was the offer negotiable?

Response:

The Acting CEO stated the offer was negotiated as it was on the market for \$25,000 more than the Shire paid. We were not looking at paying more than \$600,000, however the price was negotiated.

Mr Julian Krieg**Question:**

I am disappointed that the Shire has moved to buy this building.

Response:

The Commissioner stated Peace Park was discussed at Visioning. It is opportune that the building is for sale and it is an ideal time to make a Town Square.

Mr Gordon Marwick

Question 1:

Sale of Peace Park?

Response:

The Commissioner stated that it was a community concern and was discussed at one of the Visioning Forums, given that Council owns Peace Park in fee simple.

Question 2:

At the Business Development Forum the Town Square was not raised. The old School needs to be in private hands to be maintained. The School was originally sold because the Council could not afford the maintenance. There would also need to be disabled toilets added to the building.

Response:

The Commissioner stated that it is the responsibility of the tenants. Disabled toilets are not in the budget.

Question 3:

What type of industry would lease the old School?

Response:

The Commissioner stated that this is not fully developed as yet.

Question 4:

People do not like the York Recreation & Convention Centre here as it takes trade away from the main street. More consideration needs to be made regarding buying this building. We have more things to worry about other than a Town Square.

The Commissioner Closed Public Question Time at 5.53pm

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS / PRESENTATIONS / DEPUTATIONS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS & NOTES OF THE AGENDA SETTLEMENT BRIEFING

Nil

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9. OFFICER'S REPORTS

Financial Reports

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.1 Adoption of Annual Budget 2015/16 (Part 1)

FILE NO:	FI.BUD1516
COUNCIL DATE:	25 June 2015
REPORT DATE:	19 June 2015
LOCATION/ADDRESS:	N/A
APPLICANT:	Shire of York
SENIOR OFFICER:	G Simpson, A/CEO
AUTHOR:	T Bateman, FC
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix A – Draft Annual Budget 2015/16
DOCUMENTS TABLED:	Nil

REPORT APPROVED BY THE A/CEO: *Graeme Simpson*

Summary:

The purpose of this report is to consider and adopt the 2015/16 Annual Budget.

Background:

The 2015/16 Annual Budget has been prepared in accordance with Section 6.2 of the Local Government Act 1995 and the Financial Management Regulations Part 3, Regulations 22 to 33.

Consultation:

Various meetings have been held with Staff and the Commissioner.

Statutory Environment:

Local Government Act 1995 – Section 6.2; and
Financial Management Regulations Part 3 Regulations 22 – 33.

Policy Implications:

Shire of York - Accounting Policy.

Financial Implications:

The 2015/16 Annual Budget comprises the following information:

Budget Statement of Comprehensive Income
Budget Statement of Financial Activity
Budget Rate Setting Statement
Budget Statement of Cashflows
Statement of Rating Information
Schedule of Fees and Charges
Detailed Budget Schedules

Notes to the Annual Budget

1. Significant Accounting Policies
2. Revenues and Expenses
3. Descriptions of Functions/Activities
4. Operating Revenues and Expenses
5. Cash
6. Disposal of Assets
7. Borrowings 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 on 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. Acquisition of Assets

Strategic Implications:

Council considers the Strategic Implications for the Shire of York when adopting the Annual Budget.

Note that the Community Strategic Plan is under review.

Voting Requirements:

Commissioner's Voting Support

Site Inspection:

Site Inspection Undertaken: **Not applicable**

Comment:

That Council adopts the 2015/16 Annual Budget.

RESOLUTION
200615

“That the Commissioner:

Pursuant to Section 6.2 of the Local Government Act and Financial Management Regulation Part 3, Regulations 22 to 33, Council adopt the following Annual Budget as attached and included in Appendix A:

Budget Statement of Comprehensive Income
Budget Statement of Financial Activity
Budget Rate Setting Statement
Budget Statement of Cashflows
Statement of Rating Information
Schedule of Fees and Charges
Detailed Budget Schedules

Notes to the Annual Budget

- 1. Significant Accounting Policies***
- 2. Revenues and Expenses***
- 3. Descriptions of Functions/Activities***
- 4. Operating Revenues and Expenses***
- 5. Cash***
- 6. Disposal of Assets***
- 7. Borrowings 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 on 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. Acquisition of Assets”***

The Commissioner Declared the Motion Carried

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.2 General Rate – Annual Budget 2015/16 (Part 2)

FILE NO: FI.BUD1516
COUNCIL DATE: 25 June 2015
REPORT DATE: 19 June 2015
LOCATION/ADDRESS: N/A
APPLICANT: Shire of York
SENIOR OFFICER: G Simpson, A/CEO
AUTHOR: T Bateman, FC
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil
DOCUMENTS TABLED: Nil

REPORT APPROVED BY THE A/CEO: *Graeme Simpson*

Summary:

The purpose of this report is for Council to give consideration to adopting the general rate on rateable property.

Background:

The rate in the dollar for the 2014/15 year for Gross Rental Values was \$0.099948 and for Unimproved Values it was \$0.007777.

Consultation:

Commissioner.

Statutory Environment:

In accordance with the Local Government Act 1995, Section 6.32 states the following:

“6.32. Rates and service charges

(1) *When adopting the annual budget, a local government —*

(a) *in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either —*
(i) uniformly; or

(ii) differentially;

(b) *may impose* on rateable land within its district*

(i) a specified area rate; or

(ii) a minimum payment;

and

(c) *may impose* a service charge on land within its district.*

** Absolute majority required.*

(2) *Where a local government resolves to impose a rate it is required to —*

(a) *set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and*

(b) *set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.”*

Policy Implications:

Not applicable.

Financial Implications:

This report forms part of the 2015/16 Annual Budget and information is disclosed in the Statement of Rating Information.

Strategic Implications:

When setting the rate Council considers what services and infrastructure is required and considers any strategic implications.

Voting Requirements:

Commissioner's Voting Support

Site Inspection:

Site Inspection Undertaken: **Not applicable**

Comment:

The rate in the dollar for Gross Rental Value (GRV) will increase from \$0.099948 to \$0.113892 for the 2015/16 financial year. The rate in the dollar for Unimproved Value (UV) will increase from \$0.007777 to \$0.008657 for the 2015/16 financial year.

Landgate: *Shire of York – Rural Assessments – Summary of the General Valuation 2015/16:*

The following is a brief summary of changes occurring in the level of value and relativities in the 2015/16 general revaluation.

Total Valuation \$239,370,500

Overall Change (Reduction) Negligible

Note: This figure could change slightly due to the effect of interim values.

1. *Overall Variation to Unimproved Valuations*

There have been no significant changes to unimproved values effective 30 June 2015. This is a reflection of the limited market activity for properties across all size ranges in the period leading up to the revaluation.

Some changes to individual assessments may have occurred either as a product of the mass valuation process or where records have been amended or corrected for more up to date information about soil types etc.”

The increase in amounts levied from 2014/15 to 2015/16 amounts to \$438,479 which is represented by a 9.5% increase over total rates levied 2014/15.

Council is requested to give consideration to and adopt the above general rates on rateable property.

**RESOLUTION
210615**

"That the Commissioner:

Pursuant to Section 6.32 of the Local Government Act 1995, impose the following general rate on:

- 1. gross rental values of property***
- \$0.113892 ***Rate in the Dollar***
- 2. unimproved values of property***
- \$0.008657 ***Rate in the Dollar***"

The Commissioner Declared the Motion Carried

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.3 Minimum Rate Payment – Annual Budget 2015/16 (Part 3)

FILE NO: FI.BUD1516
COUNCIL DATE: 25 June 2015
REPORT DATE: 19 June 2015
LOCATION/ADDRESS: N/A
APPLICANT: Shire of York
SENIOR OFFICER: G Simpson, A/CEO
AUTHOR: T Bateman, FC
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil
DOCUMENTS TABLED: Nil

REPORT APPROVED BY THE A/CEO: *Graeme Simpson*

Summary:

The purpose of this report is for Council to consider and impose the Minimum Rate Payment for the 2015/16 financial year.

Background:

The Minimum Rate Payment for Gross Rental Value for 2014/15 was \$1,050.00 p.a.

The Minimum Rate Payment for Unimproved Value for 2014/15 was \$1,450.00 p.a.

Consultation:

Councillors.

Statutory Environment:

In accordance with the Local Government Act 1995, Section 6.32 (refer to Agenda Item 9.4.2) and 6.35 states the following:

“6.35. Minimum payment

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
 - (a) 50% of the total number of separately rated properties in the district; or
 - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.”

Policy Implications:

N/A

Financial Implications:

The minimum rate payment to be imposed for the 2015/16 financial year is:

- \$1,080.00 per gross rental value (GRV), representing approximately 2.86% increase on the 2014/15 Minimum Rate Payment levied and this will affect a total of 578 assessments.
- \$1,480.00 per unimproved value (UV), representing approximately 2.07% increase on the 2014/15 Minimum Rate Payment levied and this will affect a total of 251 assessments.

The minimum rate payments will yield \$995,720.00.

Strategic Implications:

Council considers the Strategic Implications when considering the services and infrastructure required for the Shire of York when setting the rate.

Voting Requirements:

Commissioner's Voting Support

Site Inspection:

Site Inspection Undertaken: **Not applicable**

Comment:

That Council adopts the minimum rate of \$1,080.00 for gross rental value properties and \$1,480.00 for unimproved value properties for the 2015/16 financial year.

RESOLUTION**220615**

“That the Commissioner:

Pursuant to Section 6.32 and 6.35 of the Local Government Act 1995, adopts the general Minimum rate for the 2015/16 financial year as follows:

- 1. \$1,080.00 per gross rental value; and***
- 2. \$1,480.00 per unimproved value.”***

The Commissioner Declared the Motion Carried

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.4 Payment of Rate Charge – Annual Budget 2015/16 (Part 4)

FILE NO: FI.BUD1516
COUNCIL DATE: 25 June 2015
REPORT DATE: 19 June 2015
LOCATION/ADDRESS: N/A
APPLICANT: Shire of York
SENIOR OFFICER: G Simpson, A/CEO
AUTHOR: T Bateman, FC
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil
DOCUMENTS TABLED: Nil

REPORT APPROVED BY THE A/CEO: *Graeme Simpson*

Summary:

The purpose of this report is for Council to consider and impose a rate of interest on overdue rates and service charges for the 2015/16 financial year.

Background:

During 2014/15 Council imposed an interest charge of 11% on overdue rates and service charges.

During 2014/15 Council imposed an instalment interest charge of 5.5% for all rates and service charges made by the instalment method.

During 2014/15 Council imposed an administration charge per instalment of rates of \$10.00.

Consultation:

Staff

Statutory Environment:

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. A local government may impose an additional charge (including an amount by way of interest) where payment of a rate charge is made by instalments.

Financial Management Regulation 67 and 68 permits a Council to impose the following additional charge where payment of rates is by instalments:

- Additional Cost of Administration
- Interest component to a maximum of 5.5%.

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

(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 it is due and payable.

Policy Implications:

Not applicable

Financial Implications:

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%.

If a late payment interest charge of 11% was imposed the estimated revenue would amount to \$65,000.00.

If an instalment interest charge of 5.5% was imposed the estimated revenue would amount to \$17,000.00.

If an administration charge per instalment of \$10.00 was imposed the estimated revenue would amount to \$17,000.00.

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 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 from 1st July in a financial year until the annual budget for that financial year is adopted, interest referred to in subregulation (1) for that period is to be at the rate of interest imposed under section 6.51 (1) for the previous financial year.

Strategic Implications:

Not applicable

Voting Requirements:

Commissioner's Voting Support

Site Inspection:

Site Inspection Undertaken: **Not applicable**

Comment:

It is recommended that Council impose an 11% rate of interest on overdue rates and service charges that remain unpaid after the 35 days. The revenue estimated from the imposition of the interest charge amounts to \$65,000.00 for the 2015/16 financial year.

It is recommended that Council impose a 5.5% rate of interest to apply on instalment payments for rates and rubbish charges and an administration charge. The revenue estimated from the imposition of the interest charge amounts to \$17,000.00 for the 2015/16 financial year.

It is recommended that Council impose an additional administration charge where payment of rates is made by instalments. The revenue estimated from the imposition of the administration charge amounts to \$17,000.00 for the 2015/16 financial year.

Section 6.50 of the Local Government Act 1995 permits a Council to determine when a rate charge becomes due and payable, but can not 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.

The due date of each instalment for the 2015/16 financial year based on the rate notices being distributed on the 14th July 2015 is as follows:

- 1st Instalment	18 August 2015
- 2nd Instalment	20 October 2015
- 3rd Instalment	22 December 2015
- 4th Instalment	23 February 2016

**RESOLUTION
230615**

“That the Commissioner:

Pursuant to Section 6.45 and 6.51 of the Local Government Act 1995, resolves to impose the following charges for the 2015/16 financial year:

(a) for the late payment of rates, 11%; and

(b) charges for the payment of rates by instalment:

- i Additional Cost of Administration - \$10.00 per instalment***
- ii Interest component of 5.5%.”***

The Commissioner Declared the Motion Carried

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.5 Imposition of Fees and Charges – Inclusive of Rubbish Removal – Annual Budget 2015/16 (Part 5)

FILE NO: FI.BUD1516
COUNCIL DATE: 25 June 2015
REPORT DATE: 19 June 2015
LOCATION/ADDRESS: N/A
APPLICANT: Shire of York
SENIOR OFFICER: G Simpson, A/CEO
AUTHOR: T Bateman, FC
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil
DOCUMENTS TABLED: Nil

REPORT APPROVED BY THE A/CEO: *Graeme Simpson*

Summary:

The purpose of this report is to consider the Schedule of Fees and Charges for the 2015/16 financial year, inclusive of the Rubbish Removal Charge.

Consultation:

Staff and other Councils

Statutory Environment:

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 or a charge for any goods or services it provides or proposes to provide other than a service for which a service charge is imposed.

Policy Implications:

N/A

Financial Implications:

Notes to the Annual Budget No 16 - Fees and Charges Information details total Revenue for fees and charges for each program as required by Financial Management Regulation 25. In accordance with Financial Management Regulation 25, the estimates of total revenue from Fees and Charges for each program is summarised as follows:

FEES AND CHARGES INFORMATION

In accordance with Financial Management Regulation 25, the estimates of total revenue from Fees and Charges for each program is summarised as follows:

Adopted Budget 2014/15	\$	Actual	Adopted Budget 2015/16
		2014/15	\$
26,609	General Purpose Funding	36,452	30,000
5,846	Governance	32,279	5,866
73,250	Law, Order, Public Safety	39,623	28,810
26,800	Health	18,620	23,000
29,000	Education and Welfare	32,343	30,000
-	Housing	-	-
686,546	Community Amenities	676,140	675,597
570,660	Recreation and Culture	515,428	522,106
45	Transport	250	0
167,109	Economic Services	103,609	124,177
83,800	Other Property and Services	60,492	85,300
1,669,665	TOTAL FEES AND CHARGES	1,515,236	1,524,856

Incorporated into these fees and charges are the following Rubbish Removal Charges for the 2015/16 financial year:

WASTE MANAGEMENT LEVY

Levy being to provide for the proper performance of services as mentioned in S66 of the Waste Avoidance and Resource Recovery Act (2007).

Waste Management Levy (Transfer Station)

General rate in the dollar - gross rental value	0.00035600
General rate in the dollar - unimproved value	0.00001884
Per assessment/residence - minimum payment	89.00

Townsite properties

Charge per bin service	200.00
Charge per 1.5m ³ bin service	1,500.00
Unscheduled mid-service pickup of a 1.5m ³ litre bin	31.00
Charge per 3.0 m ³ bin service	2,500.00
Charge per 4.5 m ³ bin service	4,000.00
Purchase additional bin/s through Contractors	

Rural properties

Charge per bin service	200.00
Charge per 1.5m ³ litre bin service	1,500.00
Charge per 3.0 m ³ bin service	2,500.00
Charge per 4.5 m ³ bin service	4,000.00
All above costs to be charged for delivery	at cost

Strategic Implications:

N/A

Voting Requirements:

Commissioner's Voting Support

Site Inspection:

Site Inspection Undertaken: **Not applicable**

Comment:

That Council adopts the Fees and Charges as outlined in Report 9.4.1 for the 2015/16 financial year.

RESOLUTION

240615

“That the Commissioner:

Pursuant to Section 6.16 of the Local Government Act 1995, resolves to adopt the:

1. ***Fees and Charges detailed in the “Schedule of Fees and Charges” as detailed in Report 9.4.1 – Adoption of Annual Budget 2015/16 (Part 1); and***
2. ***Rubbish removal charges and waste management levy as detailed in Report 9.4.1 – Adoption of Annual Budget 2015/16 (Part 1) under the “Schedule of Fees and Charges.”***

The Commissioner Declared the Motion Carried

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.6 Rates Incentive Scheme – Annual Budget 2015/16 (Part 6)

FILE NO: FI.BUD1516
COUNCIL DATE: 25 June 2015
REPORT DATE: 19 June 2015
LOCATION/ADDRESS: N/A
APPLICANT: Shire of York
SENIOR OFFICER: G Simpson, A/CEO
AUTHOR: T Bateman, FC
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil
DOCUMENTS TABLED: Nil

REPORT APPROVED BY THE A/CEO: *Graeme Simpson*

Summary:

The purpose of this report is to inform Council on the information being issued with the 2015/16 Rates Notice and the Rate Incentive Scheme Prizes to Ratepayers.

Background:

Council has had a Rate Incentive Scheme in past years and the 2015/16 financial year also has incentives for Ratepayers to pay their rates by the due date in one lump sum.

Consultation:

Various organisations

Statutory Environment:

N/A

Policy Implications:

Not applicable

Financial Implications:

Council donates \$500.00 towards first prize.

Strategic Implications:

Not applicable.

Voting Requirements:

Commissioner's Voting Support

Site Inspection:

Site Inspection Undertaken: Not applicable

Comment:

The following prizes have been donated by the sponsors and the Shire of York of the Rate Payment Incentive Scheme:

FIRST PRIZE

A \$1,000 bank account provided by the Shire of York in conjunction with the York & Districts Community Bank Branch of Bendigo Bank

SECOND PRIZE

Four tickets to see the West Australian Symphony Orchestra perform Beethoven & Mahler on Saturday, 21st November, 2015

THIRD PRIZE

A 2 night weekend stay at the Perth Ambassador Hotel in a Premium Deluxe Room including full buffet breakfast for 2 people each morning

FOURTH PRIZE

\$200 of unleaded petrol donated by Fuel Distributors of WA Pty Ltd

The Draw will be conducted through the Random Prize Draw on Council's Synergy Program on the 19th August 2015 and the winners will be notified and presented with their prize at the Ordinary Council meeting to be held in September.

The following conditions apply to all Prizes:

- All current and outstanding rates must be received on or before Tuesday 18th August 2015 to qualify.
- Councillors and Employees of the Shire of York and their immediate families are ineligible to enter.

The 2015/16 rate notice package will include the following:

- Shire of York Information Booklet that contains matters relating to the following:
 - Shire Contacts
 - Shire Office & Facilities Open Hours
 - Rates Information – Your Property
 - Planning
 - Building Control
 - Health
 - Parking
 - The New Cat Laws and You
 - Responsible Dog Ownership – Your Responsibilities
 - Waste & Recycling Information
 - Rubbish & Recycling Collection Calendar
 - Bushfires Information
- Firebreak Notice
- Rates Incentive Prizes

**RESOLUTION
250615**

"That the Commissioner:

- 1. Adopt the Report 9.4.6 - Rate Payment Incentive Scheme for 2015/16; and***
- 2. Authorise the Draw to be conducted through the Random Prize Draw on Council's Synergy Program on the 19th August 2015 and the winners will be notified and presented with their prize at the Ordinary Council meeting to be held September 2015.***

Advice Note:

All current and outstanding rates must be received on or before Tuesday, 18th August 2015 to qualify for the prize draw.

Councillors and Employees of the Shire of York and their immediate families are ineligible to enter."

The Commissioner Declared the Motion Carried

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.7 2015/16 Budget Statement of Financial Activity Statement (Part 7)

FILE NO: FI.BUD1415
COUNCIL DATE: 25 June 2015
REPORT DATE: 19 June 2015
LOCATION/ADDRESS: N/A
APPLICANT: Shire of York
SENIOR OFFICER: G Simpson, A/CEO
AUTHOR: T Bateman, FC
DISCLOSURE OF INTEREST: Nil
APPENDICES: Refer Item 9.4.1 –
Budget Financial Activity Statement
DOCUMENTS TABLED: Nil

REPORT APPROVED BY THE A/CEO: *Graeme Simpson*

Summary:

The Local Government (Financial Management) Regulations 1996 require a local government to prepare a Financial Activity Statement Report.

Background:

N/A

Consultation:

Staff

Statutory Environment:

Regulation 34 of the Local Government (Financial Management) Regulations 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 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 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 subregulation (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 subregulation (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 –

“**committed assets**” means revenue unspent but set aside under the annual budget for a specific purpose;

“**restricted assets**” has the same meaning as in AAS 27.

Policy Implications:

N/A

Financial Implications:

Detailed in the attached document.

Strategic Implications:

N/A

Voting Requirements:

Commissioner's Voting Support

Site Inspection:

Site Inspection Undertaken: **Not applicable**

Comment:

Accordingly, in order to meet the reporting requirements of the statement of financial activity, a twelve month Budget has been prepared for the 2014/15 financial year in the required format.

It is recommended that Council adopts the 2014/15 Budget Statement of Financial Activity.

**RESOLUTION
260615**

“That the Commissioner:

- 1. In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and Australian Accounting Standard Number 5, adopt the percentage of 10% or \$10,000 whichever is the greater for reporting material variances in the Statement of Financial Activity.”***

The Commissioner Declared the Motion Carried

10. CLOSURE

Commissioner James Best thanked the accounting and senior staff. It is a balanced budget and will take us forward. The Commissioner asked the Acting Chief Executive Officer to express his thanks to the staff.

Commissioner James Best thanked everyone for their attendance and declared the meeting closed at 6.01pm.