



SPECIAL COUNCIL MEETING

MINUTES

Special Meeting of the Council held in the
Council Chambers, Lowood Road, Mount Barker
1.00pm Tuesday 31 July 2007

SPECIAL BUSINESS

- To consider and adopt the 2007 / 2008 General Health (Refuse Site) Rate.
- To consider and adopt rates in the dollar for 2007 / 2008 Property Rates.
- To consider and adopt the 2007 / 2008 Budget.

Rob Stewart
CHIEF EXECUTIVE OFFICER

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1:05pm The Presiding Member declared the meeting open.

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the Shire of Plantagenet during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Plantagenet. The Shire of Plantagenet warns that anyone who has an application with the Shire of Plantagenet must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Plantagenet in respect of the application.'

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Present

Cr K Forbes	President - Rocky Gully / West Ward
Cr D Williss	Deputy President - East Ward
Cr M Skinner	East Ward
Cr B Hollingworth	Town Ward
Cr J Mark	Town Ward
Cr J Moir	South Ward
Cr K Hart	Kendenup Town Ward
Mr R Stewart	Chief Executive Officer
Mr J Fathers	Deputy Chief Executive Officer
Mr I Bartlett	Manager Works and Services
Mr P Duncan	Manager Development Services
Ms Nicole Selesnew	Manager Community Services
Mrs Kaye Skinner	Executive Secretary

Apologies

Cr K Clements	Town Ward
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Leave of Absence

Cr J Cameron

Rocky Gully / West Ward

3 REPORTS OF COMMITTEES & OFFICERS

3.1 GENERAL HEALTH (REFUSE SITE) RATE

Location / Address:	N / A
Name of Applicant:	N / A
File Reference:	FM/64/5
Author:	John Fathers - Deputy Chief Executive Officer
Authorised By:	Rob Stewart - Chief Executive Officer
Date of Report:	12 July 2007

Purpose

The purpose of this report is to set the General Health (Refuse Site) rate for the 2007 / 2008 financial year.

Background

The Council first established the General Health (Refuse Site) rate in the 2001 / 2002 financial year. The minimum refuse site rate is currently \$50.00.

The Council has since adopted conditions associated with the rate, as follows:

'As the Council is of the opinion that the imposition of more than one refuse site rate would be inequitable in those circumstances where properties are owned and / or operated in identical name or names and where no habitable or commercially rented properties are situated on additional properties, then in those circumstances the Council shall write off such refuse site rate moneys owing that meet the above mentioned criteria.'

It is intended to maintain this condition as part of the rate, so as not to impact unfairly on owners of multiple vacant properties.

Statutory Environment

The General Health (Refuse Site) rate is raised in accordance with Section 40 of the Health Act 1911.

Consultation

Consultation has occurred with staff, the Council and the community in the preparation of the budget, including the General Health (Refuse Site) Rate.

Policy Implications

There are no policy implications for this report.

Financial Implications

The General Health (Refuse Site) rate will raise a budgeted figure of \$154,707.00 in the 2007 / 2008 financial year.

General Health (Refuse) Site Rate (Cont'd)**Strategic Implications**

One of the Aims of Key Result Area 2 – Infrastructure is to:

'Protect the community's health by managing waste in a timely, effective, economic and environmentally safe manner.'

Officer Comment

The Waste Management Committee is considering for recommendation to the Council, a progressive strategic plan for the implementation of improved waste management operations in the Shire of Plantagenet, in conjunction with the State Government's Zero Waste Strategy.

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr J Moir, seconded Cr K Hart:

THAT:

- (1) **The rate in the dollar and the minimum rate for the 2007 / 2008 refuse site rate be set as follows:**

	Cents in the \$	Min. Rate
Gross Rental Value	0.0001	\$53.00
Unimproved Value	0.0001	\$53.00

- (2) **As the Council is of the opinion that the imposition of more than one General Health (Refuse Site) rate would be inequitable in those circumstances where properties are owned and / or operated in identical name or names and where no habitable or commercially rented structures are situated on additional properties, then in those circumstances the refuse site rate moneys owing that meet the above mentioned criteria shall be written off.**

CARRIED (7/0)

No. 270/07

(Absolute Majority)

3.2 PROPERTY RATES

Location / Address:	N / A
Name of Applicant:	N / A
File Reference:	FM/64/5
Author:	John Fathers - Deputy Chief Executive Officer
Authorised By:	Rob Stewart - Chief Executive Officer
Date of Report:	12 July 2007

Purpose

The purpose of this report is to set the property rates, establish the early payment discount, early payment incentive, payment instalment options and fees, and set the interest rates for overdue and late payments in readiness for the adoption of the 2007 / 2008 budget.

Background

Level of Rates

As part of the 2007 / 2008 Budget workshop process, the Council established that property rates should be set at a 6% increase on total rate revenue raised in 2006 / 2007.

The 2007 / 2008 budget and the respective property rates have been determined on that basis.

Discount

Section 6.12 (1)(a) permits a local government to grant a discount or incentive for the early payment of money which is owed to the Council. It is recommended that a discount not be offered and no allowance has been made for any early payment discount to reflect this.

Incentive

The Council has previously offered incentive prizes to encourage the early payment of rates. This year, a bank account of \$500.00 with the Bendigo Bank will be offered as first prize, with one (1) carton of mixed wine donated by Porongurup Wine Producers Association at a retail value of \$250.00 offered as second prize.

Instalments

It is recommended to the Council that it continue to offer the following three (3) payment options as in previous years.

- (1) To pay the total rates and charges included on the rate notice in full by the 35th day after the date of issue of the rates notice; or
- (2) To pay by two (2) equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the second instalment four (4) calendar months after this date.

Property Rates (Cont'd)

- (3) To pay by four (4) equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the remainder at two (2) calendar month intervals after this date.

Instalment Fee

It is recommended that an instalment fee of \$5.00 be charged for each instalment reminder issued after the first instalment is paid. This is consistent with the previous year's charge and the Local Government Act.

Interest on Instalments

It is recommended that the maximum interest rate of 5.5% per annum be applied to instalment payments. Again, this is consistent with the previous year's charge and statutory requirements.

Late Payment Penalty Interest

It is recommended that the Council adopt a late payment penalty interest of 11% per annum. It is proposed that the late payment penalty interest will apply to rates that remain unpaid where no election was made to pay the rate by instalments and on overdue instalment payments where an election was made to pay by instalments.

Statutory Environment

Section 6.25 to 6.82 of the Local Government Act 1995 and Regulations 52 to 78 of the Local Government (Financial Management) Regulations legislates property rating requirements and procedures.

Consultation

Consultation has occurred with staff, the Council and the community.

Policy Implications

There are no policy implications for this report.

Financial Implications

The property rates proposed have been established on the basis of delivering a balanced budget with a 6% increase on the 2006 / 2007 rate revenue.

Strategic Implications

The sensible setting of rates is critical in generating revenue for the Council to deliver services to the community and attain its mission:

'To improve the quality of life for the people of Plantagenet, both present and future.'

Voting Requirements

Absolute Majority

Property Rates (Cont'd)

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr J Mark, seconded Cr D Williss:

That for the 2007 / 2008 financial year:

- (1) No discount be offered for the early payment of property rates.
- (2) Incentive prizes for the payment of property rates in full by the due date be offered as follows:
 - (a) First prize – Bank Account to the value of \$500.00, donated by the Bendigo Bank.
 - (b) Second prize – one (1) carton of wine with a retail value of in excess of \$250.00 donated by the Porongurup Wine Producers.
- (3) The following instalment plan options be offered:
 - (a) To pay the total rates and charges included on the rate notice in full by the 35th day after the date of issue of the rates notice; or
 - (b) To pay by two (2) equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the second instalment four (4) calendar months after this date; or
 - (c) To pay by four (4) equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the remainder at two (2) calendar month intervals after this date.
- (4) An instalment fee of \$5.00 per instalment (excluding the first instalment) and an interest rate of 5.5% per annum on instalment payment plans be charged.
- (5) A late payment penalty interest on overdue and defaulted payment plans be charged at 11%, such penalty interest charge to apply to overdue property rates, refuse site rate, rubbish collection charges, Emergency Services Levy and legal expenses.
- (6) The rate in the dollar and minimum rate for property rates be as follows:

	Cents in the \$	Min. Rate
Rural Townsites (GRV)	10.1050	\$475.00
Rural (GRV)	10.1050	\$475.00
Mount Barker Townsite (GRV)	10.1050	\$475.00
Strata Titles (GRV)	10.1050	\$475.00
Rural (UV)	0.8016	\$475.00
Mining (UV)		\$475.00

CARRIED (7/0)

No. 271/07

(Absolute Majority)

MOTION TO SUSPEND STANDING ORDERS

Moved Cr J Moir, seconded Cr J Mark:

1:07pm That those sections of Standing Orders that would prevent any Councillor from speaking twice to a motion or which would prevent a Councillor speaking when no motion was before the Chair be suspended.

CARRIED (7/0)

No. 272/07

MOTION TO RESUME STANDING ORDERS

Moved Cr K Hart, seconded Cr B Hollingworth:

1:34pm That Standing Orders be resumed.

CARRIED (7/0)

No. 273/07

3.3 BUDGET ADOPTION - 2007 / 2008

A Financial Interest was disclosed by Cr K Forbes for Item 3.3

Nature of Interest: Cattle Producer

Extent of Interest: 240 head of mixed cattle

A Financial Interest was disclosed by Cr M Skinner for Item 3.3

Nature of Interest: Cattle Producer

Extent of Interest: 400 head of mixed cattle

A Financial Interest was disclosed by Cr J Moir for Item 3.3

Nature Of Interest: Cattle Producer and casual employee of Elders

Extent of Interest: Employee Of Elders and Cattle Producer

A Financial Interest was disclosed by Cr B Hollingworth for Item 3.3

Nature Of Interest: Adjacent landholder

Extent of Interest: Owner of Lots 1414 & 1415 Albany Highway, Mount Barker

Authority To Participate Pursuant Section 5.69 (3) Local Government Act 1995

Approval has been received from the Department of Local Government and Regional Development via letter dated 25 July 2007, giving permission for Cr Forbes, Cr Cameron, Cr Skinner, Cr Hollingworth and Cr Moir to fully participate in discussions and vote in decisions relating to expenditure in connection with the Great Southern Regional Cattle Saleyards in the adoption of the 2007 / 2008 annual budget.

This approval is only valid for one (1) meeting being the Special Meeting of the Council held 31 July 2007 (and is attached).

Location / Address: N / A

Attachments: (1) Annual Budget – 2007 / 2008

Name of Applicant: N / A

File Reference: FM/26/1

Author: John Fathers - Deputy Chief Executive Officer

Authorised By: Rob Stewart - Chief Executive Officer

Date of Report: 12 July 2007

Purpose

The purpose of this report is to adopt the 2007 / 2008 annual budget.

Background

The 2007 / 2008 budget has been prepared as a balanced budget with significant input from staff, elected members and the community.

Statutory Environment

Section 6.2 of the Local Government Act 1995 requires a local government to prepare and adopt, by absolute majority, an annual budget prior to 31 August in each year.

Budget Adoption 2007 / 2008 (Cont'd)**Consultation**

Consultation has occurred with elected members, staff and the community throughout the budget preparation process. The draft budget was advertised in accordance with best practice principles and a public briefing session held. Ten (10) members of the public attended that meeting.

Policy Implications

There are no policy implications for this report.

Financial Implications

The adoption of the Budget enables the operations of the Council to continue effectively and issue rates in a timely manner to assist with income generation and cash flow.

Strategic Implications

The 2007 / 2008 budget has been prepared with due regard for the Council's Strategic Plan adopted and published in 2003.

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr D Williss, seconded Cr B Hollingworth:

That the annual budget for the year ending 30 June 2008, as presented, be adopted.

CARRIED (7/0)

No. 274/07

(Absolute Majority)

4. CLOSURE OF MEETING

1.35pm The Presiding Member declared the meeting closed.

CONFIRMED: PRESIDING MEMBER _____ DATE:...../...../.....