



Shire of
Chapman Valley
Love the Rural Life

SPECIAL COUNCIL MEETING

Notice is hereby given that a Special Meeting
of Council will be held on 29th July 2015
at the Council Chambers, Nabawa, commencing at 11:00am.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

UNCONFIRMED MINUTES

29 JULY 2015

DISCLAIMER



No responsibility whatsoever is implied or accepted by the Shire of Chapman Valley for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Chapman Valley disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Chapman Valley warns that anyone who has any application or request with the Shire of Chapman Valley must obtain and should rely on

WRITTEN CONFIRMATION

of the outcome of the application or request of the decision made by the Shire of Chapman Valley.

A handwritten signature in black ink, appearing to read 'M. Battilana', is positioned above the name of the Chief Executive Officer.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

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4.0 PUBLIC QUESTION TIME

5.0 DISCLOSURE OF INTEREST

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A:

*"a person has a **financial interest** in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person."*

Section 5.60B:

*"a person has a **proximity interest** in a matter if the matter concerns –
(a) a proposed change to a planning scheme affecting land that adjoins the person's land; or
(b) a proposed change to the zoning or use of land that adjoins the person's land; or
(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land."*

Regulation 34C (Impartiality):

*"**interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association."*

6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.0 OFFICERS REPORT

7.1 Formal Adoption of 2015/2016 Annual Budget

8.0 CLOSURE

ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Chairman, Cr Farrell welcomed Elected Members and Staff and declared the meeting open at 11.03am.

2.0 LOYAL TOAST

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

3.1 Present

a. Councillors

Member	Ward
Cr Anthony Farrell (Deputy President – Presiding Member)	North East Ward
Cr Pauline Forrester	North East Ward
Cr Peter Humphrey	South West Ward
Cr Veronica Wood	South West Ward
Cr Ian Maluish	South West Ward
Cr Kirrilee Warr	North East Ward

b. Staff

Officer	Position
Mr Maurice Battilana	Chief Executive Officer
Mr Simon Lancaster	Manager of Planning
Mrs Dianne Raymond	Manager of Finance & Corporate Services
Mrs Kristy Williams	Accountant
Mr Esky Kelly	Manger of Works & Services
Mr Anthony Abbott	Building Surveyor/Project Officer
Mrs Nicole Batten	Community Development Officer
Mrs Karen McKay	Executive Assistant (Minute Taker)

c. Visitors

Name	

3.2 Apologies

Name	
Cr John Collingwood (President)	North East Ward
Cr Trevor Royce	North East Ward

4.0 PUBLIC QUESTION TIME

4.1 Questions On Notice

Nil

4.2 Questions Without Notice

Nil

5.0 DISCLOSURE OF INTEREST

Nil

6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7.0 OFFICERS REPORTS

Meeting adjourned at 12.27pm

Meeting re-commenced at 12.42pm

AGENDA ITEM:	7.1
SUBJECT:	FORMAL ADOPTION OF 2015/2016 ANNUAL BUDGET
PROPONENT:	CHIEF EXECUTIVE OFFICER
SITE:	SHIRE OF CHAPMAN VALLEY
FILE REFERENCE:	306.08
PREVIOUS REFERENCE:	MINUTE REFERENCE: 07/14-6 & 06/15-13
AUTHOR:	DIANNE RAYMOND KRISTY WILLIAMS MAURICE BATTILANA

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To present to Council the Final Draft of the 2015/2016 Annual Budget for consideration of formal adoption.

BACKGROUND

The Draft 2015/2016 Annual Budget was presented to councillors at a Budget Workshop on the 24 June 2015.

(1) Amendments to the draft Budget document

All changes as directed by Council at the Budget Workshop on the 24 June 2015 have been incorporated into the final budget document as presented. (Please refer to Draft 2015/2016 Annual Budget working documents submitted under a separate cover).

(2) Monthly Reporting Variances

Each financial year Council is required to adopt a value or percentage, calculated in accordance with Australian Accounting Standard (AAS) 5, to be used in the statements of financial activity for reporting material variances between the budget allocations and the actual revenue and expenditure incurred for the month under review. A reporting variance with an amount of \$10,000 or 10% whichever is the greater is recommended for the 2015/2016 financial year.

(3) Rates

At the Ordinary Council Meeting of the 15 April 2015 Item 9.2.2 Council agreed to advertise differential rates incorporating 6.50% rate revenue increase as per the Long Term Financial Plan. The Final draft of the Annual 2015/2016 Budget presented incorporates a 6.50% rate revenue increase.

(4) Schedule of Fees & Charges

A Draft 2015/2016 Schedule of Fees and Charges were presented at the Ordinary Council Meeting 17 June 2015. All changes as directed by Council have been incorporated into the final 2015/2016 Schedule of Fees & Charges for effect 1 July 2015. Council will need to adopt the fees and charges with the amendments.

(5) Elected Members Remuneration

Council resolved the following at the June 2015 OCM in regards to the Elected Member remuneration levels to be included in the 2015/2016 Budget:

That Council approves the following Elected Members allowances for the 2015/16 Budget:

- i. Council and Committee Meeting Fees per meeting for the President & Councillors to be set at the maximum amount legislated by the Western Australian Salaries and Allowances Tribunal in their 2015 determination;*
- ii. President's Annual Allowance – To be set at the maximum amount as legislated by the Western Australian Salaries and Allowances Tribunal in their 2015 determination; and*
- iii. Deputy Annual Presidents Allowance - Set at 25% of the President Allowance.*

*Voting 8/0
CARRIED
Minute Reference 06/15-13*

COMMENT

Shire staff has prepared a balanced Draft 2015/2016 Annual Budget for consideration by Council for formal adoption.

Senior Staff

There is also a legislative requirement to amend the list of Senior Staff due to the requirement to change the title of the “*Manager Planning*” to “*Deputy Chief Executive Officer*”. This matter was presented to Councillors as part a Confidential Report on Senior Staff provided for and discussed at the Budget Workshop held on the 24th June 2015.

Council last reviewed the list of Senior Staff position for the Shire at the July 2014 OCM with the following being resolved:

- 1. Council remove existing Policy 14.230 "Senior Staff And Executive Staff Remuneration Packages" from the Policy and Procedures Manual as this is function of the Chief Executive Officer covered under the Local Government Act, 1995.*
- 2. Council adopt new Policy 14.230 to designate the following members of staff as "Senior" in accordance with section 5.37 of the Local Government Act 1995:*
 - Manager of Planning*
 - Manager of Finance and Governance*
 - Manager Works & Services*
 - Building Surveyor*

(Note: The Chief Executive Officer is designated as a Senior Employee by virtue of Section 5.36 of the Local Government Act, 1995)

3. CEO to present Council with proposed amendments to Senior Staff contracts and remunerations as part of the annual budget consideration process.

Voting 8/0
CARRIED
Minute Reference 07/14-6

STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Corporate Business Plan
Strategic Community Plan
Long Term Financial Plan
Asset Management Plan
Workforce Plan

Corporate Policy: CP-011 – Senior Staff

Designate the following members of staff as “Senior Staff” in accordance with section 5.37 of the Local Government Act 1995:

- **Manager of Planning**
- Manager of Finance and Corporate Services
- Manager Works and Services
- Building Surveyor / Project Officer

(Note: the Chief Executive Officer is designated as a Senior Employee by virtue of Section 5.36 of the Local Government Act, 1995)

CEO to present Council with proposed amendments to Senior Staff contracts and remunerations as part of the annual budget consideration process

FINANCIAL IMPLICATIONS

The Shire of Chapman Valley 2015/2016 Annual Budget

STRATEGIC IMPLICATIONS

All of Council's Integrated Planning documents have been considered as part of the process for the development of the Draft 2015/2016 Annual Budget.

VOTING REQUIREMENTS

- Absolute Majority Vote Required - Recommendations 1 to 13
- Simple Majority Vote Required – Recommendation 14

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR WOOD

SECONDED: CR HUMPHREY

Recommendation 1:

That Council adopt the budget for the Shire of Chapman Valley for the financial year ending 30th June 2016 pursuant to Section 6.2 of the Local Government Act 1995 and relevant prescribed Local Government Financial Management Regulations and incorporating the following:

- a) *Income Statement by Nature and Type;*
- b) *Income Statement by Program;*
- c) *Cash Flow Statement;*
- d) *Rates Setting Statement;*
- e) *Acquisition of Assets;*
- f) *Disposal of Assets;*
- g) *Statement of Borrowings;*
- h) *Reserve Fund and Restricted Cash Fund Statement;*
- i) *Net Current Asset Statement;*
- j) *Schedule of Fees and Charges;*
- k) *Statement of Rating Activity;*
- l) *Trust Fund Statement;*
- m) *Major Land Transactions and Major Trading Activity;*
- n) *Notes to and forming part of the Budget;*
- o) *Detailed operations schedule;*
- p) *Detailed capital expenses schedule;*

with the following amendments:

- COA 3193 increase Roads 2 Recovery \$470,888 to \$672,828.
- Decrease rate revenue from 6.5% to 5.5%
- Adjust loan for the acquisition of the new grader to reflect the above two amendments and the term of the loan to be 4 years not 5 years.
- Amend fees and charges to note no tyres will be accepted at the Nabawa or Yuna Refuse sites.
- Amend Building fees and charges in accordance with Legislation
- COA 2803 expand text to reflect income sources
- COA 2834 expand text to reflect expenditure sources
- COA 2642 include text "includes additional gardener"
- Remove reference to additional gardener being designated specifically to Western Regions
- Amend COA 0564 to reflect the need for both the Administration office and the Pre-primary building to be considered as part of the design and expenditure. This item to be bought back to Council prior to expenditure.

Voting 6/0
CARRIED (BY ABSOLUTE MAJORITY)
SC Minute Reference: 07/15-1

COUNCIL RESOLUTION / STAFF RECOMMENDATION

MOVED: CR FORRESTER

SECONDED: CR WARR

That Recommendation 2 to Recommendation 14 be moved en bloc

Recommendation 2:

That Council, in accordance with Section 6.32, 6.33, 6.34, 6.35, 6.36 and 6.37 of the Local Government Act 1995, imposes the following general & differential rates and minimum rates within the Shire of Chapman Valley boundaries in respect of the 2015/2016 financial year based upon current valuations:

Rating Category	Rate in the Dollar C:\$	Minimum Rate \$
Gross Rental Value	6.8090	525
Unimproved Value		
UV Rural General	0.9533	350
UV Oakajee Industrial Estate	1.9066	350

Recommendation 3:

INSTALMENT PLAN INTEREST RATE

- *That as prescribed under the Local Government Act council impose an interest rate of 5.5% on rates paid by instalments (pensioner rates excluded);*

Recommendation 4:

LATE PAYMENT INTEREST RATE

- *That as prescribed under the Financial Management Regulation clause 70 and section 6.51 of the Local Government Act 1995 council impose an interest rate of 11% per annum calculated by simple interest method and be applied where the instalment option is not in place, (35 days after the date of issue of the rate notice), to all overdue rates and charges (pensioner rates excluded);*

Recommendation 5:

INSTALMENT PLAN ADMINISTRATION CHARGE

- *That an administration charge of \$9.00 per instalment be levied, excluding the first instalment payment (required within 35 days from the date of issue of the rates notice);*

Recommendation 6:

INSTALMENT PLAN DATES

- That council provide the option for ratepayers to pay their rates as a single payment or by 2 or 4 equal instalments in accordance with section 6.45(1) of the Act;
- The due date for instalments of rates payments be set as follows;

(Date of issue - 6th August 2015)

Two Instalment Option

1 st Instalment due	10 th September 2015
2 nd Instalment due	10 th November 2015

Four Instalment Option

1 st Instalment due	10 th September 2015
2 nd Instalment due	10 th November 2015
3 rd Instalment due	10 th January 2016
4 th Instalment due	10 th March 2016

Recommendation 7:

WAIVER OF RATES

That Council grants a waiver of shire rates for 2015/2016 financial year to the following non-profit organisations holding property within the Shire of Chapman Valley. (NB: These properties will still be required to pay the Emergency Services Levy)

- i. The Yuna CWA

Recommendation 8:

ADOPTION OF 2015/2016 SCHEDULE OF FEES AND CHARGES

- That Council adopt the 2015/2016 Schedule of Fees and Charges including revised "Building Permit Charges" as presented.

Recommendation 9:

ADOPTION OF 2015/2016 RUBBISH REMOVAL SERVICE CHARGES

- ii. That Council adopt the 2015/2016 Domestic Rubbish Removal Service Charges

\$325.00* for a weekly service 240 Litre MGB

*indicates GST free

Recommendation 10:

ENDORSE the rates set by FESA for Category 5 regions for 2015/2016 and apply these rates against valuations from Landgate on all rateable assessments;

Recommendation 11:

As per Council Resolution 06/15-13 the following items are adopted for inclusion into the 2015/2016 Budget:

- i. Council and Committee Meeting Fees per meeting for the President & Councillors to be set at the maximum amount legislated by the Western Australian Salaries and Allowances Tribunal in their 2015 determination;*
 - ii. President's Annual Allowance – To be set at the maximum amount as legislated by the Western Australian Salaries and Allowances Tribunal in their 2015 determination; and*
 - iii. Deputy Annual Presidents Allowance - Set at 25% of the President Allowance.*
- and include:*
- iv. Allowance for Information Technology expenses – Section 5.99A (b)*
- That an amount of \$1,000 per elected member.*

Recommendation 12:

That Council adopt the Revenue and Expenditure as detailed in the 2015/2016 Annual Budget.

Recommendation 13:

ADOPT LEVELS OF MATERIALITY 2015/2016

In accordance with Clause 34A(5) of the Local Government (Financial Management) Regulations, 1996 Council adopt its levels of material variances that need to be reported on amounts of \$10,000 or 10% whichever is the greater.

Recommendation 14 (Simple Majority Only):

Council amend Corporate Policy CP-011 Senior Staff by removing *Manager Planning* and retitling this position to *Deputy Chief Executive Officer*.

Voting 6/0
CARRIED (BY ABSOLUTE MAJORITY)
SC Minute Reference: 07/15-2

8.0 CLOSURE

The Chairman thanked the Elected Members and Staff for their attendance and the meeting was closed at 1.22pm.