



Shire of
Chapman Valley
Love the Rural Life

UNCONFIRMED MINUTES

4 JULY 2012

SPECIAL COUNCIL MEETING

Notice is hereby given that a Special Meeting
of Council was held on Wednesday 4 July 2012
at the Council Chambers, Nabawa, commencing at 3:00pm

Stuart Billingham
CHIEF EXECUTIVE OFFICER

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.


Stuart Billingham
CHIEF EXECUTIVE OFFICER

**SHIRE OF CHAPMAN VALLEY
MINUTES OF SPECIAL MEETING OF COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS,
NABAWA 3:00PM WEDNESDAY, 4 JULY 2012**

Disclaimer (To be provided to Visitors Present)

ORDER OF BUSINESS:

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Chairman, Cr John Collingwood welcomed Elected Members and Staff and declared the meeting open at 3:15pm.

2.0 LOYAL TOAST

The Presiding member proposed a loyal toast to her Majesty the Queen.

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

3.1 Present

Cr J Collingwood	President	North East Ward
Cr P Batten	Deputy	North East Ward
Cr P Forrester		North East Ward
Cr T Royce		North East Ward
Cr P Humphrey		South West Ward
Cr D Bell		South West Ward
Mr Stuart Billingham		Chief Executive Officer
Mr Simon Lancaster		Manager of Planning
Mrs Karen McKay		Executive Assistant (Minute Taker)
Mr Ken Barndon		Works Supervisor (from 3.25pm)

3.2 Apologies

Cr A Farrell	North East Ward
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4.0 DISCLOSURE OF INTEREST

Nil

5.0 AGENDA ITEM:

Shire of Chapman Valley – 2012 SAT Amended budget

AGENDA ITEM:	5.0
SUBJECT:	Shire of Chapman Valley - 2012 SAT Amended Budget
PROPONENT:	Chief Executive Officer
SITE:	Shire of Chapman Valley
FILE REFERENCE:	404.03
PREVIOUS REFERENCE:	
AUTHOR:	STUART BILLINGHAM

DISCLOSURE OF INTEREST

Nil

REPORT PURPOSE

To present to Council for Adoption the amended 2012 Budget for re-adoption after the State Administrative Tribunal quashed the 2011/12 Rates GRV category on Friday 29th June 2012. (Amended Budget papers are submitted as a separate attachment, as per the Department of Local Governments Example 2)

BACKGROUND

The Department of Local Government received a copy of the Shire of Chapman Valley 2011 2012 Annual Budget in September 2011. The Department's Compliance section upon review discovered a breach of Section 6.35(4) of the *Local Government Act 1995*.

Section 6.35 (4)(b) states the following

*"A minimum payment is not to be imposed on more than the prescribed percentage of -.....
 ...(b) the number of properties in each category referred to in subsection (6)"*

COMMENT

The Chief Executive Officer in conjunction with the Manager Finance and Administration has prepared an Amended Budget for the 2011/12 year incorporating the Rates Shortfall of \$38,527 and the February Budget Review.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Shire of Chapman Valley 2011/12 Budget

FINANCIAL IMPLICATIONS

Yes

Jan 2012 Budget review Balanced Budget
 Amended Budget - Estimated Budget Deficit of \$38,527 due to reduction in Rate income from GRV Minimums.

STRATEGIC IMPLICATIONS

Annual Budget

VOTING REQUIREMENTS

Absolute Majority Vote Required

STAFF RECOMMENDATION / COUNCIL DECISION:

MOVED: CR PAULINE FORRESTER

SECONDED: CR DAVID BELL

That the Council:

1. Notes the State administrative Tribunal has quashed the general rate and minimum payments imposed by the Shire of Chapman Valley on 17 August 2011 in accordance with s 6.82 of the *Local Government Act 1995*, as the 'GRV' minimum payment did not comply with s 6.35(4)(b) of the Act as it was applied to more than 50% of properties on that general rate.
2. Adopts a budget for 2011/2012 in accordance with section 6.3 of the *Local Government Act 1995* which:
 - a) Subject to modifications set out in resolution 3, is in the same form and manner as the annual budget adopted at the Council meeting held on 17 August 2011 (recorded as item 10.4.8 and included as Attachment 10.4.8 to the minutes of that meeting and tabled herewith), also incorporates the Budget Review amendments adopted by Council on 21 March 2012 item 10.3.2;
 - b) Reduces the amount to be yielded by the general rate to \$1,830,119, which is \$38,527 less than the budget deficiency and within the statutory limit on the amount estimated to be yielded by the general rate provided for by section 6.34 of the Act.
3. Notes that the modifications referred to in resolution 2 change the following schedules and notes:
 - a) Statement of Comprehensive Income by Program
 - b) Statement of Comprehensive Income by Nature and Type
 - c) Statement of Cash Flows
 - d) Rate Setting Statement
 - e) Note 7 – Net Current Assets
 - f) Note 8 – Rating Information
 - g) Note 15 – Note to the Statement of Cash Flows

So that these schedules and notes, as modified, are in the form and manner set out in Attachments listed below to this report.

4. In accordance with s6.32(3)(b) of the *Local Government Act 1995* , imposes the following general rates and minimum payments:

GRV Rates

GRV Other	0.0915
GRV Town sites	0.0915

Minimum Payments

GRV Other	\$628
GRV Town sites	\$628

5. Notes that resolutions 2, 3 and 4 above are required to validate the general rates and minimum payments levied and that a credit will be allocated to those ratepayers affected by the amended 'GRV minimum Payment' whose minimum payments reduce as a consequence of this reimposition.
6. Approves Budget Amendment to COA 3372 Road Maintenance General IE Code Materials be reduced from original budget of \$100,000 by \$38,527 to \$61,473.

ABSOLUTE MAJORITY VOTE REQUIRED

Mr Ken Barndon entered chambers at 3.25pm

**CARRIED
Voting 6/0
Minute Reference 07/12-1**

6.0 CLOSURE

The Presiding Member thanked all Elected Members and Staff for their attendance and declared the meeting closed at 3.37pm.