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Shire of Kalamunda

# Special Council Meeting Minutes

Monday 30 July 2012

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## MINUTES

### 1.0 OFFICIAL OPENING

1.1 The Chairman opened the meeting at 7.00pm and welcomed Councillors, Staff and the Press.

### 2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

#### 2.1 Attendance

##### Councillors

Donald McKechnie	(Chairman, Shire President)	North Ward
Margaret Thomas		North Ward
Sue Bilich		North Ward
Justin Whitten		South West Ward
Allan Morton		South West Ward
Noreen Townsend		South West Ward
Geoff Stallard		South East Ward
John Giardina		South East Ward
Frank Lindsey		South East Ward
Martyn Cresswell		North West Ward
Bob Emery		North West Ward
Dylan O'Connor		North West Ward

##### Members of Staff

James Trail	Chief Executive Officer
Rhonda Hardy	Director Corporate and Community Services
Rajesh Malde	Manager Financial Services
Darrell Forrest	Manager Governance
Gerard Thomas	Manager Technology and Corporate Support
Peter Hayes	Manager Business and Strategy
Sam Assaad	Manager Infrastructure Operations
Warwick Carter	Manager Economic Property & Procurement Services
Michelle Clark	Executive Assistant to the CEO
Meri Comber	Governance Officer

**Members of the Public** 0

**Members of the Press** 1

#### 2.2 Apologies

##### Members of Staff

Clayton Higham	Director Development & Infrastructure Services
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#### 2.3 Leave of Absence Previously Approved

Nil.

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**3.0 PUBLIC QUESTION TIME**

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Meeting. For the purposes of Minuting, these questions and answers are summarised.

3.1 Nil.

**4.0 MATTERS FOR WHICH MEETING MAY BE CLOSED**

4.1 Nil.

**5.0 DISCLOSURE OF INTERESTS****5.1 Disclosure of Financial and Proximity Interests**

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

5.1.1 Nil.

**5.2 Disclosure of Interest Affecting Impartiality**

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

5.2.1 Nil.

**6.0 REPORT TO COUNCIL**

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**
**6.1 Adoption of the 2012/2013 Budget**

Previous Items:	N/A
Responsible Officer	Director Corporate & Community Services
Service Area:	Corporate & Community Services
File Reference:	
Applicant:	N/A
Owner:	N/A
Attachment 1	2011/2012 Carry Over Schedule
Attachment 2	Schedule of Fees and Charges – Community Facilities – 2012/2013
Attachment 3	Schedule of Fees and Charges – Statutory and Regulatory Charges – 2012/2013
Attachment 4	2012/2013 Statutory Budget

**PURPOSE**

1. To adopt the Municipal Fund Budget for the year ended 30 June 2013, representing the Financial Year 2012/2013, together with supporting schedules including striking of the Municipal Fund Rates, adoption of fees and charges and other consequential items arising from the budget papers.

**BACKGROUND**

2. The draft Budget has been compiled based on the principles and assumptions contained in the draft Ten Year Financial Plan 2009/2020, which was presented to Councillors in April 2011.

These principles and assumptions included:

- Balanced Operating Budget with Reserves being set aside annually.
- Operating and Capital expenditure funded by rates, grants, Reserves and loan borrowings.
- The net profit or proceeds from land sales are transferred to Reserves.
- Freehold land for future sale and development accounted for and disclosed separately and shall include all costs of land development.
- Reserves used primarily to fund future capital expenditure or specifically for the purpose for which it was created.
- Operating costs are set either by zero based budgeting principles or in line with CPI.
- Domestic Rubbish Charges set at cost recovery.
- Interest on Investment calculated at 4.85%.

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- Operating Grants based on prior period experiences and available information from funding agencies.
  - Fees and Charges based upon statutory requirements or CPI.
  - Insurance calculated based on quotation received from the Shire's insurers.
  - Salaries and Wages increases set in accordance with Enterprise Bargaining Agreements or contract market rates.
  - Workforce growth has been limited to three new Full Time Equivalent positions – one Traffic Engineer and two Verge Crew Operators. These positions have been offset by savings made in the December 2011 organisational review which resulted in the identification of thirteen positions being removed from the structure which equated to a savings of approximately \$1million.
  - Future population growth projections for calculating interim rates and planning approval revenues is based on 9% projected annual growth rate as detailed in the draft Local Planning Strategy 2010.
3. The proposed differential rate basis within the Budget was presented to Council at its Budget workshop held on 30 April 2012.
  4. Council, at its meeting on the 16 May 2011, resolved to advertise the proposed differential rates in line with the draft Ten Year Financial Plan 2009/2020, the level of Rate increase to be advertised by public notice for the 2012/2013 Budget was 7% net yield.
  5. In accordance with section 6.36 of the *Local Government Act 1995* the Shire advertised its intention to raise differential rates stating the purpose for each rate. This notice was advertised in local newspapers for 21 days from the 16 June 2012. No submissions were received.
  6. The 2012/2013 draft Budget has been prepared in accordance with the presentations made to Councillors at Budget Workshops held on 30 April, 31 May and 9 July 2012.
  7. Interest earnings overall remain the same as previous years estimate even though amounts invested are lower. This is partially due to introduction of interest payable on rates instalments and penalty interest applicable on overdue rates.
  8. The Budget includes increases in utility charges and insurance costs.
  9. The 2012/2013 estimated operating result stands at a surplus of \$459,774 compared to the 2011/2012 Budget cash shortfall of \$1,481,865. The return to a budget operating surplus will be achieved through the leadership taken by the Council in deciding to develop and sell freehold land and property and strong control over growth in operating expenditure.
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10. Notwithstanding the forecast proceeds from sales, it is still necessary, in the interim, that operating costs be funded from rate income. A 7% rate increase is required in order to provide a financial buffer until proceeds from land and property sales is realised and Reserves are re-established.

## DETAILS

11. This Budget has been set in accord with the Shire's draft draft Ten Year Financial Plan 2010/2020 which forms a component of the Integrated Planning Framework as prescribed by the State Government under legislation. It is the second Budget drawn from the rolling ten year programme designed to lift the level of service at the Shire of Kalamunda.

12. The Rate Setting Statement for the period ending 30 June 2013 shows the Shire's expenses have increased by 3.6% on last year's budget estimates and when comparing the June 2012 estimated year end result with the 2012/2013 proposed Budget shows an increase of approximately 1%.

Budget 2012/2013	\$47,638,572
Estimate 2011/2012	\$47,164,013
Budget 2011/2012	\$45,986,729

13. Increases for all rates will generate rate revenue of \$25.57 million. This represents the Shire's largest single source of funds and is essential for the Shire to deliver services, undertake capital works and to maintain the current level of maintenance of community facilities and reserves.
14. Given this will be a year where no new property valuations have been established by the Valuer General, no properties will experience a rate increase higher than the proposed 7% net yield increase.
15. Specific comments on some elements of the draft 2012/2013 Budget are as follows:
- i. Unimproved Value (UV) Industrial rate category which was made up of only two ratepayers has now been merged with the UV Commercial category.
  - ii. Adoption of Percentage for Reporting Material Variances – each financial year, a local government is to adopt a percentage or value, calculated in accordance with Australian Accounting Standards, to be used in statements of financial activity for reporting material variances. The level proposed for 2012/2013 is 5% or \$5,000 whichever is the greater.
  - iii. The Budget makes provision for the use of overdraft and loan funds to support one major and one minor project:
    - Land Development Costs \$1,200,000
    - Lesmurdie Tennis Club \$19,680
  - iv. The Budget also acknowledges that with the completion of the sale of East Welshpool Road Lots (Smoke Bush Estate) it will retire the overdraft funds of \$971,739 used against that project.

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- v. A total of \$412,196 for works to be carried forward from 2011/2012 is outlined in the 2011/2012 Carry Over Schedule shown as Attachment 1.
- vi. The Capital Works Program has some key projects which are listed below:
- Depot Amenities Building \$600,000
  - Major road construction projects \$2,656,800
    - Abernethy Road
    - Hale Road
    - Welshpool Road East
- vii. Sanitation and Household Refuse - Rubbish Rate. Details of the costs of this service are shown separately in the attached Budget. Both the standard and the pensioner charges have increased by 2.9% to \$350 and \$175 respectively.
- The 50% pensioner discount is funded through an increase in the waste charge to all non-pensioner properties. This ensures the waste budget is cost neutral and not funded from the rates levied.
- It is proposed to continue the Discount Tip Voucher programme whereby residents may pre-purchase tip vouchers from Council Offices or Libraries at a discount. The vouchers allow for waste to be taken to the Walliston Transfer Station or Red Hill Landfill Site in trailers (6x4), utilities or vans.
- viii. Reserve Accounts – No new Reserves have been added in this Budget. The only reserve movements back to Municipal Funds are for:
- Funding the Depot Amenities Building \$676,000
  - Repayment of Overdraft utilised for the Subdivision and development at East Welshpool Road \$971,739
  - Ground works for environmental projects \$76,045
  - Planning for Forrestfield/High Wycombe Industrial Area \$107,000
- ix. Change of Purpose of Loan - In 2011/2012 a loan of \$1,150,000 was taken for the purpose of buying refuse trucks for the proposed in house waste collection program. Of this amount an allocation of \$91,000 was made to purchase a small truck for the waste crew in 2011/2012. A review of the program was undertaken and it has been determined not to pursue the purchase of the additional trucks. The balance of the loan as at the 30 June 2012 is \$1,059,000. This Budget proposes this balance is transferred to the Land and Property Reserve. The purpose being to fund the excess expenditure on the Kalamunda Water Park.
- x. Estimated Year End Position – 30 June 2012 - The estimated unaudited year end (2011/2012) position is a cash surplus of \$2,142,789 against an opening position of a deficit of \$1,481,769 which shows the Shire is turning its finances around and is again operating on a sustainable basis.
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## **STATUTORY AND LEGAL IMPLICATIONS**

16. Section 6.2 of the *Local Government Act 1995* requires a local government to adopt its budget prior to 31 August each year.
17. Divisions 5 and 6 of Part 6 of the *Local Government Act 1995* refers to the setting of budgets and the raising of rates and fees and charges. The 2012/2013 Budget as presented is considered to meet these statutory obligations.

## **POLICY IMPLICATIONS**

18. The Budget has been developed based on the principles contained in the draft Ten Year Financial Plan 2009/2020 and also the Shire's Policy FIN6 – Asset Financing and Borrowing Policy.

## **PUBLIC CONSULTATION/COMMUNICATION**

19. The Shire has met its statutory obligations with respect to community consultation whereby a Notice of Intention to Levy Differential Rates was advertised in The Echo and the Hills Gazette on the 16 June 2012 and the Kalamunda Reporter on the 19 June 2012.

A period of 21 days was provided for public comment concluding on 9 July 2012. At the date of publishing the agenda for the Adoption of the Budget no comments were received.

## **FINANCIAL IMPLICATIONS**

20. Specific financial implications are as outlined in the Detail section of this report and in the attached 2012/2013 Budget document.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

21. The Budget has been developed based on the existing strategic planning documents adopted by Council.

### **Sustainability Implications**

22. The Budget has been developed to align with the draft Ten Year Financial Plan 2009/2020, which was developed to assist the Shire provide financial sustainability. The draft Ten Year Financial Plan 2009/2020 also complies with the soon to be legislated new financial regulations requiring all local governments to produce long term strategic financial plans by 2013.

**Social Implications**

23. The Budget has been developed to align with the prioritised needs of community infrastructure and services. Long term plans such as the Strategic Asset Management Plan and the Community Facilities Plan will be the strategic documents that identify and prioritise community infrastructure. Ongoing service reviews will continue to ensure community services are relevant and efficient.

**Economic Implications**

24. The Budget has been developed to align with the economic implications occurring in the Shire. The Budget addresses the ongoing development of future industrial land in Forrestfield, as well as land development opportunities throughout the Shire and also provides support to the Kalamunda Chamber of Commerce and the tourism industry through the opening of the Zig Zag Cultural Centre.
25. The draft Local Planning Strategy will guide development within the Shire over the next 20 years.

**Environmental Implications**

26. The Budget has been developed to align with the environmental priorities outlined in the Shire's Strategic Plan. Funding has been allocated for a range of environmental initiatives within the operating program. An Environmental Reserve was established and additional funds from proceeds of land sales have been set aside to fund a greater level of environmental initiatives.

**OFFICER COMMENT**

27. The 2012/2013 Budget continues to reflect the decision taken by the Council in 2009 to address the issue of the historic under funding of asset maintenance and renewal. It continues the objective of delivering a responsible budget that enables further improvements to the Shire's financial ratios.
28. The 2012/2013 Budget has been guided by the Shire's draft Ten Year Financial Plan 2010/2020. The Plan provides a blueprint for effective long term financial planning which is in alignment with the Department of Local Government's Integrated Planning Framework.
29. Following three years of significant growth in capital works projects which resulted in a depletion of the Shire's Reserves, the Shire implemented its alternative funding strategy to develop and sell land assets. The Shire was able to transfer significant proceeds to the Land and Property Reserve through the course of the past twelve months. The Shire is ensuring this work continues and has budgeted to transfer more than \$4 million expected from land sales in 2012/2013.

30. Continued cash flow management will be crucial in 2012/2013 to ensure the Shire's Reserves are maintained. The Shire's administration will ensure its operating income growth continues to exceed operating expenditure by closely monitoring and managing activities and programs. A major contributor to the reduction in operating expenditure was the organisational re-structure, in December 2011 to January 2012, which resulted in \$1 million in employees cost being removed from the Budget.

*Councillor Bilich proposed that the recommendation to adopt the Municipal Fund Budget for 2012/2013 be brought forward and indicated she wished to foreshadow another motion, as the result of this could lead to the deferment of other motions.*

## **MOTION**

### **RESOLVED SCM 74/2012**

That Council:

1. Bring forward Part E – Municipal Fund Budget for 2012/2013 to be the first item on this Agenda.

Moved: **Cr Sue Bilich**

Seconded: **Dylan O'Connor**

Vote: **For**  
**Cr Sue Bilich**  
**Cr Dylan O'Connor**

**Against**  
**Cr John Giardina**  
**Cr Frank Lindsey**  
**Cr Geoff Stallard**  
**Cr Allan Morton**  
**Cr Noreen Townsend**  
**Cr Justin Whitten**  
**Cr Martyn Cresswell**  
**Cr Bob Emery**  
**Cr Margaret Thomas**  
**Cr Donald McKechnie**

### **LOST (2/10)**

*Cr Noreen Townsend wished to give notice to propose a Motion to defer the adoption of the whole budget until Monday 6 August 2012.*

*The Chief Executive Officer indicated that, as is normal practice, the Officer's Recommendations must be dealt with first, and then other Motions could be considered.*

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**RECOMMENDATIONS**

RESOLVED SCM 75/2012

**PART A – 2011/2012 END OF YEAR ACTIONS**

1. That the 2011/2012 projects not complete as at 30 June 2012 and listed in Attachment 1 be included in the Budget for 2012/2013 and funded from the Unexpended Capital Works and Specific Purpose Grants Reserve

Moved: Cr Margaret Thomas

Seconded: Cr Bob Emery

Vote: **For**  
Cr Margaret Thomas  
Cr Bob Emery  
Cr Donald McKechnie

**Against**  
Cr John Giardina  
Cr Frank Lindsey  
Cr Geoff Stallard  
Cr Allan Morton  
Cr Noreen Townsend  
Cr Justin Whitten  
Cr Martyn Cresswell  
Cr Dylan O'Connor  
Cr Sue Bilich  
**LOST (3/9)**

*The Chief Executive Officer requested all staff leave the Chambers.*

RESOLVED SCM 76/2012

That Council:

1. Move behind closed doors for discussion regarding the 2012/2013 Budget.

Moved: **Martyn Cresswell**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY (12/0)**

*The representative of the Press was requested to leave the Chambers.*

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**PART B – COUNCILLOR FEES AND ALLOWANCES FOR 2012/2013**

2. That pursuant to Section 5.99 of the *Local Government Act 1995* and Regulation 34 of the *Local Government [Administration] Regulations 1996*, Council adopts the following annual fees for the payment of Councillors in lieu of individual meeting attendance fees:-

Shire President	\$14,000
Councillors	\$7,000

3. That pursuant to Section 5.99A of the *Local Government Act 1995* and Regulations 34A and 34AA of the *Local Government [Administration] Regulations 1996*, Council adopts the following annual allowances:-

Telecommunications Allowance	\$2,400
Information Technology Allowance	\$1,000

4. That pursuant to Section 5.98 (5) of the *Local Government Act 1995* and Regulation 33 of the *Local Government [Administration] Regulations 1996*, Council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:-

Shire President	\$14,000
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5. That pursuant to Section 5.98 (A) of the *Local Government Act 1995* and Regulation 33A of the *Local Government [Administration] Regulations 1996*, Council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:-

Deputy Shire President	\$2,900
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Moved:

Seconded:

Vote: **COUNCIL DID NOT CONSIDER THESE RECOMMENDATIONS INDIVIDUALLY.**

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**PART C – GENERAL FEES AND CHARGES FOR 2012/2013**

6. That pursuant to Section 6.16 of the *Local Government Act 1995*, Council adopts the Hall Hire, Community Recreation Facilities Charges and Reserve Hire – Outdoor Activities Charges as per (*Attachment 2*)
7. That the fees and charges for Regulatory and Other Services as per (*Attachment 3*) be adopted
8. That pursuant to *Regulation 53 of the Building Regulations 2012*, Council adopts a swimming pool inspection fee of \$18.83 including GST.
9. That pursuant to Section 6.51 of the *Local Government Act 1995* and Regulation 70 of the *Local Government [Financial Management] Regulations 1996*, Council impose an interest charge of 11.0% on all rates and service charges including the refuse charge and swimming pool inspection fee that are not paid by the due date.
10. That pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government [Financial Management] Regulations 1996*, Council adopt an instalment administration charge and interest charge of 5.5% where the owner has elected to the payment of rates and service charges through an instalment option by charging:
  - (a) a \$6 administration charge where a property owner elects to payment of rates and service charges on a two instalment option:  
or
  - (b) a \$18 administration charge where a property owner elects to payment of rates and service charges on a four quarterly instalment option.

Moved:

Seconded:

Vote: **COUNCIL DID NOT CONSIDER THESE RECOMMENDATIONS INDIVIDUALLY.**

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**PART D – WASTE AND RUBBISH CHARGES FOR 2012/2013**

11. That pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, Council adopt the following charges for the removal and deposit of domestic and commercial waste:-

i. **Domestic / Commercial Service**

a. Ordinary domestic collection/disposal service including kerbside recycling service to be set at \$350.

b. Eligible pensioners – a concession rate for the domestic collection/disposal service including kerbside recycling service of \$175.

ii. **Walliston Transfer Station**

The deposit of rubbish at Walliston Transfer Station reflect the schedule of fees and charges adopted by the Eastern Metropolitan Regional Council, and will be charged as follows:

Car/Station Wagon - Per vehicle	\$21.50
Trailers (6 x 4) - Per vehicle	\$43.00
Trailer (6 x 4 high sided) - Per vehicle	\$54.00
Van/Utilities - Per vehicle	\$34.50
Utilities/Trailers 1 Tonne	\$106.00

iii. **Discount Tip Vouchers**

That pursuant to Section 6.12 of the *Local Government Act 1995*, a discount of \$5.00 per entry be provided, by way of pre-purchased vouchers, for entry into the Walliston Transfer Station or Red Hill Landfill Site for residents with rubbish in trailers (not exceeding 6 x 4), utilities or vans

Moved:

Seconded:

Vote: **COUNCIL DID NOT CONSIDER THESE RECOMMENDATIONS INDIVIDUALLY.**

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**PART E – MUNICIPAL FUND BUDGET FOR 2012/2013**

12. That pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and the Part 3 *Local Government [Financial Management] Regulations 1996*, Council adopt the Municipal Fund Budget as contained in (*Attachment 4*), Statutory Statements and Notes (including supplementary information) for the year ending 30 June 2013.

Moved:

Seconded:

Vote: **COUNCIL DID NOT CONSIDER THESE RECOMMENDATIONS INDIVIDUALLY.**

**PART F – GENERAL AND MINIMUM RATES , INSTALMENT PAYMENT ARRANGEMENTS AND INCENTIVES FOR EARLY PAYMENTS FOR 2012/2013**

13. That for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Item 13, Council pursuant to Sections 6.32, 6.33 6.34 and 6.35 impose the following differential general and minimum rates on Gross Rental and Unimproved Values

**13.1 General Rates**

- |                                      |                            |
|--------------------------------------|----------------------------|
| • General - Gross Rental Values(GRV) | 5.3626 cents in the dollar |
| • Commercial – GRV                   | 5.6307 cents in the dollar |
| • Industrial – GRV                   | 6.0059 cents in the dollar |
| • General - Unimproved Values (UV)   | 0.2552 cents in the dollar |
| • Commercial – UV                    | 0.2680 cents in the dollar |

**13.2 Minimum Rates**

- |                                      |       |
|--------------------------------------|-------|
| • General - Gross Rental Values(GRV) | \$693 |
| • Commercial – GRV                   | \$728 |
| • Industrial – GRV                   | \$778 |
| • General - Unimproved Values (UV)   | \$693 |
| • Commercial – UV                    | \$728 |

### 13.3 Instalment Arrangements

**That pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, Council nominate the following due dates for the payment of rates in full and by instalments:-**

Full payment 18 September 2012

Two Payment Option

First Payment 18 September 2012

Second Payment 18 December 2012

Four Payment Option

First Payment 18 September 2012

Second Payment 19 November 2012

Third Payment 18 January 2012

Fourth (Final) Payment 19 March 2013

### 13.4 Incentives for Early Payment of Rates

**That pursuant to Section 6.46 of the *Local Government Act 1995*, Council offers the following incentive prizes to ratepayers who have paid their rates in full.**

- 10 cash prizes of \$1,000 donated by the Shire of Kalamunda.
- 1 cash prize of \$1,000 donated by the Commonwealth Bank of Australia.
- 1 \$500 passbook account donated by the Bendigo Bank - Forrestfield & High Wycombe Community Bank.
- 3 double passes to concert performed and donated by the Western Australian Symphony Orchestra.
- 1 Dinner donated by Thai on the Hill.

### 13.5 Eligibility for inclusion in the rates incentive prize draw.

**That ratepayers who make rates payment in full by a week before the the due date, being 11 September 2012, will be eligible for inclusion in the rates incentive prize draw.**

**13.6 Eligibility of Elected Members and Staff to participate in rates incentive prize**

**That all Elected Members, staff of the Shire of Kalamunda and government bodies and their agencies be ineligible to be chosen as a winner of the early rate payment incentive prizes either as a sole or part owner of any property.**

Moved:

Seconded:

Vote: **COUNCIL DID NOT CONSIDER THESE RECOMMENDATIONS INDIVIDUALLY.**

**PART G – CHANGE OF PURPOSE OF LOAN FOR 2012/2013**

- 14. That in accordance with Section 6.20 (3) of the *Local Government Act 1995* changes the purpose of Loan 228 from Purchase of Plant and equipment to Upgrade of the Kalamunda Water Park.**

Moved:

Seconded:

Vote: **COUNCIL DID NOT CONSIDER THESE RECOMMENDATIONS INDIVIDUALLY.**

**PART H – MATERIAL VARIANCE REPORTING FOR 2012/2013**

- 15. That in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, and AAS 5 the level to be used in statements of financial activity in the year 2012/2013 for reporting material variances shall be 5% or \$5,000, whichever is the greater.**

Moved:

Seconded:

Vote: **COUNCIL DID NOT CONSIDER THESE RECOMMENDATIONS INDIVIDUALLY.**



RESOLVED SCM 77/2012

That Council:

1. Move the meeting from behind closed doors.

Moved: **Cr Martyn Cresswell**

Seconded: **Cr John Giardina**

Vote: **CARRIED UNANIMOUSLY (12/0)**

**ALTERNATIVE MOTION**

RESOLVED SCM 78/2012

That Council:

1. Defer the budget adoption for further deliberations at a Special Meeting of Council on Wednesday 8 August 2012 at 6.00pm.

Moved: **Cr Noreen Townsend**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (12/0)**



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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**

**6.2 Amendment to the Re-Adoption of the 2011/12 Budget to Correct a Rating Anomaly**

Previous Items	SCM 64/2012
Responsible Officer	Director Corporate & Community Services
Service Area	Financial Services
File Reference	
Applicant	N/A
Owner	N/A
Attachment 1	Statement of Comprehensive Income by Program
Attachment 2	Statement of Comprehensive Income by Nature and Type
Attachment 3	Statement of Cash Flows
Attachment 4	Rate Setting Statement
Attachment 5	Net Current Funding Position
Attachment 6	Note 8 – Rating Information
	Note 9 – Cash in Lieu of Rates
Attachment 7	Note 14 – Note to the Statement of Cash Flows

**PURPOSE**

1. To amend the resolution adopted at the Special Council Meeting of 25 June 2012 with respect to correcting a rating anomaly in the 2011/2012 Budget.

**BACKGROUND**

2. At the Special Council Meeting of 25 June 2012, the Council made a number of decisions to correct a rating anomaly identified by the Department of Local Government (the Department) as a consequence of an assessment by it of local government budgets for 2011/2012.  
  
The Department had sought remedial action to bring the incorrect rates levied by local governments into line with the provisions of the *Local Government Act 1995*.
3. However, the Department has now advised that as the formal notice by State Administrative Tribunal (SAT) quashing the rates not levied in accordance with the Act, was not issued until 26 June 2012 and therefore the Council decisions should not have been made until after that date.
4. The Department has also clarified that only the UV Rates category were quashed by SAT.

## **DETAILS**

5. In discussions with the Department it has been concluded that parts 2, 3 and 4 of Resolution SCM 64/212 need to be re-done in order to overcome this technicality.

## **STATUTORY AND LEGAL IMPLICATIONS**

6. Section 6.35(5) of the Act – application of minimum rates.  
Section 6.3 of the Act – Budget for other circumstances.

## **POLICY IMPLICATIONS**

7. There are no policy implications from this issue.

## **PUBLIC CONSULTATION/COMMUNICATION**

8. Public consultation was not required for this matter.

## **FINANCIAL IMPLICATIONS**

9. Projected Rate Revenue for the 2011/2012 financial year will decrease by \$1,454 as a consequence of correcting this rating anomaly.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

10. Nil.

### **Sustainability Implications**

#### Social Implications

11. Nil.

#### Economic Implications

12. Nil.

#### Environmental Implications

13. Nil.

## **OFFICER COMMENT**

14. Nil.

RESOLVED SCM 79/2012

That Council:

1. Revokes parts 2, 3 and 4 of Resolution SCM 64/2012 passed at the Special Council Meeting of 25 June 2012.
2. Adopts the budget for 2011/2012 in accordance with s 6.3 of the Act which:
  - a. Subject to the modifications set out in resolution 3, is in the same form and manner as the annual budget adopted at the Council meeting held on 25 July 2011 (Recorded as item SCM 101/2011 and included in Attachments to the minutes of that meeting, and tabled herewith) and subsequently amended through two budget reviews conducted in October 2011 and January 2012 and adopted by Council on 19 December 2011 and 26 March 2012 respectively (Recorded as items OCM 200/2011 and SCM 26/2012 and included in the minutes of those meetings, and tabled herewith).
  - b. Reduces the amount yielded by the general rate to \$23,843,017 which is \$1,454 less than the budget deficiency and within the statutory limit on the amount estimated to be yielded by the general rate provided for by s 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. Notes 7 – Net Current Assets
  - f. Note 8 – Rating Information
  - g. Notes 14 – 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 1 to 7.

4. In accordance with S 6.32(3)(b) of the Act, imposes the following general rates and minimum payments :
  1. General Rates
 

General - Unimproved Values (UV)	0.2411 cents in the dollar
Commercial – UV	0.2532 cents in the dollar
Industrial – UV	0.2701 cents in the dollar
  2. Minimum Rates
 

General - Unimproved Values (UV)	\$648
Commercial – UV	\$680

5. Notes that resolutions 3, 4 and 5 above are required to validate the general rate and minimum payments levied.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (12/0)**

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**7.0 MEETING CLOSED TO THE PUBLIC**

7.1 Nil.

**8.0 CLOSURE**

There being no further business, the Chairman declared the meeting closed at 8.10pm.

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

Signed: \_\_\_\_\_  
Chairman

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2012