

SPECIAL COUNCIL MEETING

CONFIRMED MINUTES

Budget Adoption

9:30am FRIDAY
31/07/2020

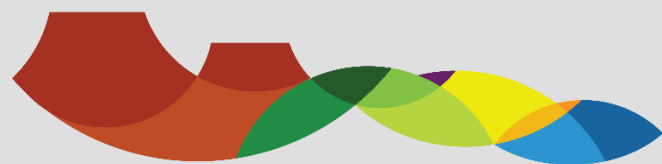
COUNCIL CHAMBERS
NABAWA

JULY/2020

SHIRE OF CHAPMAN VALLEY

Maurice Battilana

CHIEF EXECUTIVE OFFICER



SHIRE OF

Chapman Valley

love the rural life!

*"A thriving community, making
the most of our coastline, ranges
and rural settings to support us
to grow and prosper"*

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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.

Maurice Battilana
CHIEF EXECUTIVE OFFICER

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ORDER OF BUSINESS

1.0 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The President, Cr Farrell, welcomed Elected Members and Staff and declared the meeting open at 9.28am.

2.0 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

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

3.1 Attendees

Elected Members
Cr Anthony Farrell (President)
Cr Kirrilee Warr (Deputy President)
Cr Peter Humphrey
Cr Trevor Royce
Cr Darrell Forth
Cr Ian Maluish
Cr. Beverley Davidson
Cr. Nicole Batten

Staff
Maurice Battilana, Chief Executive Officer
Dianne Raymond, Manager Finance & Corporate Services
Clare Cream (Minute Taker)
Beau Raymond
Simon Lancaster

3.2 Apologies

Member
Nil

3.3 Previously Approved Leave of Absence (By Resolution of Council)

Councillor	OCM Month & Year	Date Approved	Minute Reference
Cr. Warr	August OCM	15/07/2020	07/20-01

4.0 PUBLIC QUESTION TIME

4.1 Response to Previous Public Questions on Notice

Nil

4.2 Public Question Time

Nil

5.0 APPLICATIONS FOR LEAVE OF ABSENCE (by Resolution of Council)

Nil

6.0 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.”

Item No.	Member/Officers	Type of Interest	Nature of Interest

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 Petitions

Nil

7.2 Presentations
Nil

7.3 Deputations
Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

Not Applicable

9.0 ITEMS TO BE DEALT WITH EN BLOC

Nil

10.0 OFFICERS REPORTS

10.1

Manager of Finance & Corporate Services

July 2020

10.1 AGENDA ITEMS

10.1.1 Formal Adoption of 2020/2021 Annual Budget

10.1.1

Formal Adoption of 2020/2021 Annual Budget

PROPONENT:	Shire of Chapman Valley
SITE:	Shire of Chapman Valley
FILE REFERENCE:	306.08
PREVIOUS REFERENCE:	Nil
DATE:	31 st July 2020
AUTHOR:	Dianne Raymond, Manager Finance & Corporate Services

SUPPORTING DOCUMENTS:

Ref	Title	Attached to Report	Under Separate Cover
10.1(a)	2020/2021 Statutory Annual Budget		✓
10.1(b)	2020/2021 Schedule of Fees and Charges		✓
10.1(c)	Statement of Objects and Reasons for Differential Rates		✓

DISCLOSURE OF INTEREST

Nil

BACKGROUND

Between 1 June and 31 August each year, the Shire is required to adopt an annual budget for its municipal fund in accordance with Section 6.2 of the Local Government Act 1995 and the associated regulations.

COMMENT

This report seeks Council adoption of the Shire of Chapman Valley 2020/2021 Annual Budget, which has been compiled with regard to the principles contained in the Integrated Planning & Reporting documents. The preparation for the 2020/2021 annual budget has seen a move to explore options to provide financial relief to those impacted within the community by the economic downturn associated with the COVID-19 pandemic. These are unprecedented considerations around the consequences and financial impacts of the COVID-19 pandemic to both the Shire revenue and expenditure and the ability of the community to recover from this crisis. However, the sound financial principles which underpin the Long Term Financial Plan (LTFP) and 4 Year Corporate Business Plan (CBP) continue to be the basis of the budget process.

The Draft 2020/2021 Annual Budget was presented to Councillors at a two Budget Workshops on 12th & 30th June 2020. The attached 2020/2021 Annual Budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. All changes as directed by Council at the Budget Workshops have been incorporated into the final budget document.

Municipal Budget 2020/2021

1) 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 2020/2021 financial year.

2) Rates

At the Ordinary Council Meeting held on the 20th May 2020 Item 10.2.6 Council agreed to advertise differential Unimproved Rates incorporating a zero rate in the dollar increase. The proposed differential rates were advertised for

21 days as required by s6.36 (1) of the Local Government Act 1995, with no submissions received during the public comment period. The Statement of Objects and Reasons for proposed differential rates are attached to this report and available on the Shire website. The final draft of the 2020/2021 Annual Budget presented has been rate modelled on a zero increase to rate revenue from the 2019/2020 financial year with an amendment to the rate in the dollar for the differential rating categories. Although this is not in line with the LTFP it has regard to the Local Government (COVID-19 Response) Ministerial Order 2020, Gazetted on the 8th May 2020 and in line with the State Government request to freeze rate revenue due to the impacts on community of COVID-19. Some ratepayers; however, may still pay more rates dependent on the implications of the annual Unimproved Value revaluation. The budget also includes COVID-19 rates relief in addition to the proposed rate revenue freeze:

- Removing of the instalment administration charge (previously \$9.00 per instalment notice)
- Reduction of the instalment interest from 5.5% to 3%
- Reduction of the overdue rate interest from 11% to 8%

There is no change to the minimum rate amount for the Gross Rental Value or Unimproved Value category. The pension rebate cap of \$750 and the seniors rebate cap of \$100 will remain at this level for 2020/2021. A COVID-19 Financial Hardship Policy has been adopted at the Ordinary Council Meeting held on the 20th May 2020 and placed on the Shire website to support ratepayers unable to meet their rates commitment due to impacts of COVID-19 which comply with Ministerial Order 2020 Clause 8.

Rate in the dollars to be adopted are:

Rating Category	Rate in the Dollar C:\$	Minimum Rate \$
Gross Rental Value	9.4315	700
Unimproved Value		
UV Rural General	1.1087	400
UV Oakajee Industrial Estate	2.2000	400

3) Schedule of Fees & Charges

The Draft 2020/2021 Schedule of Fees and Charges, refer attachment 10.1(b), were presented at the Ordinary Council Meeting held on the 20th May 2020 Item 10.2.5 and endorsed as below:

MOVED: Cr. Maluish

SECONDED: Cr. Forth

COUNCIL RESOLUTION / STAFF RECOMMENDATION

The proposed 2020/2021 Draft Fees and Charges as presented, including addition of grazing licenses with no change from 2019/2020 value, be endorsed and included into the 2020/2021 Budget in accordance with the requirements of the Local Government Act, 1995.

Voting 7/0

CARRIED

Minute Reference: 05/20-12

The Draft 2020/2021 Fees & Charges are based on a 'no increase' to the 2019/2020 endorsed fees and charges with some areas supporting no fee or charge for 1 July 2020 to 30th June 2021. The Minister for Local Government, Culture and the Arts has issued a Ministerial Order Clause 8 in relation to rates interest charges. The Draft 2020/2021 Schedule of Fees and Charges reflects the latest updates with penalty interest on overdue rates being set at 8% (in line with the Australian Taxation Office penalty rates), interest on instalments is set at 5.5% and no instalment administration charge for 2020/2021 to any ratepayer.

4) Elected Members Remuneration

Council endorsed Elected Member Remunerations as resolved at the Ordinary Council Meeting held on the 20th May 2020 Item 10.2.2 as below:

MOVED: Cr. Maluish

SECONDED: Cr. Forth

COUNCIL RESOLUTION / STAFF RECOMMENDATION

1. Council approves the following Elected Members allowances for the 2020/2021 Draft Budget:

	<i>Annual Attendance fees in lieu of Council meeting fees</i>	<i>Annual Allowance (President)</i>	<i>Annual Allowance (Deputy President) - 25% of President</i>	<i>Annual Communication Allowance</i>	<i>Annual Travel Allowance</i>
<i>President</i>	<i>Maximum set by WASAT</i>	<i>\$10,000</i>		<i>\$500</i>	<i>\$50</i>
<i>Deputy President</i>		<i>NA</i>	<i>\$2,500</i>	<i>\$500</i>	<i>\$50</i>
<i>Other Elected Members</i>		<i>NA</i>		<i>\$500</i>	<i>\$50</i>

2. That payments be made six-monthly in arrears (i.e. December and June).

**Voting 7/0
CARRIED
Minute Reference: 05/20-10**

5) Cashflow and Overdraft Facility

At the Ordinary Council Meeting held on the 20th May 2020 Item 10.2.7 Council agreed to authorise an additional overdraft credit limit as below:

MOVED: Cr. Batten

SECONDED: Cr. Forth

COUNCIL RESOLUTION / STAFF RECOMMENDATION

1. Council authorise, in accordance with the requirements of the Local Government Act, 1995, the following credit options to assist with any possible cashflow issues in the 2020/2021 financial year:
 - i. Increased overdraft facility through Westpac Bank for the amount of \$500,000; and
 - ii. Short-term loan or similar credit facility with the Western Australian Treasury Corporation of up to \$500,000.

2. Council endorse the forecast cashflow prediction as presented and authorise the Chief Executive Officer to utilise this forecast to complete an application to the Western Australian Treasury Corporation for Short Term Loan Funds if considered necessary.

Voting 7/0
CARRIED
Minute Reference: 05/20-14

It should be understood although it may not be necessary to utilise any of the overdraft or line of credit facilities, there remains significant uncertainty around the impacts of COVID-19 and the capacity to collect rate revenue in a timely manner therefore having these available, in the event a cashflow problem does occur, is strategically wise.

STATUTORY ENVIRONMENT

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

POLICY/PROCEDURE IMPLICATIONS

The budget is based on the principles contained in the Plan for the Future

FINANCIAL IMPLICATIONS

Specific financial implications are as outlined in the Draft 2020/2021 Annual Budget as attached for adoption

Long Term Financial Plan (LTFP):

LTFP has been taken into consideration.

STRATEGIC IMPLICATIONS

Strategic Community Plan/Corporate Business Plan:

Ref	Objective	Strategy	Action
5.2	Be accountable and transparent in managing resources	Long Term Financial Management	Review Long Tern Financial Plan regularly and maintain integration with other Strategic Plans within the Shire
5.3	Make informed decisions within resources and areas of responsibility	Council and Shire process formally incorporate integrated plans as references for decision making	Reference Strategic Community Plan, Corporate Business Plan, Asset Management Plan, Long Term Financial Plan and Workforce Plan regularly as part of decision-making process

CONSULTATION

While no specific community consultation has occurred on the Draft 2020/2021 Annual Budget, community consultation and engagement has previously occurred during development of the Building Capital Works Program and Strategic Community Plan from which the Corporate Business Plan has been formulated.

In accordance with the requirements of section 6.36 of the Local Government Act 1995, a statement of intended differential rates and minimum payments was advertised seeking public submissions, and a statement of objects and reasons for the intended rates and minimum payments was made available from the Shire website, with hardcopies provided at the administration office. Submissions closed 29th June 2020 with no public comment received.

Councillors have been actively engaged in formulation of the Draft 2020/2021 Annual Budget through an invitation extended to submit items for budget consideration and the Draft Budget Workshops conducted in June 2020, enabling consideration of revenue and expenditure requirements, with wide-ranging discussion on efficiency measures throughout the budget options.

Extensive internal consultation has occurred across the organisation.

RISK ASSESSMENT

There is an associated minor low-level risk should council not comply with legislation and adopt the Budget prior to the 31st August.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

VOTING REQUIREMENTS

Absolute Majority Vote Required - Recommendations 1 to 13

COUNCIL RESOLUTION

MOVED: Cr. Maluish

SECONDED: Cr. Forth

Council suspend standing orders to allow open discussion on the Agenda Item.

**Voting 8/0
CARRIED**

Minute Reference SCM: SCM 07/20-1

COUNCIL RESOLUTION

MOVED: Cr. Forth

SECONDED: Cr. Maluish

Council reintroduce standing orders to continue with the Agenda Item.

**Voting 8/0
CARRIED**

Minute Reference SCM: SCM 07/20-2

COUNCIL RESOLUTION/STAFF RECOMMENDATIONS

MOVED: Cr. Forth

SECONDED: Cr. Batten

Council Resolution/ Staff Recommendation 1:

That Council adopt the Statutory Budget for the Shire of Chapman Valley for the financial year ending 30th June 2021 pursuant to Section 6.2 of the Local Government Act 1995 and relevant prescribed Local Government Financial Management Regulations and incorporating the following:

1. Statement of Comprehensive Income by Nature or Type;
2. Basis of Preparation
3. Statement of Comprehensive Income by Program;
4. Statement of Cash Flow;
5. Rate Setting Statement by Program
6. Notes to and Forming Part of the Budget including:
 - a. Rates and Service Charges;
 - b. Net Current Assets;
 - c. Reconciliation of Cash
 - d. Fixed Assets;
 - e. Asset Depreciation;
 - f. Information on Borrowings;
 - g. Cash Backed Reserves;
 - h. Reserve Fund Statement;
 - i. Grant Revenue;
 - j. Other Information;
 - k. Trust Information
 - l. Significant Accounting Policies

7 Schedule of Fees and Charges

Council Resolution/ Staff Recommendation 2:

That Council note, in accordance with section 6.34 of the Local Government Act 1995 and Local Government (COVID-19 Response) Ministerial Order 2020, Gazetted on 8 May 2020, the revenue estimated to be yielded by the general rates imposed for the 2020/21 financial year being 100% of the budget deficiency and within the 80% and 110% limits set under Clause 10 of the Local Government (COVID-19 Response) Ministerial Order 2020;

Council Resolution / Staff Recommendation 3:

That Council, in accordance with Section 6.32, 6.33, 6.34, 6.35, 6.36, 6.37 of the Local Government Act 1995 and Clause 9 of the Local Government (COVID-19 Response) Ministerial Order 2020 Gazetted on 8 May 2020, impose the following general & differential rates and minimum rates within the Shire of Chapman Valley boundaries in respect of the 2020/2021 financial year based upon current valuations:

Rating Category	Rate in the Dollar C:\$	Minimum Rate \$
Gross Rental Value	9.4315	700
Unimproved Value		
UV Rural General	1.1087	400
UV Oakajee Industrial Estate	2.2000	400

Council Resolution / Staff Recommendation 4:

INSTALMENT PLAN INTEREST RATE AND ADMINISTRATION CHARGE

That Council, in accordance with section 6.45(3) of the Local Government Act 1995 and clause 13 of the Local Government (COVID-19 Response) Ministerial Order 2020, Gazetted on 8 May 2020, NOT IMPOSE an instalment plan fee where the ratepayer has elected to pay rates through an instalment option.

That Council, in accordance with section 6.45(3) of the Local Government Act 1995 and clause 13 of the Local Government (COVID-19 Response) Ministerial Order 2020, Gazetted on 8 May 2020, IMPOSE an instalment interest rate of 3% applicable to rate and service charge instalment arrangements, subject to:

- a. The interest rate cannot be applied to an excluded person, as defined in the Local Government (COVID-19 Response) Ministerial Order 2020, that has been determined as suffering financial hardship as a consequence of the COVID-19 pandemic in accordance with Council Policy CMP-039 Financial Hardship Policy.

Council Resolution / Staff Recommendation 5:

LATE PAYMENT INTEREST RATE

That Council, by ABSOLUTE MAJORITY, in accordance with section 6.51(1) of the Local Government Act 1995 and clause 14 of the Local Government (COVID-19 Response) Ministerial Order 2020, Gazetted on 8 May 2020, IMPOSE an interest rate of 8% applicable to overdue and unpaid rate and service charges, subject to:

- a. The interest rate cannot be applied to an excluded person, as defined in the Local Government (COVID-19 Response) Ministerial Order 2020, that has been determined as suffering financial hardship as a consequence of the COVID-19 pandemic in accordance with Council Policy CMP-039 Financial Hardship Policy.

Council Resolution / Staff 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 of the Local Government Act 1995 and set the due dates as follows:

Full Payment and 1st Instalment Due Date 11th September 2020

Two Instalment Option

1 st Instalment due	11 th September 2020
2 nd Instalment due	11 th November 2020

Four Instalment Option

1 st Instalment due	11 th September 2020
2 nd Instalment due	11 th November 2020
3 rd Instalment due	11 th January 2021
4 th Instalment due	12 th March 2021

Council Resolution / Staff Recommendation 7:

WAIVER OF RATES

That Council grant a waiver of shire rates for 2020/2021 financial year to the following non-profit organisation holding property within the Shire of Chapman Valley. (NB: This property will still be required to pay the Emergency Services Levy)

- (a) The Yuna CWA

Council Resolution / Staff Recommendation 8:

ADOPTION OF 2020/2021 SCHEDULE OF FEES AND CHARGES

That Council, in accordance with section 6.16 of the Local Government Act 1995 and clause 8 of the Local Government (COVID-19 Response) Ministerial Order 2020, Gazetted on 8 May 2020 confirm the adoption of the 2020/2021 Schedule of Fees and Charges effective 1 July 2020 as per Minute Reference 05/20-12.

Council Resolution / Staff Recommendation 9:

ADOPTION OF 2020/2021 RUBBISH REMOVAL CHARGES

That Council, in accordance with section 6.16 of the Local Government Act 1995, impose the following charges for the removal of waste

- i. the 2020/2021 Domestic Rubbish Removal Charges

\$363.00* for a weekly service 240ltr bin

*indicates GST free service

- ii. the 2020/2021 Commercial Rubbish Removal Charges

\$380.00 for a weekly service of 1 - 5 240ltr bin

\$318.00 for a weekly service of 6 - 15 240ltr bin

\$280.00 for a weekly service of 15 or more 240ltr bin

Council Resolution / Staff Recommendation 10:

That Council endorse the 2020/2021 rates set by FESA for Category 5 regions and pursuant to the Minister for Emergency Services special determination to grant local governments authority to waive or write off Emergency Services Levy interest amounts accrued between 1st February 2020 and 30th June 2021 apply the same overdue interest rate of 8% to maintain consistency with the Shires adopted position on interest charges for rates outstanding for 2020/2021.

Council Resolution / Staff Recommendation 11:

ELECTED MEMBERS FEES AND ALLOWANCES FOR 2020/2021

As per Council Resolution Min Ref 05/20-10 the following Elected Members allowances are adopted for inclusion into the 2020/2021 Annual Budget:

	Annual Attendance fees in lieu of Council meeting fees	Annual Allowance (President)	Annual Allowance (Deputy President) - 25% of President	Annual Communication Allowance	Annual Travel Allowance
President	Maximum set by WASAT	\$10,000		\$500	\$50
Deputy President		NA	\$2,500	\$500	\$50
Other Elected Members		NA		\$500	\$50

Council Resolution / Staff Recommendation 12:

That Council adopt the Revenue and Expenditure as detailed in the 2020/2021 Annual Budget.

Council Resolution / Staff Recommendation 13:

MATERIAL VARIANCE REPORTING 2020/2021

In accordance with Clause 34A(5) of the Local Government (Financial Management) Regulations, 1996 that Council adopt a reporting variance of \$10,000 or 10% whichever is the greater.

Voting 8/0

CARRIED

Minute Reference: SCM 07/20-03

11.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

13.0 DELEGATES REPORTS

COUNCILLOR	ITEM
Nil	

14.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

15.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC

Nil

16.0 CLOSURE

The President thanked Elected Members and Staff for their attendance and closed the meeting at 10.30am.