



SHIRE OF COOLGARDIE

A G E N D A

OF THE

SPECIAL MEETING OF COUNCIL

13 July 2017

5.00pm

COOLGARDIE

SHIRE OF COOLGARDIE

NOTICE OF SPECIAL MEETING OF COUNCIL

Dear Elected Member

A Special Meeting of the Shire of Coolgardie will be held on Thursday 13 July 2017 in the Coolgardie Council Chambers, Bayley Street, Coolgardie commencing at 5.00pm

A handwritten signature in blue ink that reads "J. Trail". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

**JAMES TRAIL
CHIEF EXECUTIVE OFFICER**

DISCLAIMER

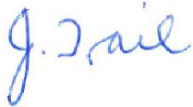
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

PLEASE NOTE:

THE RECOMMENDATIONS CONTAINED IN THIS AGENDA ARE OFFICERS RECOMMENDATIONS ONLY AND SHOULD NOT BE ACTED UPON UNTIL COUNCIL HAS RESOLVED TO ADOPT THOSE RECOMMENDATIONS.

THE RESOLUTIONS OF COUNCIL SHOULD BE CONFIRMED BY PERUSING THE MINUTES OF THE COUNCIL MEETING AT WHICH THESE RECOMMENDATIONS WERE CONSIDERED.

MEMBERS OF THE PUBLIC SHOULD ALSO NOTE THAT THEY ACT AT THEIR OWN RISK IF THEY ENACT ANY RESOLUTION PRIOR TO RECEIVING OFFICIAL WRITTEN NOTIFICATION OF COUNCILS DECISION.



James Trail
CHIEF EXECUTIVE OFFICER

COUNCIL MEETING INFORMATION NOTES

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may form a Committee to examine subjects and then report to Council.
3. Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant or in common with a significant number of electors or ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

6. Agendas including an Information Bulletin are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item including a recommendation will then be submitted to Council for consideration. The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

7. Agendas for Ordinary Meetings are available in the Coolgardie and Kambalda Offices/Libraries seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.

8. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).

9. Public Question Time – Statutory Provisions – Local Government Act 1995

Time is to be allocated for questions to be raised by members of the public and responded to at:

- (a) Every ordinary meeting of a council; and
- (b) Such other meetings of councils or committees as may be prescribed

Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

9A. Question Time for the Public at Certain Meetings – s5.24 (1) (b)

Local Government (Administration) Regulations 1996

Reg 5 For the purpose of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are:

- (a) Every special meeting of a council; and
- (b) Every meeting of a committee to which the local government has delegated a power or duty.

Minimum Question Time for the Public – s5.24 (2)

Reg 6 (1) the minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is fifteen (15) minutes.

(2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Procedures for Question Time for the Public – s5.24 (2)

Local Government (Administration) Regulations 1996

Reg 7 (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6 (1) are to be determined:

- (a) by the person presiding at the meeting; or
- (b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of members,

Having regard to the requirements of sub regulations (2) and (3).

- (2) The time allocated to the asking and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.
- (3) Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.
- (4) Nothing in sub regulation (3) requires:
 - (a) A council to answer a question that does not relate to a matter affecting the local government;
 - (b) A council at a special meeting to answer a question that does not relate to the purpose of the meeting; or
 - (c) A committee to answer a question that does not relate to a function of the committee.

10. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Coolgardie and Kambalda Offices/Libraries within ten (10) working days after the Meeting.

NOTE:

10.3 Unopposed Business

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it,
- (3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.
- (5) This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

SHIRE OF COOLGARDIE

DISCLOSURE OF INTERESTS

TO THE CHIEF EXECUTIVE OFFICER:

Under the Provisions of Division 6 of Part 5 of the Local Government Act 1995, I hereby disclose a Financial Interest/s in the matter/s listed on this form, which is/are scheduled for consideration at the meeting of Council to be held on:

TUESDAY _____ 2017

Where indicated by the word 'YES' in column 6, I will be seeking a determination (under Section 5.68) by the meeting, for reasons I will expand on.

(Print Name)

(Signature)

(Date)

NOTE: Members of Council are asked to deliver this completed form to the Chief Executive Officer on the day of the Council Meeting as required by the Act. Where this is not practicable the Disclosure/s may be telephoned to the Council Office on 9080 2111 and/or the form subsequently passed to the Chief Executive Officer prior to the meeting.

ITEM	PAGE No.	TYPE	REASON

For inclusion for interest declaration

Interests Affecting Impartiality: Disclosing Statement

"With regard to....(the matter in item)... I disclose that I have an association with the applicant. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

APPLICATION FOR LEAVE OF ABSENCE



I Cr, _____ hereby request leave of absence for the following

Dates, from _____ to _____

Signed Cr: _____

Date _____



Shire of Coolgardie

Our Community, Our People, Our Future

Notice of Special Meeting

In accordance with Regulation 12 of the Local Government (Administration) Regulations, notice is hereby given that a Special Meeting of Council will be held on Thursday 13 July 2017, commencing at 5.00pm at the Coolgardie Administration Office.

For the purpose of:

- Consideration of differential rating

Further information may be obtained from Mr James Trail, Chief Executive Officer on 90802111

A handwritten signature in blue ink that reads 'J. Trail'.

James Trail
Chief Executive Officer

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1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2.0 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

2.1 PRESENT:

MEMBERS OF STAFF:

MEMBERS OF THE PUBLIC:

2.2 APOLOGIES:

2.3 APPROVED LEAVE OF ABSENCE:
Cr, Norm Karafilis

3.0 DECLARATIONS OF INTEREST

3.1 DECLARATIONS OF FINANCIAL INTERESTS – LOCAL GOVERNMENT ACT SECTION 5.60A

3.2 DECLARATIONS OF PROXIMITY INTERESTS – LOCAL GOVERNMENT ACT SECTION 5.60B

3.3 DECLARATIONS OF IMPARTIALITY INTERESTS – ADMINISTRATION REGULATION 34C

4.0 PUBLIC QUESTION TIME

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Nil

7.0 REPORTS

AGENDA REFERENCE: 7.1

SUBJECT: Differential Rates

LOCATION: NA

APPLICANT: NA

FILE REFERENCE: NAM5563

DISCLOSURE OF INTEREST: The Author has no interest in this matter

DATE: 12 July 2017

AUTHOR: Chief Executive Officer, James Trail

SUMMARY:

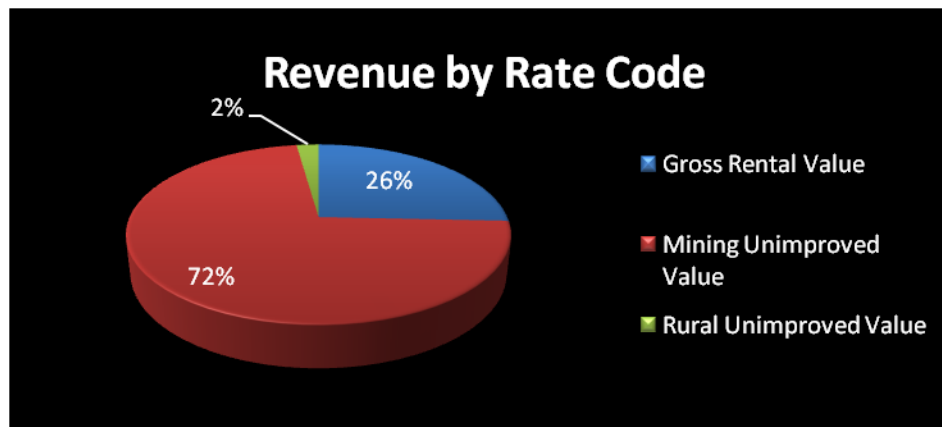
To consider and approve for advertising the proposed Differential Rates in the Dollar and Minimum Rates for Unimproved Valuations

BACKGROUND:

Each year prior to adopting the Annual Budget Councils who decide to use differential rates must, in compliance with the Local Government Act 1995 (the Act) Section 6.36 advertise the proposed rates in the dollar (RID) and minimum rates for those categories to be rated using the differential option.

The intent to differentially rate must be advertised in a state wide circulating newspaper no earlier than 1 May, and must be advertised with a period for objections to be received of no less than twenty one days.

Rates levied for the year ending 30 June 2017 is pictured below. The significance of the revenue obtained from the mining industry, at 72%, was discussed during the forum with the mining industry last month.



COMMENT:

Council must consider the services it has historically provided, and determine whether the services and the level of service should continue into the next financial year. If the response is yes, the operating budget must continue to make provision for this.

Where the community has indicated it requires a new or enhanced service or service level, Council must make decisions as to how this can be accommodated, and the effect this may have of the budget. New or enhanced services can only be provided if

- There is a reduction in other services or service levels that release resources to provide for the new or enhanced service.
- A fee for service is set and charged for those using the new or enhanced service.
- A grant is available for the provision of the service.
- Rates are increased to provide the resources for the service.

The availability of grant funding for capital projects is opportunistic and with the exception of road funding becoming more difficult to obtain. When funding for these projects becomes available, the projects must be 'shovel ready' and funds for co-contributions should be available. Many of the projects included in the Forward Capital Works Plan, and the Long Term Financial Plan will need to be reconsidered each year. Projects may be deferred or discarded, or additional funding sourced to allow the projects to proceed. In some instances provision for possible grant funding may require that Reserve Funding is allocated to provide for co-contribution should the grant application be successful. It is in the light of these factors that four models are presented for consideration, each with a different increase in rates:

The Local Government Cost Index (LGCI) is presented as **attachment 1**. While it is recognised that the per capita economic growth in Western Australia is and will be subdued for the near future, costs to provide services to the community continue to rise. The document analyses and forecasts the expected increase required to maintain the existing service levels (2.0%) provided by Local Government. It will be proposed that this be the minimum rate increase for the 2017/2018 budget.

The Shire's rate base has estimated to have increased by 1.5 % for the year ending 30 June 2017.

The Local Government Regulations set the maximum penalty allowed for outstanding rates. These penalties and charges do not apply for entitled pensioners and seniors. This penalty interest is currently set at 11% calculated and accrued daily on the outstanding balance.

The Regulations also provide for administration charges and interest (calculated at 5% of the outstanding balance) to be added to the instalments offered.

It will be proposed that for the year ending 30 June 2018 a charge of \$15 per instalment will be set (\$45 for the four instalment option), and that interest be charged in accordance with the maximum set by the Local Government Regulations.

A concession for 'Bona fide' prospectors will be offered for those holding a Department of Transport certificate. This concession will be available on mining leases rated as UV Mining. This concession has been introduced following consultation with the community at a series of stakeholder meetings.

The statement of *Rates Objectives and Reasons* **attachment 2** details Council's rationale for the setting of rates. The community expectations of their Local Government increase each year, and as the volunteer sector of the community becomes smaller it places greater pressure on services provided. The recent acceptance of the service level review by the Council will result in rates being kept at an affordable increase for 2017/2018.

CONSULTATION:

Chief Executive Officer, Council (Budget Workshop)

STATUTORY ENVIRONMENT:

Local Government Act 1995 Section 6.36

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The annual budget will be set using the proposed rates as advertised.

STRATEGIC IMPLICATION:

Solutions focussed and customer oriented organisation.

- High quality corporate governance, accountability and compliance.
- Development of Shire's resources to provide optimum benefit to the community.

Effective management of infrastructure, heritage and the environment.

- Develop and maintain Shire buildings, facilities and infrastructure assets.

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council

1. Advertise the following differential rates for unimproved valuations.

Category	Proposed Rate in \$	Proposed Minimum Rate
UV Mining	22.5945	\$441
UV Rural/Pastoral	11.3276	\$691

2. Consider submissions received relating to proposed differential rating.
3. Adopt concessions for Rural Pursuits on properties in the Unimproved Rural rating category be included in the Annual Budget and the Rating Strategy.
4. Adopt concessions for Bona Fide Prospectors on Mining Leases rated as Unimproved Mining be included in the Annual Budget and the Rating Strategy.
5. Resolve that all property owners in the rating category Unimproved Rural/Pastoral be advised of the proposed differential rates and concessions.

8.0 CONFIDENTIAL ITEMS

Nil

9.0 CLOSURE OF MEETING

