

Shire of Tammin

SPECIAL COUNCIL MEETING

AGENDA



NOTICE OF MEETING

Dear Elected Member

Please be advised that a Special Meeting of Council of the Shire of Tammin will be held on Thursday 2 July 2020 in Council Chambers, 1 Donnan St, Tammin, commencing at **5:00pm**.

Neville Hale
Chief Executive Officer
29 June 2020

MISSION STATEMENT

"Together with the people of Tammin we will provide leadership, vision and progress to achieve sustainability and growth"

Contents

| | |
|--|----|
| AGENDA | 3 |
| 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS | 3 |
| 2. PRESENT / IN ATTENDANCE / LEAVE OF ABSENCE PREVIOUSLY GRANTED / APOLOGIES | 3 |
| 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE | 3 |
| 4. PUBLIC QUESTION TIME..... | 3 |
| 5. APPLICATIONS FOR LEAVE OF ABSENCE | 3 |
| 6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS..... | 3 |
| 7. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS..... | 3 |
| 8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS | 3 |
| 9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION | 3 |
| 10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS | 3 |
| 11. MATTERS FOR CONSIDERATION – FINANCE | 4 |
| 11.1 Adoption of 2020/21 Annual Budget | 4 |
| 12. CLOSURE OF MEETING | 10 |

AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President will declare the meeting open at _____ pm.

2. PRESENT / IN ATTENDANCE / LEAVE OF ABSENCE PREVIOUSLY GRANTED / APOLOGIES

Present:

| | |
|----------------|------------------|
| Cr M Greenwood | President |
| Cr G Batchelor | Deputy President |
| Cr N Caffell | Member |
| Cr T Daniels | Member |
| Cr T Nicholls | Member |
| Cr C Thomson | Member |

In Attendance:

| | |
|-------------------|-------------------------------------|
| Neville Hale | Chief Executive Officer |
| Morgan Ware | Manager of Finance & Administration |
| Fabian Houbrechts | Manager of Works & Services |

Leave of Absence previously granted:

Nil

Apologies:

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

7. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Nil

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

11. MATTERS FOR CONSIDERATION – FINANCE

11.1 Adoption of 2020/21 Annual Budget

| | |
|--------------------------------|--|
| Location: | Shire of Tammin |
| Applicant: | Manager of Finance and Administration |
| Date: | 29 June 2020 |
| Author: | Morgan Ware |
| Item Approved by: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| File Reference: | Nil |
| Attachment/s: | Attachment Item 11.1 – 2020-21 Statutory Budget Attachment Item 11.1 - FY 2020-21 Operating Accounts Attachment Item 11.1 – FY 2020-21 Capital Expenditure Attachment Item 11.1 – FY 2020-21 Fees and Charges |

Proposal/Summary

To consider and adopt the Annual Budget including the required rate in the dollar, minimum rates, discounts, interim charges and interest and penalty interest rates for the 2020/21 financial year.

Background

A copy of the draft 2020/21 Budget, prepared in accordance with the requirements of the Local Government Financial Management Regulations 1996 is attached.

On the 27 February 2020 Council agreed with the proposed income and expenditures for the 2020/21 operating accounts subject to final adjustment to reflect actual outcomes for the current year's budget.

Following a road inspection on 14 May 2020, further discussions were held in regards to priority road work requirements to be included in the 2020/21 budget. Furthermore, discussion on Asset Management requirements identified building and plant requirements. These priorities have now been presented in a statutory format for formal adoption.

Comment

The Local Government Ministerial Order 2020, gazetted on 8 May 2020 recognises that Local Government is in the best position to assess Financial Hardship that may be suffered by ratepayers and other persons who are required to make payments.

The Shire of Tammin adopted its Financial Hardship Policy 3.8 at the Ordinary Council Meeting on 25 June 2020. The policy in place will enable the Shire of Tammin to charge 5.5% for instalment interest, as the policy formally recognises excluded persons that are in hardship. The Policy recognises that the 5.5% will apply to those who wish to pay by instalments but are not in hardship. Interest rates that can be charged for late payments are capped at 8%, which aligns with the interest rate charged by the Australian Taxation Office.

The Budget allows for a 0.00% increase for general rates for both GRV and UV valued properties and a 0.00% increase to the minimum rates.

The projected net current assets for the financial year ended 30 June 2020 will total \$0.00, ie. A balanced budget.

Consultation

Megan Shirt – Navsdron Pty Ltd
Celeste Smith - Navsdron Pty Ltd

Statutory Implications

Local Government Act 1995 - Sect 6.2

6.2. Local government to prepare annual budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

** Absolute majority required.*

- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —
 - (a) the expenditure by the local government; and
 - (b) the revenue and income, independent of general rates, of the local government; and
 - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.
- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate —
 - (a) particulars of the estimated expenditure proposed to be incurred by the local government; and
 - (b) detailed information relating to the rates and service charges which will apply to land within the district including —
 - (i) the amount it is estimated will be yielded by the general rate; and
 - (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;and
 - (c) the fees and charges proposed to be imposed by the local government; and
 - (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and
 - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and

- (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
 - (g) such other matters as are prescribed.
- (5) Regulations may provide for —
- (a) the form of the annual budget; and
 - (b) the contents of the annual budget; and
 - (c) the information to be contained in or to accompany the annual budget.

[Section 6.2 amended: No. 49 of 2004 s. 42(8) and 56.]

[Section 6.2 modified: SL 2020/57^{1M}.]

6.13. Interest on money owing to local governments

- (1) Subject to any other written law, a local government may resolve* to require a person to pay interest at the rate set in its annual budget on any amount of money (other than rates and service charges) which —
- (a) that person owes to the local government; and
 - (b) has been owed for the period of time referred to in subsection (6).

** Absolute majority required.*

- (2) A resolution under subsection (1) is to be included in the annual budget.
- (3) The rate of interest that may be set by the local government under this section is not to exceed the rate for the time being prescribed as the maximum rate of interest that may be set for the purposes of this section.
- (4) Where a local government imposes interest under subsection (1) on any outstanding amount of money the local government is not to also impose an additional charge in relation to that amount.
- (5) Accrued interest is, for the purpose of its recovery, taken to form part of the money owed to the local government on which it is charged.
- (6) A local government is not to impose interest on any amount of money under subsection (1) until the money has been owed to the local government for the period of time set by the local government in its annual budget (not being less than 35 days) after the date which is stated on the relevant account for payment as being the date the account was issued.
- (7) Regulations may provide for the method of calculation of interest.

[Section 6.13 modified: SL 2020/57^{1M}.]

6.34. Limit on revenue or income from general rates

Unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency.

6.45. Options for payment of rates or service charges

- (1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —
 - (a) 4 equal or nearly equal instalments; or
 - (b) such other method of payment by instalments as is set forth in the local government's annual budget.
- (2) Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge —
 - (a) by a single payment; or
 - (b) by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.
- (4) Regulations may —
 - (a) provide for the manner of making an election to pay by instalments under subsection (1) or (2); and
 - (b) prescribe circumstances in which payments may or may not be made by instalments; and
 - (c) prohibit or regulate any matters relating to payments by instalments; and
 - (d) provide for the time when, and manner in which, instalments are to be paid; and
 - (e) prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and
 - (f) provide for any other matter relating to the payment of rates or service charges.

[Section 6.45 modified: SL 2020/57^{1M}.]

Policy Implications

Policy 3.8 – COVID-19 Financial Hardship Policy

Financial Implications

Will establish the revenue and expenditures for the financial year ended 30 June 2021.

Strategic Implications

COVID-19 pandemic has had minimal impact on the Shires Long Term Financial Plans and or its Strategic Community Plan, the 2020/21 budget continues to reflect current priorities, subject to further review during 2020/21.

Recommendation

That Council adopts the Shire of Tammin 2020/21 Annual Budget as presented

1. 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 will be 100% of the 2020/21 budget deficiency.
2. Adopt a minimum rate for the 2020/21 year at:

Unimproved Value \$573.00
Gross Rental Value \$573.00
3. Adopt a 0.00% rate increase for the 2020/21 Financial year
4. Adopt, in accordance with section 6.13 of the Local Government Act 1995 and clause 8 of the Local Government (COVID-19 Response) Ministerial Order 2020, gazetted on 8 May 2020, a penalty interest rate of 8.00% is applicable to any amount of money owing to the local government, (other than rates or service charges) with interest calculated from the due date, which is 35-days from the date of issue shown on the account for payment, subject to:
 - a. This interest rate cannot be applied to an excluded person who is one considered by the Shire of Tammin to be suffering financial hardship as a consequence of COVID-19 pandemic.
5. Imposes, 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, gazette on 8 May 2020, an additional charge of \$5.00 and interest rate of 5.5%, applicable to rate and service charge instalment arrangements, subject to:
 - a. This additional charge and interest rate cannot be applied to an excluded person, as defined as suffering financial hardship as a consequence of COVID-19 pandemic in accordance with Council Policy 3.8 – Financial Hardship Policy.
6. Imposes 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, gazette on 8 May 2020, an interest rate of 8% applicable to overdue and unpaid rate and service charges including Emergency Services Levy , subject to:
 - a. This 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 by the Shire of Tammin as suffering financial hardship as a consequence of the COVID -19 pandemic.
7. Adopt a rate in the dollar of 0.015611 cents for the Unimproved Valuation rating in 2020/21.
(2019/20 - Rate in the dollar of 0.015720 cents for the Unimproved Valuation)
8. Adopt a rate in the dollar of 0.123950 cents for the Gross Rental Valuation rating in 2020/21
(2019/20 - Rate in the dollar of 0.124434 cents for the Gross Rental Valuation rating in 2019/20)
9. Adopt, in accordance with s6.16 of the Local Government Act, 1995, the attached Schedule of Fees & Charges for 2020/21.

Continued to next page.

Recommendation

10. That rate incentives prizes be offered to ratepayers for early payment of rates within 35 days at no cost to Council.

11. Council offers ratepayers the following payment options for 2020/21 and an administration charge of \$4.00 be applied to each rate reminder notice:

| | |
|----------------------------|--------------------------|
| Payment in Full: | 27 August 2020 |
| Four instalments: | |
| 1 st Instalment | 25% due 27 August 2020 |
| 2 nd Instalment | 25% due 11 November 2020 |
| 3 rd Instalment | 25% due 13 January 2021 |
| 4 th Instalment | 25% due 16 March 2021 |

12. That a 2.00% discount for prompt payment be applied, if all rates and charges appearing on the rates notice, including arrears are paid in full within 35 days of issue of the rates assessment notice.

13. That in accordance with Regulation section 34(5) of the Local Government (Financial Management) Regulations 1996 a variance percentage of 10% or \$10,000, whichever is greater, to be used to report material variances in the statement of financial activity for the 2019/20 financial reporting period.

12. That Council, pursuant to section 5.98(1)(b) of the Local Government Act 1995 and within the range determined by the Salaries and Allowances Tribunal, adopt the following meeting attendance fees for elected members:

| | |
|-------------|--|
| President | \$200.00 per meeting attended |
| Councillors | \$100.00 per meeting attended |
| Councillors | \$45.00 per committee meeting attended |
| Travel | 1600cc & under at 56.69c/km |
| | 1601cc to 2600cc at 68.66c/km |
| | 2601 & over at 95.54c/km |
| | \$5.00 within town site |

That Council, pursuant to section 5.98(5) of the Local Government Act 1995 and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual local government allowance to be paid in addition to the meeting attendance fees:

| | |
|-----------|------------|
| President | \$2,800.00 |
|-----------|------------|

That Council, pursuant to section 5.98A of the Local Government Act 1995 and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual local government allowance to be paid in addition to the meeting attendance fees:

| | |
|------------------|----------|
| Deputy President | \$700.00 |
|------------------|----------|

Moved: Cr _____ Seconded: Cr _____

Vote: Absolute Majority Carried/Lost: ___/___

12. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at ____pm.