

SHIRE of TAMMIN

Minutes of the Special Meeting of Council held in Council Chambers on Friday 31st August 2012 commencing at 6.12pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President, Cr Uppill, welcomed members and the CEO to the meeting.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

ATTENDANCE

Cr S.A. Uppill	President
Cr S.J. Jefferies JP	Deputy President
Cr R.J. Stokes	Member
Cr C.A. Crane	Member
Cr D.M. McCreery	Member
Mr Graham Stanley	Chief Executive Officer

APOLOGIES

Cr M.D. Greenwood Member

LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Council conducts open Council meetings. Members of the public are asked that if they wish to address the Council that they state their name and put the question as precisely as possible. A maximum of 15 minutes is allocated for public question time. The length of time an individual can speak will be determined at the President's discretion.

There were no members of the public present.

4. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

The *Local Government Act* (Section 5.60 – 5.62) provides that it is the Councillor's obligation to declare an interest if they believe that they have a financial interest, proximity interest, closely associated persons interest or an interest affecting impartiality in a matter being discussed by Council.

The Act provides that the interest may be declared in writing to the CEO prior to the meeting or declared prior to discussion of the agenda item at the meeting. Forms for this purpose are available to Councillors.

The Act further provides that the extent of the interest needs to be declared if the Councillor seeks to remain in the Chamber during the discussion, debate or voting on the item.

A Councillor declaring a financial or proximity interest must leave the meeting prior to the matter being discussed or voted on (including the question as to whether they are permitted to remain in the Chamber). Councillors remaining in the Chamber may resolve to allow the member to return to the meeting to participate in the proceedings.

Nil.

5. AGENDA ITEMS

5.1 2012/13 Budget Rating Parameters (FIN-04)

Author – Graham Stanley, CEO, 29th August 2012 Interest – Nil

BACKGROUND

Council must offer to their ratepayers the option to pay their rates by 4 equal, or nearly equal, instalments a minimum of 2 months apart or such other method of payment by instalments as is set in Council's Budget. The first instalment of any instalment plan becomes due and payable on the same date those rates paid by a single payment become due and payable. Council is still able to offer incentives and discounts to ratepayers who pay their rates in full early (by the first instalment date). One payment (with discount) or 4 instalments were the options for the past five years.

Council is able to charge an interest and administration charge to offset the loss of investment opportunity and the cost of new administrative requirements. This is not to be confused with penalty interest, which can be applied to any instalment not paid by the due date. The maximum rate of interest is 5.5% - which was the percentage for 2006/07 through to 2011/12.

Interest on late payments will accrue 3 months after the date of issue of the rate notice if no election is made to pay by instalments. Where an election has been made to pay by instalments, interest will accrue from the day after an instalment is due and payable until the day before the instalment is paid but will apply only to the amount of the overdue instalment. The maximum rate of interest is 11% – which was the percentage for the past six financial years. A \$10 administrative charge per instalment and 5.5% interest were set in 2006/07 and have remained unchanged since.

Council is able to charge the full or partial cost of the administration related to instalment plans without intent to profit from the administration charges adopted.

Payment by instalments is not available if, at the date for payment of the first instalment, there are arrears. Payment by instalments is not available if the total current rate amount is less than \$200.

Council is able to grant a discount or other incentive for the early payment of rates. 5% has been allowed since 2006/07.

COMMENT

FESA has set the 2012/13 Emergency Services Levy charges and parameters as follows:

Category 4	\$0.0041 cents in the dollar (GRV properties) with minimum charge of \$57 and maximum charge of \$58,000.
Category 5	\$57.00 flat charge (UV properties)
Penalty interest	11% pa

FINANCIAL IMPLICATIONS

2012/2013 Budget.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 6.45 of the *Local Government Act* provides that:

- (1) a rate or service charge 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 re-assessment 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);
 - (b) Prescribe circumstances in which payments may or may not be by instalments;
 - (c) Prohibit or regulate any matters relating to payments by instalments;
 - (d) Provide for the time when, and manner in which, instalments are to be paid;
 - (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 6.46 provides that subject to the *Rates and Charges (Rebates and Deferments) Act*, a local government may, when imposing a rate or service charge, resolve (by absolute majority) to grant a discount or other incentive for the early payment of any rate or service charge.

Section 6.50 provides that:

- (1) Subject to –
 - (a) subsections (2) and (3);
 - (b) any concession granted under section 6.47; and
 - (c) the Rates and Charges (Rebates and Deferments) Act 1992,
 a rate or service charge becomes due and payable on such date as is determined by the local government.
- (2) The date determined by a local government under subsection (1) is not to be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued.
- (3) Where a person elects to pay a rate or service charge by instalments the second and each subsequent instalment does not become due and payable at intervals of less than 2 months.

Section 6.51 provides:

- (1) A local government may at the time of imposing a rate or service charge resolve* to impose interest (at the rate set in its annual budget) on –
 - (a) a rate or service charge (or any instalment of a rate or service charge); and
 - (b) any costs of proceedings to recover any such charge,
 that remains unpaid after becoming due and payable.

* Absolute majority required.
- (2) 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.
- (3) Accrued interest 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) If a person is entitled under the Rates and Charges (Rebates and Deferments) Act 1992 or under this Act (if the local government in a particular case so resolves) to a rebate or deferment in respect of a rate or service charge –
 - (a) no interest is to accrue in respect of that rate or service charge payable by that person; and

- (b) no additional charge is to be imposed under section 6.45(3) on that person.
 (5) Regulations may provide for the method of calculation of interest.

Regulation 59 of the *Local Government (Financial Management) Regulations* provides that payment may not be made by instalments if the total amount shown in the rate notice as being payable to the local government for rates, service charges or minimum payments, other than amounts remaining unpaid from a previous financial year, is less than \$200.

Regulation 64 of the *Local Government (Financial Management) Regulations* provides that:

- (1) The due date for payment of the first instalment is to be the date a rate or service charge is due and payable if the payment is to be by a single payment.
- (2) When adopting its annual budget the local government is to determine, in accordance with the Act, the due date for payment of instalments after the first instalment.
- (3) In respect of the 4 instalment option referred to in section 6.45(1)(a), if the local government does not determine the due date for payment of instalments after the first instalment in accordance with subregulation (2) the due date of each of those instalments is at intervals of 3 months from the due date of the first instalment.

Regulation 68 of the *Local Government (Financial Management) Regulations* provides that the maximum rate of interest to be imposed for instalments under section 6.45(3) is prescribed as 5.5%.

Regulation 70 of the *Local Government (Financial Management) Regulations* provides that the maximum rate of interest on overdue rates and service charges under 6.51(1) is prescribed as 11%.

STAFF RECOMMENDATIONS

That Council adopts the following rating parameters for the 2012/2013 Financial Year:

1. Council offers to ratepayers the following payment options for 2012/2013:

<u>Option</u>	Due By
Option A - One Payment paid within 35 days of issue of Rates Notice (includes 5% discount)	11 th October 2012
Option B - Four Payments	
1 st Instalment - 25%	11 th October 2012
2 nd Instalment - 25%	11 th December 2012
3 rd Instalment - 25%	11 th February 2013
4 th Instalment - 25%	11 th April 2013

2. Instalment option is offered for rubbish charges - no instalment interest or penalty interest to apply.
3. Administration fee of \$10 for instalments 2, 3 and 4
4. Instalment interest to be levied at 5.5%
5. Late payment penalty interest to be levied at 11% for Rates and Emergency Services Levy.
6. Discount on rates for payment within 35 days of issue 5%

Absolute majority required

MIN 85/12 MOTION – Moved Cr Uppill seconded Cr Stokes

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Carried by an absolute majority of Council 5/0

5.2 2011/12 Fees & Charges (FIN-04)

Author – GP Stanley, CEO, 30 August 2012 Interest – Nil

DECLARATION OF INTEREST

BACKGROUND

The 2011/12 Fees and Charges and proposed 2012/13 Fees and Charges (* inclusive of GST where applicable) are:

	2012/13	2011/12
GENERAL PURPOSE INCOME		
Rate Enquiry Fee (including orders & requisitions)	\$32.30	\$31.00 *
Debit Card transactions	1.05%	1.05% *
Credit Card transactions	2.00%	2.00% *
Minimum charge	\$1.10	\$1.10 *
GOVERNANCE		
Electoral rolls	\$10.00	\$10.00 *
Owners and Occupiers rolls	\$10.00	\$10.00 *
Freedom of Information Application (FOI Regulations Sched 1) fee	\$30.00	\$30.00 *
Internal review of FOI determination	\$11.00	\$11.00 *
LAW, ORDER AND PUBLIC SAFETY – Fire Prevention		
Sale of maps	\$11.00	\$11.00 *
LAW, ORDER AND PUBLIC SAFETY – Animal Control		
Wandering at large infringement Section 30(2)	\$100.00	\$100.00
Unlicensed infringement Section 7(1)	\$100.00	\$100.00
Impounding fee Section 29(4)	\$20.00	\$20.00
Release fee (including feeding fee) Section 29(4)	\$50.00	\$50.00
Dog destruction Section 33(g)	\$20.00	\$20.00
<i>Dog Registrations (as per the Second Schedule of the Dog Regulations)</i>		
Dogs kept on owners premises Unsterilised – 1 Year	\$30.00	\$30.00
Unsterilised – 3 Years	\$75.00	\$75.00
Sterilised – 1 Year	\$10.00	\$10.00
Sterilised – 3 Years	\$18.00	\$18.00
Dogs used for droving Unsterilised – 1 Year	\$7.50	\$7.50
(Working - 25% of ordinary fee) Unsterilised – 3 Years	\$18.75	\$18.75
Sterilised – 1 Year	\$2.50	\$2.50
Sterilised – 3 Years	\$4.50	\$4.50
Dogs owned by Pensioners Unsterilised – 1 Year	\$15.00	\$15.00
(50% of ordinary fee) Unsterilised – 3 Years	\$37.50	\$37.50
Sterilised – 1 Year	\$5.00	\$5.00
Sterilised – 3 Years	\$9.00	\$9.00
Animal Traps Security deposit	\$33.00	\$33.00 *
Hirer responsible for disposal of animal – weekly (minimum)	\$11.00	\$11.00 *

HEALTH – Preventative Services – Health Administration & Inspection

	2012/13	2011/12
Septic Tank Application Fees		
Septic Tank Application Fee – Local Government	\$113.00	\$113.00
<u>Application for Approval – EDHP</u>		
(a) with Local Government Report	\$35.00	\$35.00
(b) without Local Government Report	\$113.00	\$113.00
Provision of LG Report by Council EHO Reg. 4A	\$75.00	\$75.00
Issue of a “Permit to Use an Apparatus” by EHO	\$113.00	\$113.00
Fee for any compliance inspection of an apparatus after corrective works have been issued by an EHO before or after the issue of a Permit to use an Apparatus. Minimum fee or after one hour plus part thereof.	\$84.70	\$84.70 *
Health (Offensive Trades Fees) Regulations 1976		
Slaughterhouses	\$285.00	\$285.00
Piggeries	\$285.00	\$285.00
Artificial Manure Depots	\$202.00	\$202.00
Bone Mills	\$163.00	\$163.00
Places for storing, drying or preserving bones	\$163.00	\$163.00
Fat melting, fat extracting or tallow melting establishments	\$163.00	\$163.00
Butcher shop and similar	\$163.00	\$163.00
Larger Establishments	\$285.00	\$285.00
Blood Drying	\$163.00	\$163.00
Gut scraping, preparation of sausage skins	\$163.00	\$163.00
Fellmongeries	\$163.00	\$163.00
Manure works	\$202.00	\$202.00
Fish curing establishments	\$202.00	\$202.00
Laundries, drycleaning establishments	\$140.00	\$140.00
Bone merchant premises	\$163.00	\$163.00
Flock Factories	\$163.00	\$163.00
Knackeries	\$285.00	\$285.00
Poultry Processing establishments	\$285.00	\$285.00
Poultry Farming	\$285.00	\$285.00
Rabbit Farming	\$285.00	\$285.00
Fish processing establishments in which whole fish are cleaned & prepared	\$285.00	\$285.00
Shellfish and Crustacean processing establishments	\$285.00	\$285.00
Any other offensive trade not specified.	\$285.00	\$285.00
Other Health Licences and Fees		
Lodging House Licence – Renewal (per year)	\$200.00	\$200.00
Registered Premises		
Street stalls/vendors/hawkers – one off registration fee	\$200.00	\$200.00
Food Vehicles All Classes Inspection Fee	\$63.80	\$63.80 *
Food Act 2008 Notification and Registration s110(3)	\$140.00	\$140.00
Food Act 2008 Notification s107(3(c))	\$50.00	\$50.00
Food Act 2008 Approval of Laboratories s82 (3(b))	\$140.00	\$140.00
Food Act 2008 Approval of Analysts s88 (3(b))	\$140.00	\$140.00
Food Act 2008 Approval of Safety Auditors s94 (3(b))	\$140.00	\$140.00
Food Act 2008 Approval for Food Premises Alteration and/or shop fit out	\$140.00	\$140.00
HOUSING		
Employee housing – weekly all housing types	\$50.00	\$50.00
Private housing – weekly 2 bedroom type	\$140.00	\$130.00
Private housing – weekly 3 bedroom type	\$160.00	\$150.00
Private housing – weekly 4 bedroom type	\$180.00	\$170.00
Seniors Units (Tamma Village) single tenant weekly	\$90.00	\$90.00

couple tenant weekly	\$123.00	\$115.00
Caravan parking bay weekly	\$3.00	\$3.00
Bond (as per Tenancies Act – except Seniors Units) – 4 weeks rental		
Water consumption – tenants to pay		
Electricity consumption – tenants to pay		
Gas consumption – tenants to pay		

COMMUNITY AMENITIES – Sanitation Household Refuse

Rubbish service – per bin per year (50% discount for entitled pensioners)	\$140	\$135
Commercial rate (putrescibles)	\$35/tonne	\$35/tonne *
Trucks	\$11/m ³	\$11/m ³ *
Grain disposal	\$10/m ³	\$10/m ³ *
Car bodies	\$22	\$22 *
Car bodies collected from Tammin Townsite	Free	Free
Truck/Plant bodies	\$165	\$165 *
Truck/Plant bodies collected from Tammin Townsite	Free	Free
Passenger car tyres	\$5.50	\$5.50 *
Light truck tyres	\$11	\$11 *
Farm machinery/plant tyres	\$16.50	\$16.50 *
Asbestos waste (commercial)	\$110/m ³	\$110/m ³ *
Asbestos waste (residential less than 1m ³)	\$88/m ³	\$88/m ³ *
Single axle trailer load (car towed)	\$15	\$15 *
Tandem axle trailer load (car towed)	\$25	\$25 *
Car boot waste – minimum fee	\$11	\$11 *
Special burial including animal, fibreglass etc	\$55/ m ³	\$55/ m ³ *
Large volumes greater than 30m ³	(by negotiation)	*
Undefined Waste – receipt at discretion of contractor	\$55/m ³	\$55/m ³ *

COMMUNITY AMENITIES – Town Planning & Regional Development

Fees as provided by the Town Planning (Local Government Planning Fees) Regulations

COMMUNITY AMENITIES – Other Community Amenities

Photocopying (black) A4/Foolscap – single sided	\$0.25	\$0.20 *
Photocopying (black) A4/Foolscap – double sided	\$0.30	\$0.30 *
Photocopying (black) A3 – single sided	\$0.40	\$0.30 *
Photocopying (black) A3 – double sided	\$0.50	\$0.40 *
Photocopying (colour) A4/Foolscap – single sided	\$1.00	\$1.00 *
Photocopying (colour) A4/Foolscap – double sided	\$2.00	\$2.00 *
Photocopying (colour) A3 – single sided	\$2.00	\$2.00 *
Photocopying (colour) A3 – double sided	\$4.00	\$4.00 *

Tammin Tabloid

Local commercial business – 9cm x 9cm	\$5.00	\$5.00 *
Local community organisations (size at Editors discretion)	no charge	no charge
Local personal – 9cm x 9cm	\$3.50	\$3.50 *
Outside Shire		
Full page	\$14.50	\$14.50 *
Half page	\$8.80	\$8.80 *
Quarter page	\$5.50	\$5.50 *
Facsimile receiving – per page	\$0.50	\$0.50 *
Facsimile transmitting – first page	\$1.50	\$1.50 *
Facsimile transmitting – each page thereafter	\$1.00	\$1.00 *
Spiral binding – each	\$5.50	\$5.50 *
Laminating A4/A3	\$5.50	\$5.50 *
Rental – lot 15 Donnan St (Cooinda) per week	\$20.00	\$20.00 *
Rental – pt lots 12 & 19 Donnan Street per week	\$10.00	\$10.00 *

Cemetery Fees

Form of Grant of Right of Burial for Land

2.4 metres x 1.2 metres	\$39.00	\$37.00 *
Land 2.4 metres x 2.4	\$59.00	\$57.00 *
Land 2.4 metres x 3.6	\$69.00	\$67.00 *

Interment in all Ground

Grave 1.8 metres deep	\$540.00	\$530.00 *
Any child under 12 years in grave 1.8 metres deep	\$540.00	\$530.00 *
Any stillborn child	\$540.00	\$530.00 *
If graves are required to be sunk deeper than 1.8 metres, the following additional charges shall be payable:		
For an additional 300 millimetres	\$120.00	\$115.00 *
For second additional 300 millimetres	\$120.00	\$115.00 *
For third additional 300 millimetres	\$120.00	\$115.00 *
...and so on in proportion for each additional 300 millimetres		

Re-opening any grave

For each interment	\$540.00	\$530.00 *
For each interment of a child under 12 years of age	\$540.00	\$530.00 *
For each interment of a stillborn child	\$540.00	\$530.00 *
For removal of edging tiles, plants, grass, shrubs, etc. according to time required per man per hour at	55.00	55.00 *

Extra charges

Interment without due notice (all graves)	\$75.00	\$75.00 *
Internment not in usual hours Monday – Friday	\$70.00	\$70.00 *
Weekends and Public Holidays	\$150.00	\$150.00 *
For late arrival at cemetery gates of funeral	\$50.00	\$50.00 *
Fee for exhumation (additional charges)	\$840.00	\$820.00 *
Re-opening grave for exhumation	\$840.00	\$820.00 *
Re-opening grave for exhumation of child under 12 years of age	\$840.00	\$820.00 *
Re-interment in new grave after exhumation	\$370.00	\$360.00 *
Re-interment in new grave after exhumation of child under 12	\$370.00	\$360.00 *

Miscellaneous Charges

Registration of Transfer of Right of Burial	\$10.00	\$10.00 *
For copy of Right of Burial	\$10.00	\$10.00 *
For grave no. plate	\$15.00	\$15.00 *
Special Permit fee for a single internment	\$30.00	\$30.00 *
Grave reservation fee	\$15.00	\$15.00 *
Making a search in register	\$10.00	\$10.00 *
Permission to erect a headstone	\$25.00	\$25.00 *
Permission to erect kerbing	\$25.00	\$25.00 *
Permission to erect monument	\$50.00	\$50.00 *
Permission to erect name plate	\$25.00	\$25.00 *

Niche Wall

Cost for Council to inter ashes and place plaque	\$100.00	\$100.00 *
Cost if internment is not performed by Council	\$50.00	\$50.00 *

Community Bus Hire

All Groups	per km + fuel	\$0.80	\$0.78 *
Seniors	per km + fuel	\$0.40	\$0.39 *
Plus cleaning at cost			

RECREATION AND CULTURE – Town Hall/Donnan Park/Kadjiny Kep

Local people/organisations	with liquor	\$200.00	\$200.00 *
	with out liquor	\$100.00	\$100.00 *
Outside people/organisations	with liquor	\$400.00	\$400.00 *

Meetings – Local Groups	without liquor	\$300.00	\$300.00 *
	half day	\$10.00	\$10.00 *
	full day	\$20.00	\$20.00 *
Lesser Hall – Local people/orgs	with liquor	\$100.00	\$100.00 *
	with out liquor	\$50.00	\$50.00 *
Lesser Hall – Outside people/orgs	with liquor	\$200.00	\$200.00 *
	with out liquor	\$100.00	\$100.00 *
Town Hall Kitchen Only		\$50.00	\$50.00
Local Seniors Group	50% Local charge		
Bond		\$300.00	\$300.00
(where “local” refers to Shire of Tammin residents and electors)			
Employment Agency – Lesser Hall		\$25.00	\$25.00 *
Hire of individual tables	per table per day	\$5.50	\$5.50 *
Hire of chairs	per stack 10 (minimum)	\$11.00	\$11.00 *

RECREATION AND CULTURE – Other Recreation & Sport

Camping at Donnan Park	per week	\$50.00	\$50.00 *
	plus per person	\$5.00	\$5.00 *
Camping Bond		\$200.00	\$100.00 *
Charge for Community Groups wishing to fundraise at Shire run events			
Licensed Bar		\$50.00	\$50.00 *
Food Stalls		\$20.00	\$20.00 *

Bonds (When Hiring Halls, Donnan Park and Kadjininy Kep)

General		\$300.00	\$300.00 *
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Note 1: Rehearsals and decorating may take place free of charge up to 24 hours prior to the time hired unless facility is booked. Any other rehearsals are charged at the set rate.

Note 2: Hirers are responsible for setting up, repacking chairs and cleaning. Excess cleaning is chargeable to the hirer. Cleaning is the responsibility of the hirer.

Note 3: A bond of \$300.00 must be charged to all hirers based on the above.

Note 4: Tammin Primary School – 50% of cost (no bond).

Annual Rentals

Tammin Cricket Club		\$460.00	\$450.00 *
Kellerberrin/Tammin Football Club		\$488.00	\$475.00 *
Tammin Hockey Club		\$220.00	\$210.00 *
Tammin School		\$100.00	\$100.00 *

Oval

Local Commercial/Organisations		\$65.00	\$60.00 *
Commercial/Organisations other than local		\$130.00	\$120.00 *
Circus – With Power		\$130.00	\$120.00 *
Circus – Without Power		\$65.00	\$60.00 *
Deposit		\$100.00	\$100.00

Master Keys (Donnan Park)

Sporting Bodies / Community Groups - deposit		\$50.00	\$50.00
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RECREATION & CULTURE – Library

Lost and/or damaged item	Processing fee	\$6.50	\$6.00 *
	Plus actual replacement/repair cost		

TRANSPORT – Traffic Control

Removal of abandoned vehicles		\$130.00	\$120.00 *
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ECONOMIC SERVICES – Saleyards

Saleyard fees (per head)		N/A	\$0.25 *
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ECONOMIC SERVICES – Other Economic Services

Standpipe Water Charges (all users) per kilolitre cost price + 10% administration *

OTHER PROPERTY & SERVICES – Private Works

Labour/Operator – Outside Staff	per hour	\$55.00	\$55.00 *
Labour – Works Supervisor	per hour	\$60.00	\$60.00 *
Labour – Electrician	per hour	\$99.00	\$93.50 *
Labour – Apprentice Electrician	per hour	\$49.50	N/A *
Large Electrical jobs subject to quotation			
Grader	per hour plus operator	\$100.00	\$100.00 *
Loader	per hour plus operator	\$100.00	\$95.00 *
Truck (6 wheeler)	per hour plus operator	\$80.00	\$80.00 *
Truck & Trailer Combo	per hour plus operator	\$120.00	\$120.00 *
3 Tonne Truck	per hour plus operator	\$70.00	\$70.00 *
Self Prop. Roller (multi tyred)	per hour plus operator	\$80.00	\$80.00 *
Self Prop. Roller (steel vibrating)	per hour plus operator	\$85.00	\$85.00 *
Tractor 3380/JXU95	per hour plus operator	\$50.00	\$50.00 *
Mini Excavator	per hour plus operator	\$55.00	N/A *
Broom/Slasher/Mowers	per hour plus operator	\$50.00	\$50.00 *
Utilities	per hour plus operator	\$60.00	\$60.00 *
Hand plant (plate compactor etc.)	per day or part thereof	\$75.00	\$75.00 *

Materials Charge

Sand (yellow/white/soil)	per load delivered (13t)	\$110.00	\$110.00 *
Sand (yellow/white/soil)	per load delivered (1t)	\$44.00	\$44.00 *
Gravel	per load delivered (13t)	\$100.00	\$110.00 *
Gravel	per load delivered (1t)	\$44.00	\$44.00 *
Blue metal	per tonne	Cost+10%	Cost+10% *
Metal dust	per tonne	Cost+10%	Cost+10% *
All in one	per tonne	Cost+10%	Cost+10% *
Mulch	trailer load self pick-up	\$22.00	\$22.00 *
Mulch	truck load	\$110.00	\$110.00 *
Electrical Materials		Cost +25%	Cost +20%

OTHER PROPERTY & SERVICES – Rental

Hunts Well Repeater Tower	Wireless broadband repeater	\$500.00	\$500.00
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REGIONAL RESOURCE SHARING

Notwithstanding all of the abovementioned fees and charges, and in the interest of encouraging resource sharing between local governments, the Shire of Tammin reserves the right to negotiate individual rates for all services provided to other Local Governments.

COMMENT

Council increased private housing charges (including the Joint Venture Housing (Tamma Village and Nottage Way houses) in 2009/10, 2010/11 & 2011/12. Using the same formula for Tamma Village, the single rent remains unchanged whilst the couple rent increases by \$8 per week. Nominal increases have been recommended for other housing.

Costs associated with the Cemetery have been reviewed in relation to 2011/12 costs and modest increases in some charges are recommended.

In 2011/12 a whole series of Health Charges were added in line with the Food Act 2008 and Regulations. However it is likely that they will raise little additional revenue but it simplifies things if these charges are in place in the event that an application is received. The fees remain unchanged.

Plant rates have been reviewed, using neighbouring local governments and private contractors as a base. The community bus charges have been re-assessed on the outcome of this review.

The hourly rate for the electrician has been increased from \$93.50 inc GST to \$99.00 inc GST and a rate of \$49.50 inc GST has been included for the apprentice electrician. The rate for electrical materials has been increased from cost + 20% to cost + 25% to account for the administrative costs associated with ordering and payment of invoices.

FINANCIAL IMPLICATIONS

For inclusion in the 2012 /2013 Budget.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 6.16 of the *Local Government Act* provides that:

- (1) a local government may impose (by absolute majority) and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
- (2) A fee or charge may be imposed for the following
 - a. Providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government
 - b. Supplying a service or carrying out work at the request of a person
 - c. Subject to section 5.94, providing information from local government records;
 - d. Receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorization or certificate;
 - e. Supplying goods;
 - f. Such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be –
 - a. Imposed (by absolute majority) during a financial year; and
 - b. Amended (by absolute majority) from time to time during a financial year.

Section 6.17 further provides:

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –
 - a. The cost to the local government of providing the service or goods;
 - b. The importance of the service or goods to the community; and
 - c. The price at which the service or goods could be provided by an alternative provider.
- (2) A high fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service –
 - a. Under section 5.96;
 - b. Under section 6.16 (2) (d); or
 - c. Prescribed under section 6.16 (2) (f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service
- (4) Regulations may –
 - a. Prohibit the imposition of a fee or charge in prescribed circumstances; or
 - b. Limit the amount of a fee or charge in prescribed circumstances.

Regulation 2 of the *Local Government (Financial Management) Regulations* (2) provides that the CEO is to —

- (a) ensure that the resources of the local government are effectively and efficiently managed;

- (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and

Section 6.19 of the *Local Government Act* provides that if a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

Section 41 of the *Health Act* provides that every local government may from time to time, as occasion may require, make and levy as aforesaid and cause to be collected an annual rate for the purpose of providing for the proper performance of all or any of the services mentioned in section 112, and the maintenance of any sewerage works constructed by the local government under Part IV. Such annual rate shall not exceed —

- (a) 12 cents in the dollar on the gross rental value; or
- (b) where the system of valuation on the basis of the unimproved value is adopted, 3 cents in the dollar on the unimproved value of the land in fee simple:

Provided that the local government may direct that the minimum annual amount payable in respect of any one separate tenement shall not be less than \$1.

Provided also, that where any land in the district is not connected with any sewer, and a septic tank or other sewerage system approved by the local government is installed and used upon such land by the owner or occupier thereof for the collection, removal, and disposal of nightsoil, urine, and liquid wastes upon such land, the local government may by an entry in the rate record exempt such land from assessment of the annual rate made and levied under this section, and, in lieu of such annual rate, may, in respect of such land, make an annual charge under and in accordance with section 106 for the removal of refuse from such land.

Section 112 of the *Health Act* provides that:

- (1) A local government may, and when the Executive Director, Public Health so requires, shall undertake or contract for the efficient execution of the following works within its district, or any specified part of its district:
 - (a) The removal of house and trade refuse and other rubbish from premises.
 - (b) The supply of disinfectants for the prevention or control of disease, and pesticides for the destruction of pests.
 - (c) The cleansing of sanitary conveniences and drains.
 - (d) The collection and disposal of sewage.
 - (e) The cleaning and watering of streets.
 - (f) The providing, in proper and suitable places, of receptacles for the temporary deposit of refuse and rubbish collected under this section.
 - (g) The providing of suitable places, buildings, and appliances for the disposal of refuse, rubbish and sewage.
 - (ga) The construction and installation of plant for the disposal of refuse, rubbish and sewage.
 - (h) The collection and disposal of the carcasses of dead animals:Provided that it shall not be lawful to deposit nightsoil in any place where it will be a nuisance or injurious or dangerous to health.

- (2) Any local government which has undertaken or contracted for the efficient execution of any such work as aforesaid within its district or any part thereof may by local law prohibit any person executing or undertaking the execution of any of the work undertaken or contracted for within the district or within such part thereof as aforesaid, as the case may be, so long as the local government or its contractor executes or continues the execution of the work or is prepared and willing to execute or continue the execution of the work.
- (3) After the end of the year 1934 no nightsoil collected in one district shall be deposited in any other district, except with the consent of the local government of such other district, or of the Executive Director, Public Health.

Section 30 of the *Residential Tenancies Act* provides that:

- (1) Subject to this section, the rent payable under a residential tenancy agreement may be increased by the owner by notice in writing to the tenant specifying the amount of the increased rent and the day as from which the increased rent becomes payable, being a day —
 - (a) not less than 60 days after the day on which the notice is given; and
 - (b) not less than 6 months after the day on which the tenancy commenced, or, if the rent has been increased under this section, the day on which it was last so increased,but otherwise the rent shall not increase or be increased.
- (2) The right of the owner to increase rent in accordance with subsection (1) —
 - (a) is not exercisable in relation to an agreement that creates a tenancy for a fixed term during the currency of that term unless the agreement provides that the rent may increase or be increased; and
 - (b) in any case, may be excluded or limited by agreement between the owner and the tenant.
- (3) A notice of increase of rent that has been given in accordance with this section and that has not been withdrawn by the owner varies the residential tenancy agreement to the effect that the increased rent specified in the notice is payable under the agreement as from the day specified in the notice.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the fees and charges for 2012/13 be amended as indicated in the report and included in the 2012/13 budget.

Absolute Majority Required

MIN 86/12 MOTION – Moved Cr McCreery seconded Cr Crane

That the fees and charges for 2012/13 be amended as indicated in the report and included in the 2012/13 budget.

Carried by an Absolute Majority 5/0

5.3 2012/13 Budget (FIN-04)

Author – Graham Stanley, CEO, 29th August 2012 Interest – Nil

BACKGROUND

Council is to adopt a Budget each financial year prior to 31 August (unless the Minister provides otherwise).

COMMENT

A draft Budget for the year ended 30th June 2013 has been provided to Councillors for consideration. The draft Budget document includes:

- Budget Income Statement by Function and Activity
- Budget Rate Setting Statement
- Statement of Rating Information
- Budget Cash Flow Statement
- Notes to the Budget including the Significant Accounting Policies
- Fees & Charges Forming Part of the Budget
- Roadworks Program
- Plant & Equipment Replacement Program 2011/12 to 2021/22

It is noted that following the revaluations this year:

- UVs (re-valued annually) decreased 5.3% from \$63,732,978 to \$60,355,378; and
- GRVs (re-valued in 2012/13 – 5 yearly) increased 82.0% from \$431,976 to \$786,087.

The increase in GRV's is due to the fact that they were last re-valued for the 2007-08 financial year and all rural town rentals have increased significantly over that period.

The draft budget has been prepared using a minimum rate of \$405 which is up by \$20 on 2011/12. By comparison the Shire of Cunderdin set a minimum rate of \$525 which was up \$25 on the previous year and the Shire of Kellerberrin set their minimum rate at \$600 which is \$25 up on last year. The general GRV has been set at 8.4950 cents in the dollar and the UV rate has been set at 1.0918 cents in the dollar. Overall the rates have been increased by 4.3% on the 2011/12 level which compares with Cunderdin's overall 5% increase and Kellerberrin's 4.85% increase.

The Roadworks Program has been developed essentially based on the items referred from the roads inspection undertaken earlier this year and the ongoing Regional Road Group program. Expenditure on roads in 2012/13 is planned to be \$1,008,184 and this has been helped by success in obtaining a State Black Spot grant from Main Roads .

No provision has been made to borrow funds in 2012/13 so it is pleasing to be able to maintain a high level of spending on roads at the same time as undertaking some major infrastructure projects courtesy of Royalties for Regions funding through the Country Local Government Fund.

Major building projects are being undertaken this year include the construction of a new Shire Depot. The actual depot buildings, surrounds and fencing are being fully funded utilising Royalties for Regions funding. Another proposed project is the development of a caravan park/short stay accommodation utilising Royalties for Regions Country Local Government Funds Regional component.

The budget includes provision for the purchase of a second hand mini excavator and plant trailer. Two utilities and the CEO's sedan are also budgeted to be replaced. In all the net plant replacement cost is \$76,500 with a further \$33,400 in loan repayments relating to previous plant purchases. A transfer of \$20,000 from the plant reserve loan reduces the impact on the Municipal Fund to \$89,900.

The salaries and wages budget for the year is \$881,285 which is up by \$162,948 on the 2011/12 budget. \$25,997 of this increase is due to the employment of an apprentice to work with Council's electrician. In addition there is an increase in wages in the youth area

of \$16,380 principally related to the fact that the position is for the full year as opposed to 37 weeks last year. There is also an increase in salaries to allow the employment of a new CEO at the rate advertised by Council.

The Shire President has indicated the following in relation to the employment of the Youth Development Officer and the Council may wish to consider this matter:

Looking through the budget last night which answers my question of the cost afterschool care costs, would like to take the YDO back to part time.

Cost to the council has gone from \$26,784 exp [\$17,743] income to \$62,577 exp [\$7,250].

Council cost from \$9,045 to \$55,327.

Plus the cost of David away from economic development role for council which has impact for Tammin as a whole.

FINANCIAL IMPLICATIONS

The Shire's operation for the 2012-2013 financial year will be directed by the revenues and expenditures listed in the Budget.

POLICY IMPLICATIONS

The Significant Accounting Policies for 2012-13 are included in the budget notes and these should be adopted by Council and added to the Policy Manual

STRATEGIC PLAN IMPLICATIONS

The Budget is the strategic direction for the 2012-2013 Financial Year.

FUTURE PLAN IMPLICATIONS

The Budget has been prepared after taking into account those matters in the Shire's Plan for the Future, Strategic Community Plan, Asset Management Plans and Forward Capital Works Plan.

COMMUNITY CONSULTATION

Nil

STATUTORY ENVIRONMENT

Section 6.2 of the *Local Government Act* provides that:

- (1) Not later than 31 August in each 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 next following 30 June.
- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for principal activities accepted by a local government under section 5.58 and to prepare a detailed estimate for the current year of –
 - a. the expenditure by the local government;
 - 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
 - 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;

- c. the fees and charges proposed to be imposed by the local government;
 - d. the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
 - 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;
 - 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;
 - b. The contents of the annual budget; and
 - c. The information to be contained in or to accompany the annual budget.

Section 6.11 provides:

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government —
 - (a) changes the purpose of a reserve account; or
 - (b) uses the money in a reserve account for another purpose,
 it must give one month's local public notice of the proposed change of purpose or proposed use.
- (3) A local government is not required to give local public notice under subsection (2) —
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - (b) in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

Section 6.34 provides that 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.

Regulation 32 of the *Local Government (Financial Management) Regulations* provides that a local government may exclude from the calculation of the budget deficiency (6.2(3)) —

- (a) money borrowed or to be borrowed, to the extent that it is proposed in the annual budget to remain unspent at the end of the financial year;
- (b) reserves, to the extent that they are proposed in the annual budget to remain unspent at the end of the financial year;
- (c) in relation to a land transaction or trading undertaking, assets and liabilities, to the extent to which they are proposed in the annual budget to remain restricted to the purposes of the land transaction or trading undertaking at the end of the financial year;
- (d) any proposed amounts of depreciation of non-current assets;
- (e) assets from grants or gifts or non-cash revenue or expenditure;
- (f) current liabilities which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain uncleared at the end of the financial year; and
- (g) any other current assets which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain unused at the end of the financial year.

Section 6.35 provides:

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
 - (a) 50% of the total number of separately rated properties in the district; or
 - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
 - (a) to land rated on gross rental value;
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

Section 6.47 provides that subject to the *Rates and Charges (Rebates and Deferments) Act*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

STAFF RECOMMENDATIONS

1. That a rubbish removal service charge of \$140 be adopted for 2012/13 with:
 - 50% discount to entitled pensioners and the Tammin CWA; and
 - no charge being raised against Shire of Tammin properties, the Tammin Bowling Club (3 services) and the Tammin Golf Club (2 services).
2. That pursuant to section 6.47 of the *Local Government Act*, and in keeping with past years, the 2012/13 rates on the following properties be waived to encourage these community organisations:
 - Assessment 347 – Lots 33 & 34 Walston Street – Tammin CWA
 - Assessment 1064 – Lot 153 Station Rd – Tammin Bowling Club
 - Assessment 1164 – Reserve 21156 Yorkrakine Rd – Tammin Golf Club
3. That the Gross Rental Valuations of \$786,087 and Unimproved Valuations of \$60,355,378 be adopted for the 2012/13 Budget.
4. That pursuant regulation 23 of the *Local Government (Financial Management) Regulations*, for the 2012/13 Budget, the:
 - UV rate in the dollar be set at 1.0918 cents; and
 - GRV rate in the dollar be set at 8.4950 cents;
 - minimum rate per assessment be set at \$405 for both UV and GRV assessments.
5. That the Fees and Charges included in the 2012/13 draft budget be adopted.

6. That in accordance with section 34(5) of the *Local Government (Financial Management) Regulations* a variance percentage of 10% and \$5,000 be adopted for reporting material variances in 2012/13.
7. The Accounting Policies contained within the 2012/2013 Budget Document be adopted as Councils Accounting Policies and the Policy Manual be updated accordingly.
8. That the draft 2012/2013 Budget including all of the above mentioned items be adopted with or without change as determined by the Council.

Absolute Majority Required

MIN 87/12 MOTION – Moved Cr Jefferies seconded Cr Stokes

1. That a rubbish removal service charge of \$140 be adopted for 2012/13 with:
50% discount to entitled pensioners and the Tammin CWA; and
no charge being raised against Shire of Tammin properties, the Tammin Bowling Club (3 services) and the Tammin Golf Club (2 services).
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7. The Accounting Policies contained within the 2012/2013 Budget Document be adopted as Councils Accounting Policies and the Policy Manual be updated accordingly.
8. That the draft 2012/2013 Budget including all of the above mentioned items be adopted with or without change as determined by the Council.

Carried by an Absolute Majority 5/0

6. CLOSURE OF MEETING

The Shire President thanked the CEO, Administration Staff, especially The Senior Finance Officer, Myra Henry and the Shire's finance consultant Mr Dominic Carbone for all of their work in preparing the budget.

Meeting closed 6.27pm

Tabled before the Ordinary Council Meeting on 20 September 2012.

Cr S Uppill, President