



Norseman Woodlands to Eucla Coast

Notice of Meeting and Agenda Special Council Meeting 30th July 2024

NOTICE OF MEETING

A Special Meeting of the Council will be held on 26th July 2024 in the Council Chambers at Prinsep Street Norseman, commencing at 6pm to consider and resolve on the matters set out in the attached agenda.

A handwritten signature in black ink, appearing to read "Peter Fitchat", is written over a horizontal line.

Peter Fitchat
Chief Executive Officer
26th July 2024

Notes to Agenda.**PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:**

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Any person or entity who has an application before the Shire must obtain, and should only rely on, written notice of the Shires decision and any conditions attaching to the decision and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as representation by the Shire should be sought in writing and should make clear the purpose of the request.

AGENDA for the SPECIAL Meeting of the Council
to be held in the Council Chambers at the Shire
Administration Office – Prinsep Street Norseman
on the 30th July 2024 commencing at 6:00pm

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1 Declaration of Opening and Announcement of Visitors.

The Shire President welcomed all in attendance and declared the meeting open at:

The Shire of Dundas recognises the Ngadju and Mirning as First Nations People in the Shire of Dundas and pay our respects to their Elders, past, present, and emerging.

2 Declarations of Financial, Proximity, Impartiality Interests & Gifts Received.

Financial Interests:

Proximity Interests:

Impartiality Interests:

Gifts Received by Councillors:

As per the Shire of Dundas Code of Conduct section 3.4 Gifts, adopted by the Council on 21 October 2014 and reference to Regulation 34B of the Local Government (Administration) 1996.

3 Record of Attendance of Councillors / Officers and Apologies.

Cr L Bonza	Shire President
Cr S Warner	Deputy Shire President
Cr JEP Hogan	
Cr J Maloney	
Cr S Brown	
Cr C McLeod	

Peter Fitchat	Chief Executive Officer
Pania Turner	Deputy CEO
Hannah Turner	Executive Assistant

Apologies**4 Public Question Time.****5 Petitions, Deputations or Presentations.**

6 Announcements by Presiding Member without Discussion.

7 Reports of Officers

Agenda Reference & Subject	
7.1.1 – Notice to Rescind Item 10.2.6 Schedule of Fees and Charges 2024/25, 23rd July 2024	
Location / Address	88-92 Prinsep Street, Norseman WA 6443
File Reference	FM.FE
Author	Deputy CEO- Pania Turner
Date of Report	26/07/2024
Disclosure of Interest	Nil

Summary

That Council considered rescinding Item 10.2.6 Schedule of Fees and Charges 2024/25, 23rd July 2024.

Background

The Schedule of Fees and Charges 2024/25 were endorsed at the Ordinary Council Meeting held 23rd July 2024. There was an incorrect date in the Officer Recommendation, and the subsequent resolution. As such the Resolution is required to be rescinded and the correct recommendation put before Council.

Statutory Environment

Local Government Act 1995 - SECT 5.50

A Notice of Request to Rescind is presented as Attachment 1 to this agenda.

Financial Implications

The Fees and Charges form an integral part of the Annual Budget, and as such must reflect the correct time period.

Strategic Implications

Nil

Consultation

Elected Members

Senior Officers

Moore Australia

Comment

The rescinding of the item will allow Council to implement the correct the Schedule of Fees and Charges in the correct time period. The 2024/25 Schedule of Fees and Charges are presented in the following report.

Voting Requirements

Absolute Majority

Moved: Cr.

Seconded: Cr.

Officer Recommendation

That the Officer Recommendation presented as Item 10.2.6 at the 23rd July Ordinary Council Meeting 2024:

That the Council impose the Schedule of Fees and Charges for the 2024/2025 financial year as included in the Papers Relating as of 1 August 2024 and approve the Chief Executive Officer to give local public notice of Council's intention to impose the Schedule of Fees and Charges for 2024/2025, to apply from 1 August 2025, in accordance with section 6.19 of the Local Government Act 1995 be rescinded.

Carried by:

For:

Against:

Agenda Reference & Subject	
7.1.2 Draft Annual Budget 2024 - 2025	
Location / Address	Shire of Dundas
File Reference	FM.BU
Author	Chief Executive Officer – Peter Fitchat
Date of Report	25 July 2024
Disclosure of Interest	Nil

Summary

To consider and adopt the Municipal Fund Budget for the 2024/2025 financial year together with supporting schedules, including imposition of rates and minimum payments, adoption of fees and charges, setting of Council members fees for the year and other consequential matters arising from the budget papers.

Background

The draft 2024/2025 budget has been compiled based on the principles contained in the Strategic Community Plan and Plan for the Future. The 2024/2025 draft budget has been prepared in accordance with the presentations made to councillors at information bulletin and budget workshops held between April and June 2024.

Following workshops with staff and Council members on the 2024/25 draft budget and having regard for the plan for the future of the district and initial estimates of the budgeted deficiency for the 2024/25 financial year, the following rate model was proposed:

Category	Proposed rate in the Dollar \$	Proposed Minimum Payment \$
GRV Townsites	0.1201	400.00
GRV Mining	0.2401	400.00
UV Pastoral	0.0892	400.00
UV Mining Leases	0.1784	710.00
UV Telecommunications	0.0893	200.00

The proposed differential general rates were approved by the Council at its special meeting held 14 May 2024, along with revised objects and reasons for proposed rates and minimum payments, and advertised for public comment. No submissions were received by the time the public comment period closed.

Ministerial approval to impose differential rates/minimum payments is not required for the proposed rate model.

Comment:

The budget has been prepared to include information required by the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The main features of the draft budget include:

- The budget has been prepared with rate yield increases in line with budget workshops held with the executive team and council.
- The Schedule of Fees and Charges have also been reviewed and are itemised in the draft budget.
- Residential and commercial waste charges are proposed to increase by 3% and are itemised in the proposed schedule of fees and charges.
- The recurrent operating budget includes an overall increase in estimated expenditure (although individual line items may vary based on specific factors affecting each of these) and continues the focus on improved service delivery to the community.
- A capital works program totalling \$8.8m for investment in infrastructure, land and buildings, plant and equipment and furniture and equipment is planned. Expenditure on airport infrastructure is the major component of this (\$3.5m). An amount of \$1.6m is provided for roads. Land and buildings represents \$1.6m of capital expenditure in the draft 2024/25 budget.
- No new loan borrowings are proposed.
- Major trading undertaking (Norseman IGA) information is summarised at Note 11 in the draft budget document.

- An estimated surplus of \$3.35m is anticipated to be brought forward from 30 June 2024. However, this is unaudited and may change. Any change will be addressed as part of a future budget review.
- Principal additional grant funding for the year is estimated from:
 - Department of Transport Funding - \$3,380,000 (airport).
 - Black Spot Funding - \$740,000.
 - Regional Road Group - \$418,102.
 - Roads to Recovery - \$441,856.
 - Department of Communities Youth Program - \$92,420.
- The draft 2024/2025 budget continues to deliver on other strategies adopted by the council and maintains a high level of service across all programs while ensuring an increased focus on infrastructure as well as on renewing all assets at sustainable levels.

Statutory Environment

Section 6.2 of the *Local Government Act 1995* requires that 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, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2024/2025 budget as presented is considered to meet statutory requirements.

Section 67 of the *Waste Avoidance and Resource Recovery Act 2007* enables a local government to impose an annual charge in respect of premises provided with a waste service by the local government.

Section 7B(2) of the *Salaries and Allowances Act 1975* requires the Tribunal, at intervals of not more than 12 months, to inquire into and determine –

- the amount of fees to be paid to Council members;
- the amount of expenses to be reimbursed to Council members;
- the amount of allowances to be paid to Council members.

The Determination on Local Government Chief Executive Officers and Elected Members requires local governments to set an amount within the relevant range determined for fees, expenses or allowances.

Section 5.98 of the *Local Government Act 1995* sets out fees, expenses and reimbursements etc payable to Council members as determined by the Tribunal.

Section 5.98A of the *Local Government Act 1995* sets out fees etc payable to sets out allowances which may be paid to deputy Presidents or deputy Mayors up to a percentage determined by the Tribunal (Absolute Majority required).

Regulations 30, 31, 32, and 34ACA of the *Local Government (Administration) Regulations 1996* set the limits, parameters and types of allowances that can be paid to Council members.

Policy Implications

There are no known policy implications resulting from the recommendations of this report.

Financial Implications

Specific financial implications are as outlined in the body of this report and as itemised in the draft 2024/2025 budget attached for adoption. A copy of the 2024/25 draft statutory budget is attached in the papers relating.

Strategic Implications

The draft 2024/2025 budget has been developed having regard for the Shire's Plan for the Future adopted by council.

Consultation

While no specific community consultation has occurred on the draft 2024/2025 budget, community consultation and engagement has previously occurred during development of the Strategic Community Plan (SCP), this consultation identified the community's priority's and informed the objectives and goals in the SCP. In addition, the proposed differential rates/minimum payments were advertised as required by legislation. No comments were received.

Extensive internal consultation has occurred with all business units and through briefings and workshops with Council members.

Voting Requirements

Recommendation 1 – Absolute Majority Required

Recommendation 2 – Absolute Majority Required

Recommendation 3 – Absolute Majority Required

Recommendation 4 – Absolute Majority Required for some of the parts of the recommendation

Recommendation 5 – Simple Majority Required

Recommendation 6 – Simple Majority Required

Moved Cr:

Seconded Cr:

RECOMMENDATION 1 – BUDGET FOR 2024/2025

Pursuant to the provisions of Section 6.2 of the Local Government Act 1995 and Part 3 of the *Local Government (Financial Management) Regulations 1996*, council adopt the Budget as contained in Attachment 2 of this agenda and the minutes, for the Shire of Dundas for the 2024/2025 financial year which includes the following:

- Statement of Comprehensive Income.
- Statement of Cash Flows.
- Statement of Financial Activity.
- Notes to and Forming Part of the Budget.

Carried by Absolute Majority

For

Against

Resolution Recommendation 1 – Budget for 2024/2025

Moved: Cr.

Seconded: Cr.

RECOMMENDATION 2 – GENERAL RATES, MINIMUM PAYMENTS, INSTALMENT PAYMENT ARRANGEMENTS AND INTEREST

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Recommendation 1 above, council pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following differential general rates and minimum payments on Gross Rental and Unimproved Values.

1.1 General Rates

- | | |
|---------------------------|-----------------------------|
| • Townsites (GRV) | Rate in the dollar \$0.1201 |
| • Mining (GRV) | Rate in the dollar \$0.2401 |
| • Pastoral (UV) | Rate in the dollar \$0.0892 |
| • Mining Leases (UV) | Rate in the dollar \$0.1784 |
| • Telecommunications (UV) | Rate in the dollar \$0.0893 |

1.2. Minimum Payments

- | | |
|---------------------------|----------|
| • Townsites (GRV) | \$400.00 |
| • Mining (GRV) | \$400.00 |
| • Pastoral (UV) | \$400.00 |
| • Mining Leases (UV) | \$710.00 |
| • Telecommunications (UV) | \$200.00 |

2. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, council nominates the following due dates for the payment in full by instalments:

- **Option 1 (Full Payment)**

Full amount of rates and charges including arrears, to be paid on or before 23 September 2024 or 35 days after the date of issue appearing on the rate notice whichever is the later.

- **Option 2 (Two Instalments)**

- First instalment to be made on or before 23 September 2024 or 35 days after the date of issue appearing on the rate notice whichever is later, including all arrears and half the current rates and service charges; and
- Second instalment to be made on or before 25 November 2024, or 2 months after the due date of the first instalment, whichever is later.

- **Option 3 (Four Instalments)**

- First instalment to be made on or before 23 September 2024 or 35 days after the date of issue appearing on the rate notice, whichever is later, including all arrears and a quarter of the current rates and service charges;
- Second instalment to be made on or before 25 November 2024, or 2 months after the due date of the first instalment, whichever is later;
- Third instalment to be made on or before 14 February 2025, or 2 months after the due date of the second instalment, whichever is later; and
- Fourth instalment to be made on or before 17 April 2025, or 2 months after the due date of the third instalment, whichever is later.

3. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, council adopts an instalment administration charge where the owner has elected to pay rates (and charges) through an instalment option of \$10.80 for each instalment after the initial instalment is paid.

4. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 68 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.

5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

6. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996* impose a flat fee of \$51.50 on any ratepayer who wishes to negotiate alternative payment arrangements to pay rates (and charges).

Carried by: Absolute Majority

For:

Against:

Resolution Recommendation 2 – General Rates, Minimum Payments, Instalment Payment Arrangements and Interest

Moved Cr:

Seconded Cr:

RECOMMENDATION 3 – FEES AND CHARGES FOR 2024/2025

Pursuant to Section 6.16 of the *Local Government Act 1995* and other relevant legislation, Council adopts the Fees and Charges included at the end of the 2024/25 draft budget which is presented as Attachment 2 of this agenda and minutes.

Carried by: Absolute Majority

For:

Against:

Resolution Recommendation 3 – Fees and Charges for 2024/2025

Moved: Cr.

Seconded: Cr.

RECOMMENDATION 4 – COUNCIL MEMBERS' FEES AND ALLOWANCES FOR 2024/2025

In accordance with Section 5.98(1)(b) of the *Local Government Act 1995*, Regulation 30 *Local Government (Financial Management) Regulations 1996*, Part 6.2 (1) and Part 6.3 (1)(a) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, Council member meeting attendance fees be set at \$248 per Council meeting, and \$124 per committee and prescribed meeting.

In accordance with Section 5.98(1) (b) of the *Local Government Act 1995*, Regulation 30 *Local Government (Financial Management) Regulations 1996*, Part 6.2 (1) and Part 6.3 (1)(a) of the Determination for Local Government Elected Members pursuant to Section

7B of the *Salaries and Allowances Act 1975*, meeting attendance fees for the President be set at \$438 per Council meeting and \$124 per committee and prescribed meeting.

In accordance with Section 5.98(5) of the *Local Government Act 1995*, Regulation 33 *Local Government (Financial Management) Regulations 1996* and Part 7.2 (1) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, the annual allowance for the Shire President be set at \$18,568.

In accordance with Section 5.98A(1) of the *Local Government Act 1995*, Regulation 33A *Local Government (Financial Management) Regulations 1996* and Part 7.3 (1) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, the annual allowance for the Deputy Shire President be set at \$4,642.

Payments to council members, into a nominated superannuation account, of an amount equivalent to the current legislated superannuation guarantee rate for the 2024/2025 year, determined with reference to fees and allowances paid to each council member up to the prescribed annual superannuation cap.

Carried by: Absolute Majority

For:

Against:

Resolution Recommendation 4 – Council Members’ Fees and Allowances for 2024/2025

Moved Cr.

Seconded: Cr.

RECOMMENDATION 5 – MATERIAL VARIANCE REPORTING FOR 2024/2025

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, the level to be used in statements of financial activity in 2024/2025 for reporting material variances shall be 10% or \$5,000, whichever is the greater.

Carried by: Simple Majority

For:

Against:

Resolution Recommendation 5 – Material Variance Reporting for 2024/2025

Moved Cr:
 Seconded Cr:

RECOMMENDATION 6 –RATES PAYMENT INCENTIVE

Early rates payment incentive scheme be offered consisting of three cash payments as set out in the table below;

Prize	Amount	Early Payment Due Dates
1 st Prize	\$935	30 August 2024
2 nd Prize	\$660	30 August 2024
3 rd Prize	\$385	30 August 2024

Prizes to be allocated by a draw to be held at the next scheduled Ordinary Council Meeting after the closing date that rates are due. To be eligible the ratepayer must make payment in full by the nominated due date.

Carried by: Simple Majority
 For:
 Against:

Resolution Recommendation 6 – Rates Payment Incentive**8 Next Meeting**

The next Special Meeting of the Council will be called as required.

9 Closure of Meeting

There being no further business the Shire President thanked all those in attendance and declared the meeting closed at: