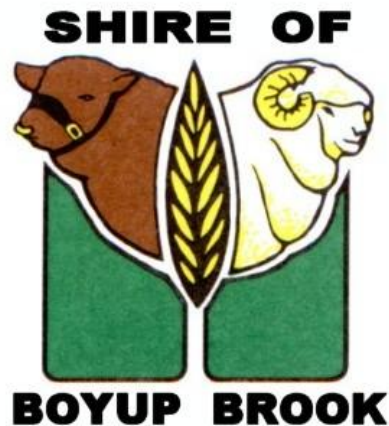


Agenda



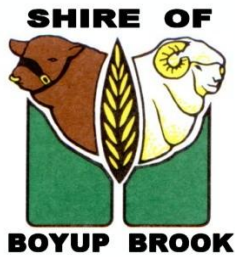
SPECIAL MEETING

to be held

TUESDAY 26 June 2018
Commencing AT 6.30PM

AT

SHIRE OF BOYUP BROOK
CHAMBERS
ABEL STREET - BOYUP BROOK



NOTICE OF SPECIAL COUNCIL MEETING

To:-

Cr G Aird – Shire President
Cr R Walker - Deputy President
Cr K Moir
Cr S Alexander
Cr P Kaltenrieder
Cr E Muncey
Cr H O'Connell
Cr T Oversby
Cr E Rear

The next Special Council Meeting of the Shire of Boyup Brook will be held on Tuesday 26 June 2018 in the Council Chambers, Shire of Boyup Brook, Abel Street, Boyup Brook – commencing at 6.30pm.

Mr Alan Lamb
Chief Executive Officer

Date: 25 June 2018

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1 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

1.1 Attendance

Cr G Aird – Shire President
Cr R Walker - Deputy Shire President
Cr Moir
Cr S Alexander
Cr P Kaltenrieder
Cr E Muncey
Cr H O'Connell
Cr T Oversby
Cr E Rear

STAFF: Mr Stephen Carstairs (Acting Chief Executive Officer)
Mrs Maria Lane (Executive Assistant)

1.2 Apologies

1.3 Leave of Absence

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

3 APPLICATIONS FOR LEAVE OF ABSENCE

4 MATTERS REQUIRING A DECISION

4.1 Review of the Schedule of Fees & Charges

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>25 June 2018</i>
Authors:	<i>Kay Raisin – A/Finance & HR Manager and Alan Lamb – Chief Executive Officer</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Draft 2018-19 Schedule of Fees & Charges</i>

SUMMARY

This matter is put before Council to undertake a review of the Schedule of Fees & Charges to come into effect in 2018-19.

BACKGROUND

As it was in 2017-18, Council's 2018-19 Schedule of Fees & Charges (the Schedule), is to be reviewed separately in the annual budget preparation process.

Council's Long Term Financial Plan 2017-2027 (the LTFP), 'assumes' that fees and charges will increase annually by 3.0%. In drafting the proposed 2018-19 fees the 3.0% increase was factored in (subject to appropriate rounding).

For reference purposes the attached Schedule shows the fees and charges that were imposed in 2017-18, and charges proposed for 2018-2019.

Proposed new fees in 2018-19 include:

- Vehicle Impound - towage - at cost plus 30% administration fee
- Vehicle poundage - \$9.50 per day (No GST)
- Boyup Brook Early Learning Centre - Daily fee - \$75.00 (No GST)
- Boyup Brook Early Learning Centre - Late collection fee - \$1.00 (No GST) per minute per child of same family
- Town Planning - Determining an application for change of use for an alteration or extension or change of non-conforming use to which Item 1 does not apply, where the change or the alteration, extension or change has not commenced or been carried out - \$295.00 (No GST)

- Town Planning - Determining an application for change of use for an alteration or extension or change of non-conforming use to which Item 2 does not apply, where the change or the alteration, extension or change has not commenced or been carried out - The fee in item 10 plus, by way of penalty, twice that fee
- Swimming Pool - Family Day Pass (includes 2 adults and all children attending school) - \$10.00 (GST)
- Swimming Pool - Season Pass - Family single - Adult with all children attending school - \$144.00 plus \$5.00 for each child (GST)
- Swimming Pool - Private Lessons - POA - minimum 4 participants
- Abel Street Sheds storage - \$20.60 per week (iGST)
- Waste Oil disposal under 100 litres free

For those fees that are statutory in nature (e.g. – development application fees, building fees, swimming pool inspection fees, FOI fees, etc), Council is without discretion to set fees other than that permitted by the applicable legislation.

COMMENT

All fees are reviewed annually. Often the fee will not cover the cost of providing a service (the subject of the fee), with a portion of the service costs being funded from other (General Purpose) revenues streams e.g. rates.

CONSULTATION

All section managers within the organisation approached for input into the proposed 2018-19 fees and charges.

STATUTORY OBLIGATIONS

Regulation 5 (2)(b) of the *Local Government (Financial Management) Regulations 1996* states:

(2) *The CEO is to –*

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

Section 6.16(1) and (2) of the *Local Government Act 1995* states:

(1) A local government may impose 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.*

** Absolute majority required.*

(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, authorisation or certificate;*
- (e) supplying goods;*
- (f) such other services as may be prescribed.*

Section 6.17(1) of the Local Government Act states:

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.*

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The draft 2018-19 Annual Budget will include income streams that will have been derived using the attached draft Schedule of Fees & Charges.

STRATEGIC IMPLICATIONS

Every effort has been made to identify those appropriate areas where the user pays cost recovery principle might reasonably be applied.

SUSTAINABILITY IMPLICATIONS

The fees are determined having regard to the cost of providing the service, the scope of the service and the anticipated preparedness of a person to pay the fee.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – Item 4.1

That Council endorses for adoption at the time of adopting the 2018-19 Annual Budget, the 2018-19 Schedule of Fees & Charges as per the Attachment.

4.2 Policy F.9 Rating Strategy & Levying Rates in 2018-19

Location:	N/A
Application:	N/A
File:	Policy
Disclosure of Interest:	
Date:	25 June 2018
Author:	Stephen Carstairs (Director Corporate Services)
Authorising Officer:	Alan Lamb (Chief Executive Officer)
Attachments:	Yes: Rating Information - 2018-19 Financial Year and revised Policy F.9 Rating Strategy

PURPOSE

This report seeks to have the Council consider and endorse:

- a revised Policy F.9 *Rating Strategy*; and
- proposed general rates and minimum payments for inclusion in the draft 2018-19 Annual Budget.

BACKGROUND

Rates revenue is a substantial source of general purpose (sometimes described as discretionary) revenue for the Shire of Boyup Brook, and in 2017-18 accounted for some 35.6% of operating expenses (Rates Coverage Ratio). The *Local Government Act 1995* (the Act) empowers local governments to impose differential general rates and minimum payments on rateable land.

Local governments impose rates on the properties in their districts to raise revenue to fund the services and facilities provided to residents and visitors. Subsection 2 of section 6.2 of the *Local Government Act 1995* (the Act) puts in perspective the importance of rates in preparing annual budgets:

6.2. Local government to prepare annual budget

(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.

The amount of rate payable by rate payers is determined by the interplay of three factors: the method of valuation of the land i.e. unimproved value (UV) or gross rental value (GRV) as determined, effectively, by the Minister (and refer s.6.28 of the act); the valuation of the land and improvements as determined by the Valuer General in accordance with the provisions of the *Valuation of Land Act 1978*; and the rate in the dollar applied to that valuation by the local government.

The shire may impose a single general rate which applies to all of the properties in the UV or GRV categories. Alternatively, the shire can distinguish between land in either of the categories on the basis of its zoning, use, whether or not it is vacant, other criteria set by Regulation, or a combination of these factors, and rate them differently i.e. apply a differential rate to each sub-category.

The imposition of differential rates is a conscious decision by Council to redistribute the rate burden in its district by imposing a higher impost on 'higher-end' service users (ratepayers) relative to others. Recognising this, and in accord with the WA Local Government Grants Commission's (the Grants Commission) 2015-16 *Balanced Budget*, in 2017-18 the actual rates levied by Council approached the following percentage split:

- 17.31% GRV : 80.77% Rural UV : 1.92% Mining UV

The above percentage split had the effect of causing the Mining UV general rate (9.3845 cents in the \$) to be more than twice the Rural UV general rate (0.7268 cents in the \$), thereby triggering a section 6.33.(3) of the *Local Government Act 1995* event and requiring Ministerial approval which is a drawn out process.

After all the other sources of income and expenses have been recognised for a budget, the object of a rating model is to provide for the funding shortfall required to meet the needs (services, activities, financing costs and the current and future capital requirements) of the community. In 2017-18 Council budgeted to raise \$2,658,265 in rates (*ex gratia* rates not included).

For the 2018-19 financial year, Scenarios 2 and 3 in the shire's (draft) 2017-18 to 2026-27 Long Term Financial Plan (LTFP) indicate that the funds shortfalls would be \$2,771,240 (an increase of \$112,975 not including *ex gratia* rates) and \$2,757,950 (an increase of \$99,685 not including *ex gratia* rates) respectively. For 2018-19 of the LTFP Scenario 2 approximated to an overall rates increase of 4.25% relative to 2017-18, while Scenario 3 approached a 3.75% increase.

Increasingly, assets management is being recognised as a significant challenge for local governments in Western Australia, and any rating model must also support substantial transfers to and from Reserve Accounts (e.g. Plant Replacement Reserve) to fund asset renewal and replacement requirements in line with defined service levels.

The revaluation of UV properties by Landgate through May and early June of 2018 for Mining and Rural properties resulted in the following outcomes:

- the number of Mining UV properties in the district remained relatively static at 16 properties (15 of which are rateable), and their rateable value decreased by \$51,330 from \$509,595 in 2017-18 to \$458,265 for 2018-19; and
- the rateable value of Rural UV properties increased by some \$1,694,250 from \$282,150,840 in 2017-18 to \$283,845,090 for 2017-18.

COMMENT

Rates Modeling

In the development of the rating modelling methodology the following principles were applied:

1. Equity
2. Incentive
3. Administrative Efficiency
4. Compliance
5. Sustainability

The proposed rates to apply in 2017-18 were designed, as much as practicable, to ensure equity and contribution of rates according to land use, and approach as much as is practicable to the percentage split (GRV : Rural UV : Mining UV) as assessed in the WA Local Government Grants Commission’s 2016-17 Balanced Budget.

Rates are calculated by multiplying the valuation (either GRV or UV) provided by Landgate (the Valuer-General), with a rate in the dollar imposed by the Council. When Landgate revalue properties, the Shire can adjust the rate in the dollar to offset significant fluctuations in valuation.

For the 2017-18 financial year, and to meet the outcomes of Scenario 2 (4.25% overall increase in rates) of the LTFP, Council might consider endorsing rate in the \$ and minimum rates increases across three (3) rating classes as follows:

Rate Class	2017-18			2018-19
	Rate in \$	Min \$'s	% Increase ¹	Rate in \$
Min S's				
GRV 901	12.8775	897	4.5	13.4150
UV - Rural 859	0.7268	824	4.5	0.7622
UV – Mining 889	9.3845	851	-0.2	9.8000

1. These values refer to the % increase/decrease in revenue derived from the respective (proposed) 2018-19 rate in the \$ increases for each rate class.

NB: Pros for adopting a model like this include: (a) the percentage split of the rate pool across the rate categories (GRV : Rural UV : Mining UV) will approach that achieved in 2017-18 and previous years; and (b) a level of equity is achieved for the Mining category. Cons include: (a) the Mining class rate in the \$ (9.8000) is more than twice that of the other UV classes (0.7622), triggering a section 6.33.(3) event which is a drawn out and costly process (compliance with the then Department of Local Government and Communities’ 2016 Rating Policy is an onerous exercise), that delays the adoption of the budget till late in August having the effect of ‘stalling’ for a month or more the normal functioning of the council; and (b) The UV – Special Rural class of properties under-contributes to the total rate pool (by \$65,585) as determined should its basis/method of rating be GRV. In short, while officers have been able to defend Council’s position on differentially rating the mining sector, the benefits haven’t matched the cost.

By way of an alternative model, and to meet the outcomes of Scenario 3 (3.75% overall increase in rates) of the LTFP, Council might consider endorsing the following:

Rate Class Min S’s	2017-18			2018-19
	Rate in \$	Min \$’s	% Increase	Rate in \$
GRV 901	12.8775	897	4.5	13.4150
UV - Rural	0.7268	824		
UV – Mining	9.3845	851		
UV ² 859			6.0	0.7713

1. These values refer to the % increase/decrease in revenue derived from the respective (proposed) 2018-19 rate in the \$ increases for each rate class.
2. This rate class includes Mining with Rural, Special Rural and Urban Rural properties.

NB: Pros for adopting a model like this include: (a) its simplicity; and (e) its efficiency given a section 6.33.(3) event would not be triggered. Cons include: (a) the percentage split of the rate pool across the rate categories (GRV : Rural UV : Mining UV) will deviate substantially from that achieved in 2017-18 and previous years; (b) the Mining category would substantially (\$36,270) under contribute to the total rates pool; (c) The UV – Special Rural class of properties would under-contribute to the total rate pool (by \$65,585) as determined should its basis/method of rating be GRV; and (d) as differential rates are not to be levied, there would be no requirement to engage with rate payers about the objects and reasons for levying the rates.

Endorsing rates in the \$ and minimums at this stage, will not preclude Council from striking some other rates when adopting the 2018-19 Annual Budget. The

proposed Scenario 3 general and minimum rate increases will generate in 2018-19 some \$2,757,968 (the rates pool), an increase of \$99,701 on 2017-18 and refer attached to the Statement of Rating Information.

Policy F.9 Rating Policy

With the aim of aligning Council's approach to levying rates in Boyup Brook with both the Department's Rating Policy and the WA Local Government Grants Commission's Balanced Budget methodologies, the shire's F.9 *Rating Strategy* policy was adopted in June 2017.

Proposed amendments to Policy F.9 are as follows:

Under the section *OBJECTIVE*, amend the paragraph from: "*The objective of this ... Policy is to guide both the shire's Strategic Community Plan and Long Term Financial Plan ...*"

to read: The objective of this ... policy is to guide both the shire's Corporate Business Plan and Long Term Financial Plan ...

Under the sub-heading *Rating based on the "use" of a property*, amend the second paragraph from: "*Where the predominant use is rural or mining, the basis of rating will be Unimproved Value (UV). UV Urban and Special Rural properties are also captured in this property category.*"

to read: Where the predominant use is rural or mining, the basis of rating will be Unimproved Value (UV). UV Urban and Special Rural properties are also captured in this property category. Sub-classes within this rate category might include UV - Rural, UV - Mining, UV - Special Rural, or UV - Urban.

Under the sub-heading *Differential Rating*, amend the paragraph from: "*Differential rating is supported, ... , and will be applied in the Shire of Boyup Brook.*",

to read: Differential rating is supported, ... , and will be applied in the Shire of Boyup Brook where the projected benefit, e.g. increase in rate revenue, or equitable distribution of the rate burden, is likely to exceed the cost of undertaking the differential rating.

Under the sub-heading *Spot and split rating*, amend paragraph one (1) from: "*Spot rating will not normally be applied.*"

to read: Spot rating, of a portion or portions within rateable parcels of land, will not normally be applied.

Under the sub-heading *The Rates Revenue Pool of Moneys Levied*, amend the last paragraph from: "*For the 2015/16 grant determinations, the Gants Commission uses the following formula:*

\$617.66 per assessment + \$0.001058 x valuations + \$3.28 per ha = rural contributions.

\$918.56 x assessments + 0.1681 x area + \$0.050 x valuations = mining contributions.

\$960.72 per assessment + \$0.02236 in the dollar = GRV contributions."

to read: For the 2016/17 grant determinations, the Gants Commission uses the following formula:

\$272.90 per assessment + \$0.00154 x valuations + \$2.84 per ha = rural contributions.

\$1260.61 x assessments + \$0.2653 x area + \$0.0636 x valuations = mining contributions.

\$824.11 per assessment + \$0.0316 in the dollar = GRV contributions.

Other proposed amendments to reviewed policy F.9 Rating Strategy are highlighted in yellow.

CONSULTATION

Alan Lamb - Chief Executive Officer

STATUTORY OBLIGATIONS

Local Government Act 1995
Part 6 Division 6 – Rates and service charges
s.6.33; s.6.35; and s.6.36

POLICY IMPLICATIONS

Policy F.9 *Rating Strategy* is in part the subject of this report.

BUDGET/FINANCIAL IMPLICATIONS

The matter of this report has no implications for the shire's 2017-18 *Annual Budget* as amended. Based on property valuations at the time of writing, the proposed general rates and minimum rates of Scenario 3 are expected to yield in 2018-19 total rates revenue of \$2,757,968 representing the total rates pool.

STRATEGIC IMPLICATIONS

Officers have had regard for the financial principles and strategies identified in Policy F.09 *Rating Strategy*.

SUSTAINABILITY IMPLICATIONS

The financial sustainability principles and strategies identified in the draft 2017-27 LTFP (presented elsewhere in this agenda) have been adhered to.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION - Item 4.2

That Council:

- 1. Endorses revised Policy F.9 *Rating Strategy*, as presented.**
- 2. Endorses for 2018-19 Annual Budget preparation purposes the following proposed general rates and minimum payments to be applied from 1 July 2018 for the 2018-19 financial year:**

Rate Classes	2018-19 Rate in \$	Min S's
GRV	13.4150	901
UV	0.7713	859

5 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS

5.1 Community Donations and MOUs 2018/19

Location:	<i>N/A</i>
Applicant:	<i>Various</i>
File:	<i>FM/25/008</i>
Disclosure of Officer Interest:	
Date:	<i>21 June 2018</i>
Author:	<i>Joanna Kaye Research and Development Coordinator and Alan Lamb CEO</i>
Authorizing Officer:	<i>Alan Lamb</i>
Attachments:	<i>Draft MOU template F.02 Policy Donations</i>

SUMMARY

Council met to discuss the Community Donation and Memorandum of Understanding (MOU) applications Thursday 31 May.

The purpose of this report is for Council to confirm that the recommended projects, donations and MOUs are included in the 2018-19 draft Budget.

BACKGROUND

Each year Council calls for donations. Administration assesses and summarises the applications. Council discusses the applications at a separate workshop and then the final decision is made by Council at budget adoption time.

Excerpt from the Donations Policy:

Annual Donation Requests Funding Pool

Council will set aside annually, in the annual budget, an amount of up to 2% of budgeted rate revenue as set out in the Rate Revenue Note (usually Note *) in the annual budget for its annual donations program. Council may reserve any of this amount not distributed, in the year it was set aside, in order to enable it to fund future requests.

Council will not normally fund annual donations requests in excess of 2% of budgeted rate revenue.

Annual support provided by Council under an MOU may be in addition to this funding pool.

Boyup Brook 2% of rates \$55,847 (assuming the rates uplift for 18/19 by 5%).

COMMENT

The attachment provides a template for an MOU.

Table 1: MOUs supported at the workshop

Applicant	Project	Request	Council Recommendation from workshop
Boyup Brook Tourism Association	Annual contribution for operating assistance including staffing arrangements	\$25,000	\$25,000
Southwest Group of Affiliated Agricultural Association	Annual contribution for Southwest District Display at the Perth Royal Show	\$250	\$250
Boyup Brook District High School	Annual Contribution for Shire President Scholarship and awards	\$200	\$200
Boyup Brook Community Resource Centre	Boyup Brook Art Awards - In-kind request for the Town Hall Hire	\$1,232	\$1,232

Total MOUs supported at Council Workshop

\$26,682

Table 2: Donations supported at the workshop

Applicant	Notes	Request	Council Recommendation from workshop
Boyup Brook Sports and Recreation Association	Start up assistance to lodge constitution and Directors insurance.	\$500	\$500
Rylington Park Management Committee Inc	Storm in a Teacup Women's Field Day (original request for MOU not supported. Supported as a donation).	\$1,500	\$500
Tonebridge Country Club	Annual contribution for operating costs (original request for MOU not supported. Supported as a donation).	\$1,000	\$1,000
Boyup Brook Family Playgroup	Nature Playground shade sails at the ELC	\$4,000	\$2,000
Museum Committee	Annual contribution for operating costs.	\$5,000	\$3,000
Upper Blackwood Agricultural Society Inc.	Donation supported for \$20,000 for the re-stumping of Dinninup Hall only. (Original request for	\$45,000	\$20,000

	upgrading WC amenities and lowering the stage not supported).		
Blackwood Basin Group	Support for an Environment and Community Support Officer supported for \$5,000 for the specified application purpose only.	\$11,178	\$5,000

Total donations supported at Council Workshop **\$32,000**

Table 3: Donation requested but not discussed at the workshop

Applicant	Notes	Request	Council Recommendation from workshop
Country Music Club of Boyup Brook WA Inc.	Boyup Brook Country Music Festival funding assistance.	\$10,000	Council did not discuss this request at the workshop.

Total donations requested but not discussed at Council Workshop **\$10,000**

Excerpt from the Donations Policy.

General

The Chief Executive Officer may in consultation with the Shire President approve extraordinary donation requests up to \$200.00 in cash, or \$700.00 in-kind (excluding administrative support eg. photocopying), to local community groups throughout the year when requested.

The Annual Budget to include \$1000.00 per year in cash for this purpose.

Budget based on Council workshop recommendations:

Total MOUs	\$26,682
Total Donations	\$32,000
Extraordinary requests	\$1,000
	\$59,682

It is recommended that an additional \$10,000 is included in the 2018/19 draft Budget to accommodate the donation request from Country Music Club of Boyup Brook WA Inc.

MOUs and Donations not supported at the workshop included applications from:

- Rylington Park for the Annual Field Day
- Boyup Brook Golf Course for maintenance

- Boyup Brook District High School for in-kind school grounds support
- Wheatbelt Endurance Riders Inc for the Mayanup Endurance Ride affiliation fees and grounds hire
- Community Resource Centre for a security upgrade.

CONSULTATION

Council workshop 31 May 2018.

Director of Corporate Services Stephen Carstairs

Manager of Finance Kay Raisin

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Council's Donations Policy applies. See Attachment 2.

BUDGET/FINANCIAL IMPLICATIONS

Nil at this stage as the recommendation deals with inclusion in the draft budget only and so is not a commitment of funds.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION – Item 5.1

- 1. That Council approves the MOU template (see attachment 1), as presented.**
- 2. That Council directs the CEO to include the amounts for the MOUs discussed at the Council workshop, and as set out in Table 1 of this report, in the draft Budget for 2018/19.**
- 3. That Council directs the CEO to include the amounts for the Donations discussed at the Council workshop, and as set out in Table 2 of this report, in the draft Budget for 2018/19.**
- 4. That Council directs the CEO to include the Donation request from Country Music Club of Boyup Brook WA Inc, as set out in Table 3 of this report, in the draft Budget for 2018/19.**

6 CLOSURE OF MEETING