



**MINUTES
SPECIAL COUNCIL MEETING**

held on

Wednesday 31 August 2022

Commenced at 6.09pm

Shire of Boyup Brook Council Chambers, Boyup Brook

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

We acknowledge and pay our respects to the traditional custodians of the land on which we meet and work.

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

PRESENT:	Shire President	Richard F Walker
	Deputy Shire President	Helen C O'Connell
	Councillor	Sarah E G Alexander
		Steele Alexander
		Charles Caldwell
		Darren E King
		Kevin J Moir
		Adrian Price
	Chief Executive Officer	Dale Putland
	Carolyn Mallett	Deputy Chief Executive Officer
	Executive Assistant	Maria Lane

LEAVE OF ABSENCE: Nil

APOLOGIES: Cr Philippe Kaltenrieder

MEMBERS OF PUBLIC: Nil

3 PUBLIC QUESTION TIME

Nil

4 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5 REPORTS

5.1 Adoption of 2022-23 Annual Budget

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/9/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>30 August 2022</i>
Authors:	<i>D Long – Finance Consultant</i>
Authorizing Officer:	<i>Dale Putland – Chief Executive Officer</i>
Attachments:	<i>Proposed 2022-2023 Annual Budget</i>

SUMMARY

The purpose of this report is for Council to consider and adopt the 2022-2023 Annual Budget.

BACKGROUND

The following draft Annual Budget is presented to Council, as a balanced budget, for consideration and adoption.

The 2022-2023 Annual Budget has been prepared in accordance with Section 6.2 of the Local Government Act 1995 and the Local Government (Financial Management) Regulations Part 3, Regulations 22 to 33.

COMMENT

The 2022-2023 Annual Budget comprises the following information-

1. Budget Statement of Comprehensive Income By Nature/Type for the Year Ending 30 June 2023.
2. Budget Statement of Cash Flows for the Year Ending 30 June 2023.
3. Budget Rate Setting Statement by Nature/Type for the Year Ending 30 June 2023.
4. Notes to the Budget.
5. Detailed Operating & Non-Operating Statements.

Budget Highlights – Operating Activities

General Purpose Funding

The proposed budget is presented with the total amount raised in rates for 2022-23 increasing by 6.0%.

Law, Order & Public Safety

An allocation of \$22,796 has been set aside for bushfire mitigation activities.

Housing

An allocation of \$143,340 has been set aside for community housing maintenance, with funding from the State Government of \$143,340.

Economic Services

An allocation of \$30,000 has been set aside for data collection on all Shire buildings that will assist with the development of a Buildings Asset Management Plan.

Other Property & Services

An allocation of \$818,586 has been set aside for Rylington Park operations. These costs are offset by revenue generated from Rylington Park operations of \$832,337.

Budget Highlights – Investing Activities

Furniture & Equipment

An allocation of \$10,000 has been set aside for the purchase of an ultrasound unit at the medical centre.

An allocation of \$7,680 has been set aside for the purchase of new beds at Rylington Park.

Buildings

An allocation of \$20,000 has been set aside for painting and structural work at the Medical Centre Building.

An allocation of \$20,000 has been set aside for painting, new balustrades and re-stumping of the Community Resource Centre.

An allocation of \$8,000 has been set aside for painting and new kitchen cabinetry at the Early Learning Centre.

An allocation of \$120,000 has been set aside for refurbishment works to the 5 rural halls. This will be funded from Local Roads and Community Infrastructure Phase 3 funding.

An allocation of \$300,000 has been set aside for the refurbishment of the Boyup Brook Town Hall. This will be funded from Local Roads and Community Infrastructure Phase 3 funding.

An allocation of \$30,000 has been set aside for upgrade of the entrance to the Swimming Pool. This will be funded from Local Roads and Community Infrastructure Phase 3 funding.

An allocation of \$250,000 has been set aside for a new ablution facility at the Caravan Park. This will be funded by loan.

An allocation of \$20,000 has been set aside for the replacement of the roof and gutters to the house at Rylington Park. This will be funded by a transfer from the Rylington Park Working Capital Reserve.

An allocation of \$2,500 has been set aside for the installation of a water filtration system at Rylington Park. This will be funded by a transfer from the Rylington Park Working Capital Reserve.

Plant & Equipment

An allocation of \$23,160 has been set aside for Protection clothing wash station, washing machine, and fast fill trailer. This will be funded from a DFES capital grant of \$23,160.

An allocation of \$126,500 has been set aside for the replacement of light vehicles and small plant and equipment.

An allocation of \$513,100 has been set aside for the replacement of heavy plant and equipment. The replacement of plant and equipment will be funded from \$175,000 in proceeds from the trade in of existing plant and equipment, with the remaining balance funded from general revenue.

An allocation of \$85,000 has been set aside for the replacement of plant and equipment at Rylington Park. This will be funded by a transfer from the Rylington Park Working Capital Reserve.

Road Infrastructure

An allocation of \$769,054 has been set aside for Roads to Recovery projects, with funding of \$593,098 from the Commonwealth Government.

An allocation of \$1,688,108 has been set aside for Regional Road Group Projects, with \$1,147,000 of grant funding coming from the Regional Road Group funding pool.

An allocation of \$440,695 has been set aside for Council's own road construction projects.

Footpath Infrastructure

An allocation of \$75,075 has been set aside for footpath construction.

Drainage Infrastructure

An allocation of \$150,000 has been set aside for drainage works at the Boyup Brook Town Hall. This will be funded from Local Roads and Community Infrastructure Phase 3 funding.

An allocation of \$67,203 has been set aside for replacement of rural drainage infrastructure.

Parks & Ovals Infrastructure

An allocation of \$100,000 has been set aside for upgrade works to the Sandakan Playground. This will be funded from Local Roads and Community Infrastructure Phase 3 funding.

Recreation Infrastructure

An allocation of \$150,000 has been set aside for piping and trenching works to connect the sports oval to the old Water Corporation reservoir, with \$100,000 in funding proposed to come from the Commonwealth Government.

Other Infrastructure

An allocation of \$215,062 has been set aside for the landscaping and car park upgrade works at the Boyup Brook Town Hall. This will be funded from Local Roads and Community Infrastructure Phase 3 funding.

An allocation of \$89,117 has been set aside for the installation of water tanks at the Flax Mill. This will be funded from Community Water Supply grant funding.

An allocation of \$25,000 has been set aside for fencing renewal at Rylington Park. This will be funded by a transfer from the Rylington Park Working Capital Reserve.

An allocation of \$15,000 has been set aside for the installation of a new water tank at Rylington Park. This will be funded by a transfer from the Rylington Park Working Capital Reserve.

CONSULTATION

Internal – Senior Executives, Councillors

External - Nil

STATUTORY OBLIGATIONS

Local Government Act (1995) s.6.2. (1) states that each Local Government is to prepare an annual budget prior to 31 August, unless an extension from the Minister is granted.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The 2022-23 budget is presented as a balanced budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

MOVED INTO COMMITTEE

MOVED: Cr Sarah Alexander

SECONDED: Cr Helen O'Connell

That the Council move into a committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.to allow members free discussion on the matter.

CARRIED 8/0

Res 22/8/116

MOVED OUT OF COMMITTEE

MOVED: Cr Sarah Alexander

SECONDED: Cr Helen O'Connell

That the Council moves out of committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.

CARRIED 8/0

Res 22/8/117

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 5.1

MOVED: Cr Darren King

SECONDED: Cr Sarah Alexander

That Council Pursuant to Section 6.2 of the Local Government Act 1995 and the Local Government (Financial Management) Regulations Part 3, Regulations 22 to 33, adopt the 2022-23 Annual Budget (as contained in Attachment 1) for the Shire of Boyup Brook, including the following-

- (a) Budget Statement of Comprehensive Income by Nature/Type for the year ending 30 June 2023 showing a net result of (\$1,130,118);***

- (b) Budget Statement of Cash Flows for the year ending 30 June 2023;**
- (c) Budget Rate Setting Statement for the year ending 30 June 2023 showing an amount required to be raised from general rates of \$3,333,485;**
- (d) Rates;**
- (e) Net Current Assets;**
- (f) Reconciliation of Cash;**
- (g) Asset Acquisitions;**
- (h) Asset Disposals**
- (i) Asset Depreciation;**
- (j) Borrowings;**
- (k) Leases;**
- (l) Cash Backed Reserves;**
- (m) Revenue recognition;**
- (n) Program information;**
- (o) Other Information;**
- (p) Elected members Remuneration;**
- (q) Fees & charges;**
- (r) Detailed Operating and Non-Operating workpapers;**
- (s) Schedule of Fees and Charges for 2022-2023.**

CARRIED BY ABSOLUTE MAJORITY 8/0

Res 22/8/118

5.2 Payment of Rates Options and Interest Charges for 2022-2023 Annual Budget

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/9/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>30 August 2022</i>
Authors:	<i>D Long – Finance Consultant</i>
Authorizing Officer:	<i>Dale Putland – Chief Executive Officer</i>
Attachments:	<i>Proposed 2022-2023 Annual Budget</i>

SUMMARY

The purpose of this report is for Council to give consideration to the-

1. Setting of options for the payment of rates and service charges for the 2022-2023 financial year;
2. Imposition of an administration fee and instalment interest charge for payments made by instalments; and
3. Imposition of a rate of interest on overdue rates and service charges for the 2022-2023 financial year.

BACKGROUND

Section 6.45 requires a local government to set the options for the payment of rates or service charges; as well as the ability to impose an administration fee and an instalment interest charge applicable to those payment options.

Section 6.45 of the *Local Government Act 1995* states-

6.45. Options for payment of rates or service charges

- (1) *A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by –*
 - (a) *4 equal or nearly equal instalments; or*
 - (b) *such other method of payment by instalments as is set forth in the local government’s annual budget.*
- (2) *Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge –*
 - (a) *by a single payment; or*

- (b) *by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.*
- (3) *A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.*
- (4) *Regulations may —*
 - (a) *provide for the manner of making an election to pay by instalments under subsection (1) or (2); and*
 - (b) *prescribe circumstances in which payments may or may not be made by instalments; and*
 - (c) *prohibit or regulate any matters relating to payments by instalments; and*
 - (d) *provide for the time when, and manner in which, instalments are to be paid; and*
 - (e) *prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and*
 - (f) *provide for any other matter relating to the payment of rates or service charges.*

Section 6.51 provides for a local government to impose an interest charge on a rate of service charge that remains unpaid after becoming due and payable.

6.51. Accrual of interest on overdue rates or service charges

- (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.**

COMMENT

Payment options

The Shire has traditionally offered two payment options-

- Option 1 Payment in full by the due date.
- Option 2 Payment in four equal instalments, being-
- (a) Instalment 1 - 25% of the rates and service charges within 35 days of date of issue;
 - (b) Instalment 2 - 25% of the rates and service charges within 2 months of (a);
 - (c) Instalment 3 - 25% of the rates and service charges within 2 months of (b); and
 - (d) Instalment 4 - 25% of the rates and service charges within 2 months of (c).

It is suggested that these payment options continue.

Administration fee and instalment interest charge

Section 6.45 of the Act permits Council to impose an administration charge where a payment of rate or service charge is made by instalments.

Regulations 67 and 68 of the *Local Government (Financial Management) Regulations 1996* limit how much can be imposed as an administration charge and as an instalment interest charge.

In 2021-22 the Shire has imposed no administration fee on the second, third and fourth instalment payments.

It is suggested that a \$14 administration fee apply to the second, third and fourth instalment payments for 2022-23.

The Shire has also previously imposed an instalment interest charge of 5.5% when option 2 is selected by ratepayers.

Regulation 68 of the *Local Government (Financial Management) Regulations 1996* limits the maximum interest component to be imposed as an instalment interest charge to 5.5%. However, the State Government passed the *Local Government Amendment (COVID-19 Response) Act 2020* on 16 April 2020. This Act provided the power to the Minister for Local Government, Heritage, Culture, and the Arts to modify or suspend provisions of the *Local Government Act 1995*. The Minister published an Order on 8 May 2020 that:

1. Limited the percentage of interest charged on rates instalments to 3.0%, unless the local government has a Financial Hardship Policy in place; and
2. Limited the percentage of interest charged on late payment of rates and charges to 8%, aligning it with the rate of interest charged by the Australian Taxation Office.

Council does have a Financial Hardship Policy; the maximum instalment interest charge can be applied.

Accrual of interest on overdue rates or service charges

Section 6.51 of the Act permits Council to impose an interest charge on overdue rates or service charges.

Regulation 70 of *Local Government (Financial Management) Regulations 1996* limits the maximum rate of interest that can be imposed on overdue rates or service charges to 11%. However, the State Government passed the *Local Government Amendment (COVID-19 Response) Act 2020* on 16 April 2020. This Act provided the power to the Minister for Local Government, Heritage, Culture, and the Arts to modify or suspend provisions of the *Local Government Act 1995*. The Minister published an Order on 8 May 2020 that:

1. Limited the percentage of interest charged on rates instalments to 3.0%, unless the local government has a Financial Hardship Policy in place; and
2. Limited the percentage of interest charged on late payment of rates and charges to 8%, aligning it with the rate of interest charged by the Australian Taxation Office.

On 1 June 2021, the Minister published *Local Government (COVID-19 Response) Amendment Order* in the *Government Gazette* reducing the maximum rate of interest on overdue rates to 7%.

As a result of the Ministerial Order, Council can only impose an interest charge of 7.0% on overdue rates or service charges not paid by the due date.

CONSULTATION

Internal – Senior Executives

External - Nil

STATUTORY OBLIGATIONS

Local Government Act 1995 s.6.45, 6.50, 6.51.

Local Government (Financial Management) Regulations 1996, Regulations 67, 68, 70 and 71.

Local Government (COVID-19 Response) Amendment Order 2021.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The 2022-23 budget is presented as a balanced budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 5.2

MOVED: Cr Helen O’Connell

SECONDED: Cr Kevin Moir

That Council:

- 1. Pursuant to Section 6.45 of the Local Government Act 1995, offer two payment options for rates and service charges for the 2022-23 financial year, being-***
 - (a.) Option 1 – Payment in full by a single instalment by the due date, being 35 days from the date of issue of the rate notice;***
 - (b.) Option 2 - Payment in four equal instalments, being***
 - (i) Instalment 1 - 25% of the rates and service charges within 35 days of date of issue of the rate notice;***
 - (ii) Instalment 2 - 25% of the rates and service charges within 2 months of (i);***
 - (iii) Instalment 3 - 25% of the rates and service charges within 2 months of (ii); and***
 - (iv) Instalment 4 - 25% of the rates and service charges within 2 months of (iii).***
- 2. Pursuant to Section 6.45 of the Local Government Act 1995, that no administration fee apply to the payment of rates by instalments.***
- 3. Pursuant to Section 6.45 of the Local Government Act 1995, impose an instalment interest charge of 3.0%, which is to apply to Instalments 2, 3 and 4 under payment option 2.***
- 4. Pursuant to Section 6.51 of the Local Government Act 1995, impose a 7.0% rate of penalty interest on overdue rates and service charges that remain unpaid after the due date.***

CARRIED BY ABSOLUTE MAJORITY 8/0

Res 22/8/119

5.3 Valuations and General Rates for 2022-2023 Annual Budget

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/9/003</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>30 August 2022</i>
Authors:	<i>D Long – Finance Consultant</i>
Authorizing Officer:	<i>Dale Putland – Chief Executive Officer</i>
Attachments:	<i>Proposed 2022-2023 Annual Budget</i>

SUMMARY

The purpose of this report is for Council to give consideration to the adoption of applicable valuations and the imposition of general rates on rateable property.

BACKGROUND

Section 6.32 of the *Local Government Act 1995* states:

6.32. Rates and service charges-

- (1) *When adopting the annual budget, a local government*
 - (a) *in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either:*
 - (i) *uniformly; or*
 - (ii) *differentially; and*
 - (b) *may impose* on rateable land within its district*
 - (i) *a specified area rate; or*
 - (ii) *a minimum payment; and*
 - (c) *may impose* a service charge on land within its district.*

** Absolute majority required.*
- (2) *Where a local government resolves to impose a rate it is required to:*
 - (a) *set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and*
 - (b) *set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.*

COMMENT

Following the draft budget workshops held with Council, the following general rates are presented for Council's consideration.

The deficiency of expenditure over income for the purpose of striking the rate for the 2022-2023 financial year amounts to \$3,333,485

\$3,333,485 to be raised by way of rates will impact as follows-

- (a) Rates levied will result in \$188,940 additional revenue when compared to the rates levied in the 2021-2022 financial year.

Every year, the unimproved value (UV) of each property is reassessed by the State's Valuer Generals Office. The gross rental valuation (GRV) of each property for country local governments is reassessed by the State's Valuer Generals Office every five (5) years. The Shire's UV properties were revalued effective 1 July 2022.

The following valuations are currently recorded in Council's 2022-23 rate book-

- (a) Unimproved Valuations (UV) - \$392,806,546, of which \$37,445,540 are minimum values;
- (b) Gross Rental Valuations (GRV) - \$3,686,021, of which \$241,151 are minimum values.

The Shire bases the determination of annual property rates payable upon the unimproved values (UV) for rural properties and the gross rental values (GRV) for non-rural properties; with the values set by the Valuer General. The Shire applies a rate in the dollar charge for each valuation category, which is multiplied against a property's valuation.

The rate in the dollar for the 2021-2022 financial year was set, for UV properties at 0.7182 cents, and for GRV properties at 13.9717 cents. This becomes the base rate in the dollar when determining the following year's rate in the dollar. When properties are revalued, the previous year's rate in the dollar is adjusted in consideration of whether the valuation has increased or decreased. This allows for a revised base rate that would have generated the same amount of revenue using the revalued property valuations. The increase in UV valuations of 14.39% has necessitated an adjustment to the UV rate in the dollar as follows:

- 1. UV – decrease from 0.7182 cents to 0.6285 cents to account for the valuation increment.

The rates in the dollar proposed in the draft budget are as follows-

- (a) The GRV rate in the dollar for 2022-2023 will increase from 13.9717 cents to 14.8100 cents, equating to a 6.00% increase; and
- (b) UV rate in the dollar for 2022-2023 will increase from 0.6285 cents to 0.6662 cents, equating to a 6.00% increase.

CONSULTATION

Internal – Senior Executives and Councillors

External - Nil

STATUTORY OBLIGATIONS

Local Government Act (1995) s.6.2. (1) states that each Local Government is to prepare an annual budget prior to 31 August, unless an extension from the Minister is granted.

Local Government Act 1995 s.6.32.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The 2022-2023 budget is presented as a balanced budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 5.3

MOVED: Cr Steele Alexander

SECONDED: Cr Charles Caldwell

1. ***That Council adopt the valuations, as supplied by the Valuer General's Office and recorded in the Rate Book, for the 2022-2023 year-***

<i>Gross Rental Valuations</i>	<i>\$ 3,686,021</i>
<i>Unimproved Valuations</i>	<i>\$392,806,546</i>

2. ***That Council, pursuant to Section 6.32 of the Local Government Act 1995, impose the following rate in the dollar general rate for 2022-2023-***

<i>GRV properties</i>	<i>\$0.148100</i>
<i>UV properties</i>	<i>\$0.006662</i>

CARRIED BY ABSOLUTE MAJORITY 8/0

Res 22/8/120

5.4 Minimum Rate Payment for 2022-2023 Annual Budget

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/9/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>30 August 2022</i>
Authors:	<i>D Long – Finance Consultant</i>
Authorizing Officer:	<i>Dale Putland – Chief Executive Officer</i>
Attachments:	<i>Proposed 2022-2023 Annual Budget</i>

SUMMARY

The purpose of this report is for Council to give consideration to the adoption and imposition of the Minimum Payment on rateable property for 2022-2023.

BACKGROUND

Section 6.35 of the *Local Government Act 1995* states:

- (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; and
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

COMMENT

The following minimum payments are presented for Council’s consideration.

The Minimum Payment for both UV and GRV properties is proposed to increase by 6.00%, to \$997 for UV properties and \$1,102 for GRV properties.

The proposed 2022-2023 UV Minimum Payment will be imposed on 398 UV property assessments, being 41.24% of the total UV property assessments. Council will have to monitor future increases in this minimum rate to ensure the number of properties subject to the minimum rate does not exceed 50%, as per the requirements of S6.35(3) of the *Local Government Act 1995*.

The proposed 2022-2023 GRV Minimum Payment will be imposed on 53 GRV property assessments, being 15.10% of the total GRV property assessments.

CONSULTATION

Internal – Senior Executives

External - Nil

STATUTORY OBLIGATIONS

Local Government Act 1995 s.6.35.

The imposition of the proposed Minimum Payment complies with the percentage requirements of subclause (3) of Section 6.35.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The 2022-23 budget is presented as a balanced budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 5.4

MOVED: Cr Steele Alexander

SECONDED: Cr Helen O’Connell

That Council, pursuant to Sections 6.32 and 6.35 of the Local Government Act 1995, impose the following Minimum Payment for 2022-2023-

GRV properties

\$1,102 per rateable assessment

UV properties

\$997 per rateable assessment

CARRIED BY ABSOLUTE MAJORITY 8/0

Res 22/8/121

5.5 Review of the Schedule of Fees & Charges

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/10/011</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>31 August 2022</i>
Authors:	<i>Ben Robinson – Finance Manager</i>
Authorizing Officer:	<i>Carolyn Mallett –Deputy CEO</i>
Attachments:	<i>Draft 2022-23 Schedule of Fees & Charges</i>

SUMMARY

This matter is put before Council to undertake a review of and adopt the Schedule of Fees & Charges to come into effect in 2022-23.

BACKGROUND

As it was in 2021-22, Council’s 2022-23 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) is based on an assumption that discretionary fees and charges will increase annually by 3.0%. However, the LTFP also includes an average of approximately 4% general rate increase for each financial year. It is noted that due to the Covid 19 pandemic, Council did not increase either its rates or fees and charges in the 2020-21 financial year and this modelling is now outdated and in need of review.

Shire financial staff are recommending a 2% increase in fees and charges to balance a requirement for cost recovery with Community needs.

For reference purposes the attached Schedule shows the Fees & Charges that were imposed in 2021-22, and charges proposed for 2022-23. The proposed charges represent the 2022-23 imposed charges with a 2.0% increase, plus newly proposed charges and removal of obsolete charges.

Proposed new and removal of obsolete Fees & Charges in 2022-23 include:

- New Administration Fee – BPAY – allocation of monies to correct assessments due to multi payments on one assessment unique reference \$40.00
- New Commercial Use of Town Hall Kitchen \$20 per half day

- New Hockey Ablutions – Use of Showers and no other facilities \$5.50
- New Swimming Pool Use of Showers and no other facilities \$5.50
- New Swimming Pool Private Hire – Inflatables (minimum 2 hours) during Pool operating hours (includes 2 lifeguards)
- New Swimming Pool Private Hire – Inflatables (minimum 2 hours) during Pool non-operating hours (includes 2 lifeguards) e.g. weekends 9am – 12pm, subject to conditions
- New Private Works Charge Side Tipping Truck & Trailer \$250
- Removal of Gym Equipment Use (Swimming Pool) due to installation and fit out of new Boyup Brook Gym
- Removal of Gym Equipment Use per Season (Swimming Pool) due to installation and fit out of new Boyup Brook Gym Fees & Charges introduced 2021/22
- Removal of Library Fees & Charges per Service Agreement with Boyup Brook Community Resource Centre for provision of Library Services
- Removal of Caravan Park Fees & Charges per Service Agreement with Campervan and Motorhome Club of Australia (CMCA)

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. However, at this point there have been no increases to those Fees & Charges.

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

Section managers and key personnel within the organisation were approached for input into the proposed 2022-23 Fees & 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 2022-23 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

MOVED INTO COMMITTEE

MOVED: Cr Helen O'Connell

SECONDED: Cr Darren King

That the Council move into a committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1. to allow members free discussion on the matter.

CARRIED 8/0

Res 22/8/122

Cr Sarah Alexander left the Chambers at 7.49pm

Cr Sarah Alexander returned to the Chambers at 7.57pm

Maria Lane left the Chambers at 8.15pm

Maria Lane returned to the Chambers at 8.21pm

MOVED OUT OF COMMITTEE

MOVED: Cr Charles Caldwell

SECONDED: Cr Helen O'Connell

That the Council moves out of committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.

CARRIED 8/0

Res 22/8/123

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 5.5

MOVED: Cr Steele Alexander

SECONDED: Cr Sarah Alexander

That Council endorses for adoption at the time of adopting the 2022-23 Annual Budget, the 2022-23 Schedule of Fees & Charges as per the amended schedule of fees and charges.

CARRIED 8/0

Res 22/8/124

5.6 Bush Fire Advisory Committee

COUNCIL DECISION & COMMITTEE RECOMMENDATION – ITEM 5.5

MOVED: Cr Helen O’Connell SECONDED: Cr Charles Caldwell

That the minutes of the Bush Fire Advisory Committee meeting held on Tuesday 24 May 2022 be received and Council confirm the nominations of the Elected Officers/Fire Control Officers.

CARRIED 8/0

Res 22/8/125

ELECTION OF PRESIDING MEMBER

The Committee called for nominations

Cr Richard Walker was declared elected Presiding Member

ELECTION OF DEPUTY PRESIDING MEMBER

The Committee calls for nominations

Cr Helen O’Connell was declared elected Deputy Presiding Member

ELECTION OF OFFICERS/MEMBERS

Chief Fire Control Officer

Tristan Mead was declared elected Chief Fire Control Officer

1st Deputy Chief Fire Control Officer

Ben Thompson was declared elected Deputy Chief Fire Control

2nd Deputy Chief Fire Control Officer

Brad Skraha was declared elected Deputy Chief Fire Control

Communications Officer

David Fortune was declared elected as Communications Officer

Fire Weather Officer

Brad Fairbrass was declared elected as Fire Weather Officer

Deputy Fire Weather Officer

Wayde Robertson was declared elected as Deputy Fire Weather Officer

Training Officer

Donna Forsyth was declared elected as Training Officer

Fire Control Officers from each Brigade

David Inglis and Rob Imrie were declared elected as delegates/Fire Control Officers from the Benjinup Brigade.

Glenn Mead and Scott Wheatley were declared elected as delegates/Fire Control Officers from the Chowerup Brigade.

Tristan Mead and Wayne White were declared elected as delegates/Fire Control Officers from the Dinninup Brigade.

John Ritson and Ken Holland were declared elected as delegates/Fire Control Officers from the East Boyup Brook Brigade.

Ron Bingham and Michael Giles were declared elected as delegates/Fire Control Officers from the Gibbs Brigade.

Brad Skraha and Nick Bagshaw were declared elected as delegates/Fire Control Officers from the Kenninup Brigade.

Brad Fairbrass and Hayden Bock were declared elected as delegates/Fire Control Officers from the Kulikup Brigade.

Ben Creek and Matt Franke were declared elected as delegates/Fire Control Officers from the Mayanup Brigade.

David Fortune and Kieren Power were declared elected as delegates/Fire Control Officers from the McAlinden Brigade.

Darren Chapman and Jamie Forbes were declared elected as delegates/Fire Control Officers from the Mickalarup/Dwalganup Brigade.

Marcus Gifford and Rob Introvigne were declared elected as delegates/Fire Control Officers from the Nollajup Brigade.

Charles Caldwell and Wayde Robertson were declared elected as delegates/Fire Control Officers from the Scotts Brook Brigade.

Ron Tuckett and Matt Della-Gola were declared elected as delegates/Fire Control Officers from the Tonebridge Brigade.

David Muir and Scott Nix were declared elected as delegates/Fire Control Officers from the Tweed Brigade.

Brian Cailles and Ross Parker were declared elected as delegates/Fire Control Officers from the West Boyup Brigade.

Clint Wawilow and Gyula Bogar were declared elected as delegates/Fire Control Officers from the Town Brigade.

6 CLOSURE OF MEETING

There being no further business the Presiding Member thanked all for their attendance and declared the meeting closed at 8.33pm.