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# MINUTES

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## SPECIAL MEETING OF COUNCIL

Held on  
Tuesday 29<sup>th</sup> June 2010  
6.00 pm  
City of Albany Council Chambers

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## **1.0 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

### **ITEM 1.0 - DRAFT MOTION**

**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR MATLA**

**SECONDED: COUNCILLOR WELLINGTON**

**THAT Council Suspend Standing Order 3.1, to allow recording of proceedings.**

**MOTION CARRIED 9-0  
ABSOLUTE MAJORITY**

## **2.0 OPENING PRAYER**

“Heavenly Father, we thank you for the beauty and peace of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”

## **3.0 PUBLIC QUESTION AND STATEMENT TIME**

Council’s Standing Orders Local Laws provide that each Ordinary Meeting of the Council shall make available a total allowance of 30 minutes, which may be extended at the discretion of Council, for residents in attendance in the public gallery to address clear and concise questions to His Worship the Mayor on matters relating to the operation and concerns of the municipality.

Such questions should be submitted to the Chief Executive Officer, **in writing, no later than 10.00am** on the last working day preceding the meeting (the Chief Executive Officer shall make copies of such questions available to Members) but questions may be submitted without notice.

Each person asking questions or making comments at the Open Forum will be **LIMITED** to a time period of **4 MINUTES** to allow all those wishing to comment an opportunity to do so.

**Nil.**

**4.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

**Mayor**

M J Evans JP

**Councillors:**

|                     |              |
|---------------------|--------------|
| Breaksea Ward       | R Hammond    |
| Breaksea Ward       | J Bostock    |
| Frederickstown Ward | D Wellington |
| Frederickstown Ward | Vacant       |
| Kalgan Ward         | M Leavesley  |
| West Ward           | D Wolfe      |
| West Ward           | D Dufty      |
| Yakamia Ward        | J Matla      |
| Vancouver Ward      | D Bostock    |

**Staff:**

|  |              |
|--|--------------|
| Chief Executive Officer                        | J Bonker     |
| E/Director Corporate & Community Services      | WP Madigan   |
| Acting Executive Director Development Services | G Bride      |
| Executive Director Works & Services            | K Ketterer   |
| Executive Manager Business Governance          | S Jamieson   |
| Manager Finance                                | P Wignall    |
| Assistant Business Governance Officer          | J Williamson |

**Public Gallery and Media:**

There were 3 members of the media and 3 members of the public in attendance.

**Apologies/Leave of Absence:**

|                     |          |
|---------------------|----------|
| Kalgan Ward         | C Holden |
| Yakamia Ward        | R Sutton |
| Vancouver Ward      | R Paver  |
| Frederickstown Ward | Vacant   |

**5.0 DECLARATION OF INTEREST**

| Name       | Item Number | Nature of Interest   |
|------------|-------------|--|
| Cr J Matla | 6.1         | <b>Financial.</b> The nature of the interest being that Councillor Matla’s company provides maintenance services to the Albany Leisure and Aquatic Centre. Councillor Matla remained in the chamber and participated in the discussion and vote. |

[6:02:29 PM](#)

**ITEM 6.1 MOTION 1**

**VOTING REQUIREMENT:SIMPLE MAJORITY**

**MOVED: MAYOR EVANS**

**SECONDED: COUNCILLOR DUFTY**

**THAT Council SUSPEND Standing Order 5.7 – Order of Call in Debate - to allow discussion.**

**MOTION CARRIED 9-0**

## 6.0 ITEMS FOR DISCUSSION

ITEM NUMBER: 6.1

ITEM TITLE: ADOPT MUNICIPAL FUND BUDGET 2010-11

### THE NATURE OF COUNCIL'S ROLE IN THIS MATTER:

**Executive Function:** Council setting strategic direction and overseeing the operational functions of the City.

|                                    |   |
|------------------------------------|---|
| <b>File Number or Name of Ward</b> | : FIN 069 (All Wards)                           |
| <b>Summary of Key Points</b>       | : That the 2010-11 Budget be adopted            |
| <b>Proponent</b>                   | : City of Albany                                |
| <b>Reporting Officer(s)</b>        | : Manager Finance (P Wignall)                   |
| <b>Disclosure of Interest</b>      | : Nil   |
| <b>Business Entity Name</b>        | : N/A   |
| <b>Previous Reference</b>          | : N/A   |
| <b>Bulletin Attachment(s)</b>      | : Nil   |
| <b>Consulted References</b>        | : Local Government Act 1995, Division 2, Part 7 |

### BACKGROUND

1. The Draft Annual Budget for 2010-11 has been prepared in accordance with the Local Government Act 1995.
2. Council has received a briefing relating to the imposition of differential rates on GRV Vacant Land, Minimum Rates and current rates exemptions for the Great Southern Community Housing Association (GSCHA).

### DISCUSSION

3. Nil

### PUBLIC CONSULTATION / ENGAGEMENT

4. Nil

### GOVERNMENT CONSULTATION

5. Nil.

Item 6.1 continued.

**STATUTORY IMPLICATIONS**

6. Section 6.2(1) of the Local Government Act 1995 requires that prior to 31<sup>st</sup> August 2010, Council adopt a budget for its municipal fund for the year ending 30<sup>th</sup> June 2011.
7. Section 6.2(4) of the Local Government Act 1995 requires the annual budget 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.
8. Under Section 6.32 (1) of the Local Government Act 1995, a local government may impose a minimum payment which is greater than the general rate which would otherwise be payable.
9. Section 6.34 of the Local Government Act 1995 details restrictions on the amount to be derived from rates:

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

  - (a) be more than 110% of the amount of the budget deficiency; or
  - (b) be less than 90% of the amount of the budget deficiency
10. Section 6.33 of the Local Government Act (1995) allows a local government to impose a differential general rate based on the zoning and/or land use of the property. Section 6.36 (1) requires a local government which is considering the imposition of a differential general rate to give local public notice of its intention and allow a period of 21 days for public submissions. Prior to adopting the proposed rate, Council is required to consider all submissions received within the time allowed.



Item 6.1 continued.

### **FINANCIAL IMPLICATIONS**

11. The adopted budget will form the financial basis for operations of the City of Albany in 2010-11. Once adopted, the budget will be reviewed in October 2010, January 2011, April 2011, and such other dates as directed by Council.

### **STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN**

12. This item directly relates to the following elements from the Albany Insight ~ Beyond 2020 Corporate Plan...

***Community Vision:***

*Nil*

***Priority Goals and Objectives:***

*Goal 4: Governance..... The City of Albany will be an industry leader in good governance and service delivery.*

*Objective 4.1: The City of Albany will be a cohesive Council delivering ethical and responsible government committed to excellence in board governance.*

***City of Albany Mission and Values Statement:***

*At the City of Albany we apply Council funds carefully.*

### **POLICY IMPLICATIONS**

13. Nil

### **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

14. The budget includes two rates revenue items which were not included in 2009-10 (being the removal of differential rates on GRV Vacant Land and removal of exemption for GSCHA properties) and one item (relating to the minimum rate) which has been increased by 25%.

### **SUMMARY CONCLUSIONS**

15. This budget includes removal of the differential rates on GRV Vacant Land. Should Council decide to retain the differential rate, Council will need to advertise the imposition of a differential rate and allow 21 days to receive submissions on the differential rates proposal. Any submissions received will be tabled and considered prior to the imposition of the differential rate.
16. Should Council decide to remove any or all of the three items detailed in point 10 above, the appropriation, an alternate motion for the 1010-11 budget adoption will need to be proposed.
17. Full details of the 2010-11 proposed budget are included in the 2010-11 Budget Book available under separate cover.

Item 6.1 continued.

## **RECOMMENDATION**

### **ITEM 6.1 - OFFICER RECOMMENDATION**

**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT the 2010-11 Budget which has been prepared in accordance with the Local Government Financial Regulations (1997) be adopted.

#### **I. General Rates**

- That in accordance with Section 6.32 of the Local Government Act 1995, General Rate of 11.1869 cents in the dollar be imposed on Occupied Gross Rental Valuations for those occupied properties to be rated on Gross Rental Value.
- That in accordance with Section 6.32 of the Local Government Act 1995, General Rate of 11.1869 cents in the dollar be imposed on Vacant Gross Rental Valuations for those vacant properties to be rated on Gross Rental Value.
- That in accordance with Section 6.32 of the Local Government Act 1995, a General Rate of 0.2899 cents in the dollar be imposed on all Unimproved Valuations for properties to be rated on Unimproved Value.

#### **II. Discount for Early Payment**

- That in accordance with Section 6.46 of the Local Government Act 1995, an early payment discount equal to 2% of current rates levied be allowed where payment of the account is made in full by no later than 4.30pm on the 1st September 2010.

#### **III. Minimum Rates – All Properties**

- That in accordance with Section 6.35 of the Local Government Act 1995, a minimum rate be set at \$725 for all categories.

#### **IV. Refuse Service Charges (Rubbish Disposal & Recycling Service)**

- That the domestic Urban Refuse Services Charge for 2001-11 be \$275.00 per annum.

#### **V. Rural Waste Service Charge**

- That the Rural Waste Services Charge for 2010-11 be \$50.00 per annum per residential component for properties which do not have a weekly/fortnightly rubbish disposal service.

Item 6.1 continued.

VI. Instalment Options

- That in accordance with Section 6.45 of the Local Government Act 1995, the following payment options are available:
  - Option 1. Payment in full up to 35 days after date of issue of Rate Notice – Due Date 1st September 2010.
  - Option 2. Payment of two equal or nearly equal instalments:
    - 1st Instalment Due Date 1st September 2010;
    - 2nd Instalment Due 4 months after 1st
    - Due date: 4th January 2011.

(Instalment interest payable on rate amount only, all arrears to be paid in 1st instalment)

- Option 3. Payment of four equal or nearly equal instalments:
  - 1st Instalment Due 35 days after date of issue of Rate Notice. Due date 1st September 2010.
  - 2nd Instalment Due 2 months after 1st. Due date 1st November 2010.
  - 3rd Instalment Due 2 months after 2nd. Due Date 4th January 2011.
  - 4th Instalment Due 2 months after 3rd. Due Date 8th March 2010.

(Instalment interest payable on rate amount only, all arrears to be paid in 1st Instalment)

VII. Instalments – Interest Rates & Administrative Charges

- That in accordance with Section 6.45 of the Local Government Act 1995:
  - an additional charge by way of interest where payment of a rate is made by instalments with the rate of interest being set at 5.5%;
  - an additional charge by way of an instalment fee, where payment of a rate is made by instalment be set at \$3.00 for each instalment excluding the first of any payment option. Therefore option 2 will attract a total administration charge of \$3.00 and option 3 will attract a total administration charge of \$9.00.

Item 6.1 continued.

VIII. Late Payment Interest Rates

- Interest on Overdue Rates and Service Charges.

Late payment interest be set at a rate of 11% per annum (.0301% daily) and continue to be charged on overdue/arrears rates and service charges, and current rates and service charges that remain unpaid after 35 days from the date of issue.

- Interest on Overdue Rubbish Collection Fees

Late payment interest be set at a rate of 11% per annum (.0301% daily) and continue to be charged on overdue/arrears Rubbish Collection Fees, and current rubbish charges that remain unpaid after 35 days from the date of issue.

- Interest on Overdue Debtors Accounts.

Late payment interest be set at a rate of 6% per annum (.0164% daily) and continue to be charged on overdue/arrears debtors accounts that remain unpaid after 60 days from the date of issue.

IX. Early Payment Prize

- THAT prizes be awarded as follows:
  - A \$2500 Commonwealth Bank Streamline account;
  - Minor prizes to be sought from suppliers

In order to be eligible to enter the draw for the prizes, all rates and charges on the individual assessment must be paid in full 21 days after the date of service of the rates notice (18th September 2010.)

X. Fees and Charges

- That the schedule of fees and charges for the City of Albany be adopted.

XI. Mayor & Councillor Fees

- THAT annual Councillor fees and allowances for 2010-11 be:

|                                  |        |
|----------------------------------|--------|
| Mayoral Sitting Fee              | 14,000 |
| Mayoral Allowance                | 12,000 |
| Deputy Mayor Allowance           | 3,000  |
| Councillor Sitting Fees          | 7,000  |
| Telecommunications Allowance     | 1,800  |
| Information Technology Allowance | 600    |

Councillor J Bostock's tabled address is detailed at Appendix B.

[6:20:21 PM](#)

**ITEM 6.1 MOTION 2**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR MATLA**

**SECONDED: COUNCILLOR WOLFE**

**THAT Council RESUME Standing Order 5.7 – Order of Call in Debate.**

**MOTION CARRIED 9-0**

[6:20:59 PM](#)

CEO Mr J Bonker suggested the inclusion of a point XII to the original officer recommendation.

Mr Bonker read the following suggested addition to the Officer's Recommendation:

*XII One month before the scheduled quarterly review, council convene a meeting for the purpose of managing the budget and overseeing its progressive implementation.*

[6:20:57 PM](#)

The Mayor asked Council if they were happy with the inclusion of point XII to the officer recommendation.

[6:21:03 PM](#)

Councillor Wellington agreed to the inclusion of point XII and moved the officer recommendation.

Councillor Dufty seconded the motion.

[6:21:13 PM](#)

The Mayor called for speakers for and against the motion, there was no response.

[6:21:16 PM](#)

The Mayor then put the motion to the vote.

Item 6.1 continued.

[6:21:19 PM](#)

**ITEM 6.1 – AMENDED OFFICER RECOMMENDATION  
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR WELLINGTON  
SECONDED: COUNCILLOR DUFTY**

**THAT the 2010-11 Budget which has been prepared in accordance with the Local Government Financial Regulations (1997) be adopted.**

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Item 6.1 continued.

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Item 6.1 continued.

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| <b>Mayoral Allowance</b>                | <b>12,000</b> |
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| <b>Telecommunications Allowance</b>     | <b>1,800</b>  |
| <b>Information Technology Allowance</b> | <b>600</b>    |



Item 6.1 continued.

**XII. One month before the scheduled quarterly review, council convene a meeting for the purpose of managing the budget and overseeing its progressive implementation.**

**MOTION CARRIED 9-0  
ABSOLUTE MAJORITY**

**7.0 DATE OF NEXT ORDINARY MEETING** Tuesday 20<sup>th</sup> July 2010

**ITEM 7.0 - DRAFT MOTION  
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR D BOSTOCK  
SECONDED: COUNCILLOR WOLFE**

**THAT Council Resume Standing Order 3.1 – Recording of Proceedings, to stop recording of proceedings.**

**MOTION CARRIED 9-0  
ABSOLUTE MAJORITY**

**8.0 CLOSURE OF MEETING**

There being no further business the Mayor declared the meeting closed at [6:23:10 PM](#).

Confirmed as a true and accurate record of proceedings.

*(Unconfirmed Minutes)*

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Mayor MJ Evans JP  
**MAYOR**

APPENDIX A

NOTICES OF DISCLOSURE

| Meeting Date | Item Number | Details/Status   |
|--------------|-------------|--|
| 29/06/2010   | 6.1         | <b>Financial.</b> The nature of the interest being that Councillor Matla's company provides maintenance services to the Albany Leisure and Aquatic Centre. Councillor Matla remained in the chamber and participated in the discussion and vote. |

**APPENDIX B**

**TABLED DOCUMENTS**

| <b>Document Tabled By</b> | <b>Subject</b> | <b>Page No</b> |
|---------------------------|----------------|----------------|
|                           | Nil            |                |

**ELECTED MEMBER TABLED DOCUMENTS**

| <b>Document Tabled By</b> | <b>Subject</b>              | <b>Page No</b> |
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| Councillor J Bostock      | Tabled Address re: Item 6.1 | 18             |

**STAFF TABLED DOCUMENTS**

| <b>Document Tabled By</b> | <b>Subject</b> | <b>Page No</b> |
|---------------------------|----------------|----------------|
|                           | Nil            |                |

SPECIAL COUNCIL MEETING MINUTES– 29/06/2010

**\*\* REFER DISCLAIMER \*\***

Special Meeting 29 June 2010

Adopt Municipal Fund Budget 2010-11

Mayor and Councillors by the time this budget reaches this meeting there is little that can be done by way of debate and deliberation, our real work must be done at the very start of the process. It is not for us to scrutinize line by line, and examine intricate, minute detail; this can detract from our true role. The pertinent issue is the intent and direction, what are we are trying to achieve, and by what criteria we prioritise expenditure?

Our financial position and current level of debt severely restricts our options, but clear direction is needed, it is imperative that the overall ongoing administrative cost is minimised and a larger proportion of our income is specifically targeted at services for the community. It is disappointing and in my view unacceptable that the very basic provision of roads and footpaths cannot be met from our rate income and that we remain dependent on hand outs and grants from state and federal government. These additional funds should provide icing on the cake and not used for essential provision.

Our current grave situation has evolved over years, it will take years to correct but action is required urgently our debt level must be reduced and priority must be given to direct service provision. This organisation only exists to make the lives of those who live here better; there is no point in maintaining an efficient office with state of the art IT provision and highly trained staff, if there are no funds left for community services.

I understand that these are broad statements and a long way from the intricate and difficult task of formulating a balanced budget and appreciate staff effort in providing this draft document. However it is the philosophy behind the minute detail that is important to a governing body. The direction and intention is the pertinent factor that we must address, how it is achieved is the responsibility of the CEO.

I do not claim to be a financial expert, but have learned the importance of prudence and the fact that it remains a constant and serious undertaking. This concept is relevant to a family budget or a multimillion business and can only be effective with absolute resolve and vigilance in determining all expenditure. Priority selection will always be an issue in an organisation such as this, the questions must be asked, is it essential, can we live without it does it benefit the community, is it best value for money.

I believe we must make this resolve redress the balance and ensure that money is spent where it is most needed. We must deliver our essential services first, not in a limited way after everything else is paid for. We must change our mind set, and guard the public purse as carefully and more vigilantly than we do our own.

Mayor and Councillors before we adopt this budget I would like to incorporate some saving imperatives and direction to our CEO to prioritise expenditure to directly benefit the community.

Councillor Jill Bostock