

Shire of Lake Grace

Special Council Meeting

Minutes

16 October 2013



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SHIRE OF LAKE GRACE

Minutes of the Special Meeting of Council held at Council Chambers, 1 Bishop St Lake Grace on Wednesday 16 October 2013.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at 11.00 am.

2.0 ATTENDANCE RECORD

2.1 PRESENT

Cr LW Armstrong	Shire President
Cr IG Chamberlain	Deputy Shire President
Cr R Chappell	
Cr JF De Landgraft	
Cr SG Hunt	
Cr DP Sinclair	
Cr AJ Walker	
Mr NA Hale	Acting Chief Executive Officer
Mr J Bingham	Manager Corporate Services
Mr M Harrop	Manager Infrastructure Services
Mrs J Bennett	Executive Assistant

2.2 APOLOGIES

Cr OP Farrelly

2.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Cr Newman

As per motion 11647 at the 24 July 2013 Ordinary Meeting, Cr Newman has approved leave of absence from 22 September 2013 to 28 October 2013.

3.0 PUBLIC QUESTION TIME

No members of the public present.

4.0 DECLARATIONS OF INTEREST

4.1 DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT SECTION 5.60A

Nil

4.2 DECLARATIONS OF PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B

Nil

4.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATION SECTION 34C

Nil

5.0 MATTERS FOR CONSIDERATION

5.1 2013/14 BUDGET – ADOPTION OF REVISED STATUTORY DOCUMENTATION

MOTION 11689

Moved Cr Walker
 Seconded Cr Chappell

That Standing Orders be suspended (as per Shire of Lake Grace Standing Order Parts 8.5 & 8.6) at this time; being 11.02am, in order to discuss the revised budget.

MOTION CARRIED 7/0

MOTION 11690

Moved Cr Hunt
 Seconded Cr Chappell

That Standing Orders resume; the time being 11.48am.

MOTION CARRIED 7/0

Applicant: Manager Corporate Services
File No. 0744
Attachments: 2013/14 Statutory Budget, Schedules and Supplementary Information
Author: Mr J Bingham
 Manager Corporate Services
Disclosure of Interest: Nil
Date of Report: 11 October 2013
Senior Officer: Mr NA Hale
 Chief Executive Officer

Summary

In order to adopt revised statutory documentation for the 2013/14 Budget it is necessary to rescind Part A and Point 2 of Motion No 11664.

Background & Comment

In determining what process is required, reference is made to:

Local Government Act 1995 – section 5.25 (1) (e) – *Regulations about council meetings and the revoking or changing of decisions made.*

Local Government (Administration) Regulations 1996 – regulation 10.

10. Revoking or changing decisions (Act s. 5.25(1)(e))

(1)If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(1a) Notice of a motion to revoke or change a decision referred to in sub regulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —

(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or

(b) in any other case, by an absolute majority.

(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different

Crs Hunt, Chappell and Armstrong have signed a Notice of Motion to change the decision of Council made at the 6 August 2013 Special Budget Meeting by way of Motion 11664.

Notice of Motion

Moved Cr Hunt, seconded Cr Chappell and supported by Cr Armstrong (being 1/3 of the number of offices of council).

Notice is hereby given of a motion to amend in part Motion 11664 of the 6 August 2013 Special Budget Meeting.

Motion to Revoke or Change - Absolute (5) Majority Required

Resolution

MOTION 11691

Moved Cr Chamberlain
Seconded Cr De Landgraft

That Point 1 Part A and Point 2 of Motion No 11664 of 6 August 2013 Special Budget Meeting be changed.

MOTION CARRIED BY ABSOLUTE MAJORITY 7/0

Summary

For Council to adopt the recast 2013/14 Budget which has been amended to reflect the inclusion of some minor variations and an adjustment to include the Specified Area Rate income and expenditure within the documentation.

Background

The Shire's 2013/14 Budget was adopted by absolute majority at a Special Meeting held on 6 August 2013 by Council decision by way of Motion No 11664 which included statutory documents together with supporting schedules, including the striking of the municipal fund rates, establishment of new reserve funds, setting of elected member's fees for the year, establishment of new loan fund borrowings and other consequential matters arising from the budget papers.

Subsequently, the budget document was submitted to the Department of Local Government and Communities (DLGC) as required by the provisions of the *Local Government Act 1995*. Advice received from DLGC in September 2013 highlighted a number of inconsistencies and non compliant errors within the documentation.

Whilst the inconsistencies related to significant dollar variations, they were in fact the result of the exclusion of specified area rate income and expenditures that had been omitted from the consolidated amounts within the rate setting statement of the statutory documentation. The recast 2013/14 Budget also has addressed the clarification of unexpended grants as at the 30 June 2013 and some minor variations to expenditures.

Accordingly, to address the concerns of the DLGC it is necessary to amend Part A and Point 2 of Motion 11664.

The recast 2013/14 budget was prepared in accordance with the presentations made to Councillors at the budget workshops held in June and July.

Comment

In recasting the 2013/14 Budget documentation, no changes were necessary in respect to the previously approved rates in the dollar for GRV and UV properties as applicable to general rate, specified area rate and sewerage rates.

However, due to valuation changes, the total rate income within the Rate Setting Statement decreased. Elements such as presidents and councillor allowances, specific reserve funds and borrowings as identified in the previous budget document remain unchanged (i.e. Motion No 11664 Parts B,C,D,E,F,G,H & J).

Accordingly an amendment is required to Council's decision, Motion No 11664 of 6 August 2013 Special Meeting by adopting revised documentation for:

- a) Part A – Municipal Fund Budget for 2013/14; and,
- b) New loan fund borrowings.

The revised documents under Part A include adjustment to:

- the estimated surplus brought forward as at 1 July 2013 including provision for unspent grants of \$388,560, with associated adjustment to unrestricted cash;
- revised rate revenue with a decrease of \$26,428;
- inclusion of specified area rate income and expenditure and associated transfers to and from reserves.

In regards to new loan borrowings the amendment reflects the amount shown in the borrowings schedule Note No 5. This is a minor change replacing the amount of \$128,000 with \$127,805.

Legal Implications

Local Government Act 1995 – section 5.25 (1) (e) – Regulations about council meetings and the revoking or changing of decisions made.

Local Government Act 1995- Section 6.2

Local Government (Financial Management) Regulations 1996

Policy Implications

N/A

Consultation

Internal Staff

External Department of Local Government

Financial Implications

The Budget document establishes activities which the Shire will pursue and the means by which they will be funded during the 2013/14 financial year.

Strategic Implications

The Budget is the means by which the Shire delivers its services and capital improvements for the benefit of its residents in accordance with the Strategic Community Plan.

Voting Requirements

Absolute majority (5) required

Recommendation/Resolution

MOTION 11692

Moved Cr Chappell

Seconded Cr Hunt

In respect to Council decision Motion 11664, 6 August Special Budget Meeting; that Council adopt:

Part A:

PART A - MUNICIPAL FUND BUDGET FOR 2013/14

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, the council adopt the Municipal Fund Budget as contained in the attachment 1 of this agenda for the Shire of Lake Grace for the 2013/14 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type on page 1 showing a net result for that year of \$814,506.
- Statement of Comprehensive Income by Program on page 3 showing a net result for that year of \$814,506.
- Statement of Cash Flows on page 4.
- Rate Setting Statement on page 5 showing an amount required to be raised from rates of \$2,467,644.
- Notes to and Forming Part of the Budget on pages 6 to 39.
- Budget schedules as detailed in Attachment 2 pages 1 to 33.
- Transfers to/from Reserve accounts as detailed in pages 24 to 26 of Attachment 1.

MOTION 11692 continued

2. That Council approve the following new loan fund borrowings:

a. A \$200,000 loan to be repaid over ten years and funded through the Lake Grace Specified Area Rate for the Lake Grace Sporting Precinct.

b. A \$127,805 loan to be repaid over five years and funded through the general rate for the installation of 11 standpipe controllers at various locations throughout the Shire.

MOTION CARRIED BY ABSOLUTE MAJORITY 7/0

Cr Chamberlain, with approval from the mover and seconder, requested the following notation be noted in the resolution for inclusion in the minutes:

That the allocations of:

*\$20,000 at Account E133050; and
\$70,000 at Account E121200, Job No 10028*

be considered during the 2013/14 Budget Review for transfer to the Works Reserve.

6.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 11.50am.

7.0 CERTIFICATION

I _____ certify that the minutes of the meeting held on the 16 October 2013 as shown were confirmed as a true record at the meeting held on the 23 October 2013.

Presiding Member

Date