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- NOTE:**
- a) The Council Committee Minutes Item numbers may be out of sequence. Please refer to Section 10 of the Agenda – Information Report - Committee Decisions Under Delegated Authority for these items.
  - b) Declaration of Councillors and Officers Interest is made at the time the item is discussed.

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON TUESDAY, 21<sup>ST</sup> JULY 2009. THE PRESIDING MEMBER DECLARED THE MEETING OPEN AT 2.11PM AND WELCOMED COUNCILLORS AND STAFF.

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**1. ATTENDANCE & APOLOGIES:**

IN ATTENDANCE:

**COUNCILLORS:** DL Needham ..... Presiding Member  
M Harris  
WJ Kirkpatrick  
K Murphy  
MJ Geurds  
JE Price  
C Randall  
S Twine  
E Brown

**OFFICERS:** Ms J Abbiss ..... Chief Executive Officer  
Mr A Hart ..... Director Corporate Services  
Mrs S van Aswegen ..... Director Strategic Community Planning  
Mr B Gleeson ..... Director Development Services  
Mr R Gorbunow ..... Director Engineering  
Ms C Mihovilovich ..... Manager of Finance  
Mrs B van der Linde ..... Developer Contribution Finance Officer  
Mrs K Bartley ..... Rates Officer  
Ms K Richardson ..... Communications Officer  
Ms A Nolan ..... Manager Executive Services (from 2.25pm)  
Mrs D Bridson .. Executive Services Support Officer (from 2.37pm)  
Mrs L Fletcher ..... Minute Secretary

**APOLOGIES:** Cr C Buttfeld

**GALLERY:** 0

**2. PUBLIC QUESTION TIME:**

Nil

2.1 Response To Previous Public Questions Taken On Notice

Nil

**3. PUBLIC STATEMENT TIME:**

Nil

**4. PETITIONS & DEPUTATIONS:**

Nil

**5. PRESIDENT'S REPORT:**

Nil

**6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:**

Nil

**7. RECEIPTS OF MINUTES OR REPORTS AND CONSIDERATION FOR RECOMMENDATIONS:**

**7.1 Special Council Meeting – 7 July 2009**

**Moved Cr Harris, seconded Cr Murphy**

**The *attached (E09/4246)* minutes of the Special Council Meeting held on 7 July 2009 be confirmed.**

**CARRIED 8/1**

**Council Note: The Special Council Meeting minutes of 7 July 2009 were changed by noting that Cr Twine was Absent from the meeting, not an Apology.**

## 8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

SCM002/07/09	ADOPTION OF 2009/2010 STATUTORY BUDGET (A1601)	
Proponent:	Serpentine Jarrahdale Shire	In Brief  Council adopt the proposed 2009/2010 statutory budget.
Officer:	Alan Hart - Director Corporate Services	
Signatures Author:		
Senior Officer:	Joanne Abbiss - Chief Executive Officer	
Date of Report	14 July 2009	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

### **Background**

Section 6.2 of the Local Government Act 1995 requires local governments to prepare an annual budget not later than 31 August in each financial year. The local government is to prepare and adopt the budget in the form and manner prescribed and by absolute majority.

In the preparation of the budget the local government is to have regard to the contents of the plan for the future/forward financial plan accepted under section 5.58 and is to prepare a detailed estimate for the current year of:

1. The expenditure by the local government,
2. The revenue and income, independent of general rates, and
3. The amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue.

The budget is to incorporate:

1. Particulars of the estimated expenditure to be incurred by the local government;
2. Detailed information relating to the rate and service charges which will apply to land within the district, including the estimated amount to be yielded by the rate and the rate of interest to be charged by the local government on unpaid rates and service charges;
3. The fees and charges proposed to be imposed;
4. The particulars of borrowings and other financial accommodation proposed;
5. Details of the amounts to be set aside in, or used from, reserve accounts and the purpose for which they are to be used;
6. Particulars of proposed land transactions and trading undertakings; and
7. Such other matters as prescribed.

### **Sustainability Statement**

This budget aims to achieve a balance between required services and infrastructure improvement projects for the community. It demonstrates the allocation of scarce resources in an efficient and effective manner to provide the outcomes expected by the community.

### **Statutory Environment:**

Section 6.2 of the Local Government Act 1995 requires local governments to adopt a budget prior to 31 August each financial year.

## **Policy/Work Procedure**

### **Implications:**

There is no work procedures/policy implications directly related to this application/issue.

### **Financial Implications:**

The proposed budget is presented as a balanced budget. The rates increase provides the minimum requirement from the community to fund all of the services provided within the document.

### **Strategic Implications:**

This proposal relates to the following Key Sustainability Result Areas:-

#### **1. People and Community**

*Objective 1: Good quality of life for all residents*

##### **Strategies:**

1. Provide recreational opportunities.
2. Develop good services for health and well being.
3. Retain seniors and youth within the community.
4. Respect diversity within the community.
5. Value and enhance the heritage character, arts and culture of the Shire.

*Objective 3: High level of social commitment*

##### **Strategies:**

1. Encourage social commitment and self determination by the SJ community.
2. Build key community partnerships.

#### **2. Environment**

*Objective 1: Protect and repair natural resources and processes throughout the Shire*

##### **Strategies:**

1. Increase awareness of the value of environmental requirements towards sustainability.

*Objective 2: Strive for sustainable use and management of natural resources*

##### **Strategies:**

1. Implement known best practice sustainable natural resource management.
3. Reduce waste and improve recycling processes

#### **3. Economic**

*Objective 1: A vibrant local community*

##### **Strategies:**

1. Attract and facilitate appropriate industries, commercial activities and employment.
3. Develop tourism potential.

*Objective 2: Well developed and maintained infrastructure to support economic growth*

##### **Strategies:**

1. Improved freight, private and public transport networks.
2. Consider specific sites appropriate for industry /commercial development.

#### **4. Governance**

*Objective 1: An effective continuous improvement program*

##### **Strategies:**

1. Identify and implement best practice in all areas of operation.
2. Promote best practice through demonstration and innovation.

3. Regularly update information services and IT capacity to support programs and projects.
4. Balance resource allocation to support sustainable outcomes.

*Objective 3: Compliance to necessary legislation*

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.
2. Develop a risk management plan.
3. Comply with State and Federal policies and Legislation and the Local Government Act in the most cost-effective way.

**Community Consultation:**

**Differential Rate Submissions**

A twenty-one (21) day community consultation period was undertaken on the proposed differential rate strategy to be imposed for the 2009/2010 rating year. No submissions have been received on the differential rating strategy during the consultation period.

**Comment:**

A series of budget workshops have been held with the Councillors in order to prepare the 2009/10 budget. The budget has been prepared within the context of the Draft Plan for the Future and the 2009/10 budget was the first year of a comprehensive operating budget over a five year period.

During the preparation of the 2009/10 budget, Councillors considered strategic infrastructure projects as detailed in the Community Facilities and Services Plan and also the most urgent Road construction projects as detailed in the Road Infrastructure Report.

The 2009/10 budget provides for a significant Capital/Infrastructure program that will deliver \$8 million in capital/infrastructure improvements to the community and will also see some increased services provided to the community ie increased Community Development and Environmental Service resources.

The 2009/10 budget provides for a balanced budget as required under the Local Government Act.

***A hard copy of the draft 2009/2010 Budget is with the attachments marked SCM002.1/07/09 (E09/4549).***

To provide Councillors with a more incisive view of the budget content, two other documents have been prepared. A 'budget overview' document has been compiled which provides Councillors with a snapshot of the budget and some interesting and revealing charts on specific areas of financial performance. The second is the 'Annual Budget Details' document, which delves into more detail regarding the specifics of operating revenues and expenses as well as analysing the capital budget.

***A hard copy of the draft Schedule of Fees and Charges is with the attachments marked SCM002.2/07/09 (E09/4515).***

***A hard copy of the Budget Overview document is with the attachments marked SCM002.3/07/09.***

It is recommended that Council have a rate payment incentive draw. If the payment of rates is made in full by the due date, being 35 days after date of issue, the resident will go into the draw to win \$1,000. Eligibility will be confirmed by ensuring that valid payment has been

made (not dishonoured or rejected) by the specified time. Councillors and staff will be ineligible for the draw.

### Differential Rate

The advertising period for submissions relating to the Differential Rating Strategy closed on 14 July 2009. No submissions have been received.

The differential UV rate cents in the dollar that were advertised were incorrect. If the advertised rate cents in the dollar were applied the revenue that would have been raised would have resulted in a rates increase greater than budgeted. The correct rate cents in the dollar for unimproved values have been included in the Officer Recommended Resolution.

The 2009/2010 draft budget aims to increase current service levels, meet growth pressures and deliver a robust capital expenditure program for the benefit of the wider community.

### **Voting Requirements:                      ABSOLUTE MAJORITY**

Manager Executive Services entered the meeting at 2.25pm.

### **SCM002/07/09 COUNCIL DECISION/Officer Recommended Resolution:**

**Moved Cr Price, seconded Cr Harris  
That Council:**

- 1. In accordance with Sections 6.32 and 6.33 Local Government Act 1995 imposes differential rates for the 2009/2010 financial year.**
- 2. In accordance with Sections 6.32, 6.35 and 6.36 of the Local Government Act 1995, and subject to Ministerial approval being granted, imposes the following differential rates in the 2009/2010 statutory budget:**

<b>2009/2010 DIFFERENTIAL RATES</b>			
<b>DIFFERENTIAL RATE CATEGORY</b>	<b>UV RATE CENTS IN THE DOLLAR</b>	<b>GRV RATE CENTS IN THE DOLLAR</b>	<b>MIN RATE \$</b>
<b>Rural</b>	<b>0.2101</b>		<b>890</b>
<b>Rural Living</b>	<b>0.2682</b>		<b>890</b>
<b>Residential</b>		<b>9.5586</b>	<b>890</b>
<b>Residential/Vacant</b>		<b>10.7768</b>	<b>862</b>
<b>Commercial</b>		<b>10.3934</b>	<b>890</b>
<b>Public Purpose</b>	<b>0.4202</b>		<b>890</b>
<b>Special Residential</b>		<b>10.3655</b>	<b>890</b>
<b>Special Residential/Vacant</b>		<b>10.7768</b>	<b>890</b>
<b>Light Industry</b>		<b>11.6171</b>	<b>890</b>
<b>Residential Composite</b>		<b>11.6171</b>	<b>890</b>
<b>Units-Rowley Road</b>		<b>9.5586</b>	<b>651</b>
<b>Intensive Farming</b>	<b>0.6457</b>		<b>890</b>
<b>Farmland</b>	<b>0.1450</b>		<b>890</b>
<b>Conservation</b>	<b>0.1050</b>		<b>890</b>
<b>Mining Tenements</b>	<b>0.4202</b>		<b>1068</b>

### **3. Specified Area Rate – Chestnuts**

**In accordance with Section 6.37 of the Local Government Act 1995 levy a Specified Area Rate on properties within the Chestnuts Subdivision to cover the cost of drainage maintenance and the rate in the dollar be set at \$0.5213.**

#### **4. Payment Incentives**

In accordance with the provisions of Section 6.46 of the Local Government Act 1995, offer the following incentive for the payment of rates and charges:

##### **(i) Full Payment:–**

Full payment of all current and arrears of rates, domestic refuse charge, private swimming pool inspection fees (inclusive of GST), Special Area Rate (if applicable) and Emergency Services Levy (ESL) within thirty five (35) days of the issue date on the annual rate notice:-

- Eligibility to enter the incentive draw

#### **5. Payment Options**

In accordance with Section 6.45 of the Local Government Act 1995, offer the following instalment options for the payment of rates:-

##### **(i) One Instalment**

Payment in full within thirty five (35) days of the date of issue of the annual rate notice.

##### **(ii) Two Instalments**

The first instalment of 50% of the total current rates, domestic refuse charge, private swimming pool inspection fees (inclusive of GST), Special Area Rate (if applicable) and Emergency Services Levy (ESL) and instalment charge, plus the total outstanding arrears payable within thirty five (35) days of the date of issue of the annual rate notice.

The second instalment of 50% of the total current rates, domestic refuse charge, private swimming pool inspection fees (inclusive of GST), Special Area Rate (if applicable) and Emergency Services Levy (ESL) and instalment charge, plus the total outstanding arrears payable sixty three (63) days after the due date of the first instalment.

##### **(iii) Four Instalments**

The first instalment of 25% of the total current rates, domestic refuse charge, private swimming pool inspection fees (inclusive of GST), Special Area Rate (if applicable) and Emergency Services Levy (ESL) and instalment charge, plus the total outstanding arrears payable within thirty five (35) days of the date of issue of the annual rate notice.

The second, third and fourth instalments each of 25% of the total current rates, domestic refuse charge, private swimming pool inspection fees (inclusive of GST), Special Area Rate (if applicable) and Emergency Services Levy (ESL) and instalment charge, payable as follows:

- Second instalment sixty three (63) days after the due date of the first instalment;
- Third instalment sixty three (63) days after the due date of the second instalment;
- Fourth instalment sixty three (63) days after the due date of the third instalment.



**6. Late Payment Interest**

In accordance with the provisions of Section 6.13 and 6.51 of the Local Government Act 1995, impose interest on all arrears and current charges in respect of general rates, domestic refuse charges and private swimming pool inspection fees (including GST where applicable), Special Area Rate (if applicable) and Emergency Services Levy (ESL) at a rate of 11% per annum, calculated on a simple interest basis on arrears amounts that remain unpaid and current amounts that remain unpaid after thirty five (35) days from the date of issue of the annual rate notice, or the due date of the instalment and continues until the instalment is paid in full.

Excluded are deferred rates, instalment current amounts not yet due under the four (4) instalment payment option, registered pensioner portions and current government pensioner rebate amounts.

**7. Instalment and arrangement Administration fees and interest charges**

In accordance with the provisions of Section 6.45 of the Local Government Act 1995, for the 2009/2010 financial year, impose the following administration fees and charges for payment of rates, domestic refuse charges and private swimming pool inspection fees (inclusive of GST), Special Area Rate (if applicable) and Emergency Services Levy (ESL):-

**(i) Two Instalment option**

An administration fee of \$10 for instalment two (2), together with an interest charge of 5.5% per annum, calculated on a simple interest basis on 50% of the total current rates, domestic refuse charge, private swimming pool inspection fees (inclusive of GST) calculated thirty five (35) days from the date of issue of the annual rate notice to sixty three (63) days after the due date of the first instalment.

**(ii) Four Instalment option**

An administration fee of \$10 for each of instalments two (2), three (3) and four (4), together with an interest charge of 5.5% per annum, calculated on a simple interest basis on:-

- 75% of the total current rates, domestic refuse charge, private swimming pool inspection fees (inclusive of GST), Special Area Rate (if applicable) and Emergency Services Levy (ESL) calculated thirty-five (35) days from the date of issue of the annual rate notice to sixty three (63) days after the due date of the first instalment;
- 50% of the total current rates, domestic refuse charge, private swimming pool inspection fees (inclusive of GST), Special Area Rate (if applicable) and Emergency Services Levy (ESL) calculated from the due date of the second instalment to the due date of the third instalment;
- 25% of the total current rates, domestic refuse charge, private swimming pool inspection fees (inclusive of GST), Special Area Rate (if applicable) and Emergency Services Levy (ESL) calculated from the due date of the third instalment to the due date of the fourth instalment.

**8. Accrual of interest on overdue rates**

Apply a penalty interest of 11% per annum to overdue rates in the 2009/2010 rating year.

**9. Accrual of interest on outstanding debtors**

Apply a penalty interest of 11% per annum to overdue debtors in the 2009/2010 financial year.

**10. 2009/2010 Municipal Fund Budget**

Adopt the 2009/2010 Municipal Budget, in the form of the Operating Statement, Cash Flow Statement, Rate Setting Statement and notes as presented.

**11. Authority to call tenders**

Delegate authority to the Chief Executive Officer to invite tenders for works and services in the statutory 2009/2010 budget, where required, in accordance with the provisions of the Local Government Act 1995.

**12. Fees and Charges**

Adopt the Schedule of Fees and Charges for 2009/2010, as presented.

**13. Domestic Refuse Charges**

Pursuant to the provisions of Division 5 of Part IV of the Health Act (as amended), impose a charge of \$262.00 for the collection of a 120 litre domestic and 240 litre recycling refuse service for the 2009/2010 financial year:

- |       |  |          |
|-------|--|----------|
| (i)   | Per existing service   | \$262.00 |
| (ii)  | Rowley Road Units per service  | \$ 98.25 |
| (iii) | New refuse service (pro-rata)  | \$262.00 |
| (iv)  | Additional 120 litre service   | \$262.00 |
| (v)   | \$22 per domestic refuse charge to be transferred into the Waste reserve |          |

**14. Monthly Financial Report**

- a) In accordance with Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996, resolve to receive the Monthly Financial Report by Business Unit.
- b) In accordance with Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996, adopt the material variance of 10% or greater.
- c) Applies the 10% or greater material variance to total revenue and expenditure of each Business Unit in the statement of financial activity, forming part of the monthly financial report.

**CARRIED 9/0**

**Council Note:** The Chief Executive Officer thanked the Director Corporate Services, Manager of Finance and Acting Manager of Finance for the effort they have put into preparing the 2009/2010 budget.

SCM003/07/09 REQUEST FOR LEAVE OF ABSENCE – CR CHRISTINE RANDALL (A0024)		
Proponent	Councillor Christine Randall	<p>In Brief</p> <p>Councillor Christine Randall has requested Leave of Absence from 25 to 31 July 2009.</p> <p>It is recommended that a Leave of Absence is approved for Councillor Randall from the Ordinary Council Meeting to be held on 27 July 2009.</p>
Officer	Joanne Abbiss - Chief Executive Officer	
Signatures - Author:		
Senior Officer:		
Date of Report	13 July 2009	
Previously		
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act 1995	
Delegation	Council	

**SCM003/07/09 COUNCIL DECISION/Officer Recommended Resolution:**

**Moved Cr Harris, seconded Cr Price**  
**Council approves Leave of Absence for Councillor Randall from the Ordinary Council Meeting to be held on 27 July 2009.**  
**CARRIED 9/0**

Manager of Finance, Acting Manager of Finance, Rates Officer, Manager Executive Services and Communications Officer left the meeting at 2.30pm.

**9. CHIEF EXECUTIVE OFFICER'S REPORT**

SCM004/07/09 INFORMATION REPORT		
Proponent	Joanne Abbiss - Chief Executive Officer	<p>In Brief</p> <p>Information Report.</p>
Officer	Lisa Fletcher - Personal Assistant to the Chief Executive Officer	
Signatures - Author:		
Senior Officer:	Joanne Abbiss - Chief Executive Officer	
Date of Report	15 July 2009	
Previously		
Disclosure of Interest		
Delegation	Council	

SCM004.1/07/09 PEEL DEVELOPMENT COMMISSION BOARD VACANCIES (A0109-02)

***In the attachment marked SCM004.1/07/09 (IN09/5058) is correspondence from the Peel Development Commission requesting nominations for a Local Government vacancy on the Peel Development Commission Board.***

**Officer Recommended Resolution:**

Councillor ..... and Councillor ..... be nominated by Serpentine Jarrahdale Shire for consideration as the Local Government representatives on the Peel Development Commission Board from 1 November 2009 to 30 June 2012.

**COUNCIL DECISION**

**Moved Cr Price, seconded Cr Geurds  
That standing orders 9.5, 9.6, 10.7 and 10.13 be suspended.  
CARRIED 9/0**

Executive Services Support Officer entered the meeting at 2.37pm.

Director Corporate Services left the meeting at 2.40pm and returned at 2.43pm.

**COUNCIL DECISION**

**Moved Cr Price, seconded Cr Randall  
That standing orders 9.5, 9.6, 10.7 and 10.13 be reinstated.  
CARRIED 9/0**

**SCM004/07/09 COUNCIL DECISION/Officer Recommended Resolution:**

**Moved Cr Murphy, seconded Cr Randall  
Councillor Needham and Councillor Harris be nominated by Serpentine Jarrahdale Shire for consideration as the Local Government representatives on the Peel Development Commission Board from 1 November 2009 to 30 June 2012.  
CARRIED 9/0**

**10. URGENT BUSINESS:**

Nil

**11. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:**

Nil

**12. CLOSURE:**

There being no further business, the meeting closed at 2.44pm.

I certify that these minutes were confirmed at the  
Ordinary Council Meeting held on 27 July 2009.

.....  
Presiding Member

.....  
Date