



MINUTES  
Special Council Meeting  
19 June 2023

Shire of Victoria Plains  
Council Chambers, Calingiri  
AND  
via E-Meeting Protocol

Commencing – 4.09PM

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## **DISCLAIMER:**

The recommendations contained in this document are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

### Recording of Meeting

Members of the public are advised that meetings of Council are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.

You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

### **E – Disclaimer**

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

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**Commonly-used abbreviations**

AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALSC	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALGA	WA Local Government Association
WSM	Works and Services Manager

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UNCONFIRMED PUBLIC MINUTES



# MINUTES

Special Meeting of the Victoria Plains Shire Council  
Held in the Calingiri Shire Chambers and via E-meeting Protocol  
on 19 June 2023 commencing at 4.09pm.

## 1. DECLARATION OF OPENING

### 1.1 Opening

The Meeting was declared open by the Presiding Member at 4.09pm.

### 1.2 Announcements by Shire President

The Shire President reminded Elected Members that the meeting was being recorded for the purposes of Minute Taking and uploading of the recording to the Shire Website for public viewing and the meeting will be run in accordance with the Shire's *Meeting Procedures Law 2018*.

## 2. REMOTE ATTENDANCE BY ELECTED MEMBERS

### THAT:

- Under regulation 14C (2)(b) of the Admin Regulations, the Shire President can approve Elected Member attendance by electronic means;
- In doing so, under r.14C (5) the Shire President must have regard as to whether the location that the Elected Member intends to attend the meeting, and the equipment intended to be used to attend the meeting, are suitable;
- Electronic means includes, as per r.14CA(2) by telephone or video conference;
- Suitable equipment would include an electronic device that can hold a Teams meeting, and perhaps, the use of headphones;
- In accordance with r.14CA (5) the Elected Member must declare that they are able to maintain confidentiality during the meeting. Under r.14CA(7), the declaration by the Elected Member is recorded in the minutes of the meeting;
- Summarily, according to Departmental guidance, a suitable location is one that is quiet and private e.g. a private room in your house. If there are other people at the location at the time of the meeting, an Elected Member may be required to close a door and wear headphones.

**Approval to Attend and Declaration of Confidentiality**

N/A

**3. RECORD OF ATTENDANCE**

Members present	Cr P Bantock – Shire President Cr N Clarke – Deputy Shire President Cr D Lovelock Cr S Woods Cr J Kelly Cr G O'Brien
Staff attending	CEO – Mr S Fletcher Manager Finance & Administration -Mr C Ashe Council Support Officer – Ms J Klobas
Apologies	
Approved leave of absence	N/A
Visitors	Nil
Members of the public	Nil

**4. DISCLOSURES OF INTEREST**

*Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.*

	Type	Item	Person / Details
3.1	Financial		Nil
3.2	Proximity		Nil
3.3	Impartiality		Nil

**5. PUBLIC QUESTION TIME**

*Refer – Local Government Act, Regulations, Local Law and Submission Form & Guidelines circulated.*

**5.1 Public Questions With Notice**

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Nil

**5.2 Public Questions Without Notice**

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Nil

## **6. PRESENTATIONS AND DEPUTATIONS**

### **6.1 Presentations**

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Nil

### **6.2 Deputations**

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Nil

## **7. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## **8. MINUTES OF MEETINGS**

### **8.1 Confirmation of Council Meeting Minutes**

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N/A

UNCONFIRMED PUBLIC MINUTES

**9. REPORTS REQUIRING DECISION****9.1 Differential Rating 2023-2024**

<b>File reference</b>	12.4.1		
<b>Report date</b>	26 May 2023		
<b>Applicant/proponent</b>	Shire of Victoria Plains		
<b>Officer disclosure of interest</b>	No interest to disclose		
<b>Previous meeting references</b>	None		
<b>Prepared by</b>	Niel Mitchell, Consultant		
<b>Authorised by</b>	Colin Ashe, MFA		
<b>Attachments</b>			
Attachment 1	Page	2	Draft Statement of Objects and Reasons – Differential Rates 2023-2024

**PURPOSE**

To consider implementation of differential rating for 2023/2024.

**BACKGROUND**

The Rating Strategy recommended the introduction of differential rating for –

- UV 2 – properties outside a townsite where the land has a commercial or industrial purpose not directly related to the agricultural use of the land, and
- UV 3 – mining.

At this time, there are no properties are within the UV 2 category.

**COMMENT**

It is proposed to impose differential rates for 2023-2024 in the relevant rating categories in the adopted Rating Strategy.

The Local Government Act s.6.36 requires that local public notice be given of the intention to adopt differential rates. Section 6.36(3)(b)(ii) states the period of local public notice to be 21 days. All other requirements of local public notice remain unmodified.

Adoption of the Statement at this meeting, will mean that the earliest that submissions can be considered would be post 11 July 23.

Adoption of the rate/\$ and minimums with this consideration will not occur until the Budget meeting, indicatively planned for 26 July 23.

There has been a number of factors to consider in rates modelling for 2023-24 primarily that UV valuations have on average, increase by 25%. The process that has been followed is to discount the rate in the dollar back to rate revenue levels for 22-23 and then increase to the rate income aligned to the Long term Financial Plan (LTFP).

This is consistent with paragraph 2.1 of the recently endorsed Rating Strategy in Mar 23.



While it is a requirement that the intended rate/\$ and minimum be advertised, the figures do not have to be adopted, but may be amended depending on submissions received and budgetary requirements.

The draft Statement attached is based on –

Gross Rental Value	2022/23		Proposed 2023/24	
	Rate / \$	Minimum payment	Rate / \$	Minimum payment
Townsites	0.129120	\$485.00	0.140987	\$583.46
Commercial / Industrial <5 ha			No assessments at this time	
Mining (intensive use)			No assessments at this time	
Unimproved Value	Rate / \$	Minimum payment	Rate / \$	Minimum payment
Agricultural	0.006541	\$586.00	0.005747	\$681.52
Commercial / Industrial > 5 ha			No assessments at this time	
Mining / Other	N/A	N/A	0.011494	\$1,363.04

Where the differential is more than 2 times the general rate/\$ or minimum, Ministerial approval is required.

Should differential rating be approved, there are statutory disclosure requirements in both the annual budget and annual report documents.

**CONSULTATION**

Sean Fletcher, Chief Executive Officer  
Colin Ashe, Manager Finance and Administration

**STATUTORY CONTEXT**

Local Government Act 1995 –

- s.6.32 authority to impose rates and service charges
- s.6.33 differential rates
- s.6.35 minimum payment
- s.6.36 notice of certain rates

**CORPORATE CONTEXT**

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
	External audits and reviews confirm compliance

4.3 Proactive and well governed Shire	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

### FINANCIAL IMPLICATIONS

The purpose of the Rating Strategy is to:

- establish a framework by which a fair and equitable share of property rates fees and charges are paid by property owners, for the services and infrastructure within the Shire of Victoria Plains and;
- create consistency amongst property rates and charges and their revenue for the Shire.

Differential rating particularly in the category of mining is the first step to achieve these outcomes and will yield an estimated \$66,788 of rate income.

### VOTING REQUIREMENTS

Absolute majority required: No

### 2306-01 Officer Recommendation / Council Resolution

Moved: Cr D Lovelock

Seconded: Cr G O'Brien

That Council –

- (a) **ENDORSE** the draft Statement of Objects and Reasons – Differential Rates 2023-2024, with the following proposed categories, rate/\$ and minimums –

Gross Rental Value	Rate / \$	Minimum payment
Townsites	0.140987	\$583.46
Commercial / Industrial (rural, < 5ha)	No assessments at this time	
Mining (intensive use)	No assessments at this time	
Unimproved Value	Rate / \$	Minimum payment
Agricultural	0.005747	\$681.52
Commercial / Industrial (rural, > 5ha)	No assessments at this time	
Mining / Other	0.011494	\$1,363.04

- (b) give local public notice in accordance with the Local Government Act s.6.36 and Administration Regulation 3A(1);
- (c) the CEO report on public submissions received to the Council meeting after the public submission period.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

## 9.2 2023/2024 ANNUAL BUDGET – Fees and Charges, Elected Members Fees and Allowances, Financial Reporting Material Variances

<b>File reference</b>	
<b>Report date</b>	06 June 2023
<b>Applicant/proponent</b>	Shire of Victoria Plains
<b>Officer disclosure of interest</b>	NIL
<b>Previous meeting references</b>	N/A
<b>Prepared by</b>	Colin Ashe, MFA
<b>Authorised by</b>	Sean Fletcher, CEO
<b>Attachments</b>	
Attachment 1	Page 2023/2024 Fees and Charges Schedule

### PURPOSE

To consider and adopt the Fees and Charges schedule for the 2023/2024 financial year and setting of elected members fees for the year as part of the budget process.

### BACKGROUND

In previous years the Annual Statutory Budget and supporting schedules have been prepared on block but with the scheduling of the Special Council Meeting, it is an opportunity to split this process to adopt:

- fees and charges
- elected members fees and allowances
- financial reporting material variances

This will somewhat streamline the formal budget adoption later in the year.

### COMMENT

#### Fees and Charges 2023/24:

The draft fees and charges for 2023/2024 have been reviewed and circulated to staff and management. Broadly management is recommending a 4% increase on the various charges which is well below the various indexations such as CPI and the Local Government Cost Index (LGCI).

The major exception to this is the refuse charges which are recommended to increase by 9% in line with initial possible rate increases. Further, recycling charges have been brought into line with general refuse charges in accordance with the rating strategy for cost equalisation over five (5) years. The prime reasoning behind this is the cost of recycling is the same as refuse collection (with an argument that it actually costs more).

Other areas of note include;

- A full review of Law, Order and Public Safety charges
- A number of additional Health charges, some may not be required immediately but have been captured for future
- A review (reduction) of gym charges to simplify and encourage more use.

The full schedule of fees and charges is provided in attachment 1.

**Councillor Fees and Charges:**

Council Fees and Allowances are primarily dictated by the SAT which sets the increase and for 2023/24 this has been advised as a 1.5% increase. Previously council has resolved to pay an annual fee rather than an attendance fee and this is prescribed as a maximum and minimum. For Band 4 local governments the range is between \$3,735 and \$9,890 and it is recommended this method continue for 2023/24 using the advised increase as a guide. Council Fees and Allowances for 2022/23 were adopted as:

**Attendance Fee**

President	\$7,500
Deputy President	\$7,500
Councillors	\$7,500

**Allowance for President and Deputy President**

President	\$10,000
Deputy President (25%)	\$2,500

**Other:**

Telecommunications Allowance	\$7,000
Travelling Reimbursements	\$2,980

**Material Variances:**

Financial Reporting of material variances is a requirement under regulation 34(5) of the Local Government (Financial Management) Regulations 1996 of which it is recommended for change to a threshold of 10% and a minimum of \$10,000.

**CONSULTATION**

CEO  
Senior Management and Consultants  
All Other Staff

**STATUTORY CONTEXT**

Section 5.99 of the Local Government Act 1995 and regulation 34 of the Local Government (Administration) Regulations 1996.

5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996.

6.2 (4) (c) of the Local Government Act 1995 (*Fees and Charges*).

Regulation 34(5) of the Local Government (Financial Management) Regulations 1996 (*Materiality levels*).

**CORPORATE CONTEXT**

Section 3 – Financial Management

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

#### FINANCIAL IMPLICATIONS

fees and charges, elected members fees and allowances and financial reporting material variances will all impact the 2023/24 budget and its subsequent adoption.

#### VOTING REQUIREMENTS

Absolute majority required: Yes for some of the parts of the recommendations.

#### 2306-02 OFFICER RECOMMENDATION

Moved: Cr N Clarke

Seconded: Cr G O'Brien

#### 2306-03 COUNCIL RESOLUTION

Moved: Cr J Kelly

Seconded: Cr G O'Brien

That Council **MOVE** out of standing orders at 4.15pm

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

#### 2306-04 COUNCIL RESOLUTION

Moved: Cr S Woods

Seconded: Cr G O'Brien

That Council **ADJOURN** at 4.26pm to allow the CEO to undertake research on legislation regarding statutory Fees and Charges.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

The CEO withdrew from the meeting at 4.26pm, re-joining the meeting at 4.28pm

Council resumed the meeting at 4.34pm

**COUNCILLOR AMENDMENT****Moved: Cr D Lovelock****Seconded:**That fees to Elected Members for 2023/24 **REMAIN** as per 2022/2023.**MOTION LAPSED FOR WANT OF A SECONDER***Return to the substantive motion***COUNCILLOR AMENDMENT****Moved: Cr D Lovelock****Seconded:**That **PART 3** of the Officer Recommendation be amended to read:

...

3. The level to be used in statements of financial activity in 2023/2024 for reporting material variances shall be 5% and a minimum of \$5,000.

**MOTION LAPSED FOR WANT OF A SECONDER***Return to the substantive motion***2306-05- OFFICER RECOMMENDATION / COUNCIL RESOLUTION****Moved: Cr N Clarke****Seconded: Cr G O'Brien**That Council **ADOPT**:

1. Fees and Charges schedule for 2023/24 as set out in attachment 1.
2. The following annual fees for payment of elected members in lieu of individual meeting attendance fees:

President	\$7,615
Deputy President	\$7,615
Councillors	\$7,615

Telecommunications Allowance	\$7,500
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Travelling Reimbursements	\$2,000
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President and Deputy President annual local government allowance to be paid in addition to the annual meeting allowance:

President	\$10,200
Deputy President	\$2,550

**ABSOLUTE MAJORITY REQUIRED**

3. The level to be used in statements of financial activity in 2023/2024 for reporting material variances shall be 10% and a minimum of \$10,000.

**CARRIED BY ABSOLUTE MAJORITY AND BY UNANIMOUS DECISION OF COUNCIL**

**10. MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**11. NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION**

*Admitted by resolution of Council*

Nil


**12. MEETING CLOSED TO PUBLIC**

**13. CLOSURE OF MEETING**

There being no further business, the Presiding Member declared the meeting closed at 4.39PM

**CERTIFICATION**

These minutes were confirmed at the Ordinary Council Meeting held on 28 June 2023.  
2023.

Signed   
(Presiding member at the meeting which confirmed the minutes)

Date 28 June 2023.

**Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.**