

SPECIAL COUNCIL MEETING MINUTES

Tuesday, 9 June 2015



Back (L – R): Cr David Grace, Cr Dean Winter, Cr Nic Street, Cr Richard Atkinson, Cr Mike Percy
Front (L – R): Cr Flora Fox, Deputy Mayor Cr Paula Wriedt, Mayor Cr Steve Wass, Cr Bernadette Black, Cr Dr Graham Bury

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MINUTES of a Special Meeting of Council held at the Kingborough Civic Centre, Kingston on Tuesday, 9 June 2015 at 6.45pm.

AUDIO RECORDING

Chairperson to direct commencement of recording.

Declare meeting open 6.45pm, welcome all in attendance and read:

All persons in attendance are advised that it is Council policy to record Council Meetings.

The audio recording of this meeting will be made available to the public on Council's web site for a period of six months.

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

ATTENDEES

Councillors:

		PRESENT	ABSENT
Mayor	Councillor S Wass	✓	
Deputy Mayor	Councillor P Wriedt	✓	
	Councillor R Atkinson	✓	
	Councillor B Black	✓	
	Councillor Dr G Bury	✓	
	Councillor F Fox	✓	
	Councillor D Grace	✓	
	Councillor M Percey	✓	
	Councillor N Street	✓	
	Councillor D Winter	✓	

Staff:

TITLE	NAME
Acting General Manager	Mr Tony Ferrier
Chief Financial Officer	Mr John Breen
Manager Finance	Mr Tim Jones
Executive Assistant	Mrs Amanda Morton

APOLOGIES

There were no apologies.

DECLARATIONS OF INTEREST

There were no declarations of interest.

REPORTS**OPERATIONAL BUDGET AND RATING RESOLUTION 2015/16**

C181/8-15

1. ANNUAL ESTIMATES (OPERATING BUDGET)

MOVED Cr Street
 SECONDED Cr Wriedt

That the matter be discussed.

FOR

Cr Atkinson	Cr Bury	Cr Black	Cr Grace	Cr Percey
Cr Street	Cr Wass	Cr Winter	Cr Wriedt	

AGAINST

Cr Fox				
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Carried

C182/8-15

MOVED Cr Fox
 SECONDED Cr Black

That:

- a) in accordance with Section 82 of the *Local Government Act 1993* (as amended) the Council by absolute majority adopts the estimates of revenue and expenditure (excluding estimated capital works) for the 2015/16 financial year as detailed in the Annual Plan;
- b) in accordance with section 82(6) of the Act the Council, by absolute majority, authorises the General Manager to make minor adjustments up to \$50,000 to any individual estimate item as he deems necessary during the 2015/16 financial year provided that the total of the Estimates remains unaltered.

FOR

Cr Atkinson	Cr Bury	Cr Black	Cr Fox	Cr Wass
Cr Wriedt				

AGAINST

Cr Grace	Cr Percey	Cr Street	Cr Winter	
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Carried

C183/8-15

2. RATES RESOLUTION – PART 1(A)

MOVED Cr Fox
 SECONDED Cr Atkinson

That in accordance with the provisions of the *Local Government Act 1993* (as amended) Council makes a General Rate component for land within the municipal area for the period 1 July 2015 to 30 June 2016 of 0.002747 cents in the dollar of capital value, in respect of all rateable land within the municipal area.

FOR

Cr Atkinson	Cr Bury	Cr Black	Cr Fox	Cr Wass
Cr Wriedt				

AGAINST

Cr Grace	Cr Percy	Cr Street	Cr Winter	
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Carried

C184/8-15

3. RATES RESOLUTION – PART 1 (B)

MOVED Cr Fox
 SECONDED Cr Bury

Pursuant to Section 107 of the *Local Government Act 1993* (as amended), the Council by absolute majority hereby varies the General Rate component (as previously made) for land within the municipal area which is used or predominantly used for industrial purposes to 0.005647 cents in the dollar of capital value of such rateable land.

FOR

Cr Atkinson	Cr Bury	Cr Black	Cr Fox	Cr Wass
Cr Wriedt				

AGAINST

Cr Grace	Cr Percy	Cr Street	Cr Winter	
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Carried

C185/8-15

4. RATES RESOLUTION - PART 1 (C)

MOVED Cr Bury
 SECONDED Cr Black

Pursuant to Section 107 of the *Local Government Act 1993* (as amended), the Council by absolute majority hereby varies the General Rate component (as previously made) for land within the municipal area which is used or predominantly used for commercial purposes to 0.004970 cents in the dollar of capital value of such rateable land.

FOR

Cr Atkinson	Cr Bury	Cr Black	Cr Fox	Cr Wass
Cr Wriedt				

AGAINST

Cr Grace	Cr Percey	Cr Street	Cr Winter	
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Carried

C186/8-15

5. RATES RESOLUTION – PART 2

MOVED Cr Street
 SECONDED Cr Wriedt

Pursuant to Section 90(4) of the *Local Government Act 1993* (as amended), in making a General Rate the Council sets a minimum amount of \$310, in respect of all rateable land within the municipal area for the period 1 July 2015 to 30 June 2016.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C187/8-15

6. RATES RESOLUTION – PART 3

MOVED Cr Fox
 SECONDED Cr Wriedt

Pursuant to Section 94(1) of the *Local Government Act 1993* (as amended), the Council makes the following charges for land within the municipal area for the period 1 July 2015 to 30 June 2016:

- a) a Garbage Collection Charge of \$90 for each residential or commercial unit that is provided with a Council garbage collection service utilising a 80-litre mobile garbage bin, whether that service is used or not.
- b) pursuant to Section 94(3A) of the Act the Council, by absolute majority determines to vary the Garbage Collection Charge as follows:
 - i) for each residential or commercial unit that is provided with a Council garbage collection service utilising a 120-litre or 140-litre mobile garbage bin the service charge is varied to \$140.
 - ii) for each residential or commercial unit that is provided with a Council garbage collection service utilising a 240-litre mobile garbage bin the service charge is varied to \$233.

FOR

Cr Atkinson	Cr Bury	Cr Black	Cr Fox	Cr Percey
Cr Wass	Cr Winter	Cr Wriedt		

AGAINST

Cr Grace	Cr Street			
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Carried

Cr Atkinson left the room at 8.20pm

C188/8-15

7. RATES RESOLUTION – PART 4

MOVED Cr Bury
 SECONDED Cr Black

Pursuant to Section 94(1) of the *Local Government Act 1993* (as amended), the Council makes the following charges for land within the municipal area for the period 1 July 2015 to 30 June 2016:

- a) a Recycling Collection Charge of \$50 for each residential or commercial unit that is provided with a Council recycling collection service utilising a 140-litre mobile recycling bin, whether that service is used or not.

- b) pursuant to Section 94(3A) of the Act the Council, by absolute majority determines to vary the Recycling Collection Charge as follows:
- i) for each residential or commercial unit that is provided with a Council recycling collection service utilising a 240-litre mobile recycling bin the charge is varied to \$82.

FOR

Cr Bury	Cr Black	Cr Fox	Cr Percey	Cr Wass
Cr Winter	Cr Wriedt			

AGAINST

Cr Grace	Cr Street			
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Carried

Cr Atkinson returned to the room at 8.22pm

C189/8-15

8. RATES RESOLUTION – PART 5(A)

MOVED Cr Street
 SECONDED Cr Wriedt

Pursuant to Section 94(1) of the *Local Government Act 1993* (as amended), the Council makes the following charges for land within the municipal area for the period 1 July 2015 to 30 June 2016:

- a) a Barretta Landfill Site Rehabilitation Charge of \$63 for each property that is rateable land within the municipal area (“the Barretta Charge”).

Cr Wriedt left the room at 8.27pm
Cr Wriedt returned at 8.29pm

FOR

Cr Atkinson	Cr Bury	Cr Black	Cr Fox	Cr Percey
Cr Street	Cr Wass	Cr Winter	Cr Wriedt	

AGAINST

Cr Grace				
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Carried

C190/8-15

9. RATES RESOLUTION – PART 5(B)

MOVED Cr Black
 SECONDED Cr Grace

Pursuant to Section 129(4) of the *Local Government Act 1993* (as amended) the Council determines by absolute majority that for a member of the class of ratepayers whose liability to pay the Barretta Charge assessed in accordance with the resolution Part 5(A) (previously made) arises for more than one property in the municipal area a remission of the Barretta Charge shall automatically be granted for such of that members' properties which:-

- a) only have erected upon them a boat shed, jetty, ramp or similar structure for access to littoral or riparian waters; or
- b) do not have the qualities of a minimum lot, as defined by the *Local Government (Building and Miscellaneous Provisions) Act 1993* (except where such land could be adhered to other lands in the same ownership so as to comprise a block which has the qualities of a minimum lot); and
- c) the above remission may be withdrawn where the rates have not been paid in full by the due date.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C191/8-15

10. RATES RESOLUTION – PART 6

MOVED Cr Street
 SECONDED Cr Bury

Pursuant to Section 93A of the *Local Government Act 1993* (as amended) and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2015 to 30 June 2016:

- a) a Permanent Brigade District Fire Rate of 0.00057803 cents in the dollar of capital value, subject to a minimum amount of \$38 in respect of all rateable land within the Permanent Brigade Rating District.
- b) a Volunteer Brigade District Fire Rate of 0.00017055 cents in the dollar of capital value, subject to a minimum amount of \$38 in respect of all rateable land within Volunteer Brigade Rating District.
- c) a General Land Fire Rate of 0.00013359 cents in the dollar of capital value, subject to a minimum amount of \$38 in respect of all rateable land within the

municipal area, which is not within the Permanent Brigade Rating District, or the Volunteer Brigade Rating District.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C192/8-15

11. RATES RESOLUTION – PART 7

MOVED Cr Street
 SECONDED Cr Grace

Payment of Rates and Charges

Pursuant to Section 124 of the *Local Government Act 1993* (as amended) the rates for 2015/16 shall be payable in four instalments, the dates by which the rates are due to be paid are:

First Instalment	15 August 2015
Second Instalment	31 October 2015
Third Instalment	31 January 2016
Fourth Instalment	30 April 2016

Penalties and Interest

Pursuant to Section 128 of the *Local Government Act 1993* (as amended) where an amount of rates remains unpaid for one month after the due date, a penalty of 5% of the unpaid amount, together with interest on the unpaid amount at a rate of 8.46% per annum calculated monthly in arrears, shall be applied.

Supplementary Rates

- a) Pursuant with Sections 89A, 92 and 109N of the *Local Government Act 1993* (as amended) if a supplementary valuation is made of any land prior to 30 June 2016, the General Manager may at his discretion adjust the amount payable in respect of any or all rates for that land for that financial year in line with the new valuation; and
- b) If a rates notice is issued by the General Manager under sub-clause (a), the amount shown as payable on that notice is due to be paid within 30 days of the date on which that notice is issued.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C193/8-15

12. CAPITAL WORKS PROGRAM

MOVED Cr Street
 SECONDED Cr Wriedt

That Council:

- a) Pursuant to Section 82 of the *Local Government Act 1993* (as amended) adopts the Capital Works Program for the 2015/16 financial year as detailed in the Annual Estimates.
- b) notes the draft Capital Works programs proposed for financial years 2016/17, 2017/18, 2018/19 and 2019/20 as detailed in the Annual Plan which remain subject to change depending on other priorities being identified and financial resources which may be available at the time.

FOR

Cr Atkinson	Cr Bury	Cr Black	Cr Fox	Cr Percey
Cr Street	Cr Wass	Cr Winter	Cr Wriedt	

AGAINST

Cr Grace				
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Carried

C194/8-15

13. FEES AND CHARGES

MOVED Cr Fox
 SECONDED Cr Black

That in accordance with Section 205 of the *Local Government Act 1993* (as amended) Council adopts the Fees and Charges Schedule for the 2015/16 financial year as detailed in the Annual Estimates.

FOR

Cr Atkinson	Cr Bury	Cr Black	Cr Fox	Cr Percey
Cr Street	Cr Wass	Cr Winter	Cr Wriedt	

AGAINST

Cr Grace				
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Carried

CLOSURE There being no further business, the Chairperson declared the meeting closed at 8.40pm

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(Confirmed)

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(Date)