



Special Meeting of Council Agenda

29 May 2024

Shire of Yilgarn NOTICE OF MEETING



Councillors:
Please be advised that the

Special Meeting of Council

Will be held in the Council Chamber
on Wednesday, 29 May 2024
Commencing at **6pm**

A handwritten signature in black ink, appearing to be 'N Warren', is positioned above the name of the Chief Executive Officer.

Nicholas Warren
Chief Executive Officer

27/05/2024

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RECORDS MANAGEMENT

Guidelines for Elected Members

Introduction

Elected members have a unique and pivotal role within the local government and the community. They represent the interests of electors, residents and ratepayers, participate in local government decision making at council and committee meetings, and facilitate communication between the community and the Council.

The State Records Commission policy regarding the records of local government elected members requires the creation and retention of records of the:

"...communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business."

This policy applies regardless of a record's format or where it was received.

Under the *Local Government Act 1995*, the CEO of a local government is responsible for ensuring that all records of that local government are kept in accordance with relevant legislation. Accurately created and managed records provide reliable, legally verifiable evidence of decisions and actions.

Records created or received by elected members that relate to local government business must be captured as part of the local government's corporate memory in accordance with the local government's Recordkeeping Plan.

1 What is a record?

A **record** can be defined as any record of information, in any medium, including letters, files, emails, word processed documents, databases, photographs, text messages, and social media posts relevant to the business of the organization. **Government records** are those records created or received by a government organization, or by an employee or contractor in the course of their work for that organization.

2 Why do I need to keep records?

Records provide evidence of what an organization has done, and why. Keeping records of business activity enables an organization to account for its actions, meet legislative requirements, and make informed and consistent decisions.

Government records include:

- Correspondence and communications
- File notes made after verbal communications, meetings, phone calls etc.

- Video and audio recordings
- Photographs
- Email
- Social Media posts (e.g. Facebook, Twitter)
- Databases
- Websites
- Messages from Apps (e.g. WhatsApp, Messenger)
- TXT messages

When to create and capture a record:

- Information is related to council business
- An action is required
- A decision or commitment is made
- Business need: for future reference by yourself or others
- Historical: identifies Council activity over time.

3 Which records should be captured?

YES – forward to your local government administration
<p>Communications, such as:</p> <ul style="list-style-type: none"> • complaints and compliments • correspondence concerning corporate matters • submissions, petitions and lobbying • information for Council’s interest relating to local government business activity and functions
Lobbying – correspondence or petitions, relating to lobbying matters
Telephone, meetings and other verbal conversations – regarding local government projects or business activities
<p>Social Media – where the posts:</p> <ul style="list-style-type: none"> • create interest from the public or media • communicate decisions or commit the local government to an action • seek feedback • address issues of safety, and/or • relate to sensitive or contentious issues
Work diaries / Appointment books – containing information that may be significant to the conduct of the elected member on behalf of the local government
Allowances, benefits and gifts records
Addresses / Speeches / Presentations – delivered as part of an elected member’s official duties

NO – do not need to be forwarded to your local government
Duplicate copies – of Council meeting agenda, minutes and papers
Draft documents or working papers – which are already captured at the local government
Publications – such as newsletters, circulars and journals
Invitations – to community events where an elected member is <i>not</i> representing Council or the local government
Telephone, meetings and other verbal conversations which: <ul style="list-style-type: none"> • convey routine information only; or • do not relate to local government business or functions
Electioneering – or party-political information
Personal records – not related to an elected member’s official duties

4 Confidential Documents / Records

Records held within an information management system (IMS) or on hard copy files can be restricted so that only the appropriate officers can access them. If the elected member believes that some of the documentation required for capture into the IMS is of a highly sensitive or confidential nature, the Elected Member should advise the CEO to treat the information as confidential and restrict access to those records.

5 What do I do with records once they are created?

Records of business activity should be entered into Councils official recordkeeping system by forwarding them to Councils Administrative Services Officer (ASO) for processing, confidential records should be forwarded to the CEO.

By doing this, records relating to particular work matters are kept together and are available for all relevant staff to refer to.

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3. ATTENDANCE

Members

Cr W Della Bosca
Cr B Close
Cr L Granich
Cr G Guerini
Cr L Rose
Cr D Newbury
Cr B Bradford

Council Officers	N Warren	Chief Executive Officer
	C Watson	Executive Manager Corporate Services
	G Brigg	Executive Manager Infrastructure
	F Mudau	Finance Manager

Apologies:

Observers:

Leave of Absence:

4. DECLARATION OF INTEREST

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6. CONFIRMATION OF MINUTES

7. PRESENTATIONS, PETITIONS AND DEPUTATIONS

8. DELEGATES' REPORTS

9.1 Reporting Officer – Executive Manager Corporate Services

9.1.1 Differential Rates – 2024/2025

File Reference	8.1.1.5
Disclosure of Interest	Nil
Voting Requirements	Absolute Majority
Author	Cameron Watson-Executive Manager Corporate Services
Attachments	Nil

Purpose of Report

To consider the proposed Differential Rate in the dollar for the 2024/2025 financial year for all land categories that was advertised in accordance with the *Local Government Act (1995)*.

Background

At the April 2024 Ordinary meeting, Council resolved the following as the commencement of the Differential Rating process for the 2024/2025 financial year:-

42/2024

Moved Cr Granich/Seconded Cr Newbury

That Council:

- 1. Endorse the Differential Rating – Objects and Reasons for the 2024/2025 rating years as presented;*
- 2. Endorse the following proposed Differential General Rates Categories, Rates in the Dollar and Minimum amounts for the Shire of Yilgarn for the 2024/2025 financial year:*

Land Category	Rate – Cents in the Dollar	Minimum Payment
GRV - Residential/Industrial	11.9201	\$600
GRV - Commercial	8.3912	\$450
GRV - Minesites	16.7821	\$450
GRV -SPQ	16.7821	\$450
UV - Rural	1.2813	\$450
UV - Mining	15.2914	\$450

- Endorse a public notice and consultation process on the proposed Differential General Rates and General Minimum Rates as follows:*
 - Local public notice being placed on Councils website on Wednesday, 1st May 2024 with ancillary notices being published as soon as practicable after this, as per the requirements of section 6.36 of the Local Government Act 1995.*
 - Individual ratepayer consultation for all ratepayers in General Rate Categories with less than 30 ratepayers.*

CARRIED (6/0)

The intent for the proposed Rates in the Dollar (RID) endorsed by Council was to apply a minimal rate increase of 2.5%. It will be proposed that, due to significant increases in the valuation of agricultural land (UV Rural) and Mining Tenements (UV Mining) that a lower RID be applied to maintain the previously endorsed 2.5% increase in rates raised.

In accordance with Section 6.33 (3) of the Local Government Act 1995, a Local Government is not, without the approval of the Minister, to impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

With the Differential General Rates being proposed in the 2024/2025 Rating Strategy and Objects & Reasons, Council falls under the umbrella of this section of the Act. Note however that it is only applicable to UV Mining.

Accordingly, Ministerial approval is required and the proposal to impose this rate required that it be advertised for a period of not less than 21 days with any submissions received subsequently being presented to Council for consideration.

Comment

The following advertising was carried out, effective 1st May 2024, to comply with the statutory notice period of 21 days:

- Councils Website;
- Councils Facebook Page;
- The Public Notice section of the “Kalgoorlie Miner” newspaper;
- A Special Edition of the local “Crosswords” publication; and
- On the Administration and Public Library Notice Boards.

At the close of the submission period of Thursday, 23rd May 2024, no submissions were received.

Statutory Environment

Local government Act 1995

6.33. Differential general rates

- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

6.36. Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.

- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1) —
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency; and
 - (b) is to contain —
 - (i) details of each rate or minimum payment the local government intends to impose; and
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;and
 - (c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

Strategic Implications

The 2024/2025 Rating Strategy, contains a detailed information on the proposed rating structure.

Policy Implications

Nil

Financial Implications

The endorsed rate in the dollar will form the basis of the 2024/2025 budgeted rates revenue.

Risk Implications

Risk Category	Description	Rating (Consequence x Likelihood)	Mitigation Action
Health/People	Nil	Nil	Nil
Financial Impact	Non or late payment of Rates by Ratepayers.	High (12)	If funding not received, projects and/or services can't be provided or undertaken.
Service Interruption	Non or late payment of Rates by Ratepayers.	Moderate (8)	Effective and efficient collection action.
Compliance	Act and Ministerial Policy differential rating requirements.	Moderate (9)	Ensure all requirements undertaken.
Reputational	Nil	Nil	Nil
Property	Nil	Nil	Nil
Environment	Nil	Nil	Nil

Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Officer Recommendation

That Council:

1. Council notes that it has complied with Sections 6.36 of the Local Government Act 1995 in respect advertising requirements and preparation of the 2024/2025 “Rating Strategy” and “Objects and Reasons” documents;
2. Note that there were no submissions received;
3. Endorse the following proposed Differential General Rates Categories, Rates in the Dollar and Minimum amounts for the Shire of Yilgarn for the 2024/2025 financial year:

Land Category	Rate – Cents in the Dollar	Minimum Payment
GRV - Residential/Industrial	11.9201	\$600
GRV - Commercial	8.3912	\$450
GRV - Minesites	16.7821	\$450
GRV -Single Persons Quarters	16.7821	\$450
UV - Rural	1.2813	\$450
UV - Mining	15.2914	\$450

and

4. Make application to the Minister for Local Government to impose the UV Mining Differential Rate, being more than twice the lowest differential UV rate.

10 APPLICATIONS FOR LEAVE OF ABSENCE

11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

14 CLOSURE