

SPECIAL COUNCIL MEETING MINUTES – 21 JUNE 2011

Mission Statement:

***To support and develop a sustainable, thriving and resilient Community
through leadership and partnership.***

HELD: Tuesday 21 June 2011 at 4pm

LOCATION: The Shed, Yackandandah

ATTENDEES: Councillors: Senior Management/Officers

Bernard Gaffney – Deputy Mayor	Brendan McGrath – CEO
Peter Graham	Andre M Kompler
Peter Croucher	Frank Bonacci
Larry Goldsworthy	
Barbara Murdoch	

APOLOGIES: Ali Pockley – Mayor
Vic Issell
Mark Florence
Greg Pinkerton

Vision Statement:

INDIGO – A great place to live, work and visit.

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1.0 PRESENT

The Deputy Mayor welcomed all those in attendance.

2.0 APOLOGIES

The Deputy Mayor acknowledged Cr Pockley, Cr Issell, Mark Florence and Greg Pinkerton as apologies.

3.0 DECLARATION OF CONFLICT OF INTEREST

Nil.

4.0 OPEN FORUM

Nil.

5.0 CONDOLENCES

Nil.

6.0 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

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7.0 CONSIDER SUBMISSIONS MADE TO THE 2011/12 DRAFT BUDGET

File No: 11/2773 – Frank Bonacci – Manager Finance

Chiltern Landcare Submission

Presented by Jane Roots who spoke to her submission.

Rutherglen Swimming & Lifesavers Club Submission

An apology was submitted by this group as they were unable to attend.

For Decision

**Moved: Cr Graham
Seconded: Cr Goldsworthy**

That the budget submissions presented at the Special Meeting on 21 June 2011 be decided by Council at its Special Meeting on 28 June 2011.

Carried

For:	Against:
Cr Goldsworthy	Cr Gaffney
Cr Murdoch	
Cr Croucher	
Cr Graham	

RECOMMENDATION

That Council:

Consider each of the submissions marked Nos 1 to 10 as appended to this Report, in relation to the draft 2011/12 Budget and make a determination on each of those submissions pursuant to Section 129, 130 and 223 of the Local Government Act 1989 (LGA 1989).

INTRODUCTION

As explained in the BACKGROUND section below, any person has the right to make a submission on the draft Budget under Section 223 of LGA 1989 and any such submission must be considered by Council prior to formal adoption of the Budget.

At the date of preparation of this report, ten submissions have been received by Council and summary details and the actual submissions are contained in the two attachments to this Report.

The formal Section 223 LGA 1989 submission period for the draft 2011/12 Budget closed at 5pm on 15 June 2011. Any additional late submissions that are received will be distributed to Councillors prior to the Special Council meeting on 21 June 2011.

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Persons making submissions can request to be heard at the Council meeting when submissions are considered by Council. A maximum time of five (5) minutes has been set aside for each presenter who has indicated that they seek to be heard. As at 15 June 2011, those requesting to be formally heard are:

- Jane Roots on behalf of the Chiltern Landcare Group; and
- The Rutherglen Swimming & Life Saving Club.

BACKGROUND

Section 129 of LGA 1989 states that:

129. Public notice

1. As soon as practicable after a Council has prepared a budget or revised budget, the Council must give public notice.
2. A person has a right to make a submission under section 223 on any proposal contained in the budget or revised budget.
3. In addition to any other requirements specified by this Act, the notice referred to in subsection (1) must:
 - (a) contain any details required by the regulations; and
 - (b) advise that copies of the budget or revised budget are available for inspection for at least 14 days after the publication of the notice at:
 - (i) the Council office and any district offices; and
 - (ii) any other place required by the regulations.
4. A copy of the budget or revised budget must be displayed at the places specified under subsection (3)(b).

LGA 1989 – Section 130 - Adoption of budget or revised budget

130. Adoption of budget or revised budget

1. A Council may adopt a budget or revised budget if it has complied with all of the relevant requirements of this Act relating to budgets and revised budgets.
2. The Council must give public notice of its decision under subsection (1).
3. The Council must adopt the budget by 31 August each year.
4. The Council must submit a copy of the budget to the Minister by 31 August each year.
5. The Minister may extend the period within which a Council must comply with subsection (4).

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6. If a Council fails to submit a copy of the budget to the Minister within the time allowed, the Secretary must ensure that details of the failure are published in the annual report of the Department.
7. A Council must give the Minister any details concerning its budget or revised budget that the Minister requests.
8. A Council must comply with subsection (7)-
 - (a) within 14 days of receiving a request in writing for the details from the Minister; or
 - (b) within any longer period specified by the Minister in the request.
9. A copy of the budget or revised budget must be available for inspection by the public at-
 - (a) the Council office and any district offices; and
 - (b) any other place required by the regulations.

FINANCIAL IMPLICATIONS

Financial implications will vary and be dependant upon considering each of the draft 2011/12 Budget submissions.

CONCLUSION

Council is scheduled to formally adopt the 2011/12 Budget at a Special Meeting of Council to be convened Tuesday, 28 June 2011.

In order for Indigo Shire to comply with the Act in relation to adoption of the draft 2011/12 Budget, each of the Budget submissions must be considered prior to formal adoption of the Budget.

Attachments:
Budget Submission Summary
Budget Submission Detail

Meeting Concluded: 4.23pm