

COUNCIL AGENDA

Special Council Meeting

6:00pm 04 June 2024

Council Chamber (Level 1), Civic Centre,
23 Dundebur Road, Wanneroo

wanneroo.wa.gov.au

RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

Objective

To ensure there is a process in place to outline the access to recorded Council Meetings.

To emphasise that the reason for recording of Council Meetings is to ensure the accuracy of Council Meeting Minutes and that any reproduction of these Minutes are for the sole purpose of Council business.

Implementation

This Policy shall be printed within the Agenda of all Council Meetings which include:

- Ordinary Council Meeting;
- Special Council Meeting;
- Annual General Meeting of Electors;
- Special Electors Meeting; and
- Briefing Sessions.

To advise the public that the proceedings of the meeting are recorded.

Evaluation and Review Provisions

Recording of Proceedings

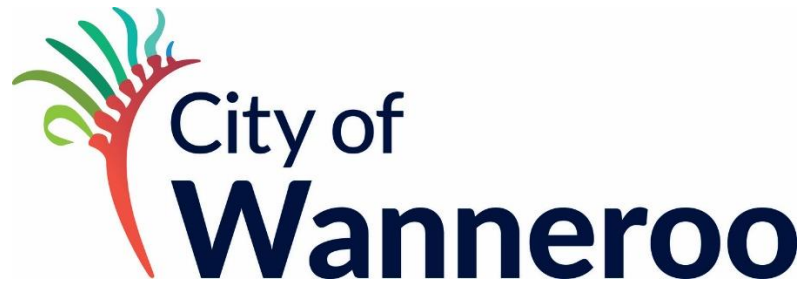
1. Proceedings for Meetings detailed in this policy; as well as Deputations and Public Question Time during these meetings shall be recorded by the City on sound recording equipment, except in the case of a meeting where Council closes the meeting to the public.
2. Notwithstanding subclause 1, proceedings of a Meeting, which is closed to the public, shall be recorded where the Council resolves to do so.
3. No member of the public is to use any audio visual technology or devices to record the proceedings of a Meeting, without the written permission of the Mayor or the Mayors Delegate.

Access to Recordings

4. Members of the public may purchase a copy of the recorded proceedings or alternatively, listen to the recorded proceedings at the Civic Centre online if the recording is published on the City of Wanneroo website. Costs of providing a copy of the recorded proceedings to members of the public will include staff time to make the copy of the proceedings; as well as the cost of the digital copy for the recording to be placed on. The cost of staff time will be set in the City's Schedule of Fees and Charges each financial year.
5. Council Members may request a copy of the recording of the Council proceedings at no charge.
6. All Council Members are to be notified when recordings are requested by members of the public, and of Council.
7. COVID-19 Pandemic Situation
During the COVID-19 pandemic situation, Briefing Sessions and Council Meetings that are conducted electronically, will be recorded. The CEO is authorised to make a broadcast of the audio recording of such meetings accessible to the public, as soon as practicable after the meeting.
8. Briefing Sessions and Council Meetings that are recorded. The CEO is authorised to make a broadcast of the audio recording of such meetings accessible to the public, as soon as practicable after the meeting.

COMMONLY USED ACRONYMS AND THEIR MEANING

Acronym	Meaning
ABN	Australian Business Number
ACN	Australian Company Number
Act	<i>Local Government Act 1995</i>
CBP	City of Wanneroo Corporate Business Plan
CHRMAP	Coastal Hazard Risk Management & Adaption Plan
City	City of Wanneroo
CPI	Consumer Price Index
DBCA	Department of Biodiversity Conservation and Attractions
DFES	Department of Fire and Emergency Services
DOE	Department of Education Western Australia
DOH	Department of Health
DPLH	Department of Planning Lands and Heritage
DPS2	District Planning Scheme No. 2
DLGSCI	Department of Local Government, Sport and Cultural Industries
DWER	Department of Water and Environmental Regulation
EPA	Environmental Protection Authority
GST	Goods and Services Tax
JDAP	Joint Development Assessment Panel
LTFP	Long Term Financial Plan
MRS	Metropolitan Region Scheme
MRWA	Main Roads Western Australia
POS	Public Open Space
PTA	Public Transport Authority of Western Australia
SAT	State Administrative Tribunal
SCP	City of Wanneroo Strategic Community Plan
WALGA	Western Australian Local Government Association
WAPC	Western Australian Planning Commission



Notice is given that the next Special Council Meeting will be held in the Council Chamber (Level 1),
Civic Centre,
23 Dundobar Road, Wanneroo on **Tuesday 4 June, 2024** commencing at **6:00pm**.

B Parker
Chief Executive Officer
30 May 2024

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A G E N D A

Good evening Councillors, staff, ladies and gentlemen, this meeting today is being held on Whadjuck Nyoongar Boodjar and I would like to acknowledge and pay my respects to Elders, past, present and future. I thank all past and present members of the community that have supported the City to better understand and value Nyoongar culture within the City of Wanneroo.

I invite you to bow your head in prayer:

Lord, We thank you for blessing our City, our community and our Council. Guide us all in our decision making to act fairly, without fear or favour and with compassion, integrity, wisdom and honesty. May we show true leadership, be inclusive of all, and guide all of the City's people and many families to a prosperous future that all may share. We ask this in your name. Amen.

Item 1 Attendances

Item 2 Apologies and Leave of Absence

Item 3 Public Question Time

In accordance with Section 7(4)(b) of the *Local Government (Administration) Regulations 1996*, a Council at a Special Meeting is not required to answer a question that does not relate to the purpose of the meeting. It is therefore requested that only questions that relate to items on the agenda be asked.

Item 4 Reports

Declarations of Interest by Council Members, including the nature and extent of the interest. Declaration of Interest forms to be completed and handed to the Chief Executive Officer.

Transactional Finance

SCS01-06/24 Proposal for Levying Differential Rates 2024/25

File Ref: 2093V012 – 24/181196
Responsible Officer: Director Corporate Strategy & Performance
Attachments: Nil

Issue

To consider a proposal for the setting of the rate in the dollar for the differential Rating categories to be applied to the Draft Budget for the 2024/25 Financial Year.

Background

The City has adopted differential general Rating categories based on the use of the land. Over time these categories have been amended to reflect the change in the use of the land and amended legislation.

The Department of Local Government, Sport and Cultural Industries (**DLGSCI**) has also instigated a compliance audit in relation to the levying of Rates and Service Charges, providing several policy documents and guides for local governments to utilise in the process. It is imperative that the City complies with the legislation as not doing so will make the levying of the Rates and Service Charges unlawful.

At the Council Meeting held on 5 April 2016 the following differential general Rating categories were adopted:

Gross Rental Value (**GRV**)

- Residential Improved with a lesser minimum for Strata Titled Caravan Parks
- Residential Vacant
- Commercial/Industrial Improved
- Commercial/Industrial Vacant

Unimproved Value (**UV**)

- Residential Improved
- Residential Vacant
- Commercial/Industrial Improved
- Commercial/Industrial Vacant
- Rural and Mining Improved
- Rural and Mining Vacant

Detail

The Rate in the Dollar and Minimum Rates that have been proposed, raise the funds required for the delivery of the City's annual budget, as discussed by Council Members throughout the 2024/25 Annual Budgeting process.

Consultation

The proposed Differential Ratings (Rate in the dollar) have been calculated based on the directions received from Council members during the series of Budget Workshops held with Council members in preparing the 2024/25 Annual Budget.

The proposal to adopt Differential Rating will be advertised in accordance with Section 6.36 of the *Local Government Act 1995 (the Act)* for public submissions on the proposed differential general Rates. Any submissions received are to be considered as part of the 2024/25 Annual Budget adoption.

In addition to the statutory advertising requirements in the Community Newspaper circulated within the District it is proposed to publish the rate in the dollar information on the City's website, e-newsletter (Digital WANNEROO LINK) and on the Public Notice Board, Council Offices, 23 Dundobar Road, Wanneroo.

Comment

Part 6, Division 6 of the Act and Part 5 of the *Local Government (Financial Management) Regulations 1996* provides the head of power for the levying of local government rates. The legislation is quite prescriptive in its application, with the following aspects of particular note:

- Except as provided for in Section 6.26, all land within a district is rateable land (S6.26);
- In order to make up the 'budget deficiency' a local government is to impose a general rate which may be imposed either uniformly or differentially. A local government may also impose a specified area rate, a minimum rate and a service charge (S6.32);
- A local government may impose a differential general rate (**DGR**) according to land zoning, land use, whether the land is vacant or not, or a combination of each characteristic (S6.33);
- No DGR in each category (UV or GRV) is to be more than twice the lowest DGR, unless approved by the Minister (S6.33);

- The amount shown in the Annual Budget as being the amount estimated to be yielded by the general rate is not to vary by +/- 10% of the budget deficiency, i.e. should essentially be a balanced budget (S6.34);
- The local government can impose differential minimum rates, however it is not to be applied to more than 50% of the properties with a district or within each category (S6.35);
- A minimum rate is to be applied separately for each of the following categories (S6.35):
 - a) to land rated on Gross Rental Value (GRV);
 - b) to land rated on Unimproved Value (UV); and
 - c) to each differential rating category where a differential rate is imposed.
- If a separate DGR is imposed on the basis of vacant land status, a separate minimum rate can be imposed with the approval of the Minister not in accordance with the 50% requirement (S6.35); and
- A lesser minimum charge can be applied to not more than 50% of the properties on minimum rates (within the district or within each category).

As the City receives a UV revaluation effective 1 July 2024, it is necessary to update the UV rate in the dollar for each differential rating category to ensure that the City levied the same amount of rates as the 2024/25 rating year. These amended rates in the dollar will be further modified and then utilised to undertake the rates modelling to reflect the proposed 3.00% rate increase.

The rate in the dollar change for the GRV differential rating categories is as a result of the proposed 3.00% increase for all categories.

The minimum rate categories have been adjusted to comply with the 50% ratio in accordance with section 6.35 of the *Local Government Act 1995*.

Statutory Compliance

In accordance with section 6.36 of the *Act*, Council is required to give local public notice of its intention to levy differential general rates.

“S6.36. 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;*
 - (b) *is to contain —*
 - (i) *details of each rate or minimum payment the local government intends to impose;*
 - (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.*
- (5) *Where a local government —*
- (a) *in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or*
- (b) *proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),*
- it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment."*

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services

7.1 - Clear direction and decision making

Risk Appetite Statement

In pursuit of strategic objective goal 7, we will accept a Medium level of risk as the City balances the capacity of the community to fund services through robust cost-benefit analysis and pursues evidence-based decision making to be effective stewards of the Council and City for future generations.

Risk Management Considerations

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Policy Implications

Strategic Budget Policy

Financial Implications

The application of differential Rating is about apportioning the Rate revenue that is required between different categories of property.

Voting Requirements

Simple Majority

Recommendation

That Council: -

1. **APPROVES** the application of differential general rates for the Draft Budget for the 2024/25 Financial Year; and
2. **APPROVES** advertising in accordance with Section 6.36 of the Local Government Act 1995 for public submissions on the proposed differential general rates as set out in the table below:

RATE CATEGORY	MINIMUM RATE	GRV Rate in \$	UV Rate in \$
Residential Improved With lesser minimum for Strata Titled Caravan Parks	\$1,105 \$161	6.8837	0.3651
Residential Vacant	\$921	13.7673	0.5526
Commercial/Industrial Improved	\$1,505	8.0134	0.2924
Commercial/Industrial Vacant	\$1,505	7.8280	0.3246
Rural & Mining Improved	\$1,098	-	0.3602
Rural & Mining Vacant	\$1,038	-	0.4714

Attachments: Nil

Item 5 Confidential

Nil

Item 6 To Be Tabled

Nil

Item 7 Date of Next Meeting

The next Council Members Briefing session has been scheduled for 6:00pm on Tuesday, 11 June 2024, to be held at Council Chambers, 23 Dundobar Road, Wanneroo.

Item 8 Closure



COUNCIL CHAMBER SEATING DIAGRAM

