



Council Minutes

Confirmed Minutes

Ordinary Council Meeting

6:00pm, 4 June 2024
Council Chambers (Level 1) Civic Centre
23 Dundebur Road, Wanneroo

wanneroo.wa.gov.au



CONFIRMED MINUTES OF SPECIAL COUNCIL MEETING

HELD ON TUESDAY 04 JUNE, 2024

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Minutes

Mayor Aitken declared the meeting open at 6:00pm and read the prayer.

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 Attendance

LINDA AITKEN, JP

Mayor

Councillors:

ALEX FIGG	North Ward
SONET COETZEE	North Ward
GLYNIS PARKER	North-East Ward
BRONWYN SMITH	North-East Ward
MARIZANE MOORE	Central-East Ward
PAUL MILES	Central-East Ward
JACQUELINE HUNTLEY	Central Ward
NATALIE HERRIDGE	South-West Ward
JAMES ROWE, JP	South Ward
EMAN SEIF	South Ward

Officers:

BILL PARKER	Chief Executive Officer
MARK DICKSON	Director, Planning & Sustainability
HARMINDER SINGH	Director, Assets
ROHAN KLEMM	Acting Director, Community & Place
NOELENE JENNINGS	Corporate Strategy & Performance
VICKI COLES	Executive Manager Governance & Legal
BIMSARA PATHIRATHNA	Chief Financial Officer
JACKIE KALLEN	Manager Communications & Brand
DOUG BRETT-MATTHEWSON	Acting Manager Council & Corporate Support
DENISE FRASER	Council Support Officer (Minutes)
AMANDA BLYTH	Council Support Officer

Item 2 Apologies and Leave of Absence

PHIL BEDWORTH	Central-West Ward
HELEN BERRY	Central-West Ward
VINH NGUYEN	South-West Ward
JORDAN WRIGHT	Central Ward

There was one member of the public and no members of the press in attendance.

Item 3 Public Question Time

Nil

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

Moved Mayor Aitken, Seconded Cr Rowe

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

CARRIED UNANIMOUSLY

For the motion: Mayor Aitken, Cr Coetzee, Cr Figg, Cr Herridge, Cr Huntley, Cr Miles, Cr Moore, Cr Parker, Cr Rowe, Cr Seif, and Cr Smith.

Against the motion: Nil

Attachments: Nil

Item 5 Confidential

Nil

Item 6 Late Reports

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

There being no further business, Mayor Aitken closed the meeting at 6:05pm.

In Attendance

LINDA AITKEN, JP

Mayor

Councillors:

ALEX FIGG	North Ward
SONET COETZEE	North Ward
GLYNIS PARKER	North-East Ward
BRONWYN SMITH	North-East Ward
MARIZANE MOORE	Central-East Ward
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