



SHIRE OF CARNARVON

AGENDA

SPECIAL COUNCIL MEETING
12 JULY 2021

Council Chambers, Stuart Street
CARNARVON, West Australia Phone: (08)
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Fax: ((08) 9941 1099
Website – www.carnarvon.wa.gov.au

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To be noted that, in accordance with Regulation 11 of the Local Government (Administration) Regulations 1996, the minutes of the Council Meeting are a record of the decisions of the Council, any additional officers' advice, and explanatory notes as required. The minutes contain a summary of questions asked by members of the public and the answers given. The minutes are not a transcript of the proceedings of the meetings.

NOTICE OF MEETING

Notice is hereby given

Shire of Carnarvon Special Council Meeting

will be held
on Monday 12 July 2021
in the Shire Council Chambers,
Stuart Street Carnarvon, commencing at 8.15am

Andrea Selvey
CHIEF EXECUTIVE OFFICER

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AGENDA

1.0 ATTENDANCES , APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE

(The Local Government Act 1995 Section 2.25 provides that a Council may, by resolution, grant leave of absence to a member for Ordinary Council Meetings. The leave cannot be granted retrospectively and an apology for non-attendance at a meeting is not an application for leave of absence.)

2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

(In accordance with Section 5.23 of the Local Government Act 1995, and Regulation 12(4) of the Local Government (Administration) Regulations 1996, public question time is made available at a Special Meeting of Council to allow members of the public the opportunity of questioning Council on matters relating to the purpose of the meeting only.

3.0 DECLARATIONS OF INTEREST

(Councillors and Staff are reminded of the requirements of Section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting or when the matter is to be discussed.)

4.0 ITEMS FOR DISCUSSION

4.1 Differential Rates 2021/2022

5.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC

6.0 CLOSURE

File No: ADM0071
 Date of Meeting: 12 July 2021
 Location/Address: Shire of Carnarvon
 Name of Applicant: Shire of Carnarvon
 Name of Owner: Shire of Carnarvon
 Author/s: Susan Mizen – Manager of Finance
 Declaration of Interest: Nil
 Voting Requirements: Absolute Majority

Authority / Discretion

	Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
X	Executive	The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
	Legislative	Includes adopting local laws, town planning schemes and policies.
	Quasi-Judicial	When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.
	Information	Includes items provided to Council for information purposes only that do not require a decision of Council (i.e. – for noting).

Summary of Item:

As part of the 2021/2022 budget process, the Council is required to endorse the proposed differential rates for properties valued on an unimproved basis. The proposed differential rates presented here represent an holistic approach to setting rates where rates are levied that reflect associated costs of providing infrastructure and services to the various ratepayers. Differential rates have been applied to three groups of unimproved properties and range from 2.273 cents in the dollar of valuation, to 24.512 cents in the dollar of valuation.

Description of Proposal:

It is proposed to levy the following differential rates for properties classed as unimproved:

	Rate in \$	Minimum Rate
UV Mining	24.512	\$400
UV Pastoral	11.11	\$1158.58
UV Intensive Horticultural	2.2730	\$1158.58

The objective of imposing differential rates is to ensure equity across different land uses, especially where values can vary greatly from properties close to townsites and those in more remote areas of the Shire. The ability of Council to apply a different rate in the dollar ensures that all properties make a fair contribution to the required revenue of the Shire.

Applying differential rates can also be used, should Council wish to offset dramatic changes in valuations which come about as part of Landgate's periodical revaluations. At the end of the 2020/2021 Financial year Landgate revalued both the Intensive Horticultural and Pastoral Land Values. Values of Intensive

Horticulture reduced by approximately 36% and Pastoral properties were revalued downwards dependent only on objections lodged by Pastoralists to the existing values. The revaluation from a reduction in values ranged from approximately 10% to approximately 54%. The new values for Pastoral Properties were backdated to include rates raised during the 2020/2021 financial year and will result in a refund to Pastoralists of an approximate total of \$82,255.

The proposed differential rates contained in this report are set to maintain the relative contributions to general rate revenue for each differential category as applied in the rates model endorsed in April 2021.

Background:

The purpose of levying rates is to meet Council's budget requirements in each financial year and enables Council to raise the revenue necessary to provide facilities, infrastructure and services to the entire community and visitors of the Shire of Carnarvon. The rates levied on properties are determined by applying the rate in the dollar to the applicable valuation amount of the properties within the district, and if applicable, applying a minimum rate where considered appropriate. The Shire applies a minimum rate to each rating category in accordance with S6.35 of the Act, to ensure that properties with a low valuation still pay a fair and reasonable amount towards the maintenance and continuity of Shire Infrastructure and services.

The method of land valuation (GRV or UV) is determined by the Minister for Local Government, Sports and Cultural Industries (the Minister) with individual valuations being provided to the Shire by the Valuer Generals Office (VGO) as part of Landgate. Valuations were revised downwards in the past weeks for Intensive Horticulture and Pastoral Properties, these events happening after the proposed Differential Rates for 2021/2022 were adopted by Council and advertised for 21 days. Further the revaluations for Pastoral Properties were not as a result of overall revaluations but only if the Pastoral property owner had lodged an objection to their valuation. As a result, Pastoral properties have revalued downwards by between 54% and 10.6% with 10 properties left unchanged and an anticipated refund amount of approximately \$82,255. However, Landgate have allowed objections to be lodged up to 30th June 2021 and further revaluations may be granted.

The power to set differential rates is contained in the Local Government Act 1995 section 6.33 (1) which provides the ability to differentially rate properties, based land characteristics, an excerpt of the act is shown under the Statutory Environment later in this document.

The Department of Local Government, Sports and Cultural Industries (the Department) requires that Council endorse not only the imposition of differential rates, but also the objects and reasons for the imposition of differential rating. The application of differential rates and minimum payments to properties within the Shire maintains equity in the rating of properties.

This report has been prepared to:

1. Present the proposed 2021/2022 Differential Rates Model that will reflect the rate in the dollar and minimum rate for each unimproved rating category
2. Present the required public notice for approval which may be advertised for at least 21 days from 1 May 2021.

The Objectives and Reasons to support the imposition of the proposed 2021/2022 Differential Rates were presented to Council at the Ordinary Meeting of Council on 27 April 2021. It is proposed that these do not need to be changed.

Consultation:

Nil

Statutory Environment:

Relevant Plans and Policy:

Corporate Business Plan 2018 – 2022

Strategic Community Plan 2018

Financial Implications:

The proposed differential rates and minimum payments for the 2021/2022 financial year will raise approximately \$1,023,875 being \$38,653 more than the proposed differential rates endorsed at the April 2021 meeting. The additional amount is to somewhat compensate for the anticipated \$82,255 refund of the 2020/2021 rates raised for Pastoral properties.

Adoption of the proposal will see a differential rate, which may alter after advertising and seeking submissions from the electorate. Following consideration of the submissions from the electorate, a request will be sent to the Minister to seek approval for the differential rate. The actual rate applied will be the differential rates applied for and approved by the Ministerial delegation, unless a variation is approved by the Minister, (the interpretation of this latter part was missed in prior years). This is to comply with the Local Government Act 1995 Section 6.33(3):

Risk Assessment:

Consequence

STEP 3 – Risk Tolerance Chart Used to Determine Risk				
Insignificant 1	Minor 2	Major 3	Critical 4	Extreme 5

Likelihood						
Almost certain	A	High	High	Extreme	Extreme	Extreme
Likely	B	Moderate	High	High	Extreme	Extreme
Possible	C	Low	Moderate	High	Extreme	Extreme
Unlikely	D	Low	Low	Moderate	High	Extreme
Rare	E	Low	Low	Moderate	High	High

Risk Category	Description	Rating (Consequence x likelihood)	Mitigating Action/s
Financial	1.Further reductions in values for Pastoral Properties. 2.The Minister may not approve the proposed differential rates	Low	Advice from the Valuer General's office is that there will be few or no further revaluations due to objections. All compliance requirements have been met to date and advertising the differential rates and reviewing any objections will take place at the end of the advertising period of 21 days and before submission to the Minister for approval.
Health & Safety	NA	NA	
Reputation	Community sensitivity to Council rate. Rates that are perceived as high have the potential to result in reputational damage.	High	This risk has to be balanced against raising revenue to support Shire operations and service delivery. Officers have kept the total rate revenue to minimum required and in accordance with Council appetite.
Service disruption	NA	NA	
Compliance	N/A	NA	
Property	NA	NA	

Environment	NA	NA	
Fraud	N/A	Low	

Community & Strategic Objectives:

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.3	Risks are well managed
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations
5.4	Sound financial and asset management
5.4.4	Financial transactions are accurate and timely

Comment:

The legislative requirements surrounding the imposition of Differential Rates impose a considerable time factor as the steps following the endorsement of the differential rate are as follows:

- Advertise the proposed differential rates which is 21 days
- Consideration of any submissions received and determine the final differential rates
- Seek Ministerial approval which may be up to 21 days.

As noted above, all this needs to be completed at a time before the adoption of Council's budget for the next financial year; hence the reason the differential rates are based upon estimations using:

- the latest valuations from Landgate
- estimated UV increase or not as the case may be, for any valuation objections; and
- estimated rate revenue increases for the next year based on the adopted Corporate Business Plan, budget deliberations to date or other Council approved factors.

An overall increase of 8 percent was applied to the 2018/19 rates yield and a further increase of 6 percent was applied in 2019/20, no increase was levied for the 2020/21 financial year due to COVID relief. These rate increases were identified through Council's major strategic review undertaken in 2018 and was driven by Council's commitment to deliver on services and projects that have been recognised as key community priorities in both the Strategic Community Plan (SCP) and the Corporate Business Plan (CBP).

If any submissions are received, Council must consider the submissions prior to seeking Ministerial approval and prior to formally adopting the differential rates and minimum payments as part of the annual budget process.

OFFICER'S RECOMMENDATION

That Council, by Absolute Majority, under section 6.33 of the Local Government Act 1995 resolves to:

1. *Seek approval from the Minister for Local Government to impose differential rates for 2021/2022 land parcels that have unimproved valuations assigned to them as follows;*

Category	Rate in the \$	Minimum Rate \$
UV Mining	24.512	400.00
UV Pastoral	11.11	1158.58
UV Intensive Horticulture	2.2730	1158.58

2. *Publicly advertise its intention to impose differential rates, pursuant to section 6.36(1) of the Local*

Government Act 1995 and invites public submissions for a period of twenty-one days; and

3. *Consider any submissions in respect of imposition of differential rates as part of the 2021/2022 Budget deliberations.*

Schedule 4 (a)
– Proposed Rates Model

This table contains a summary of the proposed rates in the dollar and minimum rates:

Category	Rate in the \$		Minimum Rate		Actual Rateable Valuations	Actual Rate Revenue (Inc. Mins)	Estimated Rate Revenue (Inc. Mins)
	20/21	21/22	20/21	21/22	21/22	20/21	21/22
UV Mining	11.9933	24.512	229	400	514,800	74,488	129,801
UV Pastoral	3.9737	11.11	461	1158.58	3,174,092	211,213	359,658
UV Intensive Horticulture	1.4728	2.2730	902	1158.58	23,459,500	498,876	533,234
TOTALS					39,483,188	784,577	1,023,875

This table contains a summary of the proposed rates in the dollar and minimum rates as endorsed by Council at the April 2021 meeting:

Category	Rate in the \$		Minimum Rate		Actual Rateable Valuations	Actual Rate Revenue (Inc. Mins)	Estimated Rate Revenue (Inc. Mins)
	20/21	21/22	20/21	21/22	21/22	20/21	21/22
UV Mining	11.9933	24.512	229	400	511,623	74,488	129063
UV Pastoral	3.9737	6.000	461	1158.58	524,565	211,213	323,079
UV Intensive Horticulture	1.4728	1.5759	902	1158.58	33,730,000	498,876	533080
TOTALS					39,483,188	784,577	985,222



SHIRE OF CARNARVON

NOTICE OF INTENTION TO IMPOSE DIFFERENTIAL RATES

In accordance with Section 6.33 and 6.35 of the Local Government Act 1995, the Shire of Carnarvon hereby gives notice of its intention to impose differential rates and differential minimum rates on all rateable unimproved-valued (UV) properties and gross rental valued (GRV) commercial/industrial properties within its boundaries during the 2021/22 financial year. The differential rates are imposed based on predominant land use as detailed below (all categories are included for comparison): -

LAND USE CATEGORY	PROPOSED RATE IN \$	PROPOSED MINIMUM
GRV Residential	11.1200 cents	\$1,158.58
GRV Special Use/Rural	11.1200 cents	\$1,158.58
GRV Commercial/Industrial	10.3000 cents	\$1,158.58
UV Mining	24.5120 cents	\$400.00
UV Pastoral	11.11000 cents	\$1,158.58
UV Intensive Horticulture	2.2730 cents	\$1,158.58

The figures stated above are to be sent for Ministerial Approval and are subject to consideration as part of Council's 2021/22 Budget deliberation.

A document describing the objects and reasons for each proposed general and minimum rate may be inspected at, or obtained from, the Shire of Carnarvon Administration Office, 3 Francis Street Carnarvon between the hours of 8.30am and 4.30pm. Further queries can be directed to the CEO, Andrea Selvey, 08 9941 0000 or by email to selvey.a@carnarvon.wa.gov.au.

Submissions regarding the proposed differential rates and minimums must be received by Wednesday 4th August, 2021

Andrea Selvey
CHIEF EXECUTIVE OFFICER