



Shire of  
**Perenjori**  
Embrace Opportunity

Shire of Perenjori – Special Meeting of Council

# MINUTES

**28<sup>th</sup> July 2022**

Shire of Perenjori Council Chambers,  
56 Fowler Street, Perenjori WA, 6620



## NOTICE OF A SPECIAL MEETING OF COUNCIL

Dear Council Member

Pursuant to *Section 5.25(1)(g) of the Local Government Act 1995* and *Regulation 12(3) of the Local Government (Administration) Regulations 1996*, Public Notice is hereby given that:

**A Special Meeting of Council will be held on the 28<sup>th</sup> July 2022 at 11.00am in the Shire of Perenjori Council Chambers, 56 Fowler Street Perenjori.**

The purpose of the meeting is:

1. To review the adoption of the differential rates from March 2022 and May 2022 meetings to recognise the revised unimproved values of Mining and Exploration properties.

Paul Anderson

**CHIEF EXECUTIVE OFFICER**

Date: 26<sup>th</sup> July 2022

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## Council Roles

### **Advocacy:**

When Council advocates on its own behalf or on behalf of its community to another level of government /body /agency.

### **Executive/Strategic:**

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.

### **Review:**

When Council reviews decisions made by Officers.

### **Quasi-Judicial:**

When Council determines an application/matter that directly affects a person's rights and interests. 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 licences, applications for other permits/licences (e.g.: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

## Disclaimer

"Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity that has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request."

## Shire of Perenjori

Minutes for the Shire of Perenjori Special Meeting of Council held on Thursday 28<sup>th</sup> July 2022, at the Shire of Perenjori Council Chambers, 56 Fowler Street, Perenjori WA 6620 - commencing at 11.00am.

### 1. Declaration of Opening/Announcement Of Visitors:

The Shire President declared the meeting open at 11.00am and welcomed those in attendance.

#### **Welcome to Country: -**

As per the Shire of Perenjori Policy (N° 1021) we wish to acknowledge the traditional owners of the land upon which the Shire of Perenjori is situated and to demonstrate respect for the original custodians.

*Therefore, I respectfully acknowledge the past and present custodians of the land on which we are meeting, the Badymia people.*

*I also acknowledge the pioneers who settled this country, developed the land and turned it into the productive country that we know today, allowing us to enjoy the lifestyle to which we have become accustomed.*

### 2. Opening Prayer:

The Shire President read.

### 3. Disclaimer Reading:

As printed.

### 4. Record of Attendance/Apologies/Leave of Absence:

#### **4.1 Attendance:**

Members:

Cr Christopher King (President)  
Cr Jude Sutherland (Vice President)  
Cr Les Hepworth  
Cr Colin Bryant  
Cr Daniel Bradford

Staff:

Paul Anderson (CEO)  
Nola Comerford (MCCS)  
Neville Binning (MIS)  
Elinor Pitts (EA)

Distinguished Visitors:

Nil

Members of The Public:

Nil

Leave of Absence:

Nil

Apologies:

Cr Andrew Fraser  
Cr Dael Sparkman

## 5. Public Question Time:

### 5.1 Response to Questions Taken on Notice:

Nil

### 5.2 Questions Without Notice:

Nil

## 6. Declaration of Interest:

Nil



## 7. Reports:

### 7.1 DIFFERENTIAL RATING – MINISTERIAL SUBMISSION

Applicant:	Shire of Perenjori
File:	ADM0793
Date:	26 <sup>th</sup> July 2022
Disclosure of Interest:	Nil
Voting Requirements:	Absolute Majority
Author:	Paul Anderson – Chief Executive Officer
Responsible Officer:	Paul Anderson - Chief Executive Officer
Attachments:	Nil

#### Executive Summary

The purpose of this report is to review the adoption of the differential rates from March 2022 and May 2022 meetings to recognise the revised unimproved values of Mining and Exploration properties.

#### Background

Council at the March 2022 meeting resolved to adopt and advertise the differential rating for the unimproved values for Rural and Mining properties.

A further meeting was held in May 2022 following the receipt of valuations that increased the rural unimproved values by an average of 19.96%. This required the council to amend the rate in the dollar to achieve the same yield that was previously resolved.

A copy of the council resolution, 190522.6, is as follows:

Council Resolution Number: 190522.6

Moved: Cr D Bradford                      Seconded: Cr C Bryant

That Council:

Having regard to the budget deficiency in the context of the Strategic Community plan, Corporate Business Plan and Strategic Resource Plan 2019-2034 and Values provided by the Valuer General for UV rural in 2022/23 financial year amend the rate in the Dollar to achieve a net 5% increase in rate yield

1. Advertise in accordance with the Local Government Act 1995 section 6.36 (2)(a) the Shire of Perenjori's intention to levy the following differential rates.

Rates category	minimum rate	Rate in the \$	Proposed Yield \$
UV rural	374	1.697178	\$2,150,063
UV Mining	374	36.68711	\$ 772,130
GRV Townsites	374	8.85843	\$ 114,540
GRV Mining	374	8.85843	\$ 278,883
UV Exploration	374	27.3105	\$ 62,555
Total Yield			\$3,378,171

2. Adopts the Objects and reasons for each differential rate and minimum payment as follows -

#### UV Rural

The object of the UV Rural rate is to obtain a fair contribution to the revenue requirements of the Shire, while not risking additional financial pressure on ratepayers in those areas and impact their long-term viability.



The reasons for the level of rates set for UV Rural is that this allows for a fair contribution to the revenue requirements of the Shire at a sustainable level. Whilst Council cannot control the rural sector's vulnerability to external forces, it attempts to ensure that the industry is not adversely affected by excessive rates.

The minimum payment proposed for the UV Rural category reflects the present financial vulnerability of ratepayers in the category due to factors such as adverse weather, cyclones, bushfires, drought, world demand for product and fluctuations in export prices.

#### UV Mining

The object of the UV Mining rate is to ensure that mining contributes reasonably to the maintenance of the Shire's assets and services. Every effort is made to establish rates and minimum payments at the fairest possible levels, acknowledging that the industry does not need to be specifically nurtured, nor is it affected by the same vulnerabilities as broad acre farming. In reaching its rating decisions, Council has considered that there are external forces, such as fluctuating commodity prices, which impact on resource projects and is sensitive to these issues.

The reasons for the level of rates set for the UV Mining rate by the Council is to attain equity amongst those who will bear the burden of the rates and obtain a reasonable contribution from the mining sector for the general level of infrastructure and services provided by the Council. Striking a reasonable balance between all ratepayers in the production of the rate revenue is important in achieving equity, whilst at the same time the fairness of the expenditures by the Shire on the mining sector is also considered.

The maintenance of Shire assets and services for the benefit of all users, long term, and short term, is a burden which to a significant extent fall upon the long-term ratepayers, justifying a differential contribution from the mining sector. The minimum payment proposed for the UV Mining category reflects a reasonable cost for a base level of service.

#### UV Exploration

The object of the UV Exploration rate is to ensure the reasonable contribution of these ratepayers to Council's expenditure profile.

The reasons for the level of rates set for the UV Exploration rate by the Council is to attain equity amongst those who will bear the burden of the rates and obtain a reasonable contribution from the Exploration sector for the general level of infrastructure, services and tenement administration provided by the Council.

Exploration and prospecting ratepayers require a higher level of governance for licensing, clearance permits, etc, and impose greater environmental damage to the environment through activities such as clearing, drilling and associated undertakings.

Striking a reasonable balance between all in the production of the rate income is important in achieving balance and equity between ratepayers, whilst at the same time the fairness of the expenditures by the Shire on the Exploration sector is also considered.

The minimum payment proposed for the UV Exploration category reflects a reasonable cost for a base level of service.

Motion put and carried 6/0 by absolute majority

The Valuer General has now provided a revised set of values for the Mining and Exploration unimproved properties which indicate an increase to property valuations.



### **Statutory Environment**

Local Government Act (1995) and associated regulations.

### **Policy Implications**

Nil.

### **Budget Implications**

There are no budget implications as the council resolved to adopt the same yield at the Ordinary Meeting of Council in May.

### **Consultation**

Local Government Department

### **Strategic Community Plan**

Area 5: Investing in Council's Capacity – Our Leadership

Goal: Strengthen the Shire's position as an innovative and proactive local Government providing excellence in all areas of governance, management, and leadership.

### **Officer Comment**

The council at the March 2022 meeting adopted a rate in the dollar in line with the budget deficiency. The council at the May 2022 meeting, following the receipt of amended Rural Revaluations, adopted a reduced rate in the dollar to recognise the significant increase in rural unimproved valuations while maintaining the same rate yield.

The revaluations for the Mining and Exploration unimproved valuations had not been received at the time of the May resolution of council.

The revaluations for these categories have now been received and these valuations have also seen increases, while not as substantial as the rural valuations but significant enough to affect the rate yield above the original 5% increase adopted by council.

The Department of Local Government has advised that the revised valuations from the Valuer General, for the Mining and Exploration categories, should be utilised in preference to the proposed method of applying a concession following the raising of the rates, as a concession effectively amends the rate in the dollar the Minister has approved.

The method of indicating the yield from the rates categories while acceptable and a good indicator of the council's intent does not appear to meet the Minister's guidelines applicable to differential rates.

The variation does not need to be readvertised and can be submitted to the Minister for approval following the resolution of council adopting the revised rates.

The objective of setting the rate in the dollar is to achieve the yield in rate revenue that council requires in accordance with budgets and long-term financial plans.

The long-term financial plan did not factor in a CPI increase of this magnitude that has been experienced (7,6), and this is the councils reasoning in a variation from the 3% increase in yield in the long-term forecast to a 5% actual in the 2022/23 budget.

The following model has been amended and has taken into consideration the increased Mining and Exploration Valuations with a reduced rate in the \$ to achieve a similar yield in rate revenue from these categories.

## Budget Rate Revenue 2022-23

General Rate Revenue	Increased rate yield						
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Total Revenue	21-22 Rate Revenue	22-23 Yield Increase
<b>RATE TYPE</b>				\$	\$	\$	\$
<b>Gross rental value</b>							
GRV Townsites	8.8584	107	1,167,143	103,390	103,390	97,691	5,699
GRV Mining	8.8584	1	3,144,000	278,508	278,508	265,247	13,261
<b>Unimproved value</b>							
UV Rural	1.6972	256	126,448,000	2,146,048	2,146,048	2,051,671	94,377
UV Mining	32.3509	39	2,379,797	769,886	769,886	732,884	37,002
Exploration (UV)	24.8501	33	215,788	53,624	53,624	53,168	456
<b>Sub-Total</b>		<b>436</b>	<b>133,354,728</b>	<b>3,351,455</b>	<b>3,351,456</b>	<b>3,200,661</b>	<b>150,795</b>
<b>Minimum payment</b>	<b>Minimum \$</b>						
<b>Gross rental value</b>							
GRV Townsites	374	30	28,321	11,220	11,220	11,392	(172)
GRV Mining	374	1	20	374	374	356	18
UV Rural	374	11	83,900	4,114	4,114	3,916	198
UV Mining	374	6	1,718	2,244	2,244	2,492	(248)
Exploration (UV)	374	24	20,342	8,976	8,976	6,408	2,568
<b>Sub-total</b>		<b>72</b>	<b>134,301</b>	<b>26,928</b>	<b>26,928</b>	<b>24,564</b>	<b>2,364</b>
Discount							
Concession							
<b>Amount from general rates</b>					<b>3,378,384</b>	<b>3,225,225</b>	<b>153,159</b>
Ex-gratia rates					0		
<b>Total general rates</b>					<b>3,378,384</b>	<b>3,225,225</b>	<b>153,159</b>

**Voting Requirements:**

Absolute Majority

**Change to Officer Recommendation**

No Change.

**OFFICER RECOMMENDATION**

Council Resolution Number: 280722.01

Moved: Cr Hepworth

Seconded: Cr Bryant

THAT Council.

Having regard to the budget deficiency in the context of the Strategic Community plan, Corporate Business Plan and Strategic Resource Plan 2019-2024, the efficiency measures incorporated into the draft budget, and the values provided by the Valuer General for UV Mining and Exploration in 2022/23 financial year amend the rate in the Dollar to achieve a net 5% increase in rate yield.

1. Adopt in accordance with the Local Government Act 1995 section 6.36 (2)(a) the Shire of Perenjori's intention to levy the following differential rates.

Rates category	Minimum rate	Rate in the \$	Proposed Yield \$
UV rural	374	1.6972	\$ 2,150,162
UV Mining	374	32.3509	\$ 772,130
GRV Townsites	374	8.8584	\$ 114,610
GRV Mining	374	8.8584	\$ 278,882
UV Exploration	374	24.8501	\$ 62,600
Total Yield			\$ 3,378,384



Motion put and carried 5/0 by absolute majority

**8. Closure of Meeting:**

The President declared the meeting closed at 11.07am and thanked those in attendance.



I certify that this copy of the Minutes is a true and correct record of the meeting held on the 28<sup>th</sup> July 2022 at 11.00am.

Signed:   
Presiding Officer 

Date: 28/08/2022