



TOWN OF
VICTORIA PARK

Special Council Meeting

Minutes – 4 June 2019



WE'RE OPEN
VIC PARK

Please be advised that an **Special Council meeting** was held at **5:30 pm** on **Tuesday 4 June 2019** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Mr Trevor Vaughan – Mayor
5 June 2019

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1 Opening

Mayor Trevor Vaughan opened the meeting at 5.30pm.

Prayer (by Chief Executive Officer)

Almighty God, under whose providence we hold responsibility for this Town, grant us wisdom to understand its present needs, foresight to anticipate its future growth and grace to serve our fellow citizens with integrity and selfless devotion.

And to Thee, be all blessing and glory forever.

AMEN

Acknowledgement of Country (by Mayor)

I acknowledge the traditional custodians of this land on which we are meeting, the Wadjuk people of the Noongar Nation and pay my respects to their past, present and emerging elders and thank them for their continued sharing of knowledge and leadership.

2 Announcements from the Presiding Member

2.1 Recording of proceedings

In accordance with clause 5.14 of the *Town of Victoria Park Standing Orders Local Law 2011*, as the Presiding Member, I hereby give my permission for the administration to record proceedings of this meeting.

2.2 Public question time and public statement time

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 5.15 of the *Town of Victoria Park Standing Orders Local Law 2011*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then

speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

2.3 No adverse reflection

In accordance with clause 14.1 of the *Town of Victoria Park Standing Orders Local Law 2011*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees.

2.4 Town of Victoria Park Standing Orders Local Law 2011

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Standing Orders Local Law 2011*.

3 Attendance

Mayor	Mr Trevor Vaughan
Banksia Ward	Cr Claire Anderson Cr Julian Jacobs Cr Ronhhda Potter Cr Karen Vernon
Jarrah Ward	Cr Jennifer Ammons Noble Cr Bronwyn Ife Cr Brian Oliver Cr Vicki Potter
Chief Executive Officer	Mr Anthony Vuleta
Chief Operations Officer A/Chief Financial Officer Chief Community Planner	Mr Ben Killigrew Mr Luke Ellis Ms Natalie Martin Goode
A/Manager Corporate Services Coordinator Governance	Mrs Ann Thampoe Ms Danielle Uniza
Secretary	Ms Amy Noon
3.1 Apologies	
Jarrah Ward	Cr Vicki Potter

3.2 Approved leave of absence

Nil.

4 Declarations of interest

Declaration of financial interest

Nil.

Declaration of proximity interest

Nil.

Declaration of interest affecting impartiality

Nil.

5 Public question time (only relating to the agenda)

Mick Lanternier

1. Is the Council planning on giving themselves a pay rise in the upcoming budget?

Mayor Trevor Vaughan advised that questions can only relate to advertising of the differential rates.

2. Has it happened before that differential rates have been advertised prior to agreement by elected members?

Mayor Trevor Vaughan advertised that his understanding is that it has.

The Acting Chief Financial Officer advised that the process in the past was that the setting of the minimum and differential rates was endorsed prior to it being advertised.

3. Was the Council consulted before advertising?

The Acting Chief Financial Officer advised that there was significant consultation with Council through a series of five workshops.

4. Are the records of the workshop public?

The Acting Chief Financial Officer advised that the notes of concept forums are not published for the public. A presentation will be made at the Special Agenda Briefing Forum giving an overview of the process taken to date.

6 Public statement time (only relating to the Agenda)

Nil.

7 Method of dealing with agenda business

Nil.

8 Motion of which previous notice has been given

In accordance with clause 4.3 of the Town of Victoria Park Standing Orders Local Law 2011, Cr Karen Vernon has submitted the following notice of motion:

Motion

That Council

1. Applies differential rates for the 2019-2020 financial year;
2. Advertises, in accordance with section 6.36 of the *Local Government Act 1995*, for public submissions on the proposed differential rates and minimum payments as set out and made available to the public in the *Statement of Objects and Reasons for Differential Rates 2019 – 2020* (Attachment 1) as follows:

a. Residential – GRV	Minimum Payment	\$1,266
	Rate in the \$	0.0863
b. Non-Residential – GRV	Minimum Payment	\$1,317
	Rate in the \$	0.0965
3. Ratifies the Town's local public notice published on 23 May 2019 seeking public submissions on the proposed differential rates and minimum payments as set out and made available in the *Statement of Objects and Reasons for Differential Rates 2019 – 2020*;
4. Requests any public submissions received relating to the above proposed differential rates are considered as part of the future Council item proposing adoption of the 2019-2020 Annual Budget.

Reason

As part of the determination of the annual budget, a local government may impose differential general rates and minimum payments on any rateable land in its district pursuant to section 6.33 and section 6.35 of the Local Government Act 1995.

Prior to consideration of the budget, if differential rating is to be levied, the Town must give local public notice of the differential rates it intends to impose for a minimum 21 days and invite public submissions in accordance with section 6.36 of the Act. This means that Council must determine its intention to impose differential general rates and the differential rates to be advertised.

In previous years the Council has passed a resolution to apply differential rates and minimum payments, and also to advertise the proposed differential rates and minimum payments.

On 23 May 2019, without any resolution of Council having been made as to the intention to impose differential general rates and minimum payments, the Town gave public notice of proposed differential general rates and minimum payments and sought public submissions.

The purpose of this Notice of Motion is to ensure that:

1. In accordance with the legislation, Council recognises the importance of its role in deciding on the intention to impose differential general rates and minimum payments by determining the differential rates and minimum payments to be advertised prior to the giving of public notice;
2. In the interests of accountability and transparency, Council takes appropriate and timely steps to address the absence of a decision of its intention to impose differential general rates and minimum payments as detailed in the Statement of Objects and Reasons for Differential Rates 2019 – 2020;
3. Retrospective endorsement is given to the public notice that has already been advertised by the Town in order to avoid:
 - a. any impact on any public submissions already made in accordance with the public notice already given;
 - b. any further disruption of the opportunity for the public to provide submissions up until 13 June 2019;
 - c. incurring further costs of advertising; and
 - c. disruption of the proposed special council meeting on 25 June 2019 for the purpose of adopting the budget for 2019 – 2020.

Strategic alignment

Civic Leadership	
Strategic outcome	Intended public value outcome or impact
CL08 - Visionary civic leadership with sound and accountable governance that reflects objective decision-making.	<ol style="list-style-type: none"> 1. The Council has demonstrated accountability and transparency to its community by ensuring that the necessary decision to impose differential general rates and minimum payments has been made in accordance with the legislation. 2. The public notice prior to the making of the decision has been ratified.
CL10 - Legislative responsibilities are resourced and managed appropriately, diligently and equitably.	<ol style="list-style-type: none"> 2. Any public submissions already received since 23 May 2019 will be taken into account in setting the budget, and will not be disrupted. 3. There will be no disruption of the remaining current period for public submissions. 4. No further costs are expended on re-issuing the required public notice on account of the ratification. 5. There will be no disruption to the special council meeting scheduled for 25 June 2019 to adopt the budget for 2019 – 2020.

OFFICER RESPONSE TO NOTICE OF MOTION

Decision type	Legislative
Location	Town-wide
Reporting officer	Luke Ellis
Responsible officer	Anthony Vuleta
Voting requirement	Simple majority

Officer comment

- a. As part of the 2019/20 budget process the total rate revenue required to deliver projects, services and facilities to its community is required, this enables setting of the various rates in the dollar to generate that revenue.
- b. Individual property valuations determine what proportion of the total rate requirements are met by each property owner. This proportion changes when a valuation year occurs or a property has significant alterations. The 2019-2020 financial year is the third year in a revaluation period, with each period lasting for three years, it is anticipated the next revaluation's will impact the 2020-2021 period and trigger a significant review.
- c. Council has, since 2014-2015, utilised differential rating in order to distribute the rating effort. The use of differential rating was implemented to offset a previous revaluation undertaken by the Valuer General that created significant skewing of the valuation weightings between residential and non-residential properties. Differential rating was implemented to more evenly distribute the rating effort that occurred prior to the revaluation.
- d. The process to develop the draft 2019/2020 annual budget, inclusive of discussion on rates, has differed from previous years as it has been done with a participatory focus involving multiple concept forums. There was intent this year that the draft annual budget would be presented to Council June 2019 for its consideration; generally, this is an earlier consideration date than previous years.
- e. Elected members were engaged in the process through several concept forums where they were given officer presentations relating to each directorate and a budget modelling calculator detailing the works, projects and services, along with the required rates increase to meet revenue requirements. The intent of using this process was to promote a more participatory model.
- f. The proposed rates in the dollar and minimum payments which were advertised on the 23 May were in line with the concept forums held with elected members, and intended to commence the public submission period for officers to collate and present back to Council, along with the final budget and rates for endorsement. Prior to the notice being published, elected members were informed via an email sent on 20 May 2019 to advise them of the publication, and to provide a copy of the notice.

- g. It is acknowledged that while it is not legislatively required that Council endorse the intent to advertise rates for public comment, the Town recognises the value of this process and its alignment to best practice. The Town will ensure that this process is adhered to in the future.
- h. Following the close of the public submission period in relation to the advertised rates, the Town will be presenting a further report to Council to seek their formal endorsement of both the 2019/2020 annual budget and the differential rates in the dollar and minimum payments. All public submissions received will be presented to Council for their consideration, along with the report.

[Section 6.35 of the Local Government Act 1995](#)

[Section 6.36 of the Local Government Act 1995](#)

Risk management considerations

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
Reputational Negative public perception towards the Town may result if the Proposal for Levying Differential Rates for the 2019-2020 is not ratified.	Moderate	Likely	High	Endorsement of Motion

Financial implications

Current budget impact	Not applicable.
Future budget impact	Not applicable.

COUNCIL RESOLUTION (104/2019):

Moved: Cr Karen Vernon

Seconded: Cr Jennifer Ammons Noble

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CARRIED (8 - 0)

For: Cr Bronwyn Ife, Cr Brian Oliver, Cr Ronhhda Potter, Mayor Trevor Vaughan, Cr Claire Anderson, Cr Jennifer Ammons Noble, Cr Julian Jacobs, Cr Karen Vernon

Against: nil

9 Public question time (only relating to the Agenda)

Nil.

10 Public statement time (only relating to the Agenda)

Nil.

11 Closure

There being no further business, Mayor Trevor Vaughan closed the meeting at 05:43 pm.

I confirm these minutes to be true and accurate record of the proceedings of the Council.

Signed:

Mayor
Trevor
Vaughan

Dated this:

Day of:

2019