



Agenda

**Special Council Meeting to be held Monday 29 April 2024
2.00 pm in Council Chambers, Nannup**

The purpose of the special council meeting is to:

- Endorse the Western Australian Electoral Commission to conduct 2024 extraordinary election.
- 2024/24 differential rates and minimum rate
- Notice of Revocation Motion – Nannup Music Club

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A G E N D A

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGMENT OF COUNTRY:

Shire President to declare the meeting open and welcome the public gallery.

Shire President to acknowledge the traditional custodians of the land, the Wardandi and Bibbulmun people, paying respects to Elders past, present, and emerging.

2. ATTENDANCE/APOLOGIES:

3. PUBLIC QUESTION TIME:

4. MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE:

5. CONFIRMATION OF MINUTES:

6. ANNOUNCEMENTS FROM PRESIDING MEMBER:

7. DISCLOSURE OF INTEREST:

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Where a member has disclosed a financial or proximity interest in an item, they must leave the Chamber for consideration of that item.

Where a member has disclosed an impartiality interest in an item, they may remain in the Chamber. The member is required to bring an independent mind to the item and decide impartially on behalf of the Shire of Nannup and its community.

The Shire of Nannup Disclosure of Interest Register is on our website [here](#).

8. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:

Nil.

9. PRESENTATIONS/DEPUTATIONS/PETITIONS:

Nil.

10. REPORTS OF OFFICERS:

AGENDA NUMBER & SUBJECT:	10.1 – 2024 Extraordinary Election
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ADM 2
AUTHOR:	Sarah Dean – Governance, Risk Assurance Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	12
PREVIOUS MEETING REFERENCE:	18 April 2024
ATTACHMENT:	10.1.1 – Western Australian Electoral Commission Extraordinary Election 2024 Written Agreement

BACKGROUND:

A vacancy now exists on Council following the resignation of Councillor Chris Buckland. Made in accordance with section 2.31 of the *Local Government Act 1995*, Cr Buckland's resignation was effective 31 March 2024.

At the Ordinary Meeting of Council on 18 April 2024, Council agreed to the cost estimate provided by the WAEC (Western Australian Electoral Commission); as detailed below:

COUNCIL RESOLUTION 24049
MOVED: CR LONGMORE
SECONDED: CR GIBB
That Council:

- 1. Agrees to the cost estimate of approximately \$16,000 (inc GST) provided by the Electoral Commissioner to conduct the Shire of Nannup 2024 Extraordinary Election as a postal election, and**

2. Requests the Chief Executive Officer to provide written confirmation to the Western Australian Electoral Commission of Council's acceptance of their offer.

CARRIED BY ABSOLUTE MAJORITY

TOTAL VOTES FOR: 6

Cr Brown, Cr Dean, Cr Fraser, Cr Gibb, Cr Hansen, Cr Longmore.

TOTAL VOTES AGAINST: 0

COMMENT:

Correspondence from the Electoral Commissioner is attached for informational purposes and states the WAEC's agreement to conduct the election for the Shire of Nannup at the agreed cost estimate; subject to Council endorsing the officer recommendation in this report.

STATUTORY ENVIRONMENT:

Local Government Act 1995

4.8. Extraordinary elections

(1) If the office of a councillor or of an elector mayor or president becomes vacant under section 2.32, an election to fill the office is to be held, except if the vacancy is filled under Schedule 4.1A or 4.1B.

(2) An election is also to be held under this section if section 4.57 or 4.58 so requires.

(3) An election under this section is called an extraordinary election.

[Section 4.8 amended: No. 2 of 2012 s. 10; No. 11 of 2023 s. 25.]

4.9 Election day for extraordinary election

(3) If at the end of one month after the vacancy occurs an election day has not been fixed, the CEO is to notify the Electoral Commissioner and the Electoral Commissioner is to —

(a) fix a day for the holding of the poll that allows enough time for the electoral requirements to be complied with; and

(b) advise the CEO of the day fixed.

4.20. CEO to be returning officer unless other arrangements made

(4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

** Absolute majority required.*

4.61. Choice of methods of conducting election

(1) The election can be conducted as a —

postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

(2) The local government may decide to conduct the election as a postal election.*

** Absolute majority required.*

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Funds are in current financial year budget.

STRATEGIC IMPLICATIONS:

Our Shire:

We listen to our community, are transparent, and act with integrity.

6.4 We are One

We will strive to make decisions and deliver outcomes that are in the best interest of the majority of the community.

Provide a stable, consistent, and honest government.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commission to be responsible for the conduct of the extraordinary election;
2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the extraordinary election will be as a postal election.

AGENDA NUMBER & SUBJECT:	10.2 – 2024/25 Differential Rates and Minimum Rate
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Nil
FILE REFERENCE:	RAT1
AUTHOR:	Dale Putland – Acting Manager Corporate Services
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	24 April 2024
PREVIOUS MEETING REFERENCE:	
ATTACHMENT:	10.2.1 – Landgate Rural Assessments – summary of the 2023-24 Rural Unimproved General Valuation
	10.2.2 - Differential Rating Proposal 2024/2025 - Statement of Objectives and Reasons

PURPOSE

For Council to endorse proposed differential general rates, minimum rates and Statement of Objectives and Reasons, attachment 10.2.2, for the 2024/25 financial year for the purpose of giving public notice.

BACKGROUND

The Shire imposes differential rates based on the purpose for which land is held or used. Prior to imposing differential general rates when Council adopts its 2024/25 budget, in accordance with section 6.36 of the *Local Government Act 1995*, the Shire is required to give local public notice of its intention to do so.

The differential general rates and minimum rate for the 2023/24 financial year were as follows:

2023/24	Rate-in-the-Dollar	Minimum Rate
Gross Rental Values (GRV)		
GRV General	0.097188	\$1,163
GRV Industrial	0.104130	\$1,246
GRV Short Term	0.108135	\$1,294
Unimproved Values (UV)		
UV General	0.004710	\$1,092
UV Mining	0.004710	\$1,092
UV Plantation	0.005178	\$1,510

COMMENT

The average overall increase in rate revenue for 2024/25 financial year is 15.76%.

The following table shows the percentage increases in total revenue throughout the Differential Rating Categories:

Total				
Proposed 2024/25 Rates				
	Last Year's Levied	Levy		% Change
GRV	\$ 998,926	\$ 1,062,843		6.40%
UV	\$ 888,802	\$ 975,312		9.73%
GRV Industrial	\$ 52,209	\$ 57,428		10.00%
UV Plantations	\$ 237,592	\$ 375,122		57.88%
GRV Short Term	\$ 64,699	\$ 124,965		93.15%
	<u>\$ 2,242,228</u>	<u>\$ 2,595,670</u>		<u>15.76%</u>
Non-Minimums				
Proposed 2024/25 Rates				
	Last Year's Levied	Levy		% Change
GRV	\$ 665,145	\$ 641,723		-3.52%
UV	\$ 733,738	\$ 714,032		-2.69%
GRV Industrial	\$ 48,471	\$ 53,318		10.00%
UV Plantations	\$ 233,062	\$ 369,002		58.33%
GRV Short Term	\$ 54,347	\$ 95,445		75.62%
	<u>\$ 1,734,763</u>	<u>\$ 1,873,520</u>		<u>8.00%</u>
Minimums				
Proposed 2024/25 Rates				
	Last Year's Levied	Levy		% Change
GRV	\$ 333,781	\$ 421,120		26.17%
UV	\$ 155,064	\$ 261,280		68.50%
GRV Industrial	\$ 3,738	\$ 4,110		9.95%
UV Plantations	\$ 4,530	\$ 6,120		35.10%
GRV Short Term	\$ 10,352	\$ 29,520		185.16%
	<u>\$ 507,465</u>	<u>\$ 722,150</u>		<u>42.31%</u>

Revaluation

The *Valuation of Land Act 1978* empowers the Valuer General (Landgate) to conduct general valuations on a Gross Rental Valuation (GRV) basis within Western Australia at such times and frequency as is considered necessary (currently every 3 years) and Unimproved Valuation (UV) properties on an annual basis. Values are determined relative to sales and rentals at 1 August of the preceding year.

There is no GRV revaluation to impact the 2024/2024 rating year with the next to take effect for the 2025/2026 financial year Landgate undertook its last annual review of UV valuations on 1 August 2023, with these valuations proposed to take effective from 30 June 2024.

The 2023 revaluation of properties, effective from 1 July 2024, valued on a UV basis resulted in an overall valuation average increase of 23.25%.

Landgate advise that the analysis of sales at and around the date of valuation supports an increase in Unimproved Values for broadacre agricultural properties, with greater increase in the east compared to the west of the Shire. The evidence for smaller properties generally supports more limited to no increases in Unimproved Values compared to broadacre farming properties. Some variations to individual assessments may have occurred either as a product of the valuation process and/or inclusion of updated information.

Proposed Rate in the Dollar and Minimum Payment for 2024/25

The overall object of the Shire's differential rates is to raise rates revenue in a manner that is simple, efficient and equitable to all ratepayers within the district. The proposed differential general rates and minimum rate for the 2024/25 financial year are as follows:

2024/25	Proposed Rate-in-the-Dollar	Minimum Rate
Gross Rental Values (GRV)		
GRV General	0.102047	\$1,280
GRV Industrial	0.114543	\$1,370
GRV Short Term	0.194643	\$2,460
Unimproved Values (UV)		
UV General	0.004192	\$1,420
UV Mining	0.004192	\$1,420
UV Plantation	0.005955	\$2,040

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Upon adoption of the 2024/25 Budget, the proposed rates in the dollar will generate sufficient rate revenue to deliver a balanced budget.

STRATEGIC IMPLICATIONS:

Section 6.36(1) of the *Local Government Act 1995 (Act)* states:

"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."

The Act prescribes the information to be included in the public notice and requires a local government to consider any submissions received before imposing the proposed rates.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:		
That Council approves the Statement of Objectives and Reasons as per attachment 10.2.2 and the following differential rates and minimum rates for advertising in accordance with Section 6.36 of the <i>Local Government Act 1995</i> :		
Rate Category	Proposed Rate-in-the-Dollar	Minimum Rate
Gross Rental Values (GRV)		
GRV General	0.102047	\$1,280
GRV Industrial	0.114543	\$1,370
GRV Short Term	0.194643	\$2,460
Unimproved Values (UV)		
UV General	0.004192	\$1,420
UV Mining	0.004192	\$1,420
UV Plantation	0.005955	\$2,040

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

<i>11.1 – Notice of Motion from Cr Ian Gibb – Brockman Street Closure during Nannup Music Festival 2025</i>
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Cr Gibb moves that the Council resolution 23190 is revoked:
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<p>That Council instruct the Chief Executive Officer to inform the Nannup Music Club that the Shire will not allow the road closure of Brockman Street, Nannup for the exclusive use of their ticketed festival goers for the 205 Nannup Music Festival and that the Council would like to see the festival return to an open style festival.</p>

Cr Gibb's reasons for revocation:

To allow further debate on the Closure or otherwise of Brockman Road at the earliest opportunity.

The possible loss of the Nannup Music Festival to Nannup, after 34 years of continually building capacity in Nannup during this time.

Nannup's residents do have an overarching belief that Nannup owns the Nannup Music Festival and we should not allow the festival to relocate to another town.

The significant negative impact on the economy of Nannup should not be underestimated. Plus

The significant impact on not-for-profit community groups, employment, and businesses.

The follow-on business activity through the rest of the year and the impact on Nannup's economy.

With the development of an MOU by the Shire Council, I believe the Council should give the MOU an opportunity to improve the relationship between the NMC and NSC as the Management tool to move forward.

12. MEETING MAY BE CLOSED:

13. CLOSURE OF MEETING:

Attachment

Item #	Attach	Title
10.1	1	Western Australian Electoral Commission Extraordinary Election 2024 Written Agreement
10.2	1	Landgate Rural Assessments – summary of the 2023-24 Rural Unimproved General Valuation
	2	Differential Rating Proposal 2024/2025 - Statement of Objectives and Reasons
11.1	1	Form - Councillor Motion to Revoke and Amend Previous Resolution of Council
	2	Community Survey Results Report
	3	Nannup Music Festival 2024 Survey
	4	Unsolicited Feedback