

No.	Written Submissions	Officer Comment
1	<p>We have lived and paid rates to the Serpentine Jarrahdale Shire over the past 43 years. Buying our small acreage in the Mundijong town site in 1977, building our home raising our family and contributing and being part of the community.</p> <p>The zoning has been changed over the years from initially rural to now Urban Development, we have not grown crops or farmed animals for profit thus the land has not been used as a business rather choosing to live a rural lifestyle so (No Actual use of Land).</p> <p>I would like to know why Council is seeking permission from the Minister to change the Method of Valuation and my only conclusion is an opportunity for a:-</p> <p>“Money Grab” by The Serpentine Jarrahdale Council”</p> <p>This decision has nothing to do with a Rating Equity. Perhaps acreages should not be part of any sub division if in the future Council will propose valuations to increase Rates.</p> <p>Plus small holdings have extra costs involved due to:-</p> <p>Maintaining fire breaks , Increase in Water Usage Slashing of paddocks, Fencing Bio Diversity Fees Weed Control etc</p> <p>None of the above costs are required by smaller residential blocks.</p> <p>Does this current Proposed Change in Method of Valuation also apply to Developers holding hundreds of acres in the area, levying their rates equitable?? I would ask for this question to be answered in writing.</p> <p>Also I would like to know with the proposed Change to Method of Valuation will small land holders be granted permission to subdivide their land as we will not be able to afford the rate increase. Currently any sub division by the small land developers is discouraged due to the Councils overall Develop Scheme Proposal for the future thus we as small land holders are held to ransom of what we can and cannot do in regards to the development of our land.</p> <p>In a Corona Virus Pandemic with many of us senior citizens affected by loss of employment an increase in rates will defiantly affect our ability to pay not to mention the stress, sleepless nights and mental anguish this ludicrous and un sympathetic proposal instigated by The Serpentine Jarrahdale Shire.</p> <p>Perhaps Council should be considering a levy to help small residential land holders cover the cost of owning small acreages.</p> <p>WE STRONGLY OBJECT!!!!</p>	Noted.
2	<p>I would like to submit formally in writing my objection to your upcoming Rate rise.</p> <p>I am not happy and would like to know why you would expect any rate payers to be ok with this. You have taken away our hard waste, green waste and tip passes and yet want to increase our land rates.</p> <p>You have not offered us anything to justify this increase. My street, Thatcher Road, needs streetlights and we also have no foot paths. Our drains overflow every time there is heavy rain as they are always clogged with leaves and bark.</p> <p>Our bridle paths are continuously being used by motorbikes and the rangers do nothing about it. I have called the Police regarding this, and they informed me that it is the rangers who should be dealing with this.</p> <p>If you are insistent on raising the rates, then I feel that you must give us something in return and if not then leave them as they are.</p> <p>Please do the right thing by the rate payers of our community.</p>	Noted.

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3	<p>We object to the rate changes for the following reasons:</p> <p>When we moved here in 2008, the council provided verge mowing, road sweeping, spraying of weeds and tip passes, these services have been revoked. The residents are maintaining the council verges at their own cost. The developers planted trees/shrubs on our property and the verge and we are not permitted to remove them. We were also encouraged by the council to plant trees/shrubs on our property which we have, and we need to maintain the plants at our own cost, (watering, pruning and disposal of dead trees/ shrubs etc). The council provided the plants through Australian Native Nursery. With no green waste, the only option for us is now to start removing the trees and burn them. With no verge collections, there has been no consideration for residence with no trailers, no licences, no tow ball on their vehicle and also no consideration for the elderly. Also, we went to the "waste station" with bricks and pavers only to be turned away, the guy said, they do not except brick and pavers, so we had to go to the Armadale tip and pay for the disposal of this rubbish, this product is recyclable. When I rang the SJ council to query this, they said that they only except what was collected from the verge collection, she said, it is not a tip, it's a "Waste Station" which is a total lie, at the "waste station" there were car batteries, gas bottles and tyres, the council never collected these items from the verge. Bring back our verge collections and provide us with tip passes for the Armadale tip. I would like a refund for the amount that it cost us to dump the brick and pavers at Armadale tip.</p> <p>In our estate we have 6 street light and have our rubbish bins emptied, we have no parks, no paths, no public transport, no curbs, no spaying of weeds, no road sweeping, no safe road crossing and no bridal trail maintenance.</p> <p>We have issues with the drainage on our property, these blocks were sold and the roads constructed by the developers being higher than the actual land. We have open drained that fill up and the water sits there. The development behind us, they are bringing sand in, we will have more severe drainage issues when constructions is complete and rate payers start building. The drainage issues here have been swept under the carpet for years. We also have had the water mains burst in this estate approximately 15 times in 12 years. There has been no maintenance done by the council in this estate.</p> <p>There is talk that we are soon to have no access to Hopkinson Road from Jersey road for the proposed Tonkin Hwy. The proposed access for us will be Kargotich Road, which will make it inconvenient for everyone in this estate, especially for residents that work and shop in Byford. This does not make any sense!</p>	Noted.
4	<p>Our boundary set back has changed without notification. The setback was 7.5m from the sides, 15m from the back and 20m from the front. That has changed to 10m from the sides. The council change the regulation to suit them, to make more revenue.</p> <p>We also get charged \$55 a year for a pool inspection that is conducted every 4 years? The pool inspector is at the property for no more than 10mins, which doesn't justify \$220.00 for a pool inspection. Now the Pool inspector has a brand-new car with SJ pool inspector splashed all over the car, Rate payers have payed for this car.</p> <p>Also, the council employees have been seen at the King Rd Brewery having their meetings at the rates payer's expense!</p> <p>We will not be paying the proposed amount; in 13 years, nothing has been improved in this estate, and there are no services provided to us anymore.</p>	Noted.
5	<p>IN21/16395 - Hi, I wish to respond to the submission on rates on my property.</p> <p>Our property has a water easement that has a caveat attached to it, we have to maintain this area and can not use it for our own benefit. I feel it is unfair for the shire to charge us the same amount in rates that other property in the area are paying.</p> <p>We have to maintain drainage leading into it (shire responsibility) to reduce the risk of our property flooding.</p> <p>As it is the shire do not maintain the remainder of the drain network causing debrie to wash down and block our drainage, causing flooding if I am not able to clear in time.</p> <p>We have no problem paying what if fair, but feel we should not have to pay the same amount that a property not containing these restrictions does.</p> <p>Shire maintained drains first two. My drains maintained next two.</p> <p>PICTURES ARE ATTACHED TO EMAIL</p>	Noted.

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6	<p>IN21/16479 - We do not object to increases in rates based on general cost increases in the community. In this case the projected increase to our rates is not based on a cost increase, rather a new rating category which will apply to our property. The increase would be \$336.40 or 23.73%, well in excess of the inflation rate.</p> <p>We do not agree with such a major increase in statutory costs in today's stressed environment. I further note that we are pensioners with little prospect of increases in income more than 20%.</p> <p>You describe your project as "levying rates equitably." In our opinion equity strikes both ways, and we are strongly of the view that the Shire has consistently failed to treat our area equitably in terms of services and maintenance.</p> <p>Very large increases in residential development in Byford provides the shire with substantial increases in overall rates. Shire expenditure in the essentials, such as roads and footpaths has not been evident in Linton Street North.</p> <p>For example, we have asked repeatedly for road resurfacing and footpaths. the section between Stanley Road and the entrance to the Byford Country Club to no avail, except a note we received from the shire advising that \$20,000 had been budgeted for a footpath in Linton Street. The logic of that expense in a cul-d-sac when Linton Street North is handling hundreds of vehicles a day, including trucks servicing the club is more than a puzzle. Access to the highway for Country Club patrons is an absolute essential, both for bushfire safety and the safety of Linton Street North residents. Furthermore, we see an important improvement is necessary in the installation of sewerage to our street. The Water Corporation has advised that a connection to Walters Road is impractical, as the elevation will not allow gravity feed. However it confirms that a connection down Stanley Road to the sewerage main west of the highway is practical.</p> <p>We believe these kind of priorities should outrank social amenities.</p> <p>In addressing the two key strategies noted on your website, we note the following:</p> <p>a). Ensure correct valuation method is applied. If the current method is incorrect, that is not the fault of existing residents. When the shire needs to amend its rules and its treatment of ratepayers, it should protect existing residents against the impact of any 'corrections' that the shire deems necessary.</p> <p>b). Maintain differential rating. Re-categorising rating does not appear to be maintaining differential rating. It is quite the opposite, and any changes to categories should again only be applied on a sale of an affected property, where new owners can factor shore charges into a buying decision.</p> <p>In summary we submit the following:</p> <ol style="list-style-type: none"> 1. Any reclassification of rating category to our property should be held over until a property sale. New owners would then factor the new rates into their budgeting. 2. Rates increases for residents, either by Rate in Dollar calculations, or any reclassification of categories or zoning, should be limited to the underlying inflation rate and the shire should manage its expenditure within these limitations. 3. The shire should urgently pursue highway access for the Byford Country Club, but in the interim urgently provide road resurfacing and a footpath to the section of Linton Street North most affected by the Country Club traffic. 4. The shire should immediately begin plans for sewerage connection to Linton Street North. 	Noted.

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7	<p>IN21/16547 - Please find attached our form to 'Object to proposed rate Increase'</p> <p>We have lived in the SJ Shire since 1994 and at our current address for 15 years. In the time here, all improvements to our property have been carried out at our own expense, the SJ Shire will not cash in on our hard work and \$\$ spent for their own gain.</p> <p>We supply and maintain:</p> <ul style="list-style-type: none"> Our own water supply Our own Sewerage treatment Our own gas supply Maintain our verge Maintain our back Bridle path Maintain our land use with Horses <p>We are totally shocked at the proposed increase to our rates, they are totally unjustified. What does the Shire do for our current rates?? Let alone warrant any increase. Please tell us what our rates pay?? We have a minimum rate of \$1383.00, we pay \$1955.20, how is this calculated?? \$572.20 above the Minimum rate??</p> <p>Over and above rates we pay extra for rubbish Collection, Emergency services, hard/green waste collection, pool inspection – these costs are justified and accepted.</p> <p>Over the past 15 years, we have had our verge sprayed for weeds on 2 occasions(one of these only a few weeks ago), we can honestly say no other services have been carried out.</p> <p>No road maintenance, we have inadequate street lighting, no foot paths, no P.O.S for recreation, no street/roadside maintenance....nothing. There is no street scape appeal for this area.</p> <p>Darling Downs is an absolute FIRE RISK, it is over grown, untidy and unloved. The Shire do not carry out any form of maintenance in this area what so ever, zero dollars or time spent to maintain a safe suburb to reside. For the first time since we have resided at Darling Downs, last week a crew of workers mowed and whipper snipped on Masters Rd. This is the very first time it has been carried out in the 17 years we have owned our property. The love grass was so high you could not see to leave our street.</p> <p>A thought to raise revenue would be to request each property owner to maintain their verge and associated areas linked to their properties, if not then charge to come and carry out the required works to bring Darling Downs back to a respectable looking suburb.</p> <p>We strongly object and oppose and will not pay any increase in the near future. If in the future we can see that the SJ Shire are doing something for the rates we now pay then we will re-consider.</p> <p>In closing, we do not accept ANY form of increase to our rates based on the above.</p> <p>ATTACHED - OBJECTION TO PROPOSED CHANGE TO METHOD OF VALUATION FORM</p>	Noted.

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8	<p>IN21/16665 - We strongly disagree with the S.J. Shire review on methods of valuation.</p> <p>We feel that it is totally inappropriate, as the Shire is in our opinion, the Shire with the highest cost rate in W.A. Especially when compared to Rockingham Shire with hectares of beach front park, which it maintains to an enjoyable level. And Victorian Park Town Council, with Parks, Gardens, and a higher maintenance level due to population. These are just two examples, we believe there are many more.</p> <p>We also believe the Shire has no cost involved in all the subdivisions, as the developer does everything then hands over to the Shire, ie no cost for 20+ years. A primary example is Medulla Road. Jarrahdale. Installed by the developer, with the Shire doing a cosmetic repair several years ago, basically their only cost in 40 years.</p> <p>Also with the Rate Change Status, does this allow the S.J.Shire to change the zone to a new category in the future, thus achieving another rate increase?</p> <p>To finish off, we strongly object to a rate increase from the already overrated system.</p>	Noted.
9	<p>IN21/16665 - We strongly disagree with the S.J. Shire review on methods of valuation.</p> <p>We feel that it is totally inappropriate, as the Shire is in our opinion, the Shire with the highest cost rate in W.A. Especially when compared to Rockingham Shire with hectares of beach front park, which it maintains to an enjoyable level. And Victorian Park Town Council, with Parks, Gardens, and a higher maintenance level due to population. These are just two examples, we believe there are many more.</p> <p>We also believe the Shire has no cost involved in all the subdivisions, as the developer does everything then hands over to the Shire, ie no cost for 20+ years. A primary example is Medulla Road. Jarrahdale. Installed by the developer, with the Shire doing a cosmetic repair several years ago, basically their only cost in 40 years.</p> <p>Also with the Rate Change Status, does this allow the S.J.Shire to change the zone to a new category in the future, thus achieving another rate increase?</p> <p>To finish off, we strongly object to a rate increase from the already overrated system.</p>	Noted.
10	<p>IN21/16746 - When I purchased this property in 2012, I received approximately a 30% discount on rates for farming land, as per what is offered in the Shire of Murray. This new rating strategy does not appear to offer the same discount and I am at a loss to understand why this is the case. I am seeking to have this discount re-instated.</p> <p>Having been a farmer for 60 years I feel I am being penalised by the rate increase. Can you please give this consideration, and advise if this type of discount still applies. ****NOTE - NO FARMLAND CONCESSION IS GIVEN ON THIS PROPERTY AS OWNER DOESNT MEET CRITERIA AS NOT LIVING IN THE SHIRE OF SERPENTINE JARRAHDAL</p>	Noted for response.
11	<p>IN21/16747 - I would fully agree for a more equitable rates distribution but:</p> <p>When I lost the annual land waste & the bi-annual green waste pick up there was no consultation. The Watkins Road depot is of no use to me as i drive a small car with no trailer facilities. Item for the relocation of the Mundijong library to the Byford Hall; no consultation. The possible \$297 - increase is needed for the hire of a skip to dispose of my green waste.</p>	Noted.

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12	<p>IN21/16853 - This is my official letter stating my objection to the rating change. First of all you tried changing the method of valuation from unimproved value to gross rental now you are being calculating by trying another method of trying to change it to rural residential which is the same as intensive farmland. First question how can residential rural be the same as intensive farmland when we do not make a living from the land?</p> <p>Why is it you are so intent of bleeding your rate payers dry. I am a single person struggling after losing my job after covid-19 and it is your intent to try to have your rate payers sell up our homes so you can develop the land. You are nothing short of greedy and corrupt. Second question how is that horrid man Dean still a part of your council? If I had behaved in that way in my job I would 100% been sacked. He would not have been voted back in so how is he still there. He caused a uprising bringing a war between Byford residents and Oakford residents.</p> <p>You are supposed to serve your rate payers not the other way around. So tell me why we should pay more than GRV residential when they have the following amenities which we do not and should not pay for?:</p> <p>Street Lighting Footpaths Parks Close proximity of shops & schools Public transport Decent and safe roads Drainage systems</p> <p>We have beautiful natural surroundings which are why we all moved out here and your sole purpose is to destroy that. I have POWER LINES running through the middle of my back property? I am unable to use that land even if i wanted to, wouldn't get approval anyway. My Paddocks are completely flooded in winter. Hence please tell me why I don't get a reduction in my rates? In fact I officially request that you do reduce my rates due to this reason.</p> <p>I have been living here 16 years and it took another 3 years for you after me asking for you to do the drains and only once during that time. Let me add made it much worse as the build-up of soil makes the water run back into the paddocks which make for more flooding than before. Useless! In fact the only thing you have done in the last 16 years is wait for it NOTHING! Sorry yes you did you took away verge collection which other shires have. Next question is how much is your salary? My guess is it is a 6 digit figure which is extremely over the top for the nothing you do for your rate payers.. So you can all afford your rates. Our shire is nothing but corrupt and you should all be ashamed of your selves. I have underlined the questions that I would expect of you being our shire to answer.</p> <p>This is your chance to change the majority of your rate payers negative approach to you and be decent humans and look after us. I look forward to your response.</p>	<p>Noted.</p> <p>Noted</p>

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13	<p>IN21/16854 - I am writing to indicate my concern at the latest attempt by the SJ Shire to increase our rates significantly.</p> <p>My rates are increasing by 20.5%. I believe this to be an excessive increase set by the Shire for any rate payer to have to pay in a single year.</p> <p>I am also extremely concerned that this increase will not be a 'one off' event. Will this same excessive increase be applied again in coming years? Is the Shire attempting to achieve the same rate rise it tried to pass through in 2020 but using a process of smaller amounts over a number of years?</p> <p>There are significant costs associated with maintaining a large property in good condition. Owning a large property is not an indicator of wealth. If landowners are required to spend more on rates, I am concerned owners will find it more challenging to afford upkeep of their properties.</p> <p>In summary; I would like the increase of rates to be stopped. If they do go ahead, I believe the increase should be significantly lower than 20.5% which is what I'm currently expected to pay. I would also like an ironclad assurance that this rate rise will not be continued in future years.</p>	Noted.
14	<p>IN21/16864</p> <p>i'm replying to the letter i received regarding the rate increase for 2021--2022--pls take this email as my objection to the rate increase.</p> <p>I do not fully understand the letter I received and the reasoning behind the increase for this property.</p> <p>I do understand with the increase of properties in the shire things at times do need to be re-assessed and altered which includes costs at times.</p> <p>I spoke to a lady in the rates department at the shire and from the information I received from her my understanding is that the mentioned property is zoned rural--ie for farming etc and this property has been assessed as not suitable for that purpose as it is too small.</p> <p>I also applied to run a small business from this property and received approval late last year for this.</p> <p>with the business i applied for at the very end of the process i was told the business was deemed a commercial business category and i was told i had to install a disabled toilet {this cost was approx \$30,000.00} in one of the sheds that were being constructed for the approval to be granted even though i do not intend to employ anyone or have members of the public utilising the facility---as the owner of the property i also have several toilets available in the existing house etc for my use..</p> <p>with the additional cost for this and the amount of time it took for the applications to be approved iam struggling to pay day to day costs let alone a increase in rates.</p> <p>In speaking to the rates dept at the shire if the property is to be deemed commercial i'm looking at an increase of approx \$1200.00--if this is to be the case i would request a reassessment of this cost.please or approval that i am able to run additional commercial businesses from there as if things pick up financially i would like to build several factory units there to be able to rent out to other businesses in the area.</p> <p>as mentioned i am not against what the shire is trying to achieve i just can not afford the large increase in the rates if iam correct in the figures in the letter received</p> <p>i hope you can consider my request for the increase to be re-evaluated and can be contacted for any information you may require.</p>	Noted
15	<p>IN21/16883 - I wish to question what appear to be arbitrary figures for the new UV – Rural Residential category.</p> <p>From the development of Blytheswood Park Estate to the present Shire Strategic Plans lot sizes were up to one acre for residential properties. This includes my own property which is a little over 4000sqm. It therefore seems unreasonable to include these properties in the new residential category.</p> <p>I would suggest a more fair lower figure would be at least 6000sqm or even 10,000sqm.</p>	Noted.

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16	<p>IN21/ 16907 - There is no fair & equitable system, or you & others, see below, would use it..</p> <p>https://www.vff.org.au/policy/farm-business/local-government-rates/</p> <p>https://www.yourcityyourvoice.com.au/rates-forum</p> <p>https://www.abc.net.au/news/2018-07-21/calls-for-review-of-victorian-council-rates-system/10008610</p> <p>I presume you have a similar manual.. how does it describe 'fair & equitable'.</p>	Noted.
17	<p>IN21/16939 - We are in receipt of your letter dated 23rd June 2021 in which you provide the Councils position regarding the rating of the above property.</p> <p>We acknowledge and confirm the current zoning of the land as Commercial/Industrial and whilst we have no basis on which to lodge a formal objection to the proposed increase in rates we would ask the Council to consider the following:</p> <ul style="list-style-type: none"> . The land whilst being set in the midst of commercial ventures is used for recreation. . The permitted use for the land is for the conduct of model aircraft activities. <p>Our club KAMS (Kalamunda Aeronautical Model Society Inc) has been a long term owner of the property and has conducted itself at all times in accordance with the permitted usage.</p> <p>Our club is totally non profit and all improvements are totally self funded through membership and grants made by our state governing body.</p> <p>Our current membership is 120 made up of mainly retired persons, approximately 50 working members and 5 junior members.</p> <p>We would request that the Council consider the above and look to a possible reduction in the proposed rate such that our much needed club funds can continue to be used to provide a safe and secure facility for all members to enjoy.</p> <p>Thank you for your consideration and we look forward to your response.</p>	Noted for response.
18	<p>IN21/16937 - In accordance with your letter of 23 June 2021 I am submitting an objection to the proposed changes to the rating method of my property from Unimproved Value (IN) to Gross Rental Value (GR V), According to that letter, the central tenet of your proposal appears to be based on applying the rating method that aligns to the 'actual use of the land, regardless of the zoning or services provided'. With this aspect as the central premise, changing the rating method to GRV is not appropriate for this property, as discussed below.</p> <p>The Shire of Serpentine Jarrahdale's (SJ) (the Shire) ethos for this change (as related to 'actual use') appears to be founded on the two following opinions, which are drawn from the Shire's earlier letter on the rating of properties (your letter dated 14 September 2020).</p> <p>Opinion 1. "A 'rural purpose' means a purpose pertaining to agriculture and agriculture is defined to mean the use or cultivation of land for any purpose or husbandry or horticulture, including the raising of livestock and the growing of crops."</p> <p>Opinion 2. It "is unlikely that land used as a hobby farm or the keeping of a small number of horses or agricultural animals would satisfy the definition as land used predominantly for rural purposes".</p> <p>These espoused opinions do not appear to be supported by the Shire's own planning documentation or standards promulgated by other authorities. This means that the Shire's ability to change the rates for my property, in accordance with Section 6.28(2) of the Local Government Act 1995 (the Act), would not be valid. This clause of the Act states the following:</p> <p>'In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be -</p> <ul style="list-style-type: none"> (a) where the land is used predominantly for rural purposes, the unimproved value of the land; and (b) where the land is used predominantly for non rural purposes, the gross rental value of the land.' 	Noted.

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	<p>It is noteworthy that the Act does not define the terms 'rural purposes' or 'predominantly'. Additionally, according to the Shire of Northam's legal counsel(J), definitions such as those applied by the SJ Shire have not been judicially considered. In other words, the legal foundation for the Shire's opinions on these terms may be considered tenuous because they are not definitively founded on legislation and they have not been tested in the courts.</p> <p>Similarly, the Act does not define the term 'actual use', which has been used by the Shire as a central premise of their opinions on changing the rating method. However, in accordance with standard legal practices, synonymous words or phrases can be deemed to have corresponding meanings(2). Therefore, other official documents and regulations can be utilised to define synonyms for 'use' or 'rural purposes' through related terms such as 'rural use' or 'rural pursuits' .</p> <p>For instance, the Shire of Serpentine Jarrahdale Town Planning Scheme Number 2 defines 'rural use' as the 'use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:</p> <ul style="list-style-type: none"> (a) the growing of vegetables, fruit, cereals, or food crops except for domestic purposes; (b) the rearing or agistment of goats, sheep, cattle, or beasts of burden; (c) the stabling, agistment or training of horses, or other ungulates; (d) the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens; (e) the sale of produce grown solely on the lot. ,(3) <p>It is noteworthy that the Shire's own planning documentation includes a wide range of 'rural uses', which includes 'the stabling, agistment or training of horses or other ungulates'. Therefore, the Shire's planning scheme does not support the much narrower definition applied for their Opinion 1. Additionally, there is no caveat in the Shire's own Town Planning documentation, which defines the number of horses that are required on a property to meet the criteria for 'rural use'. Consequently, this does not appear to support the view purported in the Shire's second opinion.</p> <p>The Shire's narrow opinions are also not supported by superior planning documentation. As an example, Clause 38 (p. 112) of the State Planning and Development (Local Planning Schemes) Regulations 2015 defines 'rural pursuits' as including 'the rearing, agistment, stabling or training of animals'. Similarly, Section 3.3.1 and Schedule 1 of the W A Government Gazette (No. 139) defines 'rural pursuits' as 'including the keeping of horses' and 'the stabling agistment or training of horses'. In these superior planning documents, the State Government does not define how many horses are required on a property to constitute this as supporting a 'rural pursuit'. Consequently, the State Government's intent does not appear to be aligned with the Shire's second opinion.</p>	

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	<p>Next, the Shire's second opinion appears to be aligning with Section 6.28(2) of the Act by utilising the term 'predominantly'. As explained above, the term 'predominantly' is not defined within the Act. However, this term is broadly accepted within the legal profession as meaning more than 50%. Therefore, the application of this legal precept would mean that a property should be considered as being predominantly utilised for 'rural use' or 'rural pursuits' if more than half of the land area in question is allocated to those purposes.</p> <p>According to the Shire's Local Planning Policy No 81 and LLP17 the amount of space that is allocated for a residence on a horse property (e.g. Rural Living A, Rural Living B, Special Rural, Farmlet, etc.) is limited to an envelope set by the Shire. Typically, these building envelopes only cover a few hundred square metres out of the entire property. Consequently, for most horse properties in the Serpentine Jarrahdale Shire area, the land utilised for the residence comprises a relatively small part of the overall area. As an example, even a 500 square metre house envelope within a 2-hectare block means that the house is only utilising about 2.5% of the area of the property. In properties such as ours, the remaining area is mostly allocated to 'rural uses'. Therefore, our property is predominantly allocated to 'rural pursuits' as they are defined above.</p> <p>Consequently, the application of GRV as the method for defining the rates for this property does not conform with the Act because:</p> <ul style="list-style-type: none"> . this property is being utilised in a manner that conforms with the Shire's definition of 'rural use' -b) the rearing or agistment of goats, sheep, cattle, or beasts of burden; . these activities also conform with those defined as 'rural pursuits', the terms 'rural use' and 'rural pursuits' cannot be ruled out as being synonymous with the term 'rural purposes'; <p>this property is 'predominantly' allocated to these 'rural purposes' because most of the area is allocated sheep paddocks; so in accordance with Section 6.28(2) (a) of the Act, the land must be rated in accordance with its Unimproved Value.</p> <p>I hope that this information will be of assistance in ensuring that the Shire can conform with its obligations to conform with the Act.</p>	
19	<p>IN21/16962 - We reject, totally, the suggested proposal for the increase of rates on the above property.</p> <p>Without information on new and/or improved services it is very hard to justify any increase of council rates. We see no evidence of the above on any level.</p> <p>Thank you for the opportunity to respond to the suggestions.</p>	Noted.
20	<p>IN21/16938 - I object to the Shire of Serpentine Jarrahdale Council changing the rate category of my property from UV General to UV Rural Residential (NEW) and in particular, the subsequent increase in the proposed rate in dollar.</p> <p>If there is to be the proposed UV Rural Residential category, then i submit it should be rated the same as uv general on the following grounds ;</p> <p>(a) We do not have the general amenities other enjoy</p> <ol style="list-style-type: none"> 1. Properties in this area of Darling Downs are not connected to schem water, a commodity most other have. 2. There is not street lighting in my road. 3. In the approximately 30 years I have owned my property no road works have been done on my street. 4 We do not have footpaths. 5. we do not have curbing to our roads. 6. We have open drains along our road - no closed drains. <p>(b) We have other requirements to comply with, enforced by Council or other organisations.</p> <ol style="list-style-type: none"> 1. We are required to have firebreaks around our properties and to keep them clear at all times - an expense in money and/or time. we understand the necessity of this. 2. We are required to pay a fee to the Biodiversity organisation for the Peel area under threat of flies if we do not. 3. We are required to keep out properties clear of declared weeds etc. 4. These are not required by smaller properties. <p>The lack of the general amendities and the enforced requirements are disadvantages not experienced by those on town properties.</p> <p>Therefore in fairness, i submite that the proposed UV rural residential rating should be the same as UV General rating.</p>	Noted.

No.	Written Submissions	Officer Comment
21	<p>IN21/16956 - This shire grab for land, equals more rates to waste. Those of us on acreage have received NOTHING and have asked for NOTHING. Most of us moved to a rural area to live a rural lifestyle with a few animals. Those of us following the rules DO NOT operate a business from our properties and live a house because it is a mandatory council regulation that we do so. We have been accused by the ill informed brain cell deficient of leeching off the built up areas of the shire with our pitiful contribution to our rates for more than 20 years. Sadly you cannot fix stupid not even with duct tape. The majority of us are SELF SUFFICIENT AND SHOULD BE REWARDED AND GRANTED COMPENSATION FOR ALL THE YEARS WE HAVE BEEN SUBJECTED TO HIGH RATES AND NOTHING FOR IT. Our particular estate had land and money provided to build our static water supply and we have NOTHING AFTER TWENTY FIVE YEARS. Our bridle path is one of the most beautiful and the most NEGELECTED again twenty five years of lies and NOTHING else. We have NO street lights, footpaths, shops, schools, parks etc and we have NOT asked for any. Where is the fairness telling us we should pay commercial rates for our properties on which we do make money its costs us to maintain them. You dont maintain our 200m + verges, it is not our responsibility to maintain them. We are sick of hte venom spitting vitriolic Councillors attacks on our requirement for fairness. We dont like having our amenities destroyed by those who do not follow council compliance, charge them extra or better still do your job and remove their non compliant business from our areas. This is discrimination against us by poor financial management of this council. We should NOT be making up the deficit for the built up areas and that is exactly what you are attempting to do.. NO sewage water and we accepted that when we build here, expensive to build and even more expensive to maintain our properties. We dont need a Robin Hood attitude by this council, however we are not the wealthy. WHAT HAVE YOU DONE FOR US FOR THE ENORMOUSE RATES YOU CHARGE US?? NOTHING</p>	Noted.
22	<p>IN21/17079 - I object to the shires proposed differential rating for 2021/22.</p> <p>My property will change from UV general to UV rural residential with a rate increase of \$367. The shire rates are already higher than other shires, and a rate increase is unfair at this time when people are struggling with the global pandemic and ongoing related financial strains.</p> <p>I am also concerned what the name change from UV general to UV rural residential actually means to the zoning of the property in the future.</p> <p>I live on a 5 acre property with no scheme water, no footpaths, and a poorly maintained road. The shire does not maintain the Korribinjal brook reserve- I have maintained, weeded and reduced the fuel load in the reserve near my property for 15 years. I do not believe that I should pay higher rates as the Shire does not provide any more services to rural or special rural properties.</p> <p>I also disagree that the minimum rate charge for UV rural residential, UV- commercial/industrial and UV intensive farmland are the same. Why am I expected to the pay same minimum amount as a business? I am not generating an income from my property. I live in this area for the rural lifestylegrowing vegetables, keeping animals and enjoying the space.</p> <p>I believe that rate increases will make this Shire unaffordable to long term residents who have retired in the area and potentially impact of future resale of properties.</p> <p>I believe that proposed changes of reducing GRV general by a few dollars for householders is a sneaky way of decreasing the number of people who will not comment or object on the proposed changes. When in fact it should be noted that they are already paying higher rated compared to other shires.</p> <p>There has been a huge increase of new properties in the shire and therefore an increase in rates collected by the shire. Why is it that the shire is unable to keep its budget within the income from rates as collected?</p> <p>It is my hope that Shire identifies options that address the rating inequity that does NOT result in the increase of shire rates for any residents.</p>	Noted.

No.	Written Submissions	Officer Comment
23	<p>IN21/17118 - I am writing to you with regards to a letter dated 23 June 2021 received from Council about the new rate changes.</p> <p>As my rates will be receiving a small increase (\$78.26) according to what is in the council letter I don't have an objection to the amount as long as in the following years the rates don't become a large amount each year as was originally proposed in 2020.</p> <p>I disagree with the rate category we are placed in the same minimum payment as Commercial/Industrial. And intensive farmland. We do not make a living on our property so therefore I find the category we are in is not equitable, we should be in a separate category with a decrease in minimum payment from the proposed payment.</p> <p>I have lived on my property for 18 years and in that time I have seen no increase in services provided to this estate. We do not have the following scheme water, sewerage, street lighting, underground power, footpaths, parks, verges which have been piped rather than open drains. The newer smaller estates have all these facilities so why should their rates reduce or stay the same, and ours increase with no amenities, I don't think that is equitable.</p> <p>So as much as the proposed increase to my rates is small I still don't think it is equitable, and council should re examine its proposal.</p>	Noted.
24	<p>IN21/17124 - In reply to the Shires aim to make the rates more equitable the consideration of need rather than greed should be paramount.</p> <p>With the huge increase of subdivisions the rates should decrease not increase!</p> <p>One question I would ask is how much rateable income is invested in shares, stocks and bonds outside of the Shire?</p>	Noted for response.
25	<p>IN21/17121 - We have lived and paid rates to the Serpentine Jarrahdale Shire over the past 43 years. Buying our small acreage in the Mundijong town site in 1977, building our home raising our family and contributing and being part of the community.</p> <p>The zoning has been changed over the years from initially rural to now Urban Development, we have not grown crops or farmed animals for profit thus the land has not been used as a business rather choosing to live a rural lifestyle so (No Actual use of Land).</p> <p>I would like to know why Council is seeking permission from the Minister to change the Method of Valuation and my only conclusion is an opportunity for a:-</p> <p>"Money Grab" by The Serpentine Jarrahdale Council"</p> <p>This decision has nothing to do with a Rating Equity. Perhaps acreages should not be part of any sub division if in the future Council will propose valuations to increase Rates.</p> <p>Plus small holdings have extra costs involved due to:-</p> <p>Maintaining fire breaks, Increase in Water Usage Slashing of paddocks, Fencing Bio Diversity Fees Weed Control etc</p> <p>None of the above costs are required by smaller residential blocks.</p> <p>Does this current Proposed Change in Method of Valuation also apply to Developers holding hundreds of acres in the area, levying their rates equitable?? I would ask for this question to be answered in writing.</p> <p>Also I would like to know with the proposed Change to Method of Valuation will small land holders be granted permission to subdivide their land as we will not be able to afford the rate increase. Currently any sub division by the small land developers is discouraged due to the Councils overall Develop Scheme Proposal for the future thus we as small land holders are held to ransom of what we can and cannot do in regards to the development of our land.</p>	Noted.

No.	Written Submissions	Officer Comment
	<p>In a Corona Virus Pandemic with many of us senior citizens affected by loss of employment an increase in rates will defiantly affect our ability to pay not to mention the stress, sleepless nights and mental anguish this ludicrous and un sympathetic proposal instigated by The Serpentine Jarrahdale Shire.</p> <p>Perhaps Council should be considering a levy to help small residential land holders cover the cost of owning small acreages.</p> <p>WE STRONGLY OBJECT!!!!</p>	
26	<p>IN21/17190 - I oppose the proposed rate increase as described. Shire should not change the rate category to increase rates. On three grounds:-</p> <p>One I see this "rate equity" as simply a ploy to increase revenue from rates. Shire income from rates regularly increases in this shire due to rates increase for most years. Better management of the budget would be more appropriate. If Equity in rates is so important reduce the rates for those paying the higher rate – or at least by the same as the total increase in revenue as proposed. Any increase in rates is just an increase in revenue. This council appears to have high rates in comparison too.</p> <p>Two Correct me if I'm am wrong but the special rural zoning was devised to reflect the difference in services that the shire provided to the different properties. Probably what you refer to as UV general but we know as Special rural properties such as mine do not have the same services as normal residential. We do not have street lighting, footpaths, shire provided crossovers, street trees (apart from naturally occurring ones), street kerbing, stormwater drainage from the roadway. Nor do we need them, and I am not asking for them. The absence of these services is one of the attractions to the property. Over the years council have restricted the use of the property with regulations and bylaws and the special rural component is almost gone as there is little rural application remaining, the property has now really become a lifestyle. Unfortunately for the landholder the shire now wants to exact money from this situation.</p> <p>Three Council have been told by the Premier not to increase rates previously when it attempted to do so I suggest that you do as communicated. But in true council style my guess is that you will proceed regardless of the feed back. I remain opposed to the rate increase. Your unhappy resident IN21/17233 - This is a unfair rate not running a business needs to be accessed by catagory hobby farm. Have no amenities, parks, street lighting & maintenance, water, sewerage</p> <p>CS005971 - We dont agree with the rate rise, you dont provide any service. We dont get the services as Byford.</p>	Noted.
27	<p>IN21/17295 - The following conditions are why we object to the rate review increase.</p> <p>1. Unlawful condition of Bush forever that council imposed on our block when their own lawyer said it was unlawful. The bank and Tax Dept says it reduces the resale value by 50% because it is so small a block. Bush forever was meant for large blocks. The sworn valuation stated the property devalued by \$300,000. Council offered \$3000 a year while we owned the property for compensation. A rate reduction of 30-50% was to be negotiated at the time but was left open for the future as the Bush forever office said it was councils responsibility as they imposed the unlawful condition on the block. Bush forever was not on the property when we bought it and councils recommendation was sent to WAPC without consulting us after the development approval was issued. A letter from Tim Houwelling to the council requested they fill the hole made by them during the removal of sand from our propert within 7 days, they failed to do. A retaining wall need alongside the hole they offered to build was never done. The following people were involved in this situation at the time - Gordon Allan, Alan Hart, Richard Gourbonett, Andrew Polmarco, Jan Star & several councillors. As we are a primary producer we can claim urban farmland rating. *** This property is WA Cactus & Succulent Supply</p>	Noted for response.

No.	Written Submissions	Officer Comment
28	<p data-bbox="345 187 2301 217">IN21/17308 - On review of the SJ Shire document A317105 I would like to respond on our concerns and views as detailed the document.</p> <p data-bbox="345 264 2459 338">As advised in the document the SJ Shire is trying to establish equity of rates by reviewing the method of valuation across all properties. In doing this the shire is proposing a new Rate in GRV Dollar set by DOLA and then set a minimum value per property.</p> <p data-bbox="345 385 2473 459">I would like to note that these new values are excessive when compared to other shires and do not evenly match the services supplied by the shire in a consistent value which is not as per the SJ Shire attempt to have equity across all the properties in the shire.</p> <p data-bbox="345 506 2473 616">* A Rural Residential property is an essential part of the SJ Shire's Green Belt and in general a Rural Residential property is an important component of the SJ Shires environmental statutory requirements. In general, a Rural Residential Property Owner lives on the property in a lifestyle which costs significantly more to maintain than Intensive Farmland (Per sqm) and Town Based Residential Properties.</p> <p data-bbox="345 622 2473 733">* I have noted that In the proposed rate review the SJ Shire has indicated that it intends to increase costs for the Rural Residential properties, yet it is not showing any appreciation to these Rural Residential property owners of the essential contribution to the SJ Shire they are providing at no cost to the shire.</p> <p data-bbox="345 739 2473 969">* The SJ Shire advertises that is a rural living supportive shire, yet it shows significant disrespect to the Rural Residential properties as like many Rural Residential owners we are very passionate about our properties and contribution to our lifestyles. A significant number of the Rural Residential owners maintain their own verges at no cost to the shire and carry the costs of Fire Breaks, lack of general utilities like potable water, deep sewage, minimal street lighting and kerbs/ footpaths while maintaining the monitoring and treatment of weed and pests along with Fire Break and associated costs (including additional insurances) as required under the SJ Shire's Biodiversity and Pest Management and DOLA requirements. What does the shire show in return for these additional financial burdens? Increased rates!</p> <p data-bbox="345 975 2473 1046">* Before the SJ Shire requests an increase in rate charges review from the Minister of Local Government it should submit to all residents (so they can review) a comprehensive cost to benefit analysis justifying the costs of running the shire based on the following cost areas.</p> <ul data-bbox="345 1052 2473 1195" style="list-style-type: none"> - Shire expenditure over the last year, the previous year in detail, then the previous 5 years and 10 years in the same detail. - Shire's forecasted expenditure for the next year in detail, then the next 2, 5 years and 10 years to reflect the planning that the SJ Shire budgeted for. - Details on the last financial years budgets (Capital Works, Roads and Maintenance) reflecting over expenditure and savings. - Details on SJ Shires efforts to reduce costs and pass on saving to the rate payers. 	Noted

No.	Written Submissions	Officer Comment
	<p>* The SJ Shire should openly display in the proposal to rate payers and the Local Government Minister the proposed amount the rates are to be set at in comparison to the other local government shires (per Shire and then Average across Shires) with the inclusion of the cost to operate the shire (Detailed per Cost / Budget) compared to the other local government shires so the rate payers and Local Government Minister can make a true comparison of the efficiency and equitability of the SJ Shire to operate at an efficient cost basis and reflects value for money when compared to all other shires.</p> <p>It should be noted that all SJ Shire rate payers are to be treated equally and the costs per rate payer should be reflected as equal for services provided and then charged evenly for the cost incurred to maintain all the shire services. As Rural Residential is larger than a city block but smaller than Intensive Farming the actual services supplied are the same so unless there are additional services there should be no difference in the basic rate charge by the shire with the additional costs of local facilities supplied for the use of the rate payer which are provided for the city blocks but significantly lacking for rural / rural residential properties.</p> <p>Any new capital works should be based on the essential requirement of the facility and then if is to be based in a small community of the shire with significant benefits to these residents then they should incur a proportionally larger amount for the cost of these capital works compared to the residents that will not be able to utilise these facilities.</p> <p>I would like to make comment that the basic essences of the SJ Shire it is not a profitable business but a “not for profit” local government service provider to the rate payers of the SJ Shire as per government legislation, there is to be no financial gain to the SJ Shire as an operating structure with the fundamental budgeting of the SJ Shire designed to cover the operating costs incurred for providing the local government services.</p> <p>I have noted in the published SJ Shire Budgets for the years there is significant monies not allocated to nominated budget expenditures (Savings). These unnominated funds are from Rate Payers rate payments which will make the justification that SJ Shire is efficient at budgeting due to these savings which are not returned to the rate payers through reduced rates or spent on suitable Capital Works Programs to improve the shire services. I find the allocation of budgets to some projects wasteful like the widening of Hopkinson Rd when a section of this widening and bridge upgrade is to be made redundant when the Tonkin Hwy is completed (It crosses Hopkinson Rd on the South Side of Thomas Rd) yet there have been many accidents with serious injury and fatalities at the intersection of Hopkinson Rd and Thomas Rd yet with all the significant expenditure there has not been any improvement to the number of accidents at the intersection. Yet the SJ Shire allows the condition of Rowley Rd is West of Tonkin Hwy to remain in such a dangerous state that it has caused a death following a recent upgrade by the City of Armadale and the SJ Shire. This does not reflect a Shire that is conscious of the efficiency and value of its expenditure and commitment to the rate payers of the SJ Shire.</p> <p>In closing, as we originally come from the City of Swan which also has a Rural Lifestyle component, I have found that the SJ Shire very un-supporting of Rural Living even though it is rural shire. The SJ Shire is an essential green belt for the City of Perth and for the great State of WA and is the one of the first steps to the rural of the South-West WA. SJ Shire is close to the City of Perth, yet if it truly wanted to, it could easily incorporate semi-rural / small commercial businesses along with creative art studios, horticulturally based accommodation and restaurant businesses, specialised animal husbandry and equine based hobbies and secluded rural lifestyles yet appear to be focused on big city / small block living developments making it one of the best shires of the state.</p>	

No.	Written Submissions	Officer Comment
29	<p>IN21/17340 - Our property is 5acres (approx 20,000 sqm) and is primarily used for residential purposes.</p> <p>Local Government rating is a complex issue that is difficult for residents to understand and therefore comment on. We will however attempt to express our concerns as they relate to our property. Whilst researching this matter, we did note in a report that went to Council on the 18 May 2020 that a Council Resolution from 2007 was not acted upon. For such an important Council Resolution not to be acted upon at the time is very concerning and we can only hope that the Management of the Council is more professional now. That report goes on to say "Large residential properties where the Unimproved Valuation (UV) Methodology is used for the calculation of rates appear to pay substantially less rates than small lot residents where the Gross Rental Value (GRV) Methodology is used for the calculation of rates".</p> <p>As per your letter dated 23-6-21, the rates levied on our property for 2020-2021 were \$1830.40. On top of that we pay a separate rubbish removal fee, a swimming pool inspection fee and the State Government imposed Emergency Services Levy giving a total amount paid of \$2,555.29. In item 10.3.4 that Council adopted on the 21 June 2021 we note the following comment – "The intention behind applying differential rates is to take into account the levels of services provided to different types of properties, to reflect the cost of provision of services to those categories or properties as well as the need to encourage specific types of activities within the Shire".</p> <p>It is also noted throughout the various reports to Council that the term equity is used often in relation to rating, however, it doesn't appear to be applied to service delivery. In our case, we seem to pay a fee for services as there are few if any other services supplied to or near our property. In the report to Council on 21-6-21 under the section on Rating Equity it states "Equity is an important concept in taxation, The Department of Local Governments Guidelines on Changing Rating Methodology states that Rating principles should be applied fairly and equitably. Each property should make a fair contribution to rates based on a method of valuation that appropriately reflects the predominate use". Is it unreasonable for residents in Oakford to therefore expect some equity in service delivery? Whilst we may be paying an amount similar to a smaller residential property in a higher density area, the difference in access to Council Services is significant.</p> <p>Whilst it appears that Local Government Rates are considered to be a broad based tax and therefore we cannot make a direct correlation between the rates we pay and the services we receive, a further complicating factor for the broader area we live in is that there are a variety of land uses. In our own small community there are purely Residential properties, Horse Agistment, Distribution businesses, Racehorse training and many other uses. How would the Council fairly address this wide variety of uses to achieve an equitable rating strategy? We note in the Department's Rating Guidelines that spot valuations can be applied but do not know if this is something Council has or would consider.</p> <p>To provide possibly the most glaring obvious example of inequity in service provision to the Oakford and surrounding areas is the condition of Kargotich Road at the Rowley Road end and Rowley Road from Kargotich to Tonkin Highway. These sections of road and others in adjoining streets are dangerous and have been in extremely poor condition for many years with Council erecting signs to warn drivers of the dangerous road conditions. There have been fatal accidents in recent times and we are sure that if these road conditions existed anywhere else, they would have been fixed years ago. These roads need urgent reconstruction. The intersection of Kargotich and Thomas Roads is another example of no investment in Infrastructure that has resulted in a very dangerous intersection.</p> <p>If the Shire of Serpentine Jarrahdale wants to convince the residents of Oakford that a change in rating methodology is fair and equitable, then a more equitable approach to service delivery and provision of infrastructure is urgently required.</p>	Noted.

No.	Written Submissions	Officer Comment
30	<p>IN21/17357 - In accordance with your letter of 18 November 2020, I am submitting an objection to the proposed changes to the rating method of my property from Unimproved Value (UV) to Gross Rental Value (GRV). According to that letter, the central tenet of your proposal appears to be based on applying the rating method that aligns to the 'actual use of the land, regardless of the zoning or services provided'. With this aspect as the central premise, changing the rating method to GRV is not appropriate for this property, as discussed below.</p> <p>The Shire of Serpentine Jarrahdale's (SJ) (the Shire) ethos for this change (as related to 'actual use') appears to be founded on the two following opinions, which are drawn from the Shire's earlier letter on the rating of properties (your letter dated 14 September 2020).</p> <p><input type="checkbox"/> Opinion 1. "A 'rural purpose' means a purpose pertaining to agriculture and agriculture is defined to mean the use or cultivation of land for any purpose or husbandry or horticulture, including the raising of livestock and the growing of crops."</p> <p><input type="checkbox"/> Opinion 2. It "is unlikely that land used as a hobby farm or the keeping of a small number of horses or agricultural animals would satisfy the definition as land used predominantly for rural purposes".</p> <p>These espoused opinions do not appear to be supported by the Shire's own planning documentation or standards promulgated by other authorities. This means that the Shire's ability to change the rates for my property, in accordance with Section 6.28(2) of the Local Government Act 1995 (the Act), would not be valid. This clause of the Act states the following:</p> <p>'In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —</p> <p>(a) where the land is used predominantly for rural purposes, the unimproved value of the land; and</p> <p>(b) where the land is used predominantly for non rural purposes, the gross rental value of the land.'</p> <p>It is noteworthy that the Act does not define the terms 'rural purposes' or 'predominantly'. Additionally, according to the Shire of Northam's legal counsel(1), definitions such as those applied by the SJ Shire have not been judicially considered. In other words, the legal foundation for the Shire's opinions on these terms may be considered tenuous because they are not definitively founded on legislation and they have not been tested in the courts. Similarly, the Act does not define the term 'actual use', which has been used by the Shire as a central premise of their opinions on changing the rating method. However, in accordance with standard legal practices, synonymous words or phrases can be deemed to have corresponding meanings(2). Therefore, other official documents and regulations can be utilised to define synonyms for 'use' or 'rural purposes' through related terms such as 'rural use' or 'rural pursuits'.</p>	Noted

No.	Written Submissions	Officer Comment
	<p>For instance, the Shire of Serpentine Jarrahdale Town Planning Scheme Number 2 defines 'rural use' as the 'use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:</p> <ul style="list-style-type: none"> (a) the growing of vegetables, fruit, cereals, or food crops except for domestic purposes; (b) the rearing or agistment of goats, sheep, cattle, or beasts of burden; (c) the stabling, agistment or training of horses, or other ungulates; (d) the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens; (e) the sale of produce grown solely on the lot.'(3) <p>It is noteworthy that the Shire's own planning documentation includes a wide range of 'rural uses', which includes 'the stabling, agistment or training of horses or other ungulates'. Therefore, the Shire's planning scheme does not support the much narrower definition applied for their Opinion 1.</p> <p>Additionally, there is no caveat in the Shire's own Town Planning documentation, which defines the number of horses that are required on a property to meet the criteria for 'rural use'. Consequently, this does not appear to support the view purported in the Shire's second opinion.</p> <p>The Shire's narrow opinions are also not supported by superior planning documentation. As an example, Clause 38 (p. 112) of the State Planning and Development (Local Planning Schemes) Regulations 2015 defines 'rural pursuits' as including 'the rearing, agistment, stabling or training of animals'. Similarly, Section 3.3.1 and Schedule 1 of the WA Government Gazette (No. 139) defines 'rural pursuits' as 'including the keeping of horses' and 'the stabling agistment or training of horses'. In these superior planning documents, the State Government does not define how many horses are required on a property to constitute this as supporting a 'rural pursuit'. Consequently, the State Government's intent does not appear to be aligned with the Shire's second opinion.</p> <p>Next, the Shire's second opinion appears to be aligning with Section 6.28(2) of the Act by utilising the term 'predominantly'. As explained above, the term 'predominantly' is not defined within the Act. However, this term is broadly accepted within the legal profession as meaning more than 50%. Therefore, the application of this legal precept would mean that a property should be considered as being predominantly utilised for 'rural use' or 'rural pursuits' if more than half of the land area in question is allocated to those purposes.</p> <p>According to the Shire's Local Planning Policy No 81 and LLP17 the amount of space that is allocated for a residence on a horse property (e.g. Rural Living A, Rural Living B, Special Rural, Farmlet, etc.) is limited to an envelope set by the Shire. Typically, these building envelopes only cover a few hundred square metres out of the entire property. Consequently, for most horse properties in the Serpentine Jarrahdale Shire area, the land utilised for the residence comprises a relatively small part of the overall area. As an example, even a 500 square metre house envelope within a 2-hectare block means that the house is only utilising about 2.5% of the area of the property. In properties such as ours, the remaining area is mostly allocated to 'rural uses'. Therefore, our property is predominantly allocated to 'rural pursuits' as they are defined above.</p> <p>Consequently, the application of GRV as the method for defining the rates for this property does not conform with the Act because:</p> <ul style="list-style-type: none"> <input type="checkbox"/> this property is being utilised in a manner that conforms with the Shire's definition of 'rural use' because we are stabling and training horses here; <input type="checkbox"/> these activities also conform with those defined as 'rural pursuits', <input type="checkbox"/> the terms 'rural use' and 'rural pursuits' cannot be ruled out as being synonymous with the term 'rural purposes'; <input type="checkbox"/> this property is 'predominantly' allocated to these 'rural purposes' because most of the area is allocated to horse paddocks, stables and other horse focussed improvements; so <input type="checkbox"/> in accordance with Section 6.28(2) (a) of the Act, the land must be rated in accordance with its Unimproved Value. <p>I hope that this information will be of assistance in ensuring that the Shire can conform with its obligations to conform with the Act.</p>	

No.	Written Submissions	Officer Comment
31	<p>Currently our home is rated under UV General and it is proposed that this be changed to UV Rural Residential.</p> <p>Our home is situated on a 4100 sq mtr block of land so we fall into the planned UV Rural Residential category. I feel it is unfair that we be penalised due to that 100 sq mtrs, particularly as that 100 sq mtrs consists of 3 water drainage easements which carry rainwater run off from Pethick Close, Marri Park estate and the vacant paddock behind Woolworths which is planned for sub division. Also, we don't benefit financially from it.</p> <p>Below is Landgates GRV explained:</p> <p>A standard home in Byford now rents an average of \$450 per week. A similar home to ours on the same land was recently rented for \$550 a week, so there is not a lot of difference financially. In fact, the average renter does not want larger properties, due to the extra work involved in maintaining them, therefore they are less likely to rent and may be vacant for longer.</p> <p>We don't have deep sewerage, so have had to invest in a 'septic system' at great expense. In winter there is often a smell associated with this which is quite unpleasant.</p> <p>We spend a lot of time and resources to maintain and reticulate our land to make it less of a fire hazard, which in turn helps to protect the local community.</p> <p>We don't have any footpaths or cycle ways in Pethick Close, Warburton Rd, Thatcher Rd or anywhere close (except for Abernethy Rd). There is 1 street light in the street. The roads in the area are narrow, very uneven, full of pot holes and have tree roots under them creating terrible and unsafe driving conditions.</p> <p>I have attached a spreadsheet with a brief comparison and calculation comparing our property with a standard suburban home, which indicates the massive amount of money we have invested over the 21 years we have lived here.</p> <p>I feel that the SJ Shire needs to look within itself to correct the budget shortfall raised by the auditor general, instead of relying on raising/changing the rates structure. All 'businesses' need to look for ways to cut expenditure and be more creative in revenue raising, without impacting its 'customers', therefore so should the Shire.</p>	Noted

No.	Written Submissions	Officer Comment
32	<p>IN21/17393 - My comments on the proposed Rate Review are as follows:</p> <ol style="list-style-type: none"> 1. The Timing is poor for any review that results in increases to some property owners. The economy is still suffering the effects of Covid Restrictions, and many people (not just Byford Residents) have reduced incomes, and the State Government has a current policy of postponing increases to Fees and Charges. 2. The Survey on the Shire web page, is in my opinion, constructed to obtain a desired response. Question 6 "Do you think fair and equitable rating is important" with yes/ no / other response will naturally attract a 'yes' response, but Question 7 will attract the easy response of either the 1st or 2nd option – the majority of people do not understand the rating & property valuation system well enough to answer this knowledgeably. Earlier proposals and statements from the Shire are predisposed to lead many residential ratepayers to believe the system is unfair, and that rural ratepayers are 'not paying their fair share' of the Rate burden. The Shire has made little or no reference to the fairness (or otherwise) or Commercial Rates. 3. If the Shire has concerns about specific areas (Byford?) or individuals experiencing 'Mortgage Stress' as a reason to alter Rates & Rating Categories, they should address these on a one by one basis – and should not use it as a reason to raise other Rates. 4. 'Rural Residential' rating category is certainly preferable to the earlier proposed GRV on some Rural properties, but the Shire needs to honour WALGA's interpretation of UV and GRV rating assessments – ie. That GRV applies to urban properties and UV applies to properties outside townships. (WALGA Web page). 5. Shire says there is a distinction between Rating Categories & Zoning – however, it is zoning that determines the actual land use, but it appears that the Shire is ignoring the 'Rural' zoning of many properties. Whether or not a land owner makes his/ her 'main income' from their land is not relevant to the actual zoning or land uses permitted. Rural Landowners must obtain Shire approval for any non-rural business operation, in the same way that Residential owners must obtain approval for non-residential uses. If approval is given, then they should pay an appropriate Rate. (Do 'Owner Occupiers' of residential properties pay a Differential Rate for running a business from their home? Do Short Stay Accommodation premises pay different Rates? Do businesses using POS within the Shire to operate their business pay any Rates?) 	Noted.

No.	Written Submissions	Officer Comment
	<p>6. There is an inconsistency – Shire is using the ‘Main Income’ derived from the Rural Zoned for the property to qualify for Rural (UV General) rating and use Rural Residential (UV Rural Residential) rating for those properties deemed by the Shire to be ‘Residential’. BUT There doesn’t appear to be the same distinction between Commercial/ Industrial operators who do derive significant income from their Rural zoned properties – (often from non- rural activities) – they are charged at UV Commercial / Industrial Rate which is actually lower than UV Intensive Farmland rate – which is a more ‘rural’ pursuit.</p> <p>7. If zoning does not determine what rates are paid, then why shouldn’t Shire impose more appropriate Rates on Industrial/ Commercial operations on Rural zoned land? City of Swan has a UV Commercial Rate of 0.55950 AND they use Specified Area Rates. What Rates are the many Extractive Industries within this Shire paying while they destroy the Darling Scarp? – usually on Rural zoned land.</p> <p>8. UV Intensive Farmland Rate (0.008270) is Twice as much as UV General (0.004135) rate.</p> <p>9. UV Commercial/Industrial is only ½ as much again as UV General.</p> <p>10. GRV Commercial/ Industrial is less than 15% higher than GVR Residential. So where is the Equity?</p> <p>11. Other Councils have more Rate Categories within the UV General and GRV sections. For Example, for Short Stay Accommodation. City of Swan even has a “Heavy Industry” GRV category, as well as for specified drainage areas. Shire could look at options which catch more of the commercial operators. Why not a ‘UV Heavy Industry Category’ with appropriate assessments – or Special Area Rates?. It is not equitable that the occupants of the Cardup Business Park (zoned as such?) are paying Rural Rates. The Shire of Augusta Margaret River has UV Categories which charge for the number of ‘non rural uses’ on the property.</p> <p>12. If the Shire is concerned about imposing more appropriate Rates on commercial properties because it will affect growth of businesses, then when will it be appropriate for these premises to pay the correct Rates?</p>	

No.	Written Submissions	Officer Comment
	<p>13. Valuations: Although the Shire uses valuations obtained by the Valuer General; there needs to be some consideration given to the effects of local Planning Strategies on property values. For example, there are properties in Mardella which are virtually unsaleable (and therefore arguably without value) until such time as a route for the diversion of the Freight Rail line has been identified. Current valuations do not seem to have taken this into account; and it is possible that other areas in the Shire may also have been affected by either proposed or current local land uses – for example, those within the fallout areas of the Cardup Brickworks emissions.</p> <p>14. It is claimed that Rate income is needed to maintain POS in new areas as well as provide essential road works etc in all areas. The Shire could be more proactive in what they approve to Developers. POS could be planned to be more LOW MAINTENANCE – &/OR properties surrounding POS pay higher rates. You can be certain they pay more to purchase these lots from the Developer.</p> <p>15. Shire needs to prioritise expenditure & Publicise their choices (Not just in Council Minutes). For example, more spending on Compliance, Environmental protection etc OR more spending on High maintenance POS in urban areas and the benefits or negatives. Also, the proposed spending of over \$1M for (cheapest) temporary relocation of the Library to Byford (how much is the fit out of the current award winning Mundijong Library worth?); Dog Parks, etc – these are very ‘urban’ spends as opposed to rural drain maintenance & similar. Maybe the Shire needs to give Ratepayers clear information about these relative costs. Roads & Drains benefit the entire Shire population. The Shire needs to live within its means.</p> <p>16. Is the argument of having to spend more on wages for Shire Staff to compete with other, richer Councils really valid? Salaries are set in ‘Bands’ dependent on the size of the LG; so people going to work at any given Shire already know which ‘band’ they will be in. Ambition, moving up the ladder etc is inevitable.</p> <p>17. BUFFER ZONES – any property (rural or residential) falling within the Buffer Zone of a Commercial/ Industrial business which imposes any restriction on the use of all or part of that property should receive a discounted Shire Rate – the difference to be made up by the affecting Commercial/ Industrial operator.</p> <p>I am aware that the Shire must obtain a level of Rate Income to carry out its day to day functions. However, I believe that the current proposals are poorly timed due to the unforeseen effects of the Covid 19 virus on both salaried and commercial incomes. As many people so affected have found – they need to reassess how they spend their money, and exactly what their priorities are. It is not reasonable for the Shire to be seen to be increasing their expenditure in the name of ‘GROWTH’ when so many ratepayers are actually moving backwards financially.</p> <p>I support Differential Rating, but I believe that it must be equitable for all concerned and that the Shire should not be pitting the ratepayers in Urban areas against those in Rural areas. Much of the advertising for urban lots within the Shire is directed to a ‘rural’ lifestyle – so urban and rural residents need to have a mutual respect and consideration for each other – not a relationship based on envy and misunderstanding. Urban Residents also need to properly understand the many Shire spends within the rural areas; and that most of these ultimately benefit everyone.</p> <p>The Rural Residential category should not use ‘Main Income’ as the deciding factor – many small rural properties do not derive any income, but their properties are purchased, sold and managed as Rural ones, not residential. And, there are many working farms within and outside the Shire where owners must augment their incomes with off-farm employment – will these be next for a Rate Review? Any increases should be introduced gradually, and at a time when the overall economy realistically backs expansion in Shire expenditure and ambitions.</p>	

No.	Written Submissions	Officer Comment
33	<p>CS006230 - Rating strategy objection 16 July 2021</p> <p>We refer to the notification of a repeat of an unwarranted rate increase for a group of rural property owners in the Shire of Serpentine Jarrahdale on my property A405476-Lot 301 in Serpentine</p> <p>Rating strategy objection</p> <p>After announcing a similar effort of extracting higher rates from a selected group of residents last year, a substantial backlash from residents and the intervention of the minister for local government resulted in the removal of this scheme from the agenda.</p> <p>Alas not for long.</p> <p>In last year's "motivation" the letter quite arrogantly stated that the rates needed to be increased "regardless of the zoning or services provided"</p> <p>There seems to be confusion with the use of the word equity.</p> <p>Equality means each individual or group of people is given the same resources or opportunities regardless. ...</p> <p>Equity recognizes that each person has different circumstances and allocates the exact resources and opportunities needed to reach a fair outcome.</p> <p>The council seems determined to obtain equality of the rates in pure dollar terms.</p> <p>If equity between ratepayers is the authentic goal, all relevant factors need to be taken into consideration to obtain an equitable outcome for all ratepayers.</p> <p>There is no argument that Rural properties have a quieter and probably more enjoyable lifestyle on larger pieces of land but have distinct disadvantages in relation to central Residential properties.</p> <p>Most Rural property owners have weighed the various factors into their eventual purchasing decision which invariably includes the justifiable lower rates for fewer services to balance the overall viability of living on a rural property.</p> <p>Disadvantages of Rural vs Residential properties □</p> <ol style="list-style-type: none"> 1. No scheme water. 2. No centralised sewerage system. 3. No Street lighting. 4. Limited speed internet NBN only via radio link. 5. No postal deliveries. 6. Inferior streets. 7. No public transport. 8. At the end of summer rural families rely on water stored for more than 6 months. <p>Costs for Rural properties not incurred by Residential properties.</p> <ol style="list-style-type: none"> 1. Significantly higher acquisition costs and stamp duty 2. Establishing and maintaining fire breaks. 3. Establishing and maintaining rainwater harvesting. 4. Filtering and purification for drinking water. 5. Installing and maintaining Leech drain system for sewerage. 6. Increased transport costs to venues, shops and medical facilities. 7. Higher maintenance cost of property and fencing. <p>In the latest council rates grab, the "regardless of the zoning or services provided" words are completely omitted and replaced by some dubious wordplay and the re-introduction of an obvious previously discarded UV rating. Not only is the proposal to levy the rates on these rural properties at a random 5% higher than the base rate, but then an arbitrary minimum is set at \$1,750 making my rates effectively increase by nearly 17%.</p> <p>Authorities cannot give to some residents that which it does not take from others.</p> <p>This adage is clearly shown by the provided figures where 9% of residents will have no change, while 67% will joyously accept that 24% of residents will be paying for their reductions by way of higher contributions from the targeted Rural residents. Social engineering, politics or vote-buying come to</p>	Noted

No.	Written Submissions	Officer Comment
	<p>Completely absent in this argument is the fact that there is no change in terms of services and facilities rendered to the targeted 24% Rural properties, while it can reasonably be assumed that any additional or new developments financed by general rates will proportionally benefit Residential residents more the Rural properties. Equity it is not.</p> <p>With the latest notification and number manipulation it is clear that the Council is once again hell-bent on pushing the higher rates for Rural properties under the mistaken guise of equity and it is of particular concern that the Council deems this to be a short-term solution with more options for the "inequity" to be identified.</p> <p>This makes the requests for submissions a seemingly futile exercise.</p>	
34	<p>IN21/17510 - While we are still under the affect of covid 19, and have low vacaination rates, there will still be income stress due to further shut downs until vacination levels are high enough to combat the covid 19. Rates should stay as is for another year.</p>	Noted.
35	<p>IN21/16899 - refer next page</p>	Noted for response.