

# Confirmed Minutes SPECIAL MEETING OF COUNCIL

6 June 2023

## SHIRE OF CUE Special Meeting of Council MINUTES

Held in the Council Chambers, 73 Austin Street Cue on Tuesday, 6 June 2023 commencing at 6:00 PM

#### 1 DECLARATION OF OPENING

The meeting was opened at 06:02 PM

The Presiding Member welcomed those present and read the following disclaimer:

No responsibility whatsoever is implied or accepted by the Shire of Cue for any act, omission or statement or intimation occurring during this Meeting.

It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of council's decision, which will be provided within fourteen (14) days of this Meeting.

#### PRESENT:

Shire President Ross Pigdon

Deputy Shire President Les Price joined the meeting via electronic

means at 06:09PM

Councillor Ron Hogben

Councillor Ian Dennis

Councillor Elizabeth Houghton joined the meeting via electronic means at 06:19PM

Councillor Leonie Fitzpatrick

Councillor Julie Humphreys

#### STAFF:

Chief Executive Officer Richard Towell Deputy Chief Executive Officer Glenn Boyes Senior Admin Officer Stephanie Wandek

#### **GALLERY:**

#### 1.1 ATTENDANCE BY ELECTRONIC MEANS CR PRICE

APPLICANT: Les Price

DISCLOSURE OF

Nil

INTEREST:

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 2 June 2023

#### Matters for Consideration:

Attendance at Council meeting by electronic means.

#### Background:

Cr Price has requested permission to attend the June Special meeting by electronic means.

#### Comments:

Nil.

#### Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 5.25

- 5.25 Regulations about council and committee meetings and committees
  - (1) Without limiting the generality of section 9.59, regulations may make provision in relation to dash;
    - (ba) the holding of council or committee meetings by telephone, video conference or other electronic means; and

#### LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 14C

- 14C. Attendance at meetings by electronic means may be authorised (Act s. 5.25(1)(ba))
- (1) In this regulation dash;

meeting means dash;

- (a) an ordinary meeting of the council; or
- (b) a special meeting of the council; or
- (c) a meeting of a committee of the council; or
- (d) a meeting of an audit committee of a local government;

**natural disaster** includes fire, flood, lightning, movement of land and storm:

relevant period, in relation to the proposed meeting referred to in subregulation (3), means the period of 12 months ending on the day on which the proposed meeting is to be held.

- (2) A member of a council or committee may attend a meeting by electronic means dash:
  - (a) if dash;
    - (i) a public health emergency or state of emergency exists or a natural disaster has occurred; and
    - (ii) because of the public health emergency, state of emergency or natural disaster, the member is unable, or considers it inappropriate, to be present in person at the meeting; and
    - (iii) the member is authorised to attend the meeting by electronic means by the mayor, president or council;

or

- (b) if the member is otherwise authorised to attend the meeting by electronic means by the mayor, president or council.
- (3) The mayor, president or council cannot authorise a member to attend a meeting (the proposed meeting) under subregulation (2)(b) if the member's attendance at the proposed meeting under that authorisation would result in the member attending more than half of the meetings (including the proposed meeting) of the council or committee, in the relevant period, under an authorisation under subregulation (2)(b).
- (4) Subregulation (3) does not apply to a member who is a person with a disability as defined in the Disability Services Act 1993 section 3.
- (5) In deciding whether to authorise a member to attend a meeting by electronic means under subregulation (2), the mayor, president or council must have regard to whether the location from which the member intends to attend the meeting, and the equipment that the member intends to use to attend the meeting, are suitable for the member to be able to effectively engage in deliberations and communications during the meeting.

#### LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 14CA

14CA. Provisions relating to attendance at meetings by electronic means (Act s. 5.25(1)(ba))

- In this regulation dash;
   meeting has the meaning given in regulation 14C(1).
- (2) The electronic means by which a member may attend a meeting under an authorisation under regulation 14C(2) include telephone, video conference or other means of instantaneous communication, as determined by the mayor, president or council.
- (3) A member who attends a meeting under an authorisation under regulation 14C(2) by electronic means determined under subregulation (2) is, whether or not the member is physically in the State, taken to attend and be present at the meeting for the purposes of the Act and these regulations while the member is in contact by those electronic means with each other member present at the meeting.
- (4) Subregulations (5) to (7) apply if dash;
  - (a) a member has been authorised to attend a meeting by electronic means under regulation 14C(2); and
  - (b) the meeting, or part of the meeting, is to be closed to members of the public under section 5.23(2).
- (5) The member must not attend the meeting or the closed part of the meeting unless, before the meeting, or the part of the meeting, is closed, the member declares that the member can maintain confidentiality during the meeting or the closed part of the meeting (as the case requires).
- (6) If the member makes the declaration under subregulation (5) and subsequently cannot maintain confidentiality, the member must leave the meeting or the closed part of the meeting.
- (7) A member's declaration under subregulation (5) must be recorded in the minutes of the meeting.

#### **Policy Implications:**

Nil.

#### Financial Implications:

The cost of the communications call will be borne by the Shire. Cr Price will be entitled to receive a meeting attendance fee.

#### Strategic Implications:

Nil.

#### Consultation:

Shire President – Cr Ross Pigdon

#### Officers Recommendation:

**Voting** Absolute **Requirement**: Majority

- 1. That Councillor Price has declared the location that he is attending the meeting from is suitable to maintain confidentially during all parts of the meeting in accordance with regulation 14CA(5)(6)(7) of the Local Government (Administration) Regulations 1996.
- 2. That Council grant approval in accordance with regulation 14C(2)(b) to attend this meeting by electronic means.

Council Decision: 01062023 Voting Requirement: Absolute Majority

MOVED: Cr lan Dennis SECONDED: Cr Leonie Fitzpatrick

- 1. That Councillor Price has declared the location that he is attending the meeting from is suitable to maintain confidentially during all parts of the meeting in accordance with regulation 14CA(5)(6)(7) of the Local Government (Administration) Regulations 1996.
- That Council grant approval in accordance with regulation 14C(2)(b) to attend this meeting by electronic means.

CARRIED: 5/0 AGAINST: None

06:09pm Ron Hogben left the chamber

06:09pm Les Price joined the meeting via electronic means

06:11pm Ron Hogben re-entered the chamber

#### 1.2 ATTENDANCE BY ELECTRONIC MEANS CR HOUGHTON

APPLICANT: Elizabeth Houghton

DISCLOSURE OF

Nil

**INTEREST**:

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 2 June 2023

#### Matters for Consideration:

Attendance at Council meeting by electronic means.

#### Background:

Cr Houghton has requested permission to attend the June Special meeting by electronic means.

#### Comments:

Nil.

#### Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 5.25

- 5.25 Regulations about council and committee meetings and committees
  - (1) Without limiting the generality of section 9.59, regulations may make provision in relation to dash;
    - (ba) the holding of council or committee meetings by telephone, video conference or other electronic means; and

#### LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 14C

- 14C. Attendance at meetings by electronic means may be authorised (Act s. 5.25(1)(ba))
- (1) In this regulation dash;

meeting means dash;

- (a) an ordinary meeting of the council; or
- (b) a special meeting of the council; or
- (c) a meeting of a committee of the council; or
- (d) a meeting of an audit committee of a local government;

**natural disaster** includes fire, flood, lightning, movement of land and storm;

relevant period, in relation to the proposed meeting referred to in subregulation (3), means the period of 12 months ending on the day on which the proposed meeting is to be held.

- (2) A member of a council or committee may attend a meeting by electronic means dash:
  - (a) if dash;
    - (i) a public health emergency or state of emergency exists or a natural disaster has occurred; and
    - (ii) because of the public health emergency, state of emergency or natural disaster, the member is unable, or considers it inappropriate, to be present in person at the meeting; and
    - (iii) the member is authorised to attend the meeting by electronic means by the mayor, president or council;

or

- (b) if the member is otherwise authorised to attend the meeting by electronic means by the mayor, president or council.
- (3) The mayor, president or council cannot authorise a member to attend a meeting (the proposed meeting) under subregulation (2)(b) if the member's attendance at the proposed meeting under that authorisation would result in the member attending more than half of the meetings (including the proposed meeting) of the council or committee, in the relevant period, under an authorisation under subregulation (2)(b).
- (4) Subregulation (3) does not apply to a member who is a person with a disability as defined in the Disability Services Act 1993 section 3.
- (5) In deciding whether to authorise a member to attend a meeting by electronic means under subregulation (2), the mayor, president or council must have regard to whether the location from which the member intends to attend the meeting, and the equipment that the member intends to use

to attend the meeting, are suitable for the member to be able to effectively engage in deliberations and communications during the meeting.

#### LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 14CA

- 14CA. Provisions relating to attendance at meetings by electronic means (Act s. 5.25(1)(ba))
  - In this regulation dash;
     meeting has the meaning given in regulation 14C(1).
- (2) The electronic means by which a member may attend a meeting under an authorisation under regulation 14C(2) include telephone, video conference or other means of instantaneous communication, as determined by the mayor, president or council.
- (3) A member who attends a meeting under an authorisation under regulation 14C(2) by electronic means determined under subregulation (2) is, whether or not the member is physically in the State, taken to attend and be present at the meeting for the purposes of the Act and these regulations while the member is in contact by those electronic means with each other member present at the meeting.
- (4) Subregulations (5) to (7) apply if dash;
  - (a) a member has been authorised to attend a meeting by electronic means under regulation 14C(2); and
  - (b) the meeting, or part of the meeting, is to be closed to members of the public under section 5.23(2).
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- (6) If the member makes the declaration under subregulation (5) and subsequently cannot maintain confidentiality, the member must leave the meeting or the closed part of the meeting.
- (7) A member's declaration under subregulation (5) must be recorded in the minutes of the meeting.

#### **Policy Implications:**

Nil.

#### Financial Implications:

The cost of the communications call will be borne by the Shire. Cr Houghton will be entitled to receive a meeting attendance fee.

#### Strategic Implications:

Nil.

#### Consultation:

Shire President – Cr Ross Pigdon

#### Officers Recommendation:

Voting Absolute Requirement: Majority

- 1. That Councillor Houghton has declared the location that she is attending the meeting from is suitable to maintain confidentially during all parts of the meeting in accordance with regulation 14CA(5)(6)(7) of the Local Government (Administration) Regulations 1996.
- 2. That Council grant approval in accordance with regulation 14C(2)(b) to attend this meeting by electronic means.

Council Decision: 02062023 Voting Requirement: Absolute Majority

MOVED: Cr Leonie Fitzpatrick SECONDED: Cr Julie Humphreys

- 1. That Councillor Houghton has declared the location that she is attending the meeting from is suitable to maintain confidentially during all parts of the meeting in accordance with regulation 14CA(5)(6)(7) of the Local Government (Administration) Regulations 1996.
- That Council grant approval in accordance with regulation 14C(2)(b) to attend this meeting by electronic means.

CARRIED: 6/0 AGAINST: None

06:19pm Elizabeth Houghton joined the meeting via electronic means

2	APOLOGIES AND APPROVED LEAVE OF ABSENCE
Nil.	
3 Nil.	DISCLOSURE OF MEMBER'S INTERESTS
<b>4</b> Nil.	PUBLIC QUESTION TIME
<b>5</b> N/A	CONFIRMATION OF MINUTES
6 Nil.	APPLICATION FOR LEAVE OF ABSENCE
<b>7</b> Nil.	DEPUTATIONS
<b>8</b> Nil.	PETITIONS
<b>9</b> Nil.	ANNOUNCEMENTS WITHOUT DISCUSSION
10	REPORTS

#### 10.1 RATES - BUDGET RATE SETTING STATEMENT

APPLICANT: Shire of Cue

DISCLOSURE OF

Nil

**INTEREST:** 

AUTHOR: Glenn Boyes, Acting Chief Executive Officer

DATE: 26 May 2023

#### Matters for Consideration:

Adoption of the 2023-2024 Budget Rate Setting Statement in support of the proposal to levy differential rates.

#### Background:

As part of Councils budget deliberations, the attached Budget Rate Setting Statement has been prepared in support of Council proposing to levy differential rates.

#### Comments:

Council needs to consider the Rate Setting Statement as part of its budget deliberations to review expenditure and consider efficiency measures. The Rate Setting Statement considers Councils operating and capital expenditure for the next financial year to consider the amount required from rates to achieve these outcomes.

This item will be included in Councils application to the Minister for Local Government for approval for the imposition of differential general rates that are more than twice the lowest differential general rate imposed by a rate category.

#### Statutory Environment:

Local Government Act 1995 – Section 6.33, Differential General Rates.

#### Policy Implications:

Nil

#### Financial Implications:

Council needs to ensure that rate revenue remains at a level where the Shire can continue to maintain its current level of services to ratepayers and the community.

#### Strategic Implications:

Shire of Cue Strategic Community Plan 2023 - 2038

#### Consultation:

Richard Towell - Chief Executive Officer

#### Officers Recommendation:

**Voting** Simple **Requirement**: Majority

- 1. That Council adopt the attached 2023-2024 Budget Rate Setting Statement for the Differential Rates Proposal and incorporate the relevant information from the report into the 2023-2024 Annual Budget.
- 2. Acknowledge that Council has reviewed its expenditure and considered efficiency measures as part of its budget deliberations.

Council Decision: 03062023 Voting Requirement: Simple Majority

MOVED: Cr Julie Humphreys SECONDED: Cr lan Dennis

- That Council adopt the attached 2023-2024 Budget Rate Setting Statement for the Differential Rates Proposal and incorporate the relevant information from the report into the 2023-2024 Annual Budget.
- 2. Acknowledge that Council has reviewed its expenditure and considered efficiency measures as part of its budget deliberations.

CARRIED: 6/1

AGAINST: Elizabeth Houghton

06:21pm Glenn Boyes left the chamber

06:24pm Glenn Boyes re-entered the chamber

06:52pm Stephanie Wandek left the chamber

06:53pm Stephanie Wandek re-entered the chamber

#### 10.2 RATES - DIFFERENTIAL RATES

APPLICANT: Shire of Cue

DISCLOSURE OF Nil

**INTEREST**:

AUTHOR: Glenn Boyes, Acting Chief Executive Officer

DATE: 26 May 2023

#### **Matters for Consideration:**

To approve the advertising for the proposal to apply differential rates and minimum payments in the 2023-2024 financial year.

#### Background:

Section 6.36 of the Local Government Act 1995 requires that local public notice be given as per Section 1.7 of the Local Government Act 1995 before imposing any differential general rates or minimum payments.

Electors and ratepayers are to be invited to lodge a submission in respect of the proposed rates and minimum payments within twenty one days of the notice being published and the local government is to consider any submissions received before imposing the proposed rates and minimum payments.

#### Comments:

In consideration of the Long Term Financial Plan (which includes an increase in rates of 3%), the latest CPI reading of 7.8% for the December quarter and the Local Government Cost Index forecast of 4.5% through to June 2023, it is recommended that rates be increased across all categories by an average 3%. The increase also applies to minimum rates.

It is proposed the rate in the dollar for GRV Mining Transient Workforce Facilities be 50% greater than the rate in dollar for GRV General and Commercial. This reflects the additional cost burden associated with servicing the higher density facilities and takes into account the substantial revaluation adjustment for our largest mining camp in town.

The following table shows the rate in the dollar for each category over the past four years.

#### Rate in the Dollar Comparison

Rate Category	2019/20	2020/21	2021/22	2022/23
GRV - GENERAL	0.10620	0.10620	0.10906	0.10308
CITY CEITE VIE	0	0	7	8
GRV - COMMERCIAL	0.10620	0.10620	0.10906	0.10308
OTTO GOTHINE TOWNE	0	0	7	8
GRV - VACANT LAND	0.10620	0.10620	0.10906	0.10308
	0	0	7	8
GRV - M&T WORKFORCE	0.30000	0.30000	0.30000	0.15463
FACILITIES	0	0	0	2
UV - MINING TENEMENTS	0.30000	0.28333	0.29098	0.27250
OV - IMINING TENEMENTO	0	4	4	5
UV - PASTORAL	0.08430	0.07656	0.07863	0.08099
OV - I AOTOIVAL	0	4	1	0
Minimum Payment				
GRV - GENERAL	451	451	463	477
GRV - COMMERCIAL	451	451	463	477
GRV - VACANT LAND	451	451	463	477
GRV - M&T WORKFORCE FACILITIES	451	451	463	477
UV - MINING TENEMENTS	451	451	463	477
UV - PASTORAL	451	451	463	477

It is proposed that the GRV Commercial rate be maintained at the same rate as the GRV General rate and then a discount be applied to commercial properties. This discount is subject to the property owner paying their rates in full, on time and is not in arrears. The discount rate to be applied is proposed at twenty percent (20%).

The average increase of 3% across all categories, increases revenue by \$83,056 compared to last year's Annual Budget. The proposed revenue to be collected is \$56,593 greater than the amount allocated in our Long Term Financial Plan for 2023-2024. The number of rateable properties increased from 724 in the 2022-2023 Annual Budget to 733 in the proposed 2023-2024 rates model.

The proposed rates model followed by a comparison of average rates per assessment to last year is shown in the tables below:

Proposed rates for 2023-2024 - Average 3% increase across all				
categories Rate Category	Rate in \$	Number of Propertie s	Rateable Value	Rates Levied
GRV - GENERAL	10.6180	85	561,986	59,672
GRV - COMMERCIAL	10.6180	7	487,440	51,756
GRV - VACANT LAND	10.6180	0	0	0
GRV- M&T WORKFORCE FACILITIES	15.9271	5	598,432	95,313
UV - MINING TENEMENTS	25.8201	379	9,377,015	2,421,155
UV - PASTORAL	8.3122	13	550,580	45,765
Minimum payment				
GRV - GENERAL	491	52	148,085	25,532
GRV - COMMERCIAL	491	0	0	0
GRV - VACANT LAND	491	36	5,250	17,676
GRV- M&T WORKFORCE FACILITIES	491	0	0	0
UV - MINING TENEMENTS	491	151	147,093	74,141

491

5

733

16,852

11,892,733

2,455

2,793,465

Rate Category	Avg Rate / Assessment 22/23	Avg Rate / Assessment 21/22
GRV - GENERAL	702	684
GRV - COMMERCIAL	7,394	7,178
GRV - VACANT LAND		
GRV- M&T WORKFORCE FACILITIES	19,063	18,507
UV - MINING TENEMENTS	6,388	6,209
UV - PASTORAL	3,520	3,418

UV - PASTORAL

Totals

The table below shows a rate model comparison to surrounding Shire's for Council to consider:

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	Cue	Yalgoo	Mt Magnet	Sandstone	а
Rate Category	Proposed	2022 / 2023	2022 / 2023	2022 / 2023	2022 / 2023
GRV - General	10.6180	7.8318	10.3996	6.7400	8.8869
GRV - Commercial	10.6180	7.8318	11.8779	6.7400	8.8869
GRV - Vacant Land	10.6180	7.8318	10.3996	6.7400	8.8869
GRV - M&T Workforce Facilities	15.9271	29.7500	18.9959	38.1250	0.0000
UV - Mining Tenements	25.8201	32.0000	33.1332	27.5630	20.0000
UV - Pastoral	8.3122	6.9079	6.8848	6.2400	8.5000
Minimum Payments					
GRV - General	491	290	437	200	400
GRV - Commercial	491	290	437	200	400
GRV - Vacant Land	491	290	437	200	400
GRV - M&T Workforce Facilities	491	0	785	0	0
UV - Mining Tenements	491	290	450	355	350
UV - Pastoral	491	290	437	355	350

#### **Objects and Reasons**

Where council intend to impose differential rates, it is required to provide the objects of and reasons for each proposed rate and minimum payment. In the notice of intention to levy rates, Council is to advise electors and ratepayers of the time and place where this document can be inspected. The Objects and Reasons for the 2023-2024 rating proposal is attached.

In accordance with Section 6.33(3) of the Local Government Act 1995, Ministerial approval will be required for the above rating proposal as the highest proposed differential rate is more than twice the lowest proposed differential rate.

In accordance with *Section 6.35 of the Local Government Act 1995*, it is proposed that a single minimum rate be imposed across all rate categories. It is proposed to increase the minimum rate 3% which is in-line with the other rate categories. Therefore, the proposed minimum rate will increase to \$491.00 per assessment.

#### Statutory Environment:

Local Government Act 1995, Section 1.7, Local Public Notice Local Government Act 1995, Part 6 – Division 6 – Subdivision 2, Categories of Rates and Service Charges

#### **Policy Implications:**

Nil

#### Financial Implications:

Council needs to ensure that rate revenue remains at a level where the Shire can continue to maintain its current level of services to ratepayers and the community. The proposed rates will provide an additional \$83,056 in revenue compared to last year's Annual Budget.

#### Strategic Implications:

Shire of Cue Strategic Community Plan 2023 - 2038

#### Consultation:

Richard Towell - Chief Executive Officer

#### Officers Recommendation:

**Voting** Simple **Requirement:** Majority

#### That Council:

1. Authorise the CEO to advertise the Shire of Cue's intention to levy the following differential rates.

	Minimum	Rate in \$
Rate Category	Rates \$	(cents)
GRV - GENERAL	491	0.106180
GRV - COMMERCIAL	491	0.106180
GRV - VACANT LAND	491	0.106180
GRV- M&T WORKFORCE FACILITIES	491	0.159271
UV - MINING TENEMENTS	491	0.258201
UV - PASTORAL	491	0.083122

2. Adopt the Objects and Reasons for the 2023-2024 differential rates

Council Decision: 04062023 Voting Requirement: Simple Majority

MOVED: Cr Julie Humphreys SECONDED: Cr Ian Dennis

#### That Council:

 Authorise the CEO to advertise the Shire of Cue's intention to levy the following differential rates.

	Minimum	Rate in \$
Rate Category	Rates \$	(cents)

GRV - GENERAL	491	0.106180
GRV - COMMERCIAL	491	0.106180
GRV - VACANT LAND	491	0.106180
GRV- M&T WORKFORCE FACILITIES	491	0.159271
UV - MINING TENEMENTS	491	0.258201
UV - PASTORAL	491	0.083122

2. Adopt the Objects and Reasons for the 2023-2024 differential rates

CARRIED: 5/2

AGAINST: Councillor Houghton, Councillor Fitzpatrick

07:23pm Stephanie Wandek left the chamber

07:24pm Stephanie Wandek Re-entered the chamber

### MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

#### 12 MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

Nil.

#### 13 NEW BUSINESS OF AN URGENT NATURE

Nil.

#### 14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

#### 15 CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 07:44 PM.

To be confirmed at Ordinary Meeting on the 20 June 2023
Signed:
Presiding Member at the Meeting at which time the Minutes were confirmed.