



SPECIAL MEETING Minutes

24 June 2021

NOTICE OF MEETING

A Special Meeting of the Shire of Cue

To be held on 24 June 2021

in the Council Chambers commencing at 5:30 PM

The purpose of the Meeting is to consider the following items:

- **Setting of the Annual Rate in the Dollar for 2021-2022 financial year and apply to the Minister for Local Government to impose differential rates.**
- **Applying the common seal to the extension of lease for part Lot 641 Robinson Street Cue to Puma Energy (Australia) fuels Pty Ltd.**
- **Approval of the offer of employment for the position of CEO (behind closed doors)**

Rob Madson

Chief Executive Officer

**SHIRE OF CUE
Special Council Meeting
AGENDA**

To be held in the Council Chambers, 73 Austin Street Cue on
Tuesday 24 June 2021 commencing at 5:30pm

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1. DECLARATION OF OPENING

The meeting was opened at 5.30pm

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:

Councillor Ross Pigdon, Shire President

Councillor Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Fred Spindler

Councillor Liz Houghton

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Ms Tracy Bachraty, Executive Assistant

Mr Glenn Boyes, Finance Manager

GALLERY:

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Cr Leonie Fitzpatrick

3. DISCLOSURE OF MEMBERS' INTERESTS

NIL

4. PUBLIC QUESTION TIME

NIL

5. CONFIRMATION OF MINUTES

NIL

6. APPLICATIONS FOR LEAVE OF ABSENCE

NIL

7. DEPUTATIONS

NIL

8. PETITIONS

NIL

9. ANNOUNCEMENTS WITHOUT DISCUSSION

Draft copies of the new Chief Executive Officer contract of employment will be handed out when the item comes up later in the meeting. All copies of the draft are to remain in the chambers and collected once the vote is taken.

10. REPORTS

10.1 RATES – BUDGET RATE SETTING STATEMENT

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Glenn Boyes – Manager Finance
DATE: 22 June 2021

Matters for Consideration:

Adoption of the 2021-2022 Budget Rate Setting Statement in support of the proposal to levy differential rates.

Background:

As part of Councils budget deliberations, the Budget Rate Setting Statement (see [Appendix 1](#)) 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 2017 - 2027

Consultation:

Rob Madson – Chief Executive Officer

Richard Towell – Deputy Chief Executive Officer

Officer's Recommendation:

Voting Requirement: Simple Majority

1. That Council adopt the attached 2021-2022 (see [Appendix 1](#)) Budget Rate Setting Statement for the Differential Rates Proposal and incorporate the relevant information from the report into the 2021-2022 Annual Budget.
2. Acknowledge that Council has reviewed its expenditure and considered efficiency measures as part of its budget deliberations.

Council Decision: 15062021

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR HOUGHTON

1. That Council adopt the attached 2021-2022 (see *Appendix 1*) Budget Rate Setting Statement for the Differential Rates Proposal and incorporate the relevant information from the report into the 2021-2022 Annual Budget.
2. Acknowledge that Council has reviewed its expenditure and considered efficiency measures as part of its budget deliberations.

CARRIED: 6/0

10.2 RATES – DIFFERENTIAL RATES

APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Glenn Boyes – Manager Finance
DATE:	21 June 2021

Matters for Consideration:

To approve the advertising for the proposal to apply differential rates and minimum payments in the 2021-2022 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 3.7%), the latest CPI reading for Perth of 1.1% and the Local Government Cost Index forecast for 2021-2022 of 3.2%, it is recommended that rates be increased across all categories, except GRV Mining and Transient Workforce Facilities, by 2.7%. The increase also applies to minimum rates.

The rate in the dollar for GRV General, Commercial, Vacant Land, Pastoral, and Minimum rates have not changed since the 2017/18 financial year. Any changes over the past four years were applied to GRV M&T Workforce and/or UV Mining.

In response to the request by the Department of Local Government, Sport and Cultural Industries in 2019/20 the Shire reduced the rate in the dollar for mining categories to 30c. In 2020/21 the rate in the dollar was reduced to 28.3c for UV Mining and 7.66c for Pastoral from 8.43c due to economic conditions. With economic conditions improving, inflation increasing, the rate in the dollar held the same or decreased over the past four years, and in order to align with the Shire's Long Term Financial Plan, it is proposed to increase rates across all categories by the same amount.

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

Rate in the Dollar Comparison

Rate Category	2017/18	2018/19	2019/20	2020/21
GRV - GENERAL	0.106200	0.106200	0.106200	0.106200
GRV - COMMERCIAL	0.106200	0.106200	0.106200	0.106200
GRV - VACANT LAND	0.106200	0.106200	0.106200	0.106200
GRV- M&T WORKFORCE FACILITIES	0.316000	0.310000	0.300000	0.300000
UV - MINING TENEMENTS	0.316000	0.310000	0.300000	0.283334
UV - PASTORAL	0.084300	0.084300	0.084300	0.076564
Minimum Payment				
GRV - GENERAL	451	451	451	451
GRV - COMMERCIAL	451	451	451	451
GRV - VACANT LAND	451	451	451	451
GRV- M&T WORKFORCE FACILITIES	451	451	451	451
UV - MINING TENEMENTS	451	451	451	451
UV - PASTORAL	451	451	451	451

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 and on time. The discount rate to be applied is proposed at twenty percent.

Due to changes in rateable values from revaluations and changes to the number of properties held, the proposed rates will provide the Shire with a total of \$134,028 in additional rate revenue. This is an increase of 5.6% in overall rates. The majority of this increase is due to approximately twenty additional new mining tenements being added to the rate base.

A schedule of rates models showing the average rates per assessment and comparison to 2020-2021 rates is attached at [Appendix 2](#). The proposed rates model is shown in the table below.

Model 5: Increase all rates, including minimum rates, by 2.7% except GRV M&T Workforce to remain at 30c				
Rate Category	Rate in \$	Number of Properties	Rateable Value	Rates Levied
GRV - GENERAL	0.109067	93	561,648	61,257
GRV - COMMERCIAL	0.109067	6	304,708	33,234
GRV - VACANT LAND	0.109067	0	0	0
GRV- M&T WORKFORCE FACILITIES	0.300000	2	246,750	74,025
UV - MINING TENEMENTS	0.290984	355	7,666,802	2,230,917
UV - PASTORAL	0.078631	14	563,097	44,277
Minimum payment				
GRV - GENERAL	463	47	105,449	21,761
GRV - COMMERCIAL	463	0	0	0
GRV - VACANT LAND	463	37	5,888	17,131
GRV- M&T WORKFORCE FACILITIES	463	0	0	0
UV - MINING TENEMENTS	463	130	103,631	60,190
UV - PASTORAL	463	4	12,295	1,852
Totals		688	9,570,268	2,544,643
Revenue raised from rates 2020-2021 (Excluding interim rates)				2,410,615
Difference			5.6%	134,028
Greater than LTFP / (Less than LTFP)				1,450

A rate model comparison of surrounding Shire's is attached at [Appendix 3](#) for Council to consider.

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 2021-2022 rating proposal is attached at [Appendix 4](#).

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 2.7% which is in-line with the other rate categories. Therefore, the proposed minimum rate will increase to \$463.00 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 \$134,028 in revenue compared to rates raised for the current financial year. This increase brings rates back into line with the Shire of Cue's Long Term Financial Plan following the decision by Council not to increase rates in 2020-2021 in support of the Local Government (COVID-19 Response) Order 2020.

Strategic Implications:

Shire of Cue Strategic Community Plan 2017 – 2027

Consultation:

Rob Madson – Chief Executive Officer

Richard Towell – Deputy Chief Executive Officer

Officer's Recommendation:**Voting Requirement:** Simple 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	463	0.109067
GRV - COMMERCIAL	463	0.109067
GRV - VACANT LAND	463	0.109067
GRV- M&T WORKFORCE FACILITIES	463	0.300000
UV - MINING TENEMENTS	463	0.290984
UV - PASTORAL	463	0.078631

2. Adopt the Objects and Reasons for the 2021-2022 differential rates

Council Decision: 16062021**Voting requirement:** Simple Majority**MOVED: CR HOUGHTON****SECONDED: CR DENNIS**

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	463	0.109067
GRV - COMMERCIAL	463	0.109067
GRV - VACANT LAND	463	0.109067
GRV- M&T WORKFORCE FACILITIES	463	0.300000
UV - MINING TENEMENTS	463	0.290984
UV - PASTORAL	463	0.078631

2. Adopt the Objects and Reasons for the 2021-2022 differential rates

CARRIED: 6/0

10.3 EXTENSION OF LEASE - PART LOT 641 ROBINSON STREET

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 15 June 2021

Matters for Consideration:

That Council authorise the application of the common seal to the extension of lease for part Lot 641 Robinson Street, Cue to Puma Energy (Australia) fuels Pty Ltd.

Background:

Puma Energy have requested and the Chief Executive Officer has agreed to extend the lease of part Lot 641 Robinson Street, Cue for the first further term of five years.

Comments:

All of the provisions of the original lease apply to the lease of the leased premises for the first further term of five years.

There are no outstanding amounts due on the leased premises.

Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 9.49A

9.49A . Execution of documents

(1) A document is duly executed by a local government if —

(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or

(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

(3) The common seal of the local government is to be affixed to a document in the presence of —

(a) the mayor or president; and

(b) the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.

Policy Implications:

Nil.

Financial Implications:

The current lease provides commercial property revenue of \$31,248 per annum to the Shire of Cue.

Strategic Implications:

Shire of Cue – Strategic Community Plan 2017-2027

Outcome 1.1 Maximise local economic opportunities to benefit the whole community.

Consultation:

Rob Madson - CEO, Shire of Cue

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council:

Authorise the application of the common seal to the Deed of Extension of Lease, for Lot 641 Robinson Street, Cue.

Council Decision: 17062021

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR DENNIS

That Council:

Authorise the application of the common seal to the Deed of Extension of Lease, for Lot 641 Robinson Street, Cue.

CARRIED: 6/0

11. 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

Council Decision: 18062021 **Voting requirement: Simple Majority**

MOVED: CR DENNIS **SECONDED: CR PRICE**

That the meeting be closed to members of the public to discuss confidential matters.

CARRIED: 6/0

Tracy Bachraty, Glenn Boyes and Richard Towell left the meeting 6.00pm

14.1 CEO OFFER OF EMPLOYMENT

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Rob Madson – Chief Executive Officer
 DATE: 22 June 2021

Matters for Consideration:

CEO offer of employment and approval of contract.

Council Decision: 19062021 **Voting requirement: Absolute Majority**

MOVED: CR DENNIS **SECONDED: CR PRICE**

That Council, by absolute majority, approve:

1. The making of an offer of employment to the position of CEO to Mr Richard Towell;
and
2. The proposed terms to be entered into contained in the distributed draft contract of employment.

CARRIED: 6/0

Council Decision: 20062021 **Voting requirement: Simple Majority**

MOVED: CR PRICE **SECONDED: CR HOUGHTON**

That the meeting be re-opened to members of the public.

CARRIED: 6/0

15. CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 6.28pm

To be confirmed at Ordinary Meeting on the 20 July 2021

Signed:.....

Presiding Member at the Meeting at which time the Minutes were confirmed