Shire of
CUE
Queen of the Murchison

Confirmed Minutes

ORDINARY MEETING OF COUNCIL

19 May 2026

SHIRE OF CUE
Ordinary Meeting of Council
MINUTES

Held in the Council Chambers, 73 Austin Street Cue on
Tuesday, 19 May 2026 commencing at 18:00

ORDER OF BUSINESS

1 ORDER OF BUSINESS

The meeting was opened at 06:04 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 Les Price
Deputy Shire President Ron Hogben
Councillor Julie Humphreys
Councillor Norm Lyon
Councillor Jacquie Lacy
Councillor Cian Lyon

STAFF:
Chief Executive Officer Richard Towell
Deputy Chief Executive Officer Lisa Keen
Executive Assistant Janelle Duncan
Accountant Ahmed Khan
Senior Admin Officer Stephanie Wandek
Consultant Town Planner Eugene Ferraro
Consultant Environmental Health Officer Maurice Walsh
Youth Coordinator Ben Andrew

GALLERY:
Nil

2 ORDER OF BUSINESS

Nil

3 ORDER OF BUSINESS

Nil

4 ORDER OF BUSINESS

Nil

5 ORDER OF BUSINESS

Council Decision: 01052026	**Voting Requirement:** Simple Majority
MOVED: Cr Cian Lyon	**SECONDED: Cr Norm Lyon**

That the Minutes of Ordinary Meeting 21 April 2026 are confirmed as an accurate record of the meeting.

CARRIED: 6/0
FOR: Shire President Price, Deputy Shire President Hogben, Councillor Humphreys, Councillor Lyon, Councillor Lacy, Councillor Lyon
AGAINST: None

6 ORDER OF BUSINESS

Nil

7 ORDER OF BUSINESS

Nil

8 ORDER OF BUSINESS

Nil

9 ORDER OF BUSINESS

Method of Dealing with Agenda Business

As part of the Shire's efforts to ensure the efficiency and effectiveness of meetings, tonight's meeting will include the opportunity for matters to be considered by Council en bloc.

Matters not to be included in en bloc decisions are those which require:

- Absolute Majority;
- Matters to be determined behind closed doors;
- Declared interests made in relation to the item; and
- Deputations or Statements made in relation to the item.

Before commencing the process, the Presiding Member provides a brief explanation of the 'en bloc' method of decision making, for the benefit of any members of the public in the gallery.

The following items have been identified to be decided upon by voting en bloc:

- 10.1 Accounts and Statements of Account
- 10.2 Financial Statements

After reading out all reports identified to be decided on by 'en bloc', Elected Members are given the opportunity to have any reports removed that they deem not appropriate to be included in this process.

Once all are agreed, a mover and seconder will propose a motion for the en bloc decision.

"That the recommendations contained in items 10.1 and 10.2 be adopted en bloc".

Cr Jacquie Lacy requested 10.1 be removed for discussion.

REPORTS

10 REPORTS

1 REPORTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Lisa Keen - Deputy Chief Executive Officer

DATE: 4 May 2026

Matters for Consideration:

To receive the List of Accounts paid for the period 1 April 2026 - 30 April 2026.

Background:

The Local Government, under its delegated authority to the CEO to make payments from municipal and trust funds, is required to prepare a monthly list of accounts showing each account paid and present it to Council at the next Ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.

Comments:

The list of accounts are for the month of April 2026.

Statutory Environment:

Local Government (Financial Management Regulations) 1996 – Clause 13.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Richard Towell, Chief Executive Officer

Officers Recommendation: **Voting Requirement:** Simple Majority

That Council receive the attached payments for the period 1 April 2026 - 30 April 2026, which have been made in accordance with delegated authority under s5.42 of the *Local Government Act 1995.*

APRIL 2026

Municipal Fund Bank EFTs	EFT 16055 - 16185	$	484,533.82
Direct Debit Fund Transfer	General	$	65,156.76
Direct Debit Fund Transfer	CEO Credit Card	$	9,275.29

Payroll	$	217,716.33
Cheques	$	0.00
Total	$	**776,682.20**

Council Decision: 02052026 **Voting Requirement:** Simple Majority

MOVED: Cr Julie Humphreys **SECONDED: Cr Cian Lyon**

That Council receive the attached payments for the period 1 April 2026 - 30 April 2026, which have been made in accordance with delegated authority under s5.42 of the *Local Government Act 1995.*

APRIL 2026

Municipal Fund Bank EFTs	EFT 16055 - 16185	$	484,533.82
Direct Debit Fund Transfer	General	$	65,156.76
Direct Debit Fund Transfer	CEO Credit Card	$	9,275.29
Payroll		$	217,716.33
Cheques		$	0.00
Total		$	**776,682.20**

CARRIED: 6/0
FOR: Shire President Price, Deputy Shire President Hogben, Councillor Humphreys, Councillor Lyon, Councillor Lacy, Councillor Lyon
AGAINST: None

2 REPORTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Lisa Keen - Deputy Chief Executive Officer

DATE: 4 May 2026

Matters for Consideration:

The attached monthly Financial Report is for the period ending April 2026 and includes the following statements and notes:

- Statement of Financial Activity
- Major Variances
- Net Current Funding Position
- Statement of Financial Position

- Cash and Investments
- Trust Fund
- Cash Backed Reserve
- Receivables
- Capital Disposals
- Borrowings
- Capital Acquisitions
- Rate Revenue
- Grants and Contributions

Background:

Under the *Local Government (Financial Management) Regulations 1996*, a monthly Financial Report must be submitted to an Ordinary Council meeting within two months after the end of the month to which the statement relates. The monthly Financial Report presents an overview of the financial position of the local government at the end of each month. The monthly Financial Report must be adopted by Council and form part of the minutes.

Comments:

The monthly Financial Report is for the month of April 2026.

Statutory Environment:

Local Government (Financial Management Regulations) 1996 – Clause 14.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Richard Towell, Chief Executive Officer

Officers Recommendation: **Voting Requirement:** Simple Majority

That Council receive the attached monthly Financial Report, prepared in accordance with the *Local Government (Financial Management) Regulations 1996*, for the period ending April 2026.

Council Decision: 03052026 **Voting Requirement:** Simple Majority

MOVED: Cr Julie Humphreys **SECONDED: Cr Cian Lyon**

That Council receive the attached monthly Financial Report, prepared in accordance with the *Local Government (Financial Management) Regulations 1996*, for the period ending April 2026.

CARRIED: 6/0
FOR: Shire President Price, Deputy Shire President Hogben, Councillor Humphreys, Councillor Lyon, Councillor Lacy, Councillor Lyon
AGAINST: None

3 REPORTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Lisa Keen - Deputy Chief Executive Officer

DATE: 4 May 2026

Matters for Consideration:

Adoption of the fees and charges for the Shire of Cue for the 2026-2027 financial year.

Background:

In accordance with section 6.16 of the *Local Government Act 1995*, fees and charges are adopted annually as part of the Council's budget.

Comments:

Some of the fees and charges are proposed with no increase while common charges were increased by approximately 3.5% for most items, which aligns with the Shire's strategic plans. A review of the costs and the increase in prices over the 2025-2026 year was conducted and believed to be within reasonable tolerances. In reviewing the fees and charges applied to the goods or services to be provided, the Shire considered the costs of providing them, the importance of them to the community and the price they would be provided by alternate sources.

Statutory Environment:

Local Government Act 1995 - Part 6, Division 5, Subdivision 2 - Fees and Charges.

6.16. Imposition of fees and charges
(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*
** Absolute majority required.*

(2) A fee or charge may be imposed for the following -
(a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
(b) supplying a service or carrying out work at the request of a person;
(c) subject to section 5.94, providing information from local government records;
(d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
(e) supplying goods;
(f) such other service as may be prescribed.

(3) Fees and charges are to be imposed when adopting the annual budget but may be -
(a) imposed during a financial year; and*
(b) amended from time to time during a financial year.*
** Absolute majority required.*

6.17. Setting level of fees and charges
(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors -
(a) the cost to the local government of providing the service or goods; and
(b) the importance of the service or goods to the community; and
(c) the price at which the service or goods could be provided by an alternative provider.

(2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.

(3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service -
(a) under section 5.96; or

(b) under section 6.16(2)(d); or
(c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.

(4) Regulations may -
(a) prohibit the imposition of a fee or charge in prescribed circumstances; or
(b) limit the amount of a fee or charge in prescribed circumstances.

6.18. Effect of other written laws
(1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not -
(a) determine an amount that is inconsistent with the amount determined under the other written law; or
(b) charge a fee or charge in addition to the amount determined by or under the other written law.

(2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

6.19. Local government to give notice of fees and charges
If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of -
(a) its intention to do so; and
(b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications:

Nil

Financial Implications:

Fees and charges revenue makes up approximately 14% of the Shires operating income and provides a means for the Shire to recover the costs of providing services on a user pay basis.

Strategic Implications:

Shire of Cue Strategic Community Plan 2023 - 2038
Outcome 2.1: A strategically focused and unified Council functioning efficiently
2.1.3: Maintain accountability and financial responsibility

Consultation:

Richard Towell, Chief Executive Officer
John Curtin, Manager Works and Services
Savannah McIntosh, Tourist Park Manager

Officers Recommendation: **Voting Requirement:** Absolute Majority

That Council, by absolute majority, adopts the schedule of fees and charges*,* effective from 01 July 2026, and incorporates these fees and charges into the 2026-2027 budget.

Council Decision: 04052026 **Voting Requirement:** Absolute Majority

MOVED: Cr Cian Lyon **SECONDED: Cr Julie Humphreys**

That Council, by absolute majority, adopts the schedule of fees and charges*,* effective from 01 July 2026, and incorporates these fees and charges into the 2026-2027 budget.

CARRIED: 6/0
FOR: Shire President Price, Deputy Shire President Hogben, Councillor Humphreys, Councillor Lyon, Councillor Lacy, Councillor Lyon
AGAINST: None

4 REPORTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Lisa Keen - Deputy Chief Executive Officer

DATE: 4 May 2026

Matters for Consideration:

To determine the fees and allowances payable to Councillors for attending Council and Committee meetings for the 2026-2027 financial year and set meeting fees for independent Audit, Risk and Improvement Committee members.

Background:

The *Local Government Act 1995* prescribes that council members and independent committee members be paid for attending meetings and reimbursed for costs incurred while carrying out their function as a Council member.

Section 7B(2) of the *Salaries and Allowances Act 1975* requires the Tribunal to undertake a review of fees and allowances to be paid to Elected Members under the local government act on an annual basis. The review for 2026 has been completed with the Tribunal determining that Elected Member attendance fees and annual allowance ranges be increased by 3.5%.

Comments:

The 26/27 annual attendance fees, under the *Salaries and Allowances Act 1975* for a band 4 government, ranges from $4,161 to $11,023 for Councillors, and $4,161 to $22,646 for the President. The annual allowance for a President ranges from $596 to $23,257. The annual allowance for the Deputy President is 25% of the President's allowance.

In accordance with Section 5.100(2)(b) of the *LG Act*, the fee payable by a local government to an Independent Audit, Risk and Improvement Committee (ARIC) Member (whether Presiding Member, Deputy Presiding Member, Deputy Member or Member) for attendance at an ARIC meeting is set within the range of $110 to $1,215. The rates proposed for the Shire of Cue are $850 for the Presiding Member and $500 for the Deputy Presiding Member.

The table below shows the proposed 3.5% increase in annual fees and allowances:

Fee or Allowance	**25/26 Amount**	**~3.5% Increase**	**26/27 Amount**
President's Sitting Fees	$1,328	$46.48	$1,374
Members Sitting Fees	$885	$30.98	$916
President's Allowance	$1,498	$52.43	$1,550
Deputy President's Allowance	$374	$13.09	$387.00
Independent Audit, Risk and Improvement Committee meeting attendance fee per meeting.			
Independent Presiding Member	New fee		$850
Independent Deputy Presiding Member	New fee		$500

The ICT allowance is to provide Councillors with the resources to obtain a high standard of electronic communication hardware and services to allow the Shire to optimise its communications with Councillors. There is no increase to this allowance under the Salaries and Allowances Tribunal review.

The Tribunal has set the travel allowance to *section 30.6* of the *Local Government Officers' (Western Australia) Award 2021*, which is currently $0.9901 cents per kilometre for a vehicle with an engine capacity over 2600cc.

Statutory Environment:

Local Government Act 1995
Part 5 Division 8 - Local government payments and gifts to its members.
5.98. Fees etc. for council members
(1) A council member who attends a council or committee meeting is entitled to be paid —
(a) the fee determined for attending a council or committee meeting; or
(b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.

(2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —
(a) the fee determined for attending a meeting of that type; or
(b) where the local government has set a fee within the range determined for meetings of that type, that fee.

(5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
(a) the annual local government allowance determined for mayors or presidents; or
(b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.

(6) A local government cannot make any payment to, or reimburse an expense of, a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with —
(a) this Division; or
(b) a policy adopted by the local government under section 5.129.

5.98A. Allowance for deputy mayor or deputy president
(1) A local government may decide to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).*
** Absolute majority required.*

(2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —*

(a) the annual fee determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B; or
(b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.

** Absolute majority required.*

Local Government (Administration) Regulations 1996
Part 8 - Local government payments and gifts to its members.

Salaries and Allowances Act 1975
7B. Determinations as to fees and allowances of local government councillors

(2) The Tribunal is to, from time to time as provided by this Act, inquire into and determine -
(a) the amount of fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 to elected council members for attendance at meetings; and
(b) the amount of expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the Local Government Act 1995 to elected council members; and
(c) the amount of allowances, or the minimum and maximum amounts of allowances, to be paid under the Local Government Act 1995 to elected council members.

Extracts from the determination dated 04 April 2025

20. The Tribunal has determined Elected Member attendance fees, and annual allowance ranges be increased by 3.5%. The Tribunal considered various submissions calling for increases, with the determined increase reflecting a variety of issues raised in the submission.

21. The Tribunal maintains that Elected Members fees should be set to compensate costs for the prescribed role of an Elected Member. The role of an Elected Member was specifically described as not being a full-time occupation in parliamentary debates regarding the Local Government Amendment Act 2011 presented to the Parliament in 2011, and there has been no change in this view from Government or the Parliament as far as the Tribunal is aware.

Local Government Officers' (Western Australia) Award 2021
30.6 Rates of hire for use of an Officer's own motor vehicle on official business.

Policy Implications:

Nil

Financial Implications:

Allowance for the increase will be made in the 2026-2027 budget for Councillor meeting attendance fees and independent Audit, Risk and Improvement Committee meeting attendance fees.

Strategic Implications:

Nil

Consultation:

Richard Towell, Chief Executive Officer

Officers Recommendation: **Voting Requirement:** Absolute Majority

That Council, by absolute majority,
1. Set the following Members fees and allowances for the 2026-2027 financial year:

Monthly Fees	**Fees**
Meeting Fees	
President	$1,374
Councillors	$916
Allowances	
President	$1,550
Deputy President	$387
ICT Allowance	
All Councillors	$290
Per Meeting Fees	
Independent, Audit Risk and Improvement Committee Member	
Independent Presiding Member	$850
Independent Deputy Presiding Member	$500
Reimbursements	
Engine Displacement	
Over 2600cc	$0.9901
1600cc to 2600cc	$0.7087
1600cc and under	$0.5837
Other approved expenses supported by receipts	

Council Decision: 05052026 **Voting Requirement:** Absolute Majority

MOVED: Cr Cian Lyon **SECONDED: Cr Julie Humphreys**

That Council, by absolute majority,

1. Set the following Members fees and allowances for the 2026-2027 financial year:

Monthly Fees	**Fees**
Meeting Fees	
President	$1,374
Councillors	$916
Allowances	
President	$1,550
Deputy President	$387
ICT Allowance	
All Councillors	$290
Per Meeting Fees	
Independent, Audit Risk and Improvement Committee Member	
Independent Presiding Member	$850
Independent Deputy Presiding Member	$500
Reimbursements	
Engine Displacement	
Over 2600cc	$0.9901
1600cc to 2600cc	$0.7087
1600cc and under	$0.5837
Other approved expenses supported by receipts	

CARRIED: 6/0
FOR: Shire President Price, Deputy Shire President Hogben, Councillor Humphreys, Councillor Lyon, Councillor Lacy, Councillor Lyon
AGAINST: None

10.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - APPOINTMENT OF INDEPENDENT PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 14 May 2026

Matters for Consideration:

Appointment of an independent Presiding Member and independent Deputy Presiding Member to the Shire of Cue Audit, Risk and Improvement Committee (ARIC).

Background:

Recent amendments to the *Local Government Act 1995* now require Council to establish an Audit, Risk, and Improvement Committee with independent representation. Council is required to appoint an Independent Presiding Member and an Independent Deputy Presiding Member to the Audit, Risk, and Improvement Committee to ensure compliance with legislative requirements and strengthen governance oversight.

Comments:

Regulations provide for the transition from existing audit committees to Audit, Risk and Improvement Committees, provided they meet the requirements of independent members and implement changes by 30 June 2026.

The functions of ARIC include –
receive and review reports related to local government compliance audits required under the *Local Government Act 1995* and regulations,

- make recommendations to the council on actions to be taken in relation to those reports,
- receive and review reports on the effectiveness of the local government's systems and procedures in relation to financial management, legislative compliance, and risk management, and make recommendations to the council on improvements to those systems and procedures,
- receive and review reports on any actions the local government is required to take under the *Local Government Act 1995*, or has decided to take in relation

to a compliance audit report or report into the effectiveness of the local government's systems and procedures, and

- perform any function conferred on the ARIC prescribed in the regulations or another written law.

Following discussions with Council and consideration of suitable candidates, Mr David Price and Mr Stephen Manning were approached to fulfil the two required roles. Both candidates have agreed to accept the roles if appointed.

Statutory Environment:

Local Government Act 1995, Section 7.1A.
7.1A. Establishment of audit, risk and improvement committee

(1) A local government must establish a committee of its council under section 5.8 to be called the audit, risk and improvement committee.

(2) The following provisions apply in respect of the membership of the audit, risk and improvement committee —
(a) an employee of the local government is not to be a member;
(b) no member is to be nominated by, or is to be appointed to represent, any employee of the local government;
(c) section 5.10(1)(b) does not apply.

(3) The presiding member of the audit, risk and improvement committee cannot be a council member of the local government or of any other local government.

(4) Any deputy presiding member of the audit, risk and improvement committee cannot be a council member of the local government or of any other local government.

Local Government (Audit) Regulations 1996 – Regulation 19
19. Transitional provisions relating to establishment of audit, risk and improvement committees

(1) This regulation is made for the purposes of Schedule 9.3 clause 81(2) of the Act.

(2) If a term used in this regulation is given a meaning in Schedule 9.3 clause 69(1) of the Act, it has the same meaning in this regulation.

(3) This regulation applies to a local government if, immediately before amendment day —
(a) the membership of the local government's existing audit committee accords

with section 7.1A(2)(a) and (b) (as inserted by the Local Government Amendment Act 2024 section 87); and

(b) none of the members of the existing audit committee is a member who was appointed under section 5.10(1)(b); and

(c) the presiding member of the existing audit committee, and any deputy presiding member of the existing audit committee, is not a council member of the local government or of any other local government; and

(d) a deputy of the presiding member is in place under section 5.11A and the deputy is not a council member of the local government or of any other local government; and

(e) if there is a deputy presiding member and a deputy of the deputy presiding member is in place under section 5.11A, the deputy is not a council member of the local government or of any other local government.

(4) The local government is taken to have established, at the beginning of amendment day, the existing audit committee as the local government's audit, risk and improvement committee (and to have complied with Schedule 9.3 clause 69(2) of the Act accordingly).

(5) If, immediately before amendment day, there is in effect a delegation to the existing audit committee of any of the local government's powers or duties, the delegation continues in effect on and after amendment day as a delegation to the audit, risk and improvement committee taken to be established under subregulation (4).

(6) Subregulations (4) and (5) do not prevent the local government from establishing, during the period of 6 months referred to in Schedule 9.3 clause 69(2) of the Act, a new audit, risk and improvement committee that replaces the audit, risk and improvement committee taken to be established under subregulation (4).

Policy Implications:

Nil

Financial Implications:

Independent members are entitled to remuneration in accordance with the range set by the Salary and Allowances Tribunal and determined by Council. Allocations will be made in future budgets to accommodate these costs.

Strategic Implications:

Shire of Cue Strategic Community Plan 2023-2038:Leadership Objective
Outcome 2.1 A strategically focused and unified Council functioning efficiently
2.1.3 Maintain accountability and financial responsibility

Consultation:

Lisa Keen, Deputy Chief Executive Officer
Council Members

Officers Recommendation: **Voting Requirement:** Simple Majority

That Council, pursuant to the *Local Government (Audit) Regulations 1996*, -

- Appoints Mr David Price as Independent Presiding Member of the Audit, Risk, and Improvement Committee,
- Appoints Mr Stephen Manning as Independent Deputy Presiding Member of the Audit, Risk, and Improvement Committee

Council Decision: 06052026 **Voting Requirement:** Simple Majority

MOVED: Cr Cian Lyon **SECONDED: Cr Norm Lyon**

That Council, pursuant to the *Local Government (Audit) Regulations 1996*, -

- Appoints Mr David Price as Independent Presiding Member of the Audit, Risk, and Improvement Committee,
- Appoints Mr Stephen Manning as Independent Deputy Presiding Member of the Audit, Risk, and Improvement Committee

CARRIED: 6/0
FOR: Shire President Price, Deputy Shire President Hogben, Councillor Humphreys, Councillor Lyon, Councillor Lacy, Councillor Lyon
AGAINST: None

6 REPORTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Lisa Keen - Deputy Chief Executive Officer

DATE: 11 May 2026

Matters for Consideration:

To adopt the Shire of Cue’s draft 2027 - 2031 Corporate Business Plan

Background:

The Local Government (Administration) Regulations 1996 were amended in August of 2011 with the inclusion of regulation *19DA - Corporate Business Plans*. This regulation requires Councils to produce and maintain a Corporate Business Plan covering a period of at least four (4) years. The Corporate Business Plan sets out the priority actions required to achieve the objectives in the Strategic Community Plan over at least the next 4 years.

Comments:

The Corporate Business Plan also draws upon the other planning documents which form part of Council's integrated planning. These include the Asset Management Plan, Long Term Financial Plan and Workforce Plan. The Corporate Business Plan shows the actions that will be undertaken to achieve each objective and the timing of each action. Some actions are ongoing while others relate to specific projects.

Statutory Environment:

Local Government Act 1995 - Section 5.56 (1&2)

Local Government (Administration) Regulations 1996 - Section 19DA (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.

(3) A corporate business plan for a district is to -

(a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and

(b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and

(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

(4) A local government is to review the current corporate business plan for its district every year.

(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.

(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

(7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

Policy Implications:

As part of the integrated planning framework, the Corporate Business Plan will guide Council's future budget decision-making processes.

Financial Implications:

The Corporate Business Plan guides the actions for the coming years to achieve the objectives in the Strategic Community Plan. Major projects over this time are expected to be funded by grant funding, reserve funds or operating revenues.

Strategic Implications:

Shire of Cue Strategic Community Plan 2023-2038
Leadership Objective
Outcome 2.1.2 Continue to improve and review organisational plans.

Consultation:

Richard Towell - Chief Executive Officer

Officers Recommendation: **Voting Requirement:** Absolute Majority

That Council adopt the Shire of Cue's draft 2027 - 2031 Corporate Business Plan

Council Decision: 07052026 **Voting Requirement:** Absolute Majority

MOVED: Cr Ron Hogben **SECONDED: Cr Cian Lyon**

That Council adopt the Shire of Cue's draft 2027 - 2031 Corporate Business Plan

CARRIED: 6/0
FOR: Shire President Price, Deputy Shire President Hogben, Councillor Humphreys, Councillor Lyon, Councillor Lacy, Councillor Lyon
AGAINST: None

10.7 CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 14 May 2026

Matters for Consideration:

Adoption of the updated Shire of Cue Code of Conduct for Council Members, Committee Members and Candidates.

Background:

Amendments to the Model Code of Conduct prescribed in the *Local Government (Model Code of Conduct) Regulations 2021* provide for the new role of the Local Government Inspector and clarify decision-making responsibilities for behavioural breach complaints.

The purpose of the Model Code of Conduct is to guide decisions, actions and behaviours of council members, elected and unelected committee members, and candidates in local elections. The intent of the Model Code is that local governments will address behaviour through education rather than sanctions.

The updated Model Code of Conduct replaces the previous Code of Conduct and incorporates the new role of the Local Government Inspector requiring a complaint to be referred to the Inspector if the person who is the subject of the complaint has, on at least 2 previous occasions, been found to have committed, on or after 1 January 2026, a behavioural breach.

Section *5.104* of the Act requires that local governments adopt the Model Code as their Code of Conduct within three months of the amended Regulations coming into operation. In accordance with section *5.104(5)*, the Model Code applies until the local government adopts it as their Code. This means that the principles, behaviour requirements and rules of conduct of the Regulations apply to council members, committee members and candidates even if their local government has not yet adopted the amendments.

Comments:

The *Local Government (Model Code of Conduct) Regulations 2021 (Model Code Regulations)* bring into effect sections *48-51* of the *Amendment Act* by introducing a mandatory code of conduct for council members, committee members and candidates.

The Model Code Regulations provide for:

- *overarching principles to guide behaviour*
- *behaviours which are managed by local governments*
- *rules of conduct breaches which are to be referred to the Local government Inspector.*

The purpose of the Model Code is to guide decisions, actions and behaviours. It also recognises that there is a need for a separate code for council members, committee members and candidates to clearly reflect community expectations of behaviour and ensure consistency between local governments.

Local governments will be required to prepare and adopt the Model Code within three months of these amendments. In adopting the Model Code, local governments can include additional behaviours under Division 3 provided these are consistent with the Model Code.

In accordance with the 2021 Local Government Reforms, at the ordinary meeting of Council held on 16 February 2021, Council affirmed the CEO as the person to receive complaints of breaches of the Code of Conduct and approved the form for complaints to be lodged. This form is included as an attachment to this item for Council approval.

The draft Shire of Cue Model Code of Conduct for Council Members, Committee Members and Candidates is attached.

Statutory Environment:

Local Government Act 1995, Section 5.103 and 5.104
5.103. Model code of conduct for council members, committee members and candidates
(1) Regulations must prescribe a model code of conduct for council members, committee members and candidates.

(2) The model code of conduct must include -
(a) general principles to guide behaviour; and
(b) requirements relating to behaviour; and
(c) provisions specified to be rules of conduct.

(3) The model code of conduct may include provisions about how the following are to be dealt with -
(a) alleged breaches of the requirements referred to in subsection (2)(b);
(b) alleged breaches of the rules of conduct by committee members.

(3A) Without limiting subsection (3), the provisions of the model code of conduct may -
(a) provide for the Inspector to appoint a monitor for a local government to assist the local government to deal with matters raised by a complaint of a behavioural breach; and
(b) confer other functions on the Inspector in relation to a complaint of a behavioural breach.

(4) The model code of conduct cannot include a rule of conduct if contravention of the rule would, in addition to being a conduct breach, also be a specified breach.

(5) Regulations may amend the model code of conduct.

5.104. Adoption of model code of conduct

(1) Within 3 months after the day on which regulations prescribing the model code come into operation, a local government must prepare and adopt a code of conduct to be observed by council members, committee members and candidates that incorporates the model code.*

** Absolute majority required.*

(2) Within 3 months after the day on which regulations amending the model code come into operation, the local government must amend the adopted code of conduct to incorporate the amendments made to the model code.*

** Absolute majority required.*

(3) A local government may include in the adopted code of conduct requirements in addition to the requirements referred to in section 5.103(2) but any additional requirements -
(a) can only be expressed to apply to council members or committee members; and
(b) are of no effect to the extent that they are inconsistent with the model code.

(4) A local government cannot include in the adopted code of conduct provisions in addition to the principles referred to in section 5.103(2)(a) or the rules of conduct.

(5) The model code is taken to be a local government's adopted code of conduct until the local government adopts a code of conduct.

(6) An alleged breach of a local government's adopted code of conduct by a candidate cannot be dealt with under this Division or the adopted code of conduct unless the candidate has been elected as a council member.

(7) The CEO must publish an up to date version of a local government's adopted code of conduct on the local government's official website.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Cue Strategic Community Plan 2023-2038:
Leadership Objective
Outcome 2.1 A strategically focused and unified Council functioning efficiently
2.1.3 Maintain accountability and financial responsibility

Consultation:

Lisa Keen, Deputy Chief Executive Officer
Council Members

Officers Recommendation: **Voting Requirement:** Absolute Majority

That Council:

By absolute majority adopt the Shire of Cue Code of Conduct for Council Members, Committee Members and Candidates as presented.

and

- re-affirm the Chief Executive Officer as the person to receive complaints of breaches of the Code of Conduct, and
- approve the form as presented for complaints to be lodged

Council Decision: 08052026 **Voting Requirement:** Absolute Majority

MOVED: Cr Jacquie Lacy **SECONDED: Cr Julie Humphreys**

That Council:

By absolute majority adopt the Shire of Cue Code of Conduct for Council Members, Committee Members and Candidates as presented.

and

- re-affirm the Chief Executive Officer as the person to receive complaints of breaches of the Code of Conduct, and
- approve the form as presented for complaints to be lodged.

CARRIED: 6/0
FOR: Shire President Price, Deputy Shire President Hogben, Councillor Humphreys, Councillor Lyon, Councillor Lacy, Councillor Lyon
AGAINST: None

06:55pm Mr Eugene Ferraro left the chamber
06:55pm Mr Eugene Ferraro re-entered the chamber

8 REPORTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 13 May 2026

Matters for Consideration:

To engage the Western Australian Electoral Commission to facilitate an extraordinary election and determine the method of election.

Background:

With the passing of Councillor Ross Pigdon on 9 April 2026, an extraordinary election will need to be conducted. The vacancy requires an extraordinary election to be held in accordance with section 2.32(a) of the *Local Government Act 1995*.

The Chief Executive Officer has advised the Western Australian Electoral Commission (WAEC) of the requirement to hold an extraordinary election. The WAEC has provided a proposed date to host the extraordinary election, being Thursday 24 September 2026 and a cost estimate of $13,500 based on full accrual cost recovery. This means that the Shire will be invoiced for the actual cost of conducting the election which may be greater or lesser than the cost estimate.

The two letters received from the WAEC for the 'Date for Local Government Extraordinary Election' and 'Written Agreement: 2026 Local Government Extraordinary Election' are provided as attachments.

Comments:

The term of office for Councillor Pigdon was four (4) years from the ordinary election of 24 October 2023 which would/will expire on the 16 October 2027.

In accordance with section 2.31 of the *Local Government Act 1995*, should the office of a Councillor or of an elector mayor or president become vacant under section 2.32, an extraordinary election to fill the office is to be held.

While Local Government/extraordinary elections may be conducted in-house, it has been the practice of the Shire of Cue in recent times for elections to be conducted by the Western Australian Electoral Commissioner. This ensures that there can be no question of the independence of the process.

An in-person election conducted in Cue would tend to limit the number of electors able to vote, it is therefore recommended that the extraordinary election be conducted as a postal election.

Furthermore, in accordance with section 4.37 of the *Local Government Act 1995*, a new Electoral Roll is required given the election day for which it is scheduled for is more than 100 days after the election day for another election. That is, since the ordinary election conducted in October 2025.

Statutory Environment:

Local Government Act 1995 - Sect 2.31
2.31 Resignation

(1) An elector mayor or president may resign from the office of mayor or president.

(2) A councillor may -
(a) resign from the office of councillor;
(b) resign from the office of councillor mayor or president, deputy mayor or deputy president

(3) Written notice of resignation is to be signed and dated by the person who is resigning and delivered to the CEO

(4) The resignation takes effect from the date of delivery of the notice or from a later day specified in the notice.

Local Government Act 1995 - Sect 2.32
2.32 How extraordinary vacancies occur in offices elected by electors
(1) The office of a member of a council as an elector mayor or president or as a councillor becomes vacant if the member —
(a) dies; or
(b) resigns from the office; or
(c) does not make the declaration required by section 2.29(1) within 2 months after being declared elected to the office; or
(d) advises or accepts under section 2.27 that the member is disqualified, or is declared to be disqualified by the State Administrative Tribunal acting on an application under section 2.27; or
(da) is disqualified by an order under section 8A.14(5), 8A.21(2)(b), 8A.25(1)(b)(viii) or 8A.27(2)(b) from holding office as a member of a council; or
(db) is dismissed under section 8.11(2), 8.15L or 8.25(2); or
(e) becomes the holder of any office or position in the employment of the local government; or
(f) while holding an office of councillor, is elected to the office of elector mayor or president on the council.

(2) The CEO must notify the Departmental CEO if an office becomes vacant under this section.

Local Government Act 1995 - Sect 4.20
4.20 CEO to be returning officer unless other arrangements made
(1) Subject to this section the CEO is the returning officer of a local government

(2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint person other than the CEO to be the returning officer of the local government for -*
(a) an election; or
(b) all elections held while the appointment of the person subsists.

** Absolute majority required.*

(3) An appointment under subsection (2) -
(a) is to specify the term of the person's appointment; and
(b) has no effect if it is made after the 80th day before an election day.

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

Local Government Act 1995 - Sect 4.37
4.37 New roll for each election
(1) An electoral roll is to be prepared for the election.

(2) *If the district is not divided into wards the same electoral roll can be used for the election of an elector mayor or president and the election of a councillor or councillors.*

(3) A new electoral roll need not be prepared for the election if -
(a) it is an extraordinary election the election day for which is less than 100 days after the election day for another election; and
(b) the CEO, with the approval of the Electoral Commissioner, decides that the roll that was used for the earlier election is suitable for use at the extraordinary election.

Local Government Act 1995 - Sect 4.61
4.61 Choice of methods of conducting election
(1) The election can be conducted as a -
postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or
voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

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

(3) A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for

the local government and the declaration is in respect of an additional election for the same local government.

(4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.

(5) A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.

(6) For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.

(7) Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election

Local Government Act 1995 - Sect 4.8
4.8 Extraordinary elections
(1) If the office of a councillor or of an elector mayor or president becomes vacant under section 2.32, an election to fill the office is to be held, except if the vacancy is filled under Schedule 4.1A or 4.1B

Policy Implications:

Nil

Financial Implications:

A cost estimate of $13,500 has been provided for the conduct of a postal election by the Western Australian Electoral Commission. An allocation will be provided in the 2026-2027 Annual Budget for election expenses to allow for this extraordinary election.

Strategic Implications:

Nil

Consultation:

Cr Les Price, Shire President Western Australian Electoral Commission

Officers Recommendation: **Voting Requirement:** Absolute Majority

That Council, by absolute majority;

1. declare, in accordance with section 4.20(4) of the *Local Government Act 1995,* the Electoral Commissioner to be responsible for the conduct of the 2026 extraordinary election, together with any other elections or polls which may be required;
2. decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

Council Decision: 09052026 **Voting Requirement:** Absolute Majority

MOVED: Cr Cian Lyon **SECONDED: Cr Julie Humphreys**

That Council, by absolute majority;

1. declare, in accordance with section 4.20(4) of the *Local Government Act 1995,* the Electoral Commissioner to be responsible for the conduct of the 2026 extraordinary election, together with any other elections or polls which may be required;
2. decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

CARRIED: 6/0
FOR: Shire President Price, Deputy Shire President Hogben, Councillor Humphreys, Councillor Lyon, Councillor Lacy, Councillor Lyon
AGAINST: None

06:58pm Mr Maurice Walsh left the chamber

11 REPORTS

Nil

12 REPORTS

Nil

13 REPORTS

Nil

CLOSED COUNCIL

14 CLOSED COUNCIL

Nil

CLOSURE

15 CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 07:04 PM.

To be confirmed at Ordinary Meeting on the 16 June 2026.

Signed: ....

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