Confirmed Minutes

ORDINARY MEETING OF COUNCIL

18 February 2025

SHIRE OF CUE
Ordinary Meeting of Council
MINUTES

Held in the Council Chambers, 73 Austin Street Cue on
Tuesday, 18 February 2025 commencing at 6:00 PM

ORDER OF BUSINESS

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 Les Price
Deputy Shire President Elizabeth Houghton
Councillor Ron Hogben
Councillor Ian Dennis
Councillor Leonie Fitzpatrick
Councillor Julie Humphreys
Councillor Ross Pigdon

STAFF:
Chief Executive Officer Richard Towell
Senior Admin Officer Stephanie Wandek
Accountant Ahmed Khan

GALLERY:
Mrs Jenni Dennis **entered the chamber at 06:07pm*

2 APOLOGIES AND APPROVED LEAVE OF ABSENCE

Deptuy Chief Executive Officer Glenn Boyes
Executive Assistant Janelle Duncan

3 DISCLOSURE OF MEMBER'S INTERESTS

Nil.

4 PUBLIC QUESTION TIME

Nil.

5 CONFIRMATION OF MINUTES

Council Decision: 01022025	**Voting Requirement:** Simple Majority
MOVED: Cr Elizabeth Houghton	**SECONDED: Cr Ian Dennis**

That the Minutes of the Ordinary Meeting 17 December 2024 are confirmed as a true and correct record of the meeting.

CARRIED: 7/0
AGAINST: None

06:07pm Mrs Jenni Dennis entered the chamber

6 APPLICATION FOR LEAVE OF ABSENCE

Nil.

7 DEPUTATIONS

Nil.

8 PETITIONS

Nil.

9 ANNOUNCEMENTS WITHOUT DISCUSSION

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 "adopted by exception" (i.e. without discussion).

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

Councillor Fitzpatrick requested that item 10.2 be removed.

REPORTS

10 REPORTS
10.1 ACCOUNTS AND STATEMENTS OF ACCOUNT

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Glenn Boyes - Deputy Chief Executive Officer

DATE: 30 January 2025

Matters for Consideration:

To receive the List of Accounts paid for the period 1 December 2024 - 31 December 2024 and 1 January 2025 - 31 January 2025.

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 months of December 2024 and January 2025.

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 December 2024 - 31 December 2024 and 1 January 2025 - 31 January 2025, which have been made in accordance with delegated authority under s5.42 of the *Local Government Act 1995.*

December 2024

Municipal Fund Bank EFTs	EFT 14091 - EFT 14245	$	469,489.20
Direct Debit Fund Transfer	General	$	56,222.58
Direct Debit Fund Transfer	CEO Credit Card	$	1,264.37
Payroll		$	161,788.36
BPAY		$	9,782.52
Cheques		$	0.00
Total		$	**698,547.03**

January 2025

Municipal Fund Bank EFTs	EFT 14246 - EFT 14318	$	155,250.18
Direct Debit Fund Transfer	General	$	104,242.13
Direct Debit Fund Transfer	CEO Credit Card	$	6,526.08
Payroll		$	125,403.78
BPAY		$	25,880.18
Cheques		$	0.00

Total		$	**417,302.35**

Council Decision: 02022025 **Voting Requirement:** Simple Majority

MOVED: Cr Julie Humphreys **SECONDED: Cr Ian Dennis**

That Council receive the attached payments for the period 1 December 2024 - 31 December 2024 and 1 January 2025 - 31 January 2025, which have been made in accordance with delegated authority under s5.42 of the *Local Government Act 1995.*

December 2024

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BPAY		$	25,880.18
Cheques		$	0.00
Total		$	**417,302.35**

CARRIED: 6/1
AGAINST: Councillor Fitzpatrick

10.2 FINANCIAL STATEMENTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Glenn Boyes - Deputy Chief Executive Officer

DATE: 30 January 2025

Matters for Consideration:

The attached monthly Financial Reports is for the period ending December 2024 and January 2025 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 Reports is for the month of December 2024 and January 2025.

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 December 2024 and January 2025.

Council Decision: 03022025 **Voting Requirement:** Simple Majority

MOVED: Cr Ross Pigdon **SECONDED: Cr Ron Hogben**

That Council receive the attached monthly Financial Report, prepared in accordance with the *Local Government (Financial Management) Regulations 1996*, for the period ending December 2024 and January 2025.

CARRIED: 6/1
AGAINST: Councillor Fitzpatrick

10.3 COMPLIANCE AUDIT RETURN 2024

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Glenn Boyes - Deputy Chief Executive Officer

DATE: 7 February 2025

Matters for Consideration:

Endorsement of the Compliance Audit Return 2024.

Background:

Each year a Local Government is required to complete a Compliance Audit Return (CAR) for the period 1 January to 31 December. Regulations require that the CAR is reviewed by the Audit Committee prior to adoption by Council. Once adopted by Council, a certified copy of the CAR, a copy of the relevant section of the minutes and any additional information explaining or qualifying the CAR is to be submitted to the Departmental CEO by 31 March following the period to which the CAR relates.

Comments:

The Compliance Audit Return for the period 1 January 2024 to 31 December 2024 has been prepared by the Shire of Cue administration. The CAR provides an internal control to assess statutory compliance and covers areas such as disclosure of interest, official conduct, tenders for providing goods and services, delegation of power and duties and appointment of senior employees.

Statutory Environment:

Local Government Act 1995, Section 7.13(1)(i)
7.13. Regulations as to audits
(1) Regulations may make provision as follows -
(i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are -
(i) of a financial nature or not; or
(ii) under this Act or another written law.

Local Government (Audit) Regulations 1996:
14. Compliance audits by local governments

(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
(3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
(3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be -
(a) presented to the council at a meeting of the council; and
(b) adopted by the council; and
(c) recorded in the minutes of the meeting at which it is adopted.

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO
(1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with -
(a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
(b) any additional information explaining or qualifying the compliance audit
is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.
(2) In this regulation -
certified in relation to a compliance audit return means signed by -
(a) the mayor or president; and
(b) the CEO.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Cue Strategic Community Plan 2023 - 2038
Outcome 2.1.3
Maintain accountability and financial responsibility

Consultation:

Richard Towell, Chief Executive Officer

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

That Council, by absolute majority;

1. Accept the Audit Committee's recommendation to Council that it adopts the 2024 Compliance Audit Return; and
2. Adopt the 2024 Compliance Audit Report as presented.

Council Decision: 04022025	**Voting Requirement:** Absolute Majority
MOVED: Cr Julie Humphreys	**SECONDED: Cr Elizabeth Houghton**

That Council, by absolute majority;

1. Accept the Audit Committee's recommendation to Council that it adopts the 2024 Compliance Audit Return; and
2. Adopt the 2024 Compliance Audit Report as presented.

CARRIED: 7/0
AGAINST: None

10.4 DONATION REQUEST - WHEATBELT CHRISTIAN FELLOWSHIP

APPLICANT: Pastor Geoff van Schie

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 7 February 2025

Matters for Consideration:

Request for financial assistance to conduct Christian values education in Murchison schools.

Background:

Pastor Geoff van Schie has been visiting the Cue Primary School since 2015 on a volunteer basis. Pastor van Schie delivers an education program, known as Gospelair, centred around Christian values including Respect, Trust and Patience. The program is also delivered to Meekatharra, Mount Magnet, Yalgoo and Pia Wadjarri. Pastor van Schie has a strong rapport with the children in Cue and always attends the Shire's Christmas event to usually lead the children in a singalong,

enjoyed by the audience. Council has previously approved donations of $4,000 for the last five financial years and in 2024 Council approved a $5,000 donation.

Comments:

A copy of Pastor van Schie's request, and associated support documentation is attached. Wheatbelt Christian Fellowship is governed by an incorporated parent body, being the Willetton Christian Church. Cue Primary School Principal Michael Henderson has provided a letter of support for Pastor van Schie's request.

The Shire has made a donation towards this cause for the past six years. This year, Pastor van Schie's role will be changing as the Wheatbelt Christian Fellowship has employed Michael McNair . Michael, who is also a pilot, will be taking over the education program at the five schools and he is based in Mt Magnet and working with the Presbyterian Inland Mission. Pastor van Schie will be managing, in partnership with YouthCARE, oversight of the school values lessons work.

Statutory Environment:

Nil

Policy Implications:

Shire of Cue Policy D14 applies

D.14 PROVISION OF SPONSORSHIP AND DONATIONS

Policy Statement

Calculation of Value of Requested Donation or Sponsorship
This Policy deals with requests for donation or sponsorship from external bodies. Requests may be for a cash donation or sponsorship; in kind (provision of goods and services or waiving of fees) donation or a combination of cash and in kind. In assessing requests for in kind donation or sponsorship, or a combination of in kind and cash sponsorship, then the value of the in-kind request will be calculated. The full cost of the request (including calculated value of any in kind component) will be considered.

Donations
Donations by the Council reflect its commitment to improve the wellbeing of the community of the Shire of Cue. Because of the philanthropic nature of donations, the Council does not seek a direct cost – benefit return from the donation and does not require a business case to be put. However, the Council will give preference to donations which will assist organisations which benefit the community of the Shire of Cue, or improve the services provided to visitors to the Shire of Cue.
Where the funds are not fully expended on the approved donation the surplus money

is to be returned to the Shire.
All donations are to be acquitted in the financial year that it was granted unless prior approval is granted.

Eligibility
To be eligible to apply for a donation, the applicant must be an Association incorporated in accordance with the Associations Incorporations Act 1987 which includes organisations with religious and / or charitable objectives; and / or community based not for profit groups providing a direct service to the stakeholders and visitors of the Shire of Cue which demonstrably contribute to the wellbeing of residents and visitors, and serve to promote the development of the community.

Service Areas
The range of service areas considered for donations may include:

1. *Senior citizen's / community centre;*
2. *Community information and support services;*
3. *Youth services;*
4. *Children's services;*
5. *Emergency relief services;*
6. *Recreation services / sports clubs;*
7. *Community services;*
8. *Health services;*
9. *Education services;*

Organisations are expected to acknowledge the contribution made by the Shire of Cue.
Where a donation is approved for a specific purpose – such as purchase of equipment – the organisation is required to provide evidence of expenditure.

Assessment Process
Applications are to be made in writing to the Chief Executive Officer detailing as a minimum:
Reason for request;
Amount requested (whether monetary, in kind or a combination of both); and
If donation is to be used towards the purchase of equipment, who will ultimately be the owner of the equipment and be responsible for its upkeep / maintenance.
Any sponsorship or donation approved by the Chief Executive Officer will be funded from the G/L Account 04143 – CEO Discretionary Expenses.
Any request for sponsorship or donation which the Chief Executive Officer believes is outside his / her delegation, is in excess of the aforementioned budgetary item and / or requires the consideration of Council will be referred to Council.
Where a request for sponsorship or donations is referred to Council, the Council may decline the application or subject to sufficient funds being available in the Council's budget, approve the application.

Financial Implications:

An allowance has been made in the Annual Budget under Donations to continue this program.

Strategic Implications:

Shire of Cue Strategic Community Plan 2023 to 2038

Social Objective

Outcome

3.2 Encourage community participation and services

3.2.4 Support provision of emergency services, support and encourage community volunteers

Consultation:

Pastor Geoff van Schie - Wheatbelt Christian Fellowship

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

That Council agree to donate $5,000 to Wheatbelt Christian Fellowship to assist with the delivery of the Gospelair Christian values education program to Cue Primary School for the 2025 year.

Council Decision: 05022025 **Voting Requirement:** Simple Majority

MOVED: Cr Julie Humphreys **SECONDED: Cr Elizabeth Houghton**

That Council agree to donate $5,000 to Wheatbelt Christian Fellowship to assist with the delivery of the Gospelair Christian values education program to Cue Primary School for the 2025 year.

AMENDMENT:

MOVED: Cr Leonie Fitzpatrick **SECONDED: Cr Elizabeth Houghton**

That Council agree to donate $5,000 plus GST if applicable to Wheatbelt Christian Fellowship to assist with the delivery of the Gospelair Christian values education program to Cue Primary School for the 2025 year

LOST: 3/4
AGAINST: Councillor Hogben, Councillor Dennis, Councillor Humphreys, Councillor Pigdon

The Presiding member then put the substantive motion

CARRIED: 5/2
AGAINST: Councillor Houghton, Councillor Fitzpatrick

10.5 2025 LOCAL GOVERNMENT ELECTION

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 30 January 2025

Matters for Consideration:

To engage the Western Australian Electoral Commission to carry out the October 2025 election and determine the method of election as a postal election.

Background:

The next local government ordinary election will be held on 18 October 2025. The Shire of Cue will have three Councillor positions become vacant, with terms expiring for Councillors Elizabeth Houghton, Ian Dennis and Julie Humphreys.

Comments:

While Local Government elections may be conducted in-house, it has been the practice of the Shire of Cue for elections to be conducted by the WA 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 election be conducted as a postal election which has shown to provide a high participation rate in the past.

The Electoral Commission has provided a cost estimate of approximately $9,986 to conduct the Council election for the Shire of Cue.

Statutory Environment:

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 a 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 4.61

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.

Policy Implications:

Nil

Financial Implications:

An estimate of approximately $9,986 has been provided for the conduct of a postal election by the WA Electoral Commission. The 2025/2026 budget will contain an allocation for election expenses to allow for the upcoming election and one potential extraordinary election.

Strategic Implications:

Nil

Consultation:

Nil

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 WA Electoral Commissioner to be responsible for the conduct of the 2025 ordinary 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: 06022025	**Voting Requirement:** Absolute Majority
MOVED: Cr Ross Pigdon	**SECONDED: Cr Ian Dennis**

That Council:

By Absolute Majority

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the WA Electoral Commissioner to be responsible for the conduct of the 2025 ordinary 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: 7/0
AGAINST: None

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.

CLOSED COUNCIL

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

CLOSURE

15 CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 06:51 PM.

To be confirmed at Ordinary Meeting on the 18 March 2025.

Signed: .....

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