



**MINUTES
ORDINARY MEETING
OF COUNCIL**

19 OCTOBER 2021

SHIRE OF CUE
Ordinary Council Meeting
MINUTES

Held in the Council Chambers, 73 Austin Street Cue on
 Tuesday 19 October 2021 commencing at 6:30pm

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1. DECLARATION OF OPENING (CEO IN THE CHAIR)

The meeting was opened at 6:33pm

The Chief Executive Officer 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

Councillor Les Price

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Leonie Fitzpatrick

Councillor Liz Houghton

Councillor Julie Humphreys

STAFF:

Mr Richard Towell, Chief Executive Officer

Mr Glenn Boyes, Deputy Chief Executive Officer

Ms Cheryl Walton, Manager Finance

Mrs Bethany McCall, Senior Administration / Finance Officer

Mrs Julie Williams, Customer Service Officer

GALLERY:

Stephanie Wandek

Jenni Dennis

Kathy Willett

The Chief Executive Officer declared the positions of Shire President and Deputy Shire President vacant and called for nominations.

1.1 ELECTION OF SHIRE PRESIDENT

Nominations: Cr Pigdon and Cr Houghton

Elected: Cr Pigdon at 6:37pm

1.2 ELECTION OF DEPUTY SHIRE PRESIDENT

Nomination: Cr Price

Elected: Cr Price at 6:37pm

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

NIL

3. DISCLOSURE OF MEMBERS' INTERESTS

NIL

4. PUBLIC QUESTION TIME

NIL

5. CONFIRMATION OF MINUTES

Council Decision: 01102021 **Voting Requirement:** Simple Majority

MOVED: Cr Price **SECONDED:** Cr Hogben

That the Minutes of the Ordinary Meeting 28 September 2021 are confirmed as a true and correct record of the meeting.

CARRIED: 7/0

6. APPLICATIONS FOR LEAVE OF ABSENCE

NIL

7. DEPUTATIONS

NIL

8. PETITIONS

NIL

9. ANNOUNCEMENTS WITHOUT DISCUSSION

NIL

10. REPORTS

10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Cheryl Walton – Manager Finance

DATE: 15 October 2021

Matters for Consideration:

To receive the List of Accounts Due and Submitted to the Ordinary Council Meeting on 19 October as attached – see [Appendix 1](#).

Background:

The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented 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 September 2021.

Please note the credit card transactions are now shown at the top of the list of accounts in the same format as the Municipal transactions.

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

Glenn Boyes – Deputy Chief Executive Officer

Officer’s Recommendation: **Voting Requirement:** Simple Majority

That Council endorse the payments for the period 01 September 2021 to 30 September 2021 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

September 2021

Municipal Fund Bank EFTs	10129 - 10220	\$	868,115.36
Direct Debit Fund Transfer	General	\$	30,789.31
Direct Debit Fund Transfer	Credit Card	\$	2,389.00
Payroll		\$	116,817.08
BPAY		\$	23,400.84
Cheques		\$	0.00
Total		\$	1,041,511.59

Council Decision: 02102021 **Voting requirement:** Simple Majority

MOVED: Cr Dennis **SECONDED: Cr Hogben**

That Council endorse the payments for the period 01 September 2021 to 30 September 2021 as listed at Appendix 1, which have been made in accordance with delegated authority per LGA 1995 S5.42.

September 2021

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Direct Debit Fund Transfer	General	\$	30,789.31
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Payroll		\$	116,817.08
BPAY		\$	23,400.84
Cheques		\$	0.00
Total		\$	1,041,511.59

CARRIED: 7/0

10.2 FINANCIAL STATEMENT

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Cheryl Walton – Manager Finance
DATE: 15 October 2021

Matters for Consideration:

The Statements of Financial Activity are for the period ended 30 September 2021 including the following reports:

- Graphical Representation – Source Statement of Financial Activity
- Statement of Financial Activity
- Major Variances
- Net Current Funding Position
- Cash and Investments
- Trust Fund
- Cash Backed Reserve
- Receivables
- Capital Disposals
- Borrowings
- Capital Acquisitions
- Rate Revenue
- Grants and Contributions

See [Appendix 2](#).

Background:

Under the *Local Government (Financial Management Regulations 1996)*, a monthly Statement of Financial Activity must be submitted to an Ordinary Council meeting within 2 months after the end of the month to which the statement relates. The statement of financial activity is a complex document but presents a complete overview of the financial position of the local government at the end of each month. The Statement of Financial Activity for each month must be adopted by Council and form part of the minutes.

Comments:

The Statement of Financial Activity is for the month of September 2021.

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

Glenn Boyes – Deputy Chief Executive Officer

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 September 2021, as presented at [Appendix 2](#).

Stephanie Wandek left meeting at 6:55pm

Council Decision: 03102021

Voting requirement: Simple Majority

MOVED: Cr Dennis

SECONDED: Cr Price

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 September 2021, as presented at Appendix 2.

CARRIED: 7/0

10.3 COMMITTEE REPRESENTATION

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

Matters for Consideration:

Council membership on various committees.

Background:

Councillor membership of Council committees, and those of other bodies where the Shire of Cue is represented, are reviewed following Local Government elections.

Comments:

Membership of the Murchison Zone of WALGA is the Shire President and Deputy Shire President.

The following table details the current committee structure and representation.

COMMITTEE	NUMBER REQUIRED	NAME OF REPRESENTITIVES	FREQUENCY OF MEETING	EXPIRY OF TERM
<i>Bush Fire Advisory Committee</i>	Two	Cr R Pigdon Cr L Houghton	Annual	2021
<i>Local Emergency Management Committee</i>	Two	Cr R Pigdon Cr I Dennis	Quarterly	2021
<i>Audit Committee</i>	Three - Seven	Cr R Pigdon Cr L Price Cr L Fitzpatrick Cr I Dennis Cr F Spindler Cr R Hogben Cr L Houghton* *16/3/21 requested to be removed from Audit Committee	As required	2021
<i>Main Roads WA – RRG - Murchison Sub Group</i>	Two	Cr R Hogben Cr F Spindler	As required	2021
<i>Murchison Regional Vermin Council</i>	Two	Cr L Price Cr R Pigdon Cr R. Hogben (Alternate)	As required	2021

Mid-West Wheatbelt (Central) Development Assessment Panel	Two	Cr F Spindler Cr I Dennis Cr R Hogben (Alternate) Cr L Fitzpatrick (Alternate)	As required	2021
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* The current Audit Committee structure includes all Councillors, Council may wish to review whether this arrangement remains effective. In a recent article from the WA Auditor General regarding Local Government audits, it was made clear that this practice, which is operating at a number of local authorities, was not supported by the OAG, the preferred position being that the committee have fewer members.

The Audit Committee can also include representatives from outside Council.

Statutory Environment:

LOCAL GOVERNMENT ACT 1995

5.10 Committee members, appointment of

- (1) *A committee is to have as its members —*
 - (a) *persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
 - (b) *persons who are appointed to be members of the committee under subsection (4) or (5).*

* Absolute majority required.

- (2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*
- (3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*
- (4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*

- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —*
- (a) *to be a member of the committee; or*
 - (b) *that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

Policy Implications:

F.1 COUNCIL REPRESENTATIVES

F.1 All Council representatives wherever possible are to be serving members of the Council.

F.1.2 Upon ceasing to be a member of the Council, the representative is to cease as a member of a Committee unless approved by a resolution of Council.

F.1.3 Upon ceasing to be a member of the Council, the representative is to cease membership of any Regional Council unless approved by a resolution of Council and subject to the Regional Council Constitution.

F.1.4 Council representatives on a committee that is not a Council Committee represent the shire's positions not the individual Councillor's position.

F.1.5 The Council's current committees are as follows;

- 1. Main Roads Western Australia - Regional Road Group*
- 2. Murchison Regional Vermin Council*
- 3. Murchison Zone of the WALGA – Ward*
- 4. Audit Committee*
- 5. Local Emergency Management Committee*

F.1.6 Representatives of Committees and Regional Councils are to be reviewed by Council resolution following each Council ordinary election unless a Representative resigns prior to that Election at which time a special appointment may be made by Council resolution.

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Nil

Officer's Recommendation:

Voting Requirement: Absolute Majority

That Councillor representation on committees of Council and other bodies be as follows:

- **Bush Fire Advisory Committee**
 - Cr Houghton
 - Cr Pigdon
- **Local Emergency Management Committee**
 - Cr Dennis
 - Cr Pigdon
- **Audit Committee**
 - Cr Pigdon
 - Cr Price
 - Cr Dennis
 - Cr Hogben
 - Cr Fitzpatrick
 - Cr Humphreys
- **Main Roads Regional Road Group Murchison Sub Group**
 - Cr Hogben
 - Cr Houghton
 - Cr Humphreys (Alternate)
 - Cr Pigdon (Alternate)

- **Murchison Regional Vermin Council**
 Cr Pigdon
 Cr Price
 Cr Hogben (Alternate)
- **Mid-West Wheatbelt (Central) Development Assessment Panel**
 Cr Dennis
 Cr Houghton
 Cr Hogben (Alternate)
 Cr Humphreys (Alternate)

Stephanie Wandek re-entered meeting at 7:05pm

Council Decision: 04102021	Voting requirement: Absolute Majority
MOVED: Cr Fitzpatrick	SECONDED: Cr Hogben
That Councillor representation on committees of Council and other bodies be as follows:	
<ul style="list-style-type: none"> • Bush Fire Advisory Committee Cr Houghton Cr Pigdon • Local Emergency Management Committee Cr Dennis Cr Pigdon • Audit Committee Cr Pigdon Cr Price Cr Dennis Cr Hogben 	

Cr Fitzpatrick

Cr Humphreys

- **Main Roads Regional Road Group Murchison Sub Group**

Cr Hogben

Cr Houghton

Cr Humphreys (Alternate)

Cr Pigdon (Alternate)

- **Murchison Regional Vermin Council**

Cr Pigdon

Cr Price

Cr Hogben (Alternate)

- **Mid-West Wheatbelt (Central) Development Assessment Panel**

Cr Dennis

Cr Houghton

Cr Hogben (Alternate)

Cr Humphreys (Alternate)

CARRIED: 7/0

10.4 COUNCIL MEETING DATES 2022

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Richard Towell –Chief Executive Officer
 DATE: 11 October 2021

Matters for Consideration:

Council is required to adopt and advertise their Council meeting dates and the proposed dates for 2022 are submitted for Council's consideration.

Background:

Nil

Comments:

Council is required under the *Local Government (Administration) Regulations 1996* to adopt annual meeting dates and times and advertise them to the community.

Council traditionally meets on the 3rd Tuesday of the month at 6.30pm, therefore the dates proposed for 2022 are:

January	No Meeting
February	Tuesday the 15th
March	Tuesday the 15th
April	Tuesday the 19th
May	Tuesday the 17th
June	Tuesday the 21st
July	Tuesday the 19th
August	Tuesday the 16th
September	Tuesday the 20th
October	Tuesday the 18th
November	Tuesday the 15th
December	Tuesday the 20th

With meetings commencing at 6.30pm

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 —*
 - (g) the giving of public notice of the date and agenda for council or committee meetings;*

Local Government (Administrations) Act 1996 - Reg 12

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
 - (a) the ordinary council meetings; and*
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*

are to be held in the next 12 months.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Nil

Officer's Recommendation:

Voting Requirement: Absolute Majority

Adopt the following meeting dates for 2022 and advertise them in accordance with the *Local Government (Administration) Regulations 1996*:

January	No Meeting
February	Tuesday the 15th
March	Tuesday the 15th
April	Tuesday the 19th
May	Tuesday the 17th
June	Tuesday the 21st
July	Tuesday the 19th
August	Tuesday the 16th
September	Tuesday the 20th
October	Tuesday the 18th
November	Tuesday the 15th
December	Tuesday the 20th

With meetings commencing at 6.30pm

Council Decision: 05102021 **Voting requirement:** Simple Majority

MOVED: Cr Price **SECONDED: Cr Hogben**

Council will adopt the following meeting dates for 2022 and advertise them in accordance with the *Local Government (Administration) Regulations 1996*:

January	No Meeting
February	Tuesday the 15th
March	Tuesday the 15th
April	Tuesday the 19th
May	Tuesday the 17th
June	Tuesday the 21st
July	Tuesday the 19th
August	Tuesday the 16th
September	Tuesday the 20th
October	Tuesday the 18th
November	Tuesday the 15th
December	Tuesday the 20th

With meetings commencing at 6.30pm

CARRIED: 7/0

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

Gallery left the meeting at 7:12pm

Julie Williams left the meeting at 7:14 and re-entered at 7:16pm

Council Decision: 06102021 **Voting requirement:** Simple Majority

MOVED: Cr Fitzpatrick **SECONDED:** Cr Dennis

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

CARRIED: 7/0

Council Decision: 08102021 **Voting requirement:** Simple Majority

MOVED: Cr Fitzpatrick **SECONDED:** Cr Dennis

That the meeting be reopened to members of the public at 7:37pm

CARRIED: 7/0

15. CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 7:37pm

To be confirmed at Ordinary Meeting on the 16 November 2021.

Signed:.....

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