



**MINUTES
ORDINARY MEETING
OF COUNCIL**

16 APRIL 2019

SHIRE OF CUE
Ordinary Council Meeting
MINUTES

Held in the Council Chambers, 73 Austin Street Cue on
Tuesday 16 April 2019 commencing at 6:30pm

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1. DECLARATION OF OPENING

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 Leonie Fitzpatrick

Councillor Fred Spindler

Councillor Liz Houghton

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Mrs Janelle Duncan, Coordinator Community Development

GALLERY:

Jordon Prince-Wright – Prince Wright Productions

Jeff Prince-Wright – Prince Wright Productions

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:01042019

Voting Requirement: Simple Majority

MOVED: CR DENNIS

SECONDED: CR HOGBEN

That the Minutes of the Ordinary Meeting of 19 March 2019 are confirmed as a true and correct record of the meeting.

CARRIED:7/0

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DEPUTATIONS

7.1 JORDON PRINCE-WRIGHT - PRINCE WRIGHT PRODUCTIONS

Discussed his latest venture and potentially filming in Cue.

Rob Madson left the chambers 6.34pm

Rob Madson returned to the chambers 6.37pm

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: Richard Towell – Deputy Chief Executive Officer
DATE: 9 April 2019

Matters for Consideration:

To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on 16 April 2019 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 is for the month of March 2019.

Statutory Environment:

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

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

Nil.

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council endorse the payments for the period 1 March 2019 to 31 March 2019 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank	EFTs	7112 – 7244	\$455,277.37
Direct Debit Fund Transfer			\$ 27,939.61
Payroll			\$100,223.91
BPAY			\$ 18,782.05
Cheques			\$ -
Total			\$602,222.94

Council Decision:02042019

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR DENNIS

That Council endorse the payments for the period 1 March 2019 to 31 March 2019 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank	EFTs	7112 – 7244	\$455,277.37
Direct Debit Fund Transfer			\$ 27,939.61
Payroll			\$100,223.91
BPAY			\$ 18,782.05
Cheques			\$ -
Total			\$602,222.94

CARRIED:7/0

10.2 FINANCIAL STATEMENT

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 9 April 2019

Matters for Consideration:

The Statement of Financial Activity for the period ended 31 March 2019 including the following reports:

- Statement of Financial Activity
- Significant Accounting Policies
- Graphical Representation – Source Statement of Financial Activity
- Net Current Funding Position
- Cash and Investments
- Major Variances
- Budget Amendments
- Receivables
- Grants and Contributions
- Cash Backed Reserve
- Capital Disposals and Acquisitions
- Trust Fund

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 March 2019.

Statutory Environment:

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

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

RSM Australia Pty Ltd.

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 31 March 2019 as presented at [Appendix 2](#).

Council Decision:03042019

Voting requirement: Simple Majority

MOVED: CR DENNIS

SECONDED: CR SPINDLER

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 31 March 2019 as presented at [Appendix 2](#).

CARRIED: 7/0

10.3 STRATEGIC RESOURCE PLAN

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 11 April 2019

Matters for Consideration:

To adopt the Shire of Cue's Draft Strategic Resource Plan, incorporating the asset Management Plan and Long Term Financial Plan as attached at [Appendix 3](#).

Background:

Section 5.56 of the **Local Government Act 1995** requires Councils to plan for the future of the district. Part of these plans include informing strategies such as the Asset Management Plan and Long Term Financial Plan.

Comments:

The Strategic Resource Plan brings together the updated Asset Management Plan and links it to the financial forecast of the Long Term Financial Plan. This provides a fifteen year projection of Councils capital expenditure, documenting Councils ability to finance its future assets requirements and meet the costs of maintaining and renewing its assets into the future.

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

Statutory Environment:

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

Planning for the future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Local Government (Administration) Regulations 1996 – Section 19DA(3)(c)

A corporate business plan for a district is to —

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

Policy Implications:

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

Financial Implications:

The Strategic Resource Plan shows that Council is financially sustainable into the future and should achieve improvement in the target ratios set by the Department of Local Government, Sport and Cultural Industries.

Strategic Implications:

Shire of Cue Strategic Community Plan 2017- 2027

Outcome 2.1.2: Continue to improve and review organisational plans.

Consultation:

Rob Madson - Chief Executive Officer

Travis Bate and Glenn Boyes - RSM Australia Pty Ltd

Officer's Recommendation:

Voting Requirement: Absolute Majority

That Council adopt the Shire of Cue's Strategic Resource Plan, incorporating the Asset Management Plan and Long Term Financial Plan as detailed in [Appendix 3](#).

Council Decision:04042019

Voting requirement: Absolute Majority

MOVED: CR DENNIS

SECONDED: CR PRICE

That Council adopt the Shire of Cue's Strategic Resource Plan, incorporating the Asset Management Plan and Long Term Financial Plan as detailed in [Appendix 3](#).

CARRIED: 7/0

10.4 REVIEW OF DELEGATIONS

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson – Chief Executive Officer
DATE: 02/04/2019

Matters for Consideration:

Endorsement of the Register of Delegations.

Background:

Council is required to review its Delegations to the Chief Executive Officer at least once in every financial year.

The register of Delegations to the Chief Executive Officer was adopted on 19 May 2015 and partially reviewed on 18 September 2018 with the adoption of an amendment to delegation 8 relating to writing off monies owed.

Comments:

A copy of the current register of Delegations is attached at [Appendix 4](#). No amendments are proposed.

Statutory Environment:

Local Government Act 1995 - Sect 5.42

5.42 . *Delegation of some powers and duties to CEO*

(1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

(a) *this Act other than those referred to in section 5.43; or*

(b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

Local Government Act 1995 - Sect 5.46

5.46 . *Register of, and records relevant to, delegations to CEO and employees*

(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.

(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Nil

Officer's Recommendation:

Voting Requirement: Absolute Majority

That Council endorse the Register of Delegations to the Chief Executive Officer identified in the annual review, as presented at [Appendix 4](#).

Council Decision:05042019

Voting requirement: Absolute Majority

MOVED: CR DENNIS

SECONDED: CR HOUGHTON

That Council endorse the Register of Delegations to the Chief Executive Officer identified in the annual review, as presented at [Appendix 4](#).

CARRIED: 7/0

10.5 ALGA NATIONAL GENERAL ASSEMBLY

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 3 April 2019

Matters for Consideration:

Authorising Council representatives to join a Murchison Zone delegation to the Australian Local Government Association National General Assembly in Canberra.

Background:

At the Cue Parliament meeting held 2 November 2018, the Shire of Mount Magnet proposed supporting a Murchison Zone delegation to the ALGA National General Assembly in Canberra, with the following motion being passed:

That the WALGA Murchison Zone support sending a delegation of regional representation to the annual National Australian Local Government Association Convention held in Canberra that includes attendance at the Convention, the Regional Forum and scheduled meetings with Federal Ministers and Government Departments for the purpose of discussing issues relevant to the Murchison Region.

Kelvin Matthews, CEO of the Shire of Mount Magnet and trip organiser, has now requested details from Murchison Country Zone member Councils regarding delegates who will be attending.

Comments:

The National General Assembly program runs from 16-19 June 2019, with 20 June reserved for a round of appointments with selected federal parliamentarians. As the June Council meeting falls on 18 June, if a delegation is authorised, it would be appropriate to defer this meeting until delegates have returned.

The proposed schedule for the trip includes attendance at the following:

- National Local Government Association Regional Forum (on the preceding Sunday of the commencement of the Convention)
- National Local Government Association Convention (commences on the Monday and concludes at lunchtime on the Wednesday)
- Any scheduled meetings with Government Departments (afternoon of the Wednesday), and
- Scheduled meetings with Federal Ministers at Parliament House (all of Thursday) facilitating these meetings will be arranged through the office of the Federal Member for Durack, the Hon Melissa Price MP.

While the Shire delegation would be supporting the Murchison Zone delegation in raising matters of importance to the region, they would also be free to pursue matters relevant solely to the Shire of Cue.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Financial Implications:

- Conference fees are \$1250 per delegate x 3 = \$3,750.
- Meals additional to those provided as part of the conference are likely to be in the order of \$1,500.
- Three economy class airfares will cost \$2,000-\$2,500.
- Accommodation has been secured close to the National Convention Centre for \$4,465 for 3 persons for a total of 6 nights. If not required, this can be cancelled at any time up to 6 June without cost.

The above costs, plus an allowance for incidentals such as taxi fees, etc. will result in total expenditure of approximately \$12,500. The following amounts are currently available from 2018/19 budget allocations:

- Members travel & accommodation - \$12,353.
- Members conference expenses - \$8,968.
- Members training - \$10,000.
- Admin training, conferences & accommodation expenses - \$29,100.

Strategic Implications:

The proposed action addresses the following objectives contained in the Shire's Strategic Community Plan 2017-2027.

Leadership Objective

Outcome 2.1 A strategically focused and unified Council functioning efficiently

2.1.1 Continued professional development of Elected Members and Staff

Consultation:

Cr Ross Pigdon – Shire President
Cr Les Price – Deputy Shire President
Kelvin Matthews – CEO, Shire of Mount Magnet

Officer's Recommendation:

Voting Requirement: Simple Majority

1. That Council authorise a delegation consisting of the Shire President, Deputy Shire President and CEO to attend the ALGA National General Assembly to support the Murchison Zone Delegation; and
2. That the June Council meeting date be amended from 18 June to 25 June 2019.

Council Decision:06042019

Voting requirement: Simple Majority

MOVED: CR DENNIS

SECONDED: CR HOGBEN

1. That Council authorise a delegation consisting of the Shire President, Deputy Shire President and CEO to attend the ALGA National General Assembly to support the Murchison Zone Delegation; and
2. That the June Council meeting date be amended from 18 June to 25 June 2019.

CARRIED: 7/0

10.6 ACQUISITION OF LAND DAY DAWN

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 2 April 2019

Matters for Consideration:

For Council to consider acquiring three vacant blocks of land that The Uniting Church in Australia (WA) are looking to surrender.

Background:

Lot 34 and 35 Cobham Street and Lot 13 Heffernan Street, all in the townsite of Day Dawn are currently owned by The Uniting Church in Australia (WA). The Uniting Church are in the process of surrendering the blocks to the Department of Regional Development and Lands. During discussions with The Uniting Church they have advised that they would be willing to surrender the blocks to the Shire of Cue.

Comments:

The Shire of Cue still hold a number of freehold properties in the Day Dawn townsite. One of the proposed properties, Lot 13 Heffernan Street, now Lakeside Road, sits alongside a freehold lot owned by the Shire. Maintaining freehold ownership of these lots will provide flexibility for Council to utilise the land in the future. This could be tourism based or to showcase the history of the area.

For the Shire to acquire the land it is proposed that the Shire purchase the lots from The Uniting Church for \$1.00 each and absorb the transfer costs that have been quoted at approximately \$1,600.00 for the transfer of the three lots.

A map showing the locations of the properties is attached at [Appendix 5](#).

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 costs of transferring the blocks to the Shire will be approximately \$1,600.00 in total. Costs associated with the transfer will be met by the Shire of Cue.

Strategic Implications:

Nil

Consultation:

Rob Madson – Chief Executive Officer

Peter Groom Settlements

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council:

1. Authorise the Chief Executive Officer to enter into an offer and acceptance with The Uniting Church in Australia (WA), to transfer Lots 34 and 35 Cobham Street and Lot 13 Heffernan Street, Day Dawn to the Shire of Cue for the consideration of \$1.00 per lot; and
2. Authorise the Shire President and Chief Executive Officer to apply the common seal to the transfer of land.

Council Decision:07042019

Voting requirement: Simple Majority

MOVED: CR PRICE

SECONDED: CR DENNIS

1. Authorise the Chief Executive Officer to enter into an offer and acceptance with The Uniting Church in Australia (WA), to transfer Lots 34 and 35 Cobham Street and Lot 13 Heffernan Street, Day Dawn to the Shire of Cue for the consideration of \$1.00 per lot; and
2. Authorise the Shire President and Chief Executive Officer to apply the common seal to the transfer of land.

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

7.27pm Cr Hogben left the chambers

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Council Decision:08042019 **Voting requirement:** Simple Majority

MOVED: CR DENNIS

SECONDED: CR SPINDLER

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

CARRIED: 6/0

7.30pm Jordon Prince-Wright and Jeff Prince-Wright left the chambers.

7.30pm Cr Hogben returned to the chambers.

14.1 PURCHASE OF FORMER BANK OF NEW SOUTH WALES

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Rob Madson –Chief Executive Officer

DATE: 3 April 2019

Matters for Consideration:

Submission of an offer to purchase Lot 14 (64) Austin Street Cue (former Bank of New South Wales).

Council Decision:09042019 **Voting requirement:** Simple Majority

MOVED: CR PRICE

SECONDED: DENNIS

That Council

1. Instruct the CEO to proceed with the purchase of the former Bank of New South Wales, being Lot 14 (64) Austin Street, Cue, for the sum of \$40,000; and
2. Authorise the Shire President and Chief Executive Officer to apply the common seal as required to any sale or transfer documents.

CARRIED: 6/1

AGAINST: CR SPINDLER

Council Decision:10042019 **Voting requirement:** Simple Majority

MOVED: CR FITZPATRICK

SECONDED: CR HOUGHTON

That the meeting be reopened to members of the public.

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 21 May 2019

Signed:.....

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