

MINUTES ORDINARY MEETING OF COUNCIL

21 AUGUST 2018

NOTICE OF MEETING

Please be advised that the next

Ordinary Meeting of Council

is to be held on

Tuesday, 21 August 2018

commencing at 6:30pm

in the Council Chambers at 73 Austin Street, Cue WA

Ronh-

Rob Madson Chief Executive Officer 17 August 2018

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations, which have not yet been adopted by Council.

SHIRE OF CUE DISCLOSURE OF FINANCIAL INTEREST AND INTERESTS AFFECTING IMPARTIALITY

To: Chief Executive Officer

As required by section 5.65(1)(a) or 5.70 of the Local Government Act 1995 and Council's Code of Conduct, I hereby declare my interest in the following matter/s included on the Agenda paper for the Council meeting to be held on______ (Date)

Item No.	Subject	Details of Interest	Type of Interest Impartial/Financial	*Extent of Interest

(see below)

* Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions of the decision making process (see item 6 below). Employees must disclose extent of interest if the Council or Committee requires them to.

Name (Please Print)

Signature

Date

NB

- This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have declared an interest is discussed, Section 5.65(1) (a) & (b).
- 2. It remains Councillors'/Employees' responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
- 3. It is a Councillor's/Employee's responsibility to ensure the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
- 4. It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. The responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are confirmed.
- 5. It is recommended that when previewing Agenda, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
- 6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of the Council. Where Councillors request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor's application.

Remember: The responsibility to declare an interest rests with individual Councillors / Employees. If in any doubt seek legal opinion or, to be absolutely sure, make a declaration.

Office Use Only: Date/Initials

- 1. Particulars of declaration given to meeting _____
- 2. Particulars recorded in the minutes: _____
- 3. Signed by Chief Executive Officer_____

Local Government Act 1995 - SECT 5.23

Meetings generally open to the public

- 5.23. (1) Subject to subsection (2), the following are to be open to members of the public:
 - (a) All Council meetings; and
 - (b) All meetings of any committee to which a local government power or duty has been delegated.
 - (2) If a meeting is being held by a Council or by a committee referred to in subsection (1)
 (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following --
 - (a) A matter affecting an employee or employees;
 - (b) The personal affairs of any person;
 - (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) A matter that if disclosed, would reveal;
 - (i) A trade secret;
 - (ii) Information that has a commercial value to a person; or
 - (iii) Information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) A matter that if disclosed, could be reasonably expected to;
 - (i) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) Endanger the security of the local government's property; or

(iii) Prejudice the maintenance or enforcement of a lawful measure for protecting public safety;

- (g) Information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
- (h) Such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

SHIRE OF CUE

REVOKING OR CHANGING DECISIONS MADE AT COUNCIL MEETINGS

Local Government (Administration) Regulations 1996 (Regulation No.10)

If a previous Council decision is to be changed then support for a revocation motion must be given by an **Absolute Majority** of Councillors (that is at least 4 Councillors) if a previous attempt to rescind has occurred within the past three months or, if no previous attempt has been made the support must be given by at least **1/3rd** of all Councillors (that is at least 4 Councillors).

Regulation 10(1a) also requires that the support for revocation must be in writing and signed by the required number of Councillors, including the Councillor who intends to move the revocation motion.

Any revocation motion must be carried by the kind of vote that put the motion into place in the first instance (that is, if carried originally by an Absolute Majority or Special Majority vote then the revocation motion must also be carried by that same kind of vote).

If the original motion was carried by a Simple Majority vote then any revocation motion must be carried by an Absolute Majority vote.

To the Presiding Member,

The following Councillo	ors give notice of	their	support	for th	e bringin	g forw	ard to the	e Cour	ncil
meeting to be held on				_ of a	motion	for rev	ocation of	f Cour	ncil
resolution number	a	as pas	ssed by	the	Council	at its	meeting	held	on

Councillor's Names

Councillor's Signature

SHIRE OF CUE

Ordinary Council Meeting

MINUTES

Held in the Council Chambers, 73 Austin Street Cue on Tuesday 21 August 2018 commenced at 6:30pm

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1. DECLARATION OF OPENING

The Deputy Shire President 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.

Please be advised that in accordance with a Department of Local Government recommendation this Meeting is being electronically recorded with my permission.

PRESENT:

Councillor Les Price, Deputy Shire President (Presiding Member)

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

VISITOR:

Mr Travis Bate, RSM Australia Pty Ltd

GALLERY:

Ms Catherine Willett Mrs Jenni Dennis

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Councillor Ross Pigdon, Shire President

3. DISCLOSURE OF MEMBERS' INTERESTS

Nil

4. PUBLIC QUESTION TIME

Nil

5. CONFIRMATION OF MINUTES

Council Decision: 01082018

MOVED: CR DENNIS

SECONDED: CR HOGBEN

That the Minutes of the Ordinary Meeting of 17 July 2018 are confirmed as a true and correct record of the meeting.

CARRIED: 6/0

<u>6.</u> Nil	APPLICATIONS FOR LEAVE OF ABSENCE
7.	DEPUTATIONS
Nil	
8.	PETITIONS
Nil	

9. ANNOUNCEMENTS WITHOUT DISCUSSION

The Deputy Shire President acknowledged that long-standing residents Councillor Ross and Pixie Pigdon were experiencing serious health issues and indicated that the Council's thoughts were with them in the hope that they get well and are seen back again soon.

10. REPORTS

10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	17 August 2018

Matters for Consideration:

To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 21 August 2018 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 July 2018.

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 July 2018 to 31 July 2018 as listed at **Appendix 1**, which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank	EFTs	6302 – 6431	\$740,976.22
Direct Debit Fund Trans	\$ 33,014.44		
Payroll			\$106,674.43
BPAY			\$ 14,803.48
Cheques			\$-
Total			\$895,468.57

Council Decision:02082018

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR DENNIS

That Council endorse the payments for the period 1 July 2018 to 31 July 2018 as listed at **Appendix 1**, which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank	EFTs	6302 – 6431	\$740,976.22	
Direct Debit Fund Transi	\$ 33,014.44			
Payroll			\$106,674.43	
BPAY			\$ 14,803.48	
Cheques			\$ -	
Total			\$895,468.57	
CARRIED: 6/0				

10.2 FINANCIAL STATEMENT

APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	17 August 2018

Matters for consideration:

The Statement of Financial Activity for the period ended 31 July 2018 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 July 2018.

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 July 2018, as presented at **Appendix 2**.

Council Decision:03082018

Voting requirement: Simple Majority

MOVED: CR HOUGHTON

SECONDED: CR DENNIS

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 31 July 2018, as presented at **Appendix 2**.

CARRIED: 6/0

10.3 ADOPTION OF ANNUAL BUDGET FOR 2018-2019

APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	15 August 2018

Matters for Consideration:

That Council adopt the annual budget for the 2018-2019 financial year including supporting schedules attached at *Appendix 3*.

Background:

Section 6.2 of the Local Government Act 1995 requires Council to adopt a budget in the form and manner prescribed prior to 31 August each year. Part 3 of the Local Government (Financial Management) Regulations 1996 stipulates the structure and content of the budget.

The draft 2018-2019 annual budget has been compiled based on the principles contained in the Shire of Cue Strategic Community Plan and Corporate Business Plan.

Comments:

The Department of Local Government recommend that the adoption of the Annual Budget is completed in various components which is why this item has three parts and is set out differently to our standard agenda items.

The budget has been prepared with estimated rates revenue of \$2,283,636 and total operating revenue of \$4,362,836.

A capital works program totalling \$6,359,134 for investment in infrastructure, buildings, plant and equipment and furniture and equipment is planned.

Expenditure on road infrastructure totals \$1,878,301. Road projects include the continuation of resealing of the Beringarra-Cue Road which it is anticipated will complete sealing works to the Shire boundary. Cue-Wondinong Road works under the Regional Road Group program and completion of the WANDRRA flood damage works, 2017 claim.

\$2,539,000 is budgeted for land and buildings including developments to increase housing options for Cue and development of heritage buildings.

Other infrastructure projects include a skate park and playground equipment. A contribution to the MRVC dog fence construction, toilets for the cemetery, Heydon Place industrial development and improvement of the RV site.

An estimated surplus of \$2,744,459 is anticipated to be brought forward from 30 June 2018. This amount is unaudited and may change with the finalising of the end of year accounts. Any changes will be addressed as part of a future budget review.

Statutory Environment:

Local Government Act 1995, Section 6.2 – Local Governments to prepare annual budget.

Local Government (Financial Management) Regulations 1996 Part 3.

Policy Implications:

Shire of Cue Policy Manual

Financial Implications:

The 2018-2019 Budget provides Council with the opportunity to continue to provide the current level of services to the community as well as carry out significant projects that will provide benefits into the future.

Strategic Implications:

Shire of Cue Strategic Community Plan 2017 – 2027

Consultation:

Rob Madson - Chief Executive Officer

Travis Bate - RSM Australia Pty Ltd

Officer's Recommendation: Voting requirement: Absolute Majority

Council Decision:04082018

MOVED: CR HOUGHTON SECONDED: CR DENNIS

Part A – Adoption of 2018-2019 Annual Budget

That pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, Council adopts the 2018-2019 Statutory Budget as attached at *Appendix 3*, which includes the following:

- Statement of Comprehensive income showing a net result for the year of \$(362,664).
- Statement of Cash Flows.
- Rate Setting Statement showing an amount required to be raised from rates of \$2,283,636
- Notes to and forming part of the Budget and significant accounting policies.
- Acquisition of assets as detailed in Note 4, totalling \$6,359,134.
- Transfer to and from Reserve Accounts as detailed in Note 6, totalling \$(514,839)
- With an amendment to note 8(a) Rating Information, stating "Ministerial approval was granted on the 21 August 2018".

CARRIED: 5/1

Voting Requirement: Absolute Majority Required

AGAINST: CR HOUGHTON

Council Decision:05082018 Voting Requirement: Absolute Majority Required

MOVED: CR DENNIS SECONDED: CR FITZPATRICK

Part B – Imposition of General and Minimum Rates, Instalment Payment Arrangements, Charges and Interest.

Pursuant to section 6.45 of the Local Government Act 1995 that the rates and charges specified hereunder and in the attached budget document be imposed on all rateable property within the district of the Shire of Cue for the 2018-2019 financial period.

- GRV Residential 10.62 cents in the dollar
- GRV Commercial 10.62 cents in the dollar
- GRV Vacant Land 10.62 cents in the dollar
- UV Mining 31.00 cents in the dollar
- UV Pastoral 8.43 cents in the dollar
- GRV M&T Workforce 31.00 cents in the dollar
- GRV Residential and Commercial minimum rate \$451
- GRV Vacant Land Minimum Rate \$451

- UV Mining Minimum Rate \$451
- UV Pastoral Minimum Rate \$451

For properties that fit the definition of GRV Commercial under the Objects and Reasons for differential rates, a discount of 20% of the current rates levied will be offered to ratepayers whose payment of the full amount owing including arrears and service charges is received by the single payment due date.

Pursuant to section 6.46 of the Local Government Act 1995, Council offers an incentive for the payment of the 2018-2019 rates and charges by the single payment due date by the way of lottery draw for the cash prizes of:

- First Prize \$600.00 i.
- ii. Second Prize \$300.00
- Third Prize \$100.00 iii.

The terms and conditions that apply to the rates incentive prize are:

- To be eligible for the draw, all outstanding rates and charges must be received on or before the due date of 5 October 2018.
- All ratepavers are eligible.

The drawing of the winners for the above prizes will take place during the Council meeting held on 20 November 2018.

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996 Council adopts a charge of \$15 for the four instalment option.

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 5.5% where the ratepayer has elected to pay rates and service charges through an instalment option.

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominates the following due dates for payment in full and by instalments:

•	Full payment and 1 st instalment due	5 October 2018
•	2 nd instalment due	7 December 2018

² instaiment due • 3rd instalment due

7 December 2018 8 February 2019

• 4th instalment due

12 April 2019

Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 11% to be imposed on all outstanding rates and services charges and costs of proceedings to recover such charges that remain unpaid after 5 October 2018 or in the case of instalment options, on all outstanding rate amounts after the due date for payment of the instalment.

CARRIED: 5/1

Voting Requirement: Absolute Majority Required

AGAINST: CR HOUGHTON

Council Decision:06082018	Voting Requirement: Simple Majority
MOVED: CR DENNIS	SECONDED: CR HOGBEN

Part C – Material Variance Reporting for 2018-2019

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2018-2019 for reporting material variances shall be 10% or \$25,000, whichever is the greater.

CARRIED: 5/1

Voting Requirement: Simple Majority

AGAINST: CR HOUGHTON

10.4 CUE COMMUNITY RESOURCE CENTRE HERITAGE PROJECT FINANCIAL SUPPORT

APPLICANT:	Cue Community Resource Centre
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson – Chief Executive Officer
DATE:	16 August 2018

Matters for Consideration:

A financial contribution toward the development of a museum/interpretation centre to be constructed at the rear of the Cue Community and Visitor Centre.

Background:

A request has been received from the Cue Community Resource Centre for financial support of \$20,000 to assist with the development of a museum/interpretation centre at the rear of the Cue Community and Visitor Centre in Austin Street.

Comments:

A project proposal provided by the Cue Community Resource Centre is attached at *Appendix 4* A budget for the project is attached at *Appendix 5*

The main objective of the proposed development is to house items of significant heritage value in a climate-controlled environment while enabling an interactive experience through the use of technology. This is a separate, yet compatible, approach to an idea that has previously been discussed by Council for the development of an area behind the Shire office designed to house and display larger items of heritage significance in a shelter to protect them from the elements.

Statutory Environment:

Nil

Policy Implications:

D.16 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 does 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:

- a) Senior citizen's / community centre;
- b) Community information and support services;
- c) Youth services;
- d) Children's services;
- e) Emergency relief services;
- f) Recreation services / sports clubs;
- g) Community services;
- h) Health services;
- i) 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:

Sufficient allowance has been made in the tourism and area promotion section of the draft budget presented to Council at this meeting to fund a cash contribution of \$20,000.

Strategic Implications:

Strategic Community Plan 2017-2027

Economic Objective

Outcome 1.2 Develop strategies to increase number of tourists visiting the Shire

1.2.3 - Develop new tourism attractions to enhance and encourage visitors to stay longer.

Consultation:

Janet Wicks – Assistant Coordinator, Cue Community Resource Centre.

Officer's Recommendation: Voting requirement: Simple Majority

That Council agree to contribute \$20,000 to the Cue Community Resource Centre for the development of a museum/interpretation centre at the rear of the Cue Community & Visitor Centre.

Council Decision:07082018

Voting requirement: Simple Majority

MOVED: CR DENNIS

SECONDED: CR HOUGHTON

That Council agree to contribute \$20,000 to the Cue Community Resource Centre for the development of a museum/interpretation centre at the rear of the Cue Community & Visitor Centre.

CARRIED: 6/0

11. MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

Nil

13. NEW BUSINESS OF AN URGENT NATURE

Nil

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

15. CLOSURE

The Deputy Shire President thanked those present for attending the meeting and declared the meeting closed at 7.34pm.

To be confirmed at Ordinary Meeting on the 18 September 2018

Signed:....

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