



**MINUTES  
ORDINARY MEETING  
OF COUNCIL**

**16 OCTOBER 2018**

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**SHIRE OF CUE**  
**Ordinary Council Meeting**  
**MINUTES**

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Held in the Council Chambers, 73 Austin Street Cue on Tuesday 16 October 2018  
commenced at 6:30pm

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**1. DECLARATION OF OPENING**

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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 Les Price, Deputy Shire President (Presiding Member)

Councillor Ian Dennis\*

Councillor Ron Hogben

Councillor Leonie Fitzpatrick

Councillor Fred Spindler

Councillor Liz Houghton

\*Attendance by Telephone

**STAFF:**

Mr Rob Madson, Chief Executive Officer

Mrs Janelle Duncan, Coordinator Community Development

**GALLERY:**

Mr Peter Tegg

Mr John Hall

Miss Peta Houghton

**1.1 ATTENDANCE BY TELEPHONE CR DENNIS**

APPLICANT: Cr Ian Dennis  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Rob Madson –Chief Executive Officer  
DATE: 12 October 2018

***Matters for Consideration:***

Attendance at Council meeting by telephone

***Background:***

Cr Dennis has requested permission to attend the October Council meeting by teleconference.

***Comments:***

Nil

***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 — ...*

(ba) **the holding of council or committee meetings by telephone, video conference or other electronic means; and ...**

**LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 14A**

**14A . Attendance by telephone etc. (Act s. 5.25(1)(ba))**

(1) *A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —*

(a) *the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and*

(b) *the person is in a suitable place; and*

(c) *the council has approved\* of the arrangement.*

(2) *A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person (other than a person with a disability) who was not physically present was taken to be present in accordance with this regulation.*

(3) *A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person*

*present at the meeting.*

(4) *In this regulation —*

**disability** *has the meaning given in the [Disability Services Act 1993 section 3](#);*

**suitable place** —

(a) *in relation to a person with a disability — means a place that the council has approved\* as a suitable place for the purpose of this paragraph; and*

(b) *in relation to any other person — means a place that the council has approved\* as a suitable place for the purpose of this paragraph and that is located —*

(i) *in a townsite or other residential area; and*

(ii) *150 km or further from the place at which the meeting is to be held under [regulation 12](#), measured along the shortest road route ordinarily used for travelling;*

**Policy Implications:**

Nil

**Financial Implications:**

The cost of the telephone call will be borne by the Shire. Cr Dennis will be entitled to receive a meeting attendance fee.

**Strategic Implications:**

Nil

**Consultation:**

Deputy Shire President – Cr Les Price

**Officer's Recommendation:**

**Voting requirement: Absolute Majority**

1. *That Council approves of Cr Dennis' motel room at Wattle Grove Motel, 610 Welshpool Road East, Wattle Grove as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Dennis to attend this meeting by instantaneous communication in the form of a teleconference.*

**Council Decision:01102018**

**Voting requirement:** Absolute Majority

**MOVED: CR HOGBEN**

**SECONDED: CR HOUGHTON**

1. *That Council approves of Cr Dennis' motel room at Wattle Grove Motel, 610 Welshpool Road East, Wattle Grove as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Dennis to attend this meeting by instantaneous communication in the form of a teleconference.*

**CARRIED: 5/0**

*6.35pm Cr Ian Dennis joined the meeting via telephone*

## 2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

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Mr Richard Towell, Deputy Chief Executive Officer  
Councillor Ross Pigdon, Shire President

### 2.1 APPLICATION FOR LEAVE OF ABSENCE – CR ROSS PIGDON

APPLICANT: Shire of Cue  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Rob Madson – Chief Executive Officer  
DATE: 10 October 2018

***Matters for Consideration:***

Request for leave of absence.

***Background:***

During discussions between the Chief Executive Officer and Cr Ross Pigdon, it was noted that Cr Pigdon is likely to miss several meetings in order to deal with a personal matter.

***Comments:***

Nil

***Statutory Environment:***

#### LOCAL GOVERNMENT ACT 1995 - SECT 2.25

##### 2.25 . Disqualification for failure to attend meetings

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.

***Policy Implications:***

Nil

***Financial Implications:***

Sitting fees will not be payable for the meetings not attended by Cr Pigdon.



**Strategic Implications:**

Nil

**Consultation:**

Nil

**Officer's  
Recommendation:**

**Voting requirement: Simple Majority**

That Cr Pigdon be granted leave of absence for all meetings of Council for the months of October, November and December.

**Council Decision:02102018**

**Voting requirement: Simple Majority**

**MOVED: CR SPINDLER**

**SECONDED: CR HOUGHTON**

That Cr Pigdon be granted leave of absence for all meetings of Council for the months of October, November and December.

**CARRIED: 5/1**

**AGAINST: CR FITZPATRICK**

### 3. DISCLOSURE OF MEMBERS' INTERESTS

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Cr Price advised the meeting that he had a financial interest in item 14.1 and would provide further details prior to the item being considered.

### 4. PUBLIC QUESTION TIME

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Mr Peter Tegg 45 Dowley Street Cue

1. **Q1:** Will Cr Pigdon stand down as Shire President as he is not in town to perform his duties?

**A1:** The Question can only be answered by Cr Pigdon. There are provisions in the Local Government act that allows for leave of absence for up to 6 months.

2. **Q2:** Is the bowling green complete?

**A2:** It is complete with the possible exception of a built in barbeque to replace the old portable one. Mr Tegg asked for details of the costings of the project. The CEO replied that he would provide the information.

3. **Q3:** Is the "Welcome to Cue" entry sign at the northern end of town and the road sign at the southern end of town to be replaced?

**A3:** The southern sign is Main Roads responsibility. The entry sign at the northern end of town will be repaired.

**5. CONFIRMATION OF MINUTES**

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**Council Decision:** 03102018

**Voting requirement:** Simple Majority

**MOVED: CR DENNIS**

**SECONDED: CR SPINDLER**

That the Minutes of the Ordinary Meeting of 18 September 2018 are confirmed as a true and correct record of the meeting.

**CARRIED: 4/2**

**AGAINST: CR HOUGHTON AND CR FITZPATRICK**

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

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Cr Ross Pigdon. Previously dealt with at item 2.1

**7. DEPUTATIONS**

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Nil

**8. PETITIONS**

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Nil

**9. ANNOUNCEMENTS WITHOUT DISCUSSION**

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Nil

## 10. REPORTS

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### 10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT: Shire of Cue  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Richard Towell – Deputy Chief Executive Officer  
DATE: 10 October 2018

***Matters for Consideration:***

To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 16 October 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 September 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 September 2018 to 30 September 2018 as listed at **Appendix 1**, which have been made in accordance with delegated authority per LGA 1995 S5.42.*

<i>Municipal Fund Bank</i>	<i>EFTs</i>	<i>6530 – 6631</i>	<i>\$199,897.54</i>
<i>Direct Debit Fund Transfer</i>			<i>\$ 26,012.61</i>
<i>Payroll</i>			<i>\$108,309.11</i>
<i>BPAY</i>			<i>\$ 16,919.55</i>
<i>Cheques</i>			<i>\$ -</i>
<b>Total</b>			<b>\$351,138.81</b>

**Council Decision:04102018**

**Voting requirement:** Simple Majority

**MOVED: CR HOGBEN**

**SECONDED: CR FITZPATRICK**

<i>Municipal Fund Bank</i>	<i>EFTs</i>	<i>6530 – 6631</i>	<i>\$199,897.54</i>
<i>Direct Debit Fund Transfer</i>			<i>\$ 26,012.61</i>
<i>Payroll</i>			<i>\$108,309.11</i>
<i>BPAY</i>			<i>\$ 16,919.55</i>
<i>Cheques</i>			<i>\$ -</i>
<b>Total</b>			<b>\$351,138.81</b>

**CARRIED: 6/0**

## 10.2 FINANCIAL STATEMENT

APPLICANT: Shire of Cue  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Richard Towell – Deputy Chief Executive Officer  
DATE: 10 October 2018

### ***Matters for consideration:***

The Statement of Financial Activity for the period ended 30 September 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 September 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 30 September 2018, as presented at [Appendix 2](#).*

**Council Decision:05102018**

**Voting requirement:** Simple Majority

**MOVED: CR FITZPATRICK**

**SECONDED:CR SPINDLER**

*That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 September 2018, as presented at [Appendix 2](#).*

**CARRIED: 4/2**

**AGAINST: CR FITZPATRICK AND CR HOUGHTON**

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

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Nil

**12. MOTIONS FOR CONSIDERATION AT THE NEXT MEETING**

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Nil

**13. NEW BUSINESS OF AN URGENT NATURE**

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Nil



**14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

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**Council Decision:** 06102018

**Voting requirement:** Simple Majority

**MOVED:** CR FITZPATRICK

**SECONDED:** CR HOUGHTON

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

**CARRIED:** 6/0

*7.12pm Janelle Duncan left the chambers.*

*7.13pm Janelle Duncan returned to the chambers.*

Cr Price declared a financial interest in item 14.1 as he has had a prior financial dealing with one of the companies that have submitted a quote.

The Chief Executive Officer advised the remaining members present could allow Cr Price to participate only if they decide that his interest is so trivial or insignificant as to be unlikely to influence his conduct in relation to the matter.

Cr Price then detailed the extent of his interests, being the provision of accommodation to staff on Coodardy Station for a fee.

*7.17pm Cr Price left the chambers.*

**Council Decision:** 07102018

**Voting requirement:** Simple Majority

**MOVED:** CR FITZPATRICK

**SECONDED:** CR HOUGHTON

Cr Hogben be appointed Presiding Member due to Cr Price leaving the room.

**CARRIED:** 5/0

*Cr Hogben took the chair.*

**Council Decision:** 08102018

**Voting requirement:** Simple Majority

**MOVED:** CR FITZPATRICK

**SECONDED:** CR HOUGHTON

That due to Cr Price's interest being of such a trivial nature that it is unlikely to influence his conduct in relation to the matter, he be permitted to participate and vote on item 14.1.

**CARRIED:** 5/0

7.22pm Cr Price returned to the room and resumed the Chair.

#### 14.1 SEALING WORKS BERINGARRA ROAD

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell – Deputy Chief Executive Officer

DATE: 4 October 2018

***Matters for Consideration:***

Awarding of the quote for the Sealing works on Beringarra Cue Road for 2018 – 2019.

**Council Decision:** 09102018

**Voting requirement:** Simple Majority

**MOVED:** CR HOGBEN

**SECONDED:** CR DENNIS

That Council:

Award the quote for the sealing works on Beringarra Cue Road to Bitutek Pty Ltd.

**TIED:** 3/3

*Cr Price cast his second vote as votes were equally divided.*

**CARRIED:** 4/3

**AGAINST:** CR FITZPATRICK, CR HOUGHTON, CR SPINDLER

## 14.2 PURCHASE OF NEW MULTI TYRE ROLLER

APPLICANT: Shire of Cue  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Richard Towell – Deputy Chief Executive Officer  
DATE: 4 October 2018

### ***Matters for Consideration:***

Consider quotes provided for the purchase of a new Multi Tyre Roller.

***Council Decision: 10102018***

**Voting requirement:** Simple Majority

**MOVED: CR HOUGHTON**

**SECONDED: CR FITZPATRICK**

*That Council:*

Authorise the CEO to purchase a Multipac 542H multi tyre roller from GCM Agencies for the changeover price of \$116,000.00 excluding GST.

**CARRIED: 4/2**

**AGAINST: CR HOUGHTON, CR FITZPATRICK**

### 14.3 PURCHASE OF NEW FLAT DRUM ROLLER

APPLICANT: Shire of Cue  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Richard Towell – Deputy Chief Executive Officer  
DATE: 4 October 2018

***Matters for Consideration:***

Consider quotes provided for the purchase of a new Flat Drum Roller.

**Council Decision: 11102018**

**Voting requirement:** Simple Majority

**MOVED: CR DENNIS**

**SECONDED: CR FITZPATRICK**

*That Council:*

Authorise the CEO to purchase a Multipac 120H Flat Drum roller from GCM agencies for the changeover price of \$134,000.00 excluding GST.

**TIED: 3/3**

*Cr Price cast his second vote as votes were equally divided.*

**CARRIED: 4/3**

**AGAINST: CR FITZPATRICK, CR HOUGHTON, CR SPINDLER**

**Council Decision: 12102018**

**Voting requirement:** Simple Majority

**MOVED: CR FITZPATRICK**

**SECONDED: CR HOUGHTON**

That the meeting be reopened to the members of the public.

**CARRIED: 6/0**

**15. CLOSURE**

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The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 8.23pm:

**To be confirmed at Ordinary Meeting on the 20 November 2018**

**Signed:.....**

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