



**MINUTES  
ORDINARY MEETING  
OF COUNCIL**

**20<sup>TH</sup> OF DECEMBER 2016**

# **NOTICE OF MEETING**

Please be advised that meeting of the

## **Ordinary Meeting of Council**

commencing at the conclusion of the  
Annual Electors Meeting

to be held on

**Tuesday, 20<sup>TH</sup> of DECEMBER 2016**

in Council Chambers at Austin Street, Cue WA

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Rob Madson  
Chief Executive Officer  
16<sup>th</sup> of December 2016

### **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**

1. 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.

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To the Presiding Member,

The following Councillors give notice of their support for the bringing forward to the Council meeting to be held on \_\_\_\_\_ of a motion for revocation of Council resolution number \_\_\_\_\_ as passed by the Council at its meeting held on \_\_\_\_\_

**Councillor’s Names**

**Councillor’s Signature**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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Held in the Council Chambers, Austin Street Cue on Tuesday 20<sup>th</sup> of December 2016 commencing at 6:32pm

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**1. OFFICIAL OPENING**

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The 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 Ross Pigdon, Shire President

Councillor Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Leonie Fitzpatrick

Councillor Ron Hogben

Councillor Pixie Pigdon

Councillor Fred Spindler

**STAFF:**

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Manager Finance

Mrs Noelene Meredith, Manager Corporate & Community Services

**GALLERY:**

Mr Vince Catania, MLA

Mr Michael Fernihough

Ms Angela Hooper

Mr Davyd Hooper

Ms Karen Scully

Mr Darrell Stevens

Ms Catherine Willett

Ms Kate Woods

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**2. PUBLIC QUESTION TIME**

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Davyd Hooper, Austin Street, Cue

Objection to plan to upgrade of intersection of Austin and Marshall Streets, Cue

Would Council please review the submitted alternative plan for the upgrade of the Austin Street and Marshall Street intersection?

The Shire President advised that this question will be taken on notice.

**3. APOLOGIES AND LEAVE OF ABSENCE**

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Nil

**4. PETITIONS/PRESENTATIONS/SUBMISSIONS**

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Nil

**5. CONFIRMATION OF MINUTES**

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***Council Decision: 01122016***

**MOVED: CR DENNIS                      SECONDED: CR SPINDLER**

That the Minutes of the Ordinary Meeting of 15<sup>th</sup> of November 2016 are confirmed as a true and correct record of the meeting.

**CARRIED: 6/1                              AGAINST: CR FITZPATRICK**

***Council Decision: 02122016***

**MOVED: CR PRICE                      SECONDED: CR P PIGDON**

That the Minutes of the Special Meeting of 6<sup>th</sup> of December 2016 are confirmed as a true and correct record of the meeting.

**CARRIED: 7/0**

**CR FITZPATRICK VOTED BUT DID NOT ATTEND THE SPECIAL MEETING**

**6. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.**

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Nil

**7. MATTERS FOR WHICH THE MEETING MAY GO BEHIND CLOSED DOORS**

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Nil



<b>8.1 ACCOUNTS &amp; STATEMENTS OF ACCOUNTS</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	12 December 2016
<b>Matters for Consideration:</b>	
To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 20 <sup>th</sup> of December 2016 as attached – <b>see <a href="#">Appendix 1</a></b>	
<b>Comments:</b>	
The list of accounts is for the month of November 2016.	
<b>Background:</b>	
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.	
<b>Statutory Environment:</b>	
Local Government (Financial Management Regulations) 1996 – Clause 13.	
<b>Policy Implications:</b>	
Nil	
<b>Financial Implications:</b>	
Nil	
<b>Strategic Implications:</b>	
Nil	
<b>Consultation:</b>	
Nil	

**Officer's Recommendation:****Voting requirement:** Simple Majority

*That Council endorse the payments for the period 1<sup>st</sup> of November 2016 to 30<sup>th</sup> of November 2016 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.*

Municipal Fund Bank EFTs	4391 - 4493	\$811,111.09
Direct Debit Fund Transfer		\$ 23,626.72
Payroll		\$ 91,195.18
BPAY		\$ 14,857.95
Cheques		\$ 0.00
<b>Total</b>		<b>\$940,790.94</b>

**Council Decision 03122016****Voting requirement:** Simple Majority**MOVED: CR DENNIS****SECONDED: CR PRICE**

That Council endorse the payments for the period 1<sup>st</sup> of November 2016 to 30<sup>th</sup> of November 2016 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank EFTs	4391 - 4493	\$811,111.09
Direct Debit Fund Transfer		\$ 23,626.72
Payroll		\$ 91,195.18
BPAY		\$ 14,857.95
Cheques		\$ 0.00
<b>Total</b>		<b>\$940,790.94</b>

**CARRIED: 7/0**

<b>8.2 FINANCIAL STATEMENT</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	12 December 2016
<b>Matters for consideration:</b>	
<p>The Statement of Financial Activity for the periods ended 30<sup>th</sup> of November 2016 including the following reports:</p> <ul style="list-style-type: none"> <li>• Statement of Financial Activity</li> <li>• Significant Accounting Policies</li> <li>• Graphical Representation – Source Statement of Financial Activity</li> <li>• Net Current Funding Position</li> <li>• Cash and Investments</li> <li>• Major Variances</li> <li>• Budget Amendments</li> <li>• Receivables</li> <li>• Grants and Contributions</li> <li>• Cash Backed Reserve</li> <li>• Capital Disposals and Acquisitions</li> <li>• Trust Fund</li> </ul> <p>see <a href="#">Appendix 2</a></p>	
<b>Comments:</b>	
The Statement of Financial Activity is for the month of November 2016.	
<b>Background:</b>	
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.	
<b>Statutory Environment:</b>	
Local Government (Financial Management Regulations) 1996 – Clause 14.	
<b>Policy Implications:</b>	
Nil	
<b>Financial Implications:</b>	
Nil	

<b>Strategic Implications:</b>	
Nil	
<b>Consultation:</b>	
RSM Bird Cameron Chartered Accountants	
<b>Officer's Recommendation:</b>	
<i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30<sup>th</sup> November 2016.</i>	
<b>Council Decision 04122016</b>	<b>Voting requirement:</b> Simple Majority
<p><b>MOVED: CR FITZPATRICK                      SECONDED: CR DENNIS</b></p> <p>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30<sup>th</sup> November 2016.</p> <p><b>CARRIED 7/0</b></p>	

**8.3 WRITE OFF OF SUNDRY DEBTOR**

APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	10 November 2016

**Matters for Consideration:**

To write off the outstanding debtor amount of \$651.20 owing by Anthony Bardile for damage caused to a kerb while manoeuvring a truck and trailer in Darlot Street Cue.

**Background:**

On 4 August 2015 a vehicle and trailer known as the Lamb Van caused damage to the road kerb in Darlot Street Cue. The incident was witnessed by a Shire employee. The quote to repair the kerb of \$651.20 was on-charged to Anthony Bardile being the owner of the vehicle causing the damage.

Numerous attempts have been made to recover this outstanding amount and to contact Anthony Bardile without success.

At the ordinary meeting of Council held 19 July 2016 Council resolved the following:

<b>Council Decision 07072016</b>	<b>Voting requirement: Simple Majority</b>
<p><b>MOVED: CR DENNIS</b></p> <p>That Council write off the sundry debtor amount owing by Anthony Bardile of \$651.20 for damage caused to the kerb in Darlot Street, Cue.</p> <p><b>LOST: 2/5</b></p>	<p><b>SECONDED: CR P PIGDON</b></p>

Council requested that the administration continue to try and locate Mr Bardile for the recovery of the outstanding amount. Further attempts to locate Mr Bardile including Registered post to last known address and liaising with WA Police has been unsuccessful in locating Mr Bardile.

**Comments::**

Given the relatively small amount owing and the age of the debt, it would not be a prudent use of council resources and administrations time to continue pursuing this action. It is recommended that this amount be written off as uncollectable to bad debts expense.

The amount of the outstanding debtor is outside of the CEO's delegated authority and requires a decision from Council to write off the debt.

**Statutory Environment:**

Local Government Act 1995, Section 6.12. – Power to defer, grant discounts, waive or write off debts.

<b>Policy Implications:</b>	
Shire of Cue Policy Manual, Policy D1 – Debt Recovery	
<b>Financial Implications:</b>	
The waiving of the outstanding amount of \$651.20 will be expensed to the bad debts account. This account has a budget of \$10,000 and current expenditure of \$921.60.	
<b>Strategic Implications:</b>	
Nil	
<b>Consultation:</b>	
Rob Madson – Chief Executive Officer	
<b>Officer's Recommendation:</b>	<b>Voting requirement: Simple Majority</b>
<p><i>That Council:</i></p> <p><i>Write off the sundry debtor amount owing by Anthony Bardile of \$651.20 for damage caused to the kerb in Darlot Street Cue.</i></p>	
<b>Council Decision 05122016</b>	<b>Voting requirement: Simple Majority</b>
<p><b>MOVED: CR FITZPATRICK                      SECONDED: CR P PIGDON</b></p> <p>That Council:</p> <p>Write off the sundry debtor amount owing by Anthony Bardile of \$651.20 for damage caused to the kerb in Darlot Street Cue.</p> <p><b>CARRIED: 7/0</b></p>	

Cr Dennis declared an interest in Item 8.4 and left the meeting at 6:56pm

**8.4 WAIVING OF SUNDRY DEBTOR RUBBISH FEES**

APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	15 December 2016
<b>Matters for Consideration:</b>	

To waive part of the rubbish fees charged to Top Group WA Pty Ltd for the disposal of demolished buildings in Cue in November 2015.

**Background:**

On 2 November 2015 Top Group WA Pty Ltd removed three houses from lots adjacent to the Roadhouse on Austin Street Cue. The material from these lots was taken to and disposed of at the Cue rubbish disposal site by a contractor engaged by Top Group WA Pty Ltd. The CEO at the time Mr John McCleary estimated that twenty loads of ten cubic metres each was disposed at the rubbish site and raised an invoice in line with the Shire of Cue fees and charges for the disposal of two hundred cubic metres of building waste totalling \$9,450.00.

Davyd Hooper from Top Group WA Pty Ltd has disputed these charges stating that the disposal from the sites was carried out by a contractor Mr Terry Bloxsome and that advice from Terry at the time was he had been informed by the Tip Manager there would be no charge for the waste. Davyd has also disputed the estimated volume of waste removed from the sites and charged for.

The CEO met with Terry Bloxsome who concurred that the estimated volume of waste was about right and that a Shire employee at the tip site informed him that there was no charge to dispose of the waste.

The CEO met with Davyd Hooper to resolve the dispute where Davyd offered a payment of \$3,000 for settlement of the account. In considering this offer the CEO has taken into account the proposed reduction to the commercial waste charges for the 2016-2017 fees and charges in conjunction with the potential costs of taking legal action against Top Group WA Pty Ltd for collection of the outstanding amount. The CEO accepted this offer on the provision that payment was made in a timely manner. The payment of \$3,000 has been received from Top Group WA Pty Ltd leaving an outstanding amount of \$6,450 on the account.

This matter was presented to Council to write off the remaining \$6,450 at the Ordinary Meeting of Council held on 19 July 2016. Council requested that the CEO seek a further payment of \$2,000.00 to bring the total settlement amount to \$5,000.00 and resolved the following decision.

<b>Council Decision 08072016</b>	<b>Voting requirement: Simple Majority</b>
<b>MOVED: CR P PIGDON</b>	<b>SECONDED: CR HOGBEN</b>
That Council waive the outstanding rubbish disposal charges of \$6,450 outstanding from Top Group WA Pty Ltd.	
<b>LOST: 1/5</b>	

The CEO has followed this matter up with Top Group WA Pty Ltd and a further payment of \$2,000.00 has been made and received by the Shire of Cue

The amount of the outstanding debt is outside of the CEO's delegated authority to write off and requires Councils endorsement to waive the charges.

ORDINARY MEETING – 20 DECEMBER 2016

<b>Comments::</b>	
<b>Statutory Environment:</b>	
Local Government Act 1995, Section 6.12. – Power to defer, grant discounts, waive or write off debts.	
<b>Policy Implications:</b>	
Nil	
<b>Financial Implications:</b>	
The waiving of the outstanding amount of \$4,450 will be allocated to the bad debts expense account with a budget of \$10,000.00 and current expenditure of \$922.00.	
<b>Strategic Implications:</b>	
Nil	
<b>Consultation:</b>	
Rob Madson – Chief Executive Officer Davyd Hooper – Top Group WA Pty Ltd	
<b>Officer's Recommendation:</b>	<b>Voting requirement: Simple Majority</b>
<i>That Council waive the outstanding rubbish disposal charges of \$4,450 outstanding from Top Group WA Pty Ltd.</i>	
<b>Council Decision 06122016</b>	<b>Voting requirement: Simple Majority</b>
<p><b>MOVED: CR FITZPATRICK                      SECONDED: CR SPINDLER</b></p> <p>That Council waive the outstanding rubbish disposal charges of \$4,450 outstanding from Top Group WA Pty Ltd.</p> <p><b>CARRIED: 6/0</b></p>	

Cr Dennis returned to the meeting at 6:58pm



<b>8.5 RATES CONCESSION FOR GRV VACANT LAND</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	12 December 2016
<b><i>Matters for Consideration:</i></b>	
The granting of a concession to the 'Minimum Payment GRV Vacant Land' category for rates imposed for the 2016-2017 financial year.	
<b><i>Background:</i></b>	
<p>Jenni Law, Director Local Government Regulation and Support with the Department of Local Government and Communities, wrote to council on 1 November 2016 advising that a review of the Shire's 2016-17 annual budget had identified that the Shire of Cue had imposed minimum payments that did not comply with the <i>Local Government Act 1995</i>. See <a href="#">Appendix 3</a></p> <p>The reason for non-compliance was that the Shire did not seek Ministerial approval to impose a minimum payment to the GRV Vacant land category that was higher at \$530.00 than the minimum payment for other categories at \$440.00. This resulted in the higher minimum becoming the general minimum for the GRV category and the lesser minimum then applying to more than 50% of the properties in the category.</p> <p>The Department has requested that the Shire grant a concession to the thirty three affected rate payers to bring the higher minimum payment in line with the minimum payment for the category. This will result in the thirty three affected rate payers being credited \$90 on their assessments and the Shire providing a rates concession totalling \$2,970. The department have requested this line of action as the cost to bring this matter before the State Administrative Tribunal would outweigh the benefits and not be in the best interest of the ratepayers of the district.</p>	
<b><i>Comments::</i></b>	
<p>This issue was overlooked when preparing the rate setting statement and the annual budget as the minimum payment of \$440.00 that has been applied to all categories except GRV Vacant Land was considered the general minimum and that no lesser minimum was being applied to any properties and therefore not requiring Ministerial approval for the GRV Vacant Land category.</p> <p>The higher minimum payment for the GRV Vacant Land category was imposed as a differential rate to encourage rate payers in this category to develop their vacant land. The granting of a \$90 concession for rate payers in this category will bring the minimum payment to \$440.00, in line with all other categories.</p>	
<b><i>Statutory Environment:</i></b>	
<p><b>Local Government Act 1995, Section 6.35 - Minimum payment</b></p> <p>(1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.</p>	

- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
  - (a) 50% of the total number of separately rated properties in the district; or
  - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
  - (a) the number of separately rated properties in the district; or
  - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
  - (a) to land rated on gross rental value; and
  - (b) to land rated on unimproved value; and
  - (c) to each differential rating category where a differential general rate is imposed.

*[Section 6.35 amended by No. 49 of 2004 s. 61.]*

**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 - REG 52**

**52 .** Percentage prescribed for minimum payment (Act s. 6.35(4))

**The percentage prescribed for the purposes of section 6.35(4) is 50%.**

**LOCAL GOVERNMENT ACT 1995 - SECT 6.82**

**6.82 .** General review of imposition of rate or service charge

(1) Where there is a question of general interest as to whether a rate or service charge was imposed in accordance with this Act, the local government or any person may refer the question to the State Administrative Tribunal to have it resolved.

(3) The State Administrative Tribunal dealing with a matter referred to it under this section may make an order quashing a rate or service charge which in its opinion has been improperly made or imposed.

***Policy Implications:***

Nil

***Financial Implications:***

The concession of \$2,970 will be absorbed into the budgeted amount of \$100,000 for rates write offs.

<b>Strategic Implications:</b>	
Nil	
<b>Consultation:</b>	
Rob Madson – Chief Executive Officer	
<b>Officer’s Recommendation:</b>	
<p><i>That Council;</i></p> <p><i>By absolute majority, grant a concession of \$90.00 per assessment for properties rated under the category of ‘Minimum Payment GRV Vacant Land’, to bring the minimum payment in line with the general minimum of \$440.00 per assessment.</i></p>	
<b>Council Decision 07122016</b>	<b>Voting requirement:</b> Absolute Majority
<p><b>MOVED: CR SPINDLER                      SECONDED: CR P PIGDON</b></p> <p>That Council;</p> <p>By absolute majority, grant a concession of \$90.00 per assessment for properties rated under the category of ‘Minimum Payment GRV Vacant Land’, to bring the minimum payment in line with the general minimum of \$440.00 per assessment.</p> <p><b>CARRIED: 7/0</b></p>	

<b>8.6 FUN DAY CONTRIBUTION</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson, Chief Executive Officer
DATE:	14 December 2016
<b>Matters for Consideration:</b>	
Increase Fun Day contribution from \$20,000 to \$25,000	
<b>Background:</b>	
<p>Prior to 2016/17 budget deliberations, an approach was made by the Cue Community Resource Centre to have the contribution to the annual Cue Fun Day increased from \$20,000 to \$25,000 due to rising costs. The Cue Events account was increased in the 2016/17 budget to accommodate this request.</p>	
<b>Comments:</b>	
<p>At the time of discussing the Shire's annual contribution to the Cue Fun Day with the CRC, it was my understanding that a past resolution of Council authorised the contribution and would allow for the requested increase, however a comprehensive search of Council records has not identified such a resolution in the minutes.</p> <p>The CRC has received funds of \$20,000 toward the running of the 2016 Cue Fun Day, consistent with previous year's contributions. Sufficient allocation was made in the 2016/17 budget to allow for a contribution of \$25,000 from the Cue Events account, although this contribution is not specifically identified within the budget document and may therefore not be considered to be authorised by the adoption of the budget. In order to provide transparency and accountability I believe it is prudent to have the contribution endorsed by Council.</p>	
<b>Statutory Environment:</b>	
<p><b>Local Government Act 1995</b></p> <p>6.8. Expenditure from municipal fund not included in annual budget</p> <p>(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure—</p> <p>(a) is incurred in a financial year before the adoption of the annual budget by the local government; or</p> <p>(b) is authorised in advance by resolution*; or</p> <p>(c) is authorised in advance by the mayor or president in an emergency.</p> <p>* <i>Absolute majority required.</i></p>	

(1a) In subsection (1)—

*additional purpose* means a purpose for which no expenditure estimate is included in the local government’s annual budget.

(2) Where expenditure has been incurred by a local government—

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

*[Section 6.8 amended by No. 1 of 1998 s. 19.]*

***Policy Implications:***

Nil

***Financial Implications:***

Sufficient allocation has been made in the 2016/17 budget to allow for a contribution of \$25,000 to the Cue Fun Day from the Cue Events account.

***Strategic Implications:***

Nil

***Consultation:***

Ruth Lee – Cue Resource Centre

***Officer’s Recommendation:***

**Voting requirement: Absolute Majority**

*That Council agree to make an annual contribution of \$25,000 to the Cue Community Resource Centre to fund the Cue Fun Day.*

***Council Decision 08122016***

**MOVED: CR DENNIS**

**SECONDED: CR FITZPATRICK**

That Council agree to make an annual contribution of \$25,000 to the Cue Community Resource Centre to fund the Cue Fun Day.

**CARRIED: 7/0**

<b>8.7 APPOINTMENT OF AUDITOR</b>													
APPLICANT:	Shire of Cue												
DISCLOSURE OF INTEREST:	Nil												
AUTHOR:	Richard Towell – Manager Finance												
DATE:	12 December 2016												
<b>Matters for Consideration:</b>													
To extend the current external audit services contract for one year to 30 June 2017.													
<b>Background:</b>													
<p>The 2015-2016 Financial Year was the last year of the agreement between the Shire of Cue and its Auditors – AMD Chartered Accountants. As required by the Local Government Act the Shire is required to appoint an Auditor to carry out the required statutory audit.</p> <p>There is an intended amendment to the Local Government Act 1995 to allow the Auditor general and the Office of the Auditor General to take responsibility for local government financial audits from 1 July 2017. Circular No 03-2016 issued by the Minister for Local Government; Community Services; Seniors and Volunteering; Youth encourages local governments that are in the position to renew their audit contracts, to only renew them until 30 June 2017. See <a href="#">Appendix 4</a></p> <p>This item was presented to the Audit Committee meeting held 6 December 2016 and the following resolution was passed.</p>													
<table border="1" style="width: 100%;"> <tr> <td style="width: 20%;"><b>MOVED:</b></td> <td style="width: 20%;"><b>CR PRICE</b></td> <td style="width: 20%;"><b>SECONDED</b></td> <td style="width: 20%;"><b>CR DENNIS</b></td> </tr> <tr> <td colspan="4"> <p>That the Audit Committee make recommendation to Council that the Shire of Cue extend the current external audit services contract with Maria Cavallo and Tim Partridge of AMD Chartered Accountants for a period of one year, to 30 June 2017</p> </td> </tr> <tr> <td><b>CARRIED:</b></td> <td><b>6/0</b></td> <td></td> <td></td> </tr> </table>		<b>MOVED:</b>	<b>CR PRICE</b>	<b>SECONDED</b>	<b>CR DENNIS</b>	<p>That the Audit Committee make recommendation to Council that the Shire of Cue extend the current external audit services contract with Maria Cavallo and Tim Partridge of AMD Chartered Accountants for a period of one year, to 30 June 2017</p>				<b>CARRIED:</b>	<b>6/0</b>		
<b>MOVED:</b>	<b>CR PRICE</b>	<b>SECONDED</b>	<b>CR DENNIS</b>										
<p>That the Audit Committee make recommendation to Council that the Shire of Cue extend the current external audit services contract with Maria Cavallo and Tim Partridge of AMD Chartered Accountants for a period of one year, to 30 June 2017</p>													
<b>CARRIED:</b>	<b>6/0</b>												
<b>Comments::</b>													
<p>With the proposed changes ahead and the recommendation from the Minister to renew audit contracts only until 30 June 2017, the Chief Executive Officer has approached our current auditors AMD Chartered Accountants to provide a quote to extend our current contract for one year.</p> <p>The quote provided and attached at <a href="#">Appendix 5</a> represents value for money and is in keeping with prior year audit quotes. As this is an extension of the current contract further quotes have not been sought.</p>													

**Statutory Environment:****Local Government Act 1995****7.3. Appointment of auditors**

- (1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint\* a person, on the recommendation of the audit committee, to be its auditor.

\* Absolute majority required.

- (2) The local government may appoint one or more persons as its auditor.
- (3) The local government's auditor is to be a person who is —
- (a) a registered company auditor; or
- (b) an approved auditor.

**7.6. Term of office of auditor**

- (1) The appointment of a local government's auditor is to have effect in respect of the audit of the accounts and annual financial report of the local government for a term of not more than 5 financial years, but an auditor is eligible for re-appointment.

**7.8. Terms of appointment of auditors**

- (1) Subject to this Part and to any regulations, the appointment of a person as auditor of a local government is to be made by agreement in writing on such terms and conditions, including the remuneration and expenses of the person to be appointed, as are agreed between that person and the local government.
- (2) The remuneration and expenses payable to the auditor of a local government (whether appointed by the local government or by the Departmental CEO under section 7.7) are payable by the local government.

7.13 (1) (i) Prescribed statutory requirements for which compliance audit needed (Act s. 7.13(1)(i))

**Local Government (Audit) Regulations 1996**

7. Agreements with auditors, contents of an agreement between a local government and an auditor is to include —

- (a) the objectives of the audit; and
- (b) the scope of the audit; and
- (c) a plan for the audit; and
- (d) details of the remuneration and expenses to be paid to the auditor; and
- (e) the method to be used by the local government to communicate with, and supply information to, the auditor.

13. Prescribed statutory requirements for which compliance audit needed (Act s. 7.13(1)(i))





**9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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Nil

**10. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

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Nil

**11. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

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Nil

**12. MATTERS BEHIND CLOSED DOORS**

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Nil

**13. CLOSURE**

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The President thanked those present for attending the meeting and declared the meeting closed at 7:11pm

**To be confirmed at Ordinary Meeting on the 21<sup>st</sup> of February 2017**

**Signed:.....**

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