



**MINUTES  
ORDINARY MEETING  
OF COUNCIL**

**19 SEPTEMBER 2017**

# **NOTICE OF MEETING**

Please be advised that the next

## **Ordinary Meeting of Council**

is to be held on

**Tuesday, 19 September 2017**

commencing at **6:30pm**

in the Council Chambers at 73 Austin Street, Cue WA

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Rob Madson  
Chief Executive Officer  
15 September 2017

### **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.



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 19 September 2017  
commencing at 6:30pm

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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 Pixie Pigdon

Councillor Fred Spindler

Councillor Ron Hogben

### **STAFF:**

Mr Rob Madson, Chief Executive Officer

Mrs Janelle Duncan, Community Development Coordinator

### **GALLERY:**

Ernie Campbell

Jenni Dennis

Catherine Willett

Peter Tegg

Terry Bloxsome

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## 2. PUBLIC QUESTION TIME

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Questions asked by the public gallery

### **1. Ernie Campbell, 17 Darlot St**

Requested a breakdown of costs for the Oasis Tourist Stop.

The CEO advised that the information would be provided.



*If the water supply is OK to drink, why is a water treatment plant needed?*

The President detailed some of the history of Council's efforts to have the water quality in Cue improved and explained that the high Nitrate level of the water meant it was not safe for children under 3 months. The Water Corporation are installing a treatment plant to deal with this and other water quality issues.

*Is Beringarra-Cue Road going to be sealed?*

Current Council position is that the road will be maintained as a sealed road.

## **2. Peter Tegg, Dowley Street**

Mr Tegg questioned aspects of the discussion held during a meeting the President & CEO had with the Minister for Local Government.

The President provided some clarification.

*What is Council going to do about my request for reimbursement of out of pocket expenses in relation to the construction of my house? What background information did Council have to make their decision?*

The matter was discussed behind closed doors and the advice of the result provided in correspondence is the decision of Council.

*Who is the officer responsible for rates?*

The Rates Officer.

*Will they receive training as there is a mistake with my rates?*

CEO acknowledged that mistakes sometimes happen and any issues would be corrected.

## **3. Terry Bloxsome**

*Previous advice was that shade would be provided in the park next to the spray park in Victoria Street, when will this happen?*

*When will the shed at Burt Place be bolted down? When will it be finished?*

*When will something be done about the rubbish tip?*

Unanswered questions were taken on notice.

### **3. APOLOGIES AND LEAVE OF ABSENCE**

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Councillor Leonie Fitzpatrick

Mr Richard Towell, Deputy Chief Executive Officer

### **4. PETITIONS/PRESENTATIONS/SUBMISSIONS**

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Nil.

### **5. CONFIRMATION OF MINUTES**

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**Council Decision:** 01092017

**MOVED: CR DENNIS**

**SECONDED: CR PRICE**

That the Minutes of the Ordinary Meeting of 22<sup>nd</sup> August 2017 are confirmed as a true and correct record of the meeting.

**CARRIED: 6/0**

### **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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The CEO advised that he would be raising a matter for Council discussion which would necessitate meeting behind closed doors. No decision would be required.

## 8. REPORTS

<b>8.1 ACCOUNTS &amp; STATEMENTS OF ACCOUNTS</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	13 September 2017
<b><i>Matters for Consideration:</i></b>	
To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 19 September 2017 as attached – see <a href="#">Appendix 1</a>	
<b><i>Comments:</i></b>	
The list of accounts is for the month of August 2017	
<b><i>Background:</i></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><i>Statutory Environment:</i></b>	
Local Government (Financial Management Regulations) 1996 – Clause 13.	
<b><i>Policy Implications:</i></b>	
Nil	
<b><i>Financial Implications:</i></b>	
Nil	
<b><i>Strategic Implications:</i></b>	
Nil	
<b><i>Consultation:</i></b>	
Nil	



<b>8.2 FINANCIAL STATEMENT</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	13 September 2017
<b>Matters for consideration:</b>	
<p>The Statement of Financial Activity for the period ended 31 August 2017 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 August 2017.	
<b>Background:</b>	
<p>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.</p>	
<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 31 August 2017.</i>	
<b>Council Decision 03092017</b>	<b>Voting requirement:</b> Simple Majority
<p><b>MOVED: CR DENNIS</b> <span style="float: right;"><b>SECONDED: CR P. PIGDON</b></span></p> <p><i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 31 August 2017.</i></p> <p><b>CARRIED 6/0</b></p>	

**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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***Council Decision 04092017***

**MOVED: CR PRICE**

**SECONDED: CR SPINDLER**

That Council move behind closed doors.

**CARRIED 6/0**

*Council moved behind closed doors at 7.03pm.*

***Council Decision 05092017***

**MOVED: CR SPINDLER**

**SECONDED: CR HOGBEN**

That Council move out from behind closed doors.

**CARRIED 6/0**

*Council moved out from behind closed doors at 7.52pm*

**13. CLOSURE**

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The President thanked those present for attending the meeting and declared the meeting closed at 7.53pm

**To be confirmed at Ordinary Meeting on the 17 October 2017**

**Signed:.....**

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