



**MINUTES
ORDINARY MEETING
OF COUNCIL**

15 OCTOBER 2019

**SHIRE OF CUE
Ordinary Council Meeting
MINUTES**

Held in the Council Chambers, 73 Austin Street Cue on
Tuesday 15 October 2019 commencing at 6:30pm

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1. DECLARATION OF OPENING

The Presiding Member welcomed those present and read the following disclaimer:

No responsibility whatsoever is implied or accepted by the Shire of Cue for any act, omission or statement or intimation occurring during this Meeting.

It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of council's decision, which will be provided within fourteen (14) days of this Meeting.

PRESENT:

Councillor Ross Pigdon, Shire President

Councillor Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Leonie Fitzpatrick

Councillor Fred Spindler

Councillor Liz Houghton

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Mrs Janelle Duncan, Coordinator Community Development

GALLERY:

Mr Peter Cook, Westgold Resources Managing Director

Mr Phil Wilding, Cue Gold Operations General Manager

Mr Tony Lees, Westgold Resources Mine Accountant

Mrs Jenni Dennis

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Nil

3. DISCLOSURE OF MEMBERS' INTERESTS

Cr Price declared a financial and proximity interest in Item 14.1

4. PUBLIC QUESTION TIME

Nil

5. CONFIRMATION OF MINUTES

Council Decision:01102019

Voting Requirement: Simple Majority

MOVED: CR DENNIS

SECONDED: CR HOGBEN

That the Minutes of the Ordinary Meeting of 17 September 2019 are confirmed as a true and correct record of the meeting.

CARRIED:7/0

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DEPUTATIONS

Westgold Resources Managing Director Mr Peter Cook and General Manager Cue Gold Operations Mr Phil Wilding will attend the meeting to make a presentation relating to Item 14.1

8. PETITIONS

Nil

9. ANNOUNCEMENTS WITHOUT DISCUSSION

The President announced that Items 14.1 & 14.2 would be brought forward so that Mr Peter Cook could make a presentation prior to Westgold representatives leaving the meeting.

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Council Decision:02102019 **Voting requirement:** Simple Majority

MOVED: CR SPINDLER **SECONDED: CR HOUGHTON**

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

CARRIED:7/0

6.32pm Mr Richard Towell left the chambers

6.33pm Mr Richard Towell returned to the chambers

6.33pm Mrs Jenni Dennis left the chambers

6.33pm Meeting closed to the public

14.1 ROAD USER AGREEMENT – WESTGOLD RESOURCES

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Rob Madson – Chief Executive Officer

DATE: 10 October 2019

Matters for Consideration:

Entering into a road user agreement with Westgold Resources Limited to accommodate Restricted Access Vehicles (RAV) on Shire roads.

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

MOVED: CR DENNIS **SECONDED: CR HOUGHTON**

That Council enter into a road user deed of agreement with Westgold Resources Limited that incorporates the provisions contained in the signed Memorandum of Understanding presented to Council on 15 October 2019.

7.13pm Cr Hogben left the chambers

7.14pm Mr Tony Lees, Mr Phil Wilding, Mr Peter Cook left the chambers

7.17pm Cr Hogben returned to the chambers

7.26pm Mrs Janelle Duncan left the chambers

7.34pm Mrs Janelle Duncan returned to the chambers

Council Decision:03102019 **Voting requirement:** Simple Majority

MOVED: CR HOGBEN **SECONDED: CR SPINDLER**

That item 14.1 be adjourned to the November 2019 meeting to enable a memorandum of understanding with Westgold Resources to be finalised

CARRIED:7/0

14.2 PURCHASE OF NEW PRIME MOVER

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Richard Towell – Deputy Chief Executive Officer
 DATE: 8 October 2019

Matters for Consideration:

Consider quotes provided for the purchase of a new Prime Mover.

Council Decision:04102019 **Voting requirement:** Simple Majority
MOVED: CR SPINDLER **SECONDED: CR HOUGHTON**

That Council authorise the Chief Executive Officer to purchase a Scania G 500 prime mover from Scania Western Australia for the changeover price of \$242,000 excluding GST.

CARRIED:6/1

AGAINST: CR FITZPATRICK

Council Decision:05102019 **Voting requirement:** Simple Majority
MOVED: CR PRICE **SECONDED: CR DENNIS**

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

CARRIED: 7/0

7.50pm Meeting reopened to the public

10. REPORTS

10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

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

Matters for Consideration:

To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on 15 October 2019 as attached – see [Appendix 1](#).

Background:

The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.

Comments:

The list of accounts is for the month of September 2019.

Statutory Environment:

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

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

Nil.

Officer’s Recommendation:

Voting Requirement: Simple Majority

That Council endorse the payments for the period 1 September 2019 to 30 September 2019 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank	EFTs	7720 – 7789	\$118,273.73
Direct Debit Fund Transfer			\$ 26,530.80
Payroll			\$103,439.55
BPAY			\$ 18,229.36
Cheques			\$ -
Total			\$266,473.44

Council Decision:06102019		Voting requirement: Simple Majority	
MOVED: CR DENNIS		SECONDED: CR HOGBEN	
<i>That Council endorse the payments for the period 1 September 2019 to 30 September 2019 as listed at Appendix 1, which have been made in accordance with delegated authority per LGA 1995 S5.42.</i>			
Municipal Fund Bank	EFTs	7720 – 7789	\$118,273.73
Direct Debit Fund Transfer			\$ 26,530.80
Payroll			\$103,439.55
BPAY			\$ 18,229.36
Cheques			\$ -
Total			\$266,473.44
CARRIED:7/0			

10.2 FINANCIAL STATEMENT

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

Matters for Consideration:

The Statement of Financial Activity for the period ended 30 September 2019 including the following reports:

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

see [Appendix 2](#).

Background:

Under the *Local Government (Financial Management Regulations 1996)*, a monthly Statement of Financial Activity must be submitted to an Ordinary Council meeting within 2 months after the end of the month to which the statement relates. The statement of financial activity is a complex document but presents a complete overview of the financial position of the local government at the end of each month. The Statement of Financial Activity for each month must be adopted by Council and form part of the minutes.

Comments:

The Statement of Financial Activity is for the month of September 2019.

Statutory Environment:

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

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

RSM Australia Pty Ltd.

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 September 2019, as presented at [Appendix 2](#).

Council Decision:07102019

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR HOUGHTON

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 September 2019, as presented at [Appendix 2](#).

CARRIED:7/0

10.3 COUNCIL MEETING DATES 2020

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Rob Madson - Chief Executive Officer
 DATE: 10 October 2019

Matters for Consideration:

Council is required to adopt and advertise their Council meeting dates and the proposed dates for 2020 are submitted for Council's consideration.

Background:

Nil

Comments:

Council is required under the *Local Government (Administration) Regulations 1996* to adopt annual meeting dates and times and advertise them to the community.

Council traditionally meets on the 3rd Tuesday of the month at 6.30pm, therefore the dates proposed for 2020 are:

January	No meeting
February	Tuesday 18 th
March	Tuesday 17 th
April	Tuesday 21 st
May	Tuesday 19 th
June	Tuesday 16 th
July	Tuesday 21 st
August	Tuesday 18 th
September	Tuesday 15 th
October	Tuesday 20 th
November	Tuesday 17 th
December	Tuesday 15 th

With meetings commencing at 6.30pm

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 —*
- (g) *the giving of public notice of the date and agenda for council or committee meetings;*

Local Government (Administrations) Act 1996 - Reg 12

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
- (a) *the ordinary council meetings; and*
 - (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*

are to be held in the next 12 months.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Nil

Officer's Recommendation:

Voting Requirement: Absolute Majority

Adopt the following meeting dates for 2020 and advertise them in accordance with the *Local Government (Administration) Regulations 1996*:

January	No meeting
February	Tuesday 18th
March	Tuesday 17th
April	Tuesday 21st
May	Tuesday 19th
June	Tuesday 16th
July	Tuesday 21st
August	Tuesday 18th
September	Tuesday 15th
October	Tuesday 20th
November	Tuesday 17th
December	Tuesday 15th

With meetings commencing at 6.30pm

Council Decision:08102019 **Voting requirement:** Simple Majority

MOVED: CR PRICE **SECONDED: CR DENNIS**

Adopt the following meeting dates for 2020 and advertise them in accordance with the *Local Government (Administration) Regulations 1996*:

January	No meeting
February	Tuesday 18th
March	Tuesday 17th
April	Tuesday 21st
May	Tuesday 19th
June	Tuesday 16th
July	Tuesday 21st
August	Tuesday 18th
September	Tuesday 15th
October	Tuesday 20th
November	Tuesday 17th
December	Tuesday 15th

With meetings commencing at 6.30pm

CARRIED:7/0

10.4 PURCHASE OF LANDCORP PROPERTY FOR GROH HOUSING PROJECT

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Rob Madson –Chief Executive Officer
 DATE: 10 October 2019

Matters for Consideration:

Authorising the CEO to purchase Lot 614 (29) Allen Street, Cue, and one other Landcorp lot if required, to facilitate the construction of two house to be leased to the Government Regional Officers Housing scheme for Cue Police Officers.

Background:

Council resolved to enter into an agreement with Government Regional Officers Housing for the provision and leasing of two houses for Cue Police. It is proposed that one be located at Lot 614 Allen Street, currently owned by Landcorp, and the other at Lot 28 Dowley Street, which was recently acquired by the Shire in exchange for waiving of the rates owing.

Comments:

Negotiations are continuing regarding the use of Lot 28 Dowley Street as this is currently deemed unsuitable by GROH for Police Officer housing, although it is the location preferred by the Cue Police OIC. Lot 631 Dowley Street has been earmarked as a potentially suitable alternative.

A map of the available Landcorp land in Cue is contained in the brochure attached at [Appendix 3](#).

Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 9.49A

9.49A Execution of documents

- (1) *A document is duly executed by a local government if —*
 - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
 - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*

- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
- (a) *the mayor or president; and*
 - (b) *the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.*

Policy Implications:

D.9 PURCHASING POLICY

7.2 Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply.

Financial Implications:

The 2019/20 annual budget contains an allocation of \$980,000 for *Property, Plant & Equipment – Land & Buildings – GROH Houses*. The purchase price for residential lots in Cue requested by Landcorp is \$15,000 each. This cost has been factored into the budgeted allocation and the calculation of the agreed lease amount with GROH to achieve full cost recovery in ten years.

Strategic Implications:

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

Social Objective

Outcome 3.1 Community infrastructure that meets the needs of our Residents

3.1.3 Provide, maintain and improve community infrastructure

Outcome 3.2 Encourage community participation and services

3.2.4 Support provision of emergency services, support and encourage community volunteers

3.2.5 Support a safe community environment

Environmental Objective

Outcome 4.3 Maintain and improve our built environment

4.3.1 Maintain, improve and renew infrastructure

Consultation:

Ania Long – Sales Officer, Landcorp.
 Uttam Kumar Deb Nath - A/ Project Coordinator, GROH.
 Sergeant Max Walker – OIC, Cue Police.

Officer’s Recommendation: **Voting Requirement:** Simple Majority

That Council

1. Instruct the CEO to proceed with the purchase of Lot 614 (29) Allen Street, Cue, and one other lot offered for sale by Landcorp if required, for the sum of \$15,000 each; and
2. Authorise the Shire President and Chief Executive Officer to apply the common seal as required to any sale or transfer documents.

Council Decision:09102019 **Voting requirement:** Simple Majority

MOVED: CR SPINDLER **SECONDED: DENNIS**

That Council

1. Instruct the CEO to proceed with the purchase of Lot 614 (29) Allen Street, Cue, and one other lot offered for sale by Landcorp if required, for the sum of \$15,000 each; and
2. Authorise the Shire President and Chief Executive Officer to apply the common seal as required to any sale or transfer documents.

CARRIED:6/1

AGAINST: CR FITZPATRICK

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

15 CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 8.09pm.

To be confirmed at Ordinary Meeting on the 19 November 2019

Signed:.....

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