



**MINUTES
ORDINARY MEETING
OF COUNCIL**

16 NOVEMBER 2021

**SHIRE OF CUE
Ordinary Council Meeting
MINUTES**

Held in the Council Chambers, 73 Austin Street Cue on
Tuesday 16 November 2021 commencing at 6:33pm

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1. DECLARATION OF OPENING

The meeting was opened at

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 Julie Humphreys

Councillor Liz Houghton

**Cr Hogben joined via telephone 6.37pm*

STAFF:

Mr Richard Towell, Chief Executive Officer

Mr Glenn Boyes, Deputy Chief Executive Officer

Ms Cheryl Walton, Manager Finance

Mrs Janelle Duncan, Executive Assistant

VISITOR:

Mr Eugene Ferraro, Ferraro Planning and Development Consultancy

GALLERY:

Mr Mitchell Mace

Mrs Jenni Dennis

Ms Catherine Willett

**6.34pm Mrs Jenni Dennis left the chambers.*

1.1 ATTENDANCE BY TELEPHONE CR HOGBEN

APPLICANT: Cr Ron Hogben
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell –Chief Executive Officer
DATE: 16 November 2021

Matters for Consideration:

Attendance at Council meeting by electronic communication.

Background:

Cr Hogben has requested permission to attend the November Council meeting by electronic communication.

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 sub regulation (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 communications call will be borne by the Shire. Cr Hogben will be entitled to receive a meeting attendance fee.

Strategic Implications:

Nil

Consultation:

Presiding Member – Cr Les Price

Officer's Recommendation:

Voting Requirement: Absolute Majority

1. *That Council approves of Cr Hogben's private office at his residence at 1 Calamar Place Woorree as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Hogben to attend this meeting by instantaneous communications.*

Council Decision:01112021

Voting requirement: Absolute Majority

MOVED: CR FITZPATRICK

SECONDED: CR HUMPHREYS

That Council approves of Cr Hogben's private office at his residence at 1 Calamar Place Woorree as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.

2. *That Council grant approval for Cr Hogben to attend this meeting by instantaneous communications.*

CARRIED:5/0

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: 02112021	Voting Requirement: Simple Majority
MOVED: CR HOUGHTON	SECONDED: CR HUMPHREYS
That the Minutes of the Ordinary Meeting 19 October 2021 are confirmed as a true and correct record of the meeting.	
CARRIED:6/0	

6.39pm Mrs Jenni Dennis returned to the chambers

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DEPUTATIONS

Nil

8. PETITIONS

Nil

9. ANNOUNCEMENTS WITHOUT DISCUSSION

Rates Incentive Prize Draw

First Place - Avila (A100060)

Second Place – Goldview Metals (A9302)

Third Place – Finlay (A98964)

10. REPORTS

10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Cheryl Walton – Manager Finance

DATE: 9 November 2021

Matters for Consideration:

To receive the List of Accounts Due and Submitted to the Ordinary Council Meeting on 16 November 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 are for the month of October 2021.

Please note the credit card transactions are now shown at the top of the list of accounts in the same format as the Municipal transactions.

Statutory Environment:

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

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

Richard Towell, Chief Executive Officer
Glenn Boyes, Deputy Chief Executive Officer

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council endorse the payments for the period 1 October 2021 to 31 October 2021 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

October 2021

Municipal Fund Bank EFTs	10221 - 10353	\$	629,404.65
Direct Debit Fund Transfer	General	\$	41,793.55
Direct Debit Fund Transfer	Credit Card	\$	221.00
Payroll		\$	166,303.35
BPAY		\$	21,864.93
Cheques		\$	0.00
Total		\$	859,587.48

Council Decision:03112021

Voting requirement: Simple Majority

MOVED: CR DENNIS

SECONDED: CR HUMPHREYS

That Council endorse the payments for the period 1 October 2021 to 31 October 2021 as listed at Appendix 1, which have been made in accordance with delegated authority per LGA 1995 S5.42.

October 2021

Municipal Fund Bank EFTs	10221 - 10353	\$	629,404.65
Direct Debit Fund Transfer	General	\$	41,793.55
Direct Debit Fund Transfer	Credit Card	\$	221.00
Payroll		\$	166,303.35
BPAY		\$	21,864.93
Cheques		\$	0.00
Total		\$	859,587.48

CARRIED:6/0

10.2 FINANCIAL STATEMENT

APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Cheryl Walton – Manager Finance
DATE:	9 November 2021

Matters for Consideration:

The Statements of Financial Activity are for the period ended 31 October 2021 including the following reports:

- Graphical Representation – Source Statement of Financial Activity
- Statement of Financial Activity
- Major Variances
- Net Current Funding Position
- Cash and Investments
- Trust Fund
- Cash Backed Reserve
- Receivables
- Capital Disposals
- Borrowings
- Capital Acquisitions
- Rate Revenue
- Grants and Contributions

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 Statements of Financial Activity are for the month of October 2021.

Statutory Environment:

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

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

Richard Towell – Chief Executive Officer

Glenn Boyes – Deputy Chief Executive Officer

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 October 2021, as presented at [Appendix 2](#).

Council Decision:04112021

Voting requirement: Simple Majority

MOVED: CR FITZPATRICK

SECONDED: CR DENNIS

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 31 October 2021, as presented at [Appendix 2](#).

CARRIED:6/0

10.3 RISK MANAGEMENT PLAN

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Glenn Boyes – Deputy Chief Executive Officer
 DATE: 11 November 2021

Matters for Consideration:

Receiving of the Risk Management Plan.

Background:

The System and Procedures review, which falls under Regulation 17 of the *Local Government (Audit) Regulations 1996 (WA)*, was completed in May 2020 and recommended the Shire implement a Risk Management Plan. The Risk Management Plan can be found at [Appendix 3](#).

Comments:

The Shire has developed a framework for the introduction of structured risk management. Risk Management is generally carried out at all levels of the Shire – from operational staff to Councillors – however it is important to document and provide a context within which these risk decisions are made. The Risk Management Plan provides that framework and assists in raising awareness of the importance of risk management in all areas of work.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Cue Strategic Community Plan 2017-2027

Outcome 2.1.2 Continue to improve and review organisational plans

Outcome 2.1.3 Maintain accountability and financial responsibility

Consultation:

Richard Towell – Chief Executive Officer

Committee Decision:

Voting Requirement: Simple Majority

That Council accept the Audit Committee recommendation to adopt the Risk Management Plan.

Committee Decision:05112021

Voting requirement: Simple Majority

MOVED: CR HUMPHREYS

SECONDED: CR DENNIS

That Council accept the Audit Committee recommendation to adopt the Risk Management Plan.

CARRIED:6/0

10.4 MRVC DRAFT DEED OF CONTRIBUTION

APPLICANT: Murchison Regional Vermin Council
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Richard Towell – Chief Executive Officer
 DATE: 12 November 2021

Matters for Consideration:

To consider a draft Deed of Contribution for a possible merger of the MRVC and MRBA

Background:

Following a request received from the MRVC for Council to consider a possible merger with the MRBA, at the ordinary meeting of council held 18 May 2021, Council resolved the following:

<i>Council Decision:</i> 10052021	Voting requirement: Simple Majority
MOVED: Cr Price	SECONDED: Cr Houghton
<p>That Council advise the Murchison Regional Vermin Council that it is prepared to consider the possibility of a merger of the MRVC and the Meekatharra Rangelands Biosecurity Association, however requires further detailed information to be provided justifying the merger and an exploration of the appetite of the current Minister for Housing and Local Government to introduce legislative change to reduce the level of compliance requirements for smaller councils.</p>	
CARRIED: 7/0	

Comments:

The MRVC have put forward a draft Deed of Contributions and at their meeting on 13 October 2021 resolved that the Deed be referred to the MRVC member shires for consideration.

An extract of the minutes of the MRVC meeting pertaining to this item are attached at [Appendix 4](#).

Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 3.63

3.63 . Dissolution or partial dissolution of regional local government

- (1) A regional local government is to be wound up —
 - (a) at the direction of the Minister; or

- (b) in accordance with the establishment agreement.
- (2) A participant may, in accordance with the establishment agreement, withdraw from the regional local government and cease to be a participant.

Policy Implications:

Nil

Financial Implications:

The Shire provides a budget allocation each year for MRVC precepts. This amount has increased significantly in the past few years from around \$12,000 per annum from 2102 to 2108, to \$19,000 in 2019 attributable to Meekatharra Council leaving the MRVC and up to \$32,000 in 2020 attributable to there being a redistribution of contributions amongst the participating Councils. This represents approximately 73% of pastoral rates raised in the current budget.

The draft deed of contribution proposes precepts to remain at current levels and increase at a minimum annual adjustment of 3% per annum. The Draft deed of Contributions is silent on cost savings or reduced precepts. If the proposal is accepted, this will need to be taken into consideration for future budgeting.

Strategic Implications:

Shire of Cue Community Strategic Plan 2017-2027.

Environmental Objective

- Outcome 4.1 To protect and uphold our natural environment*
- 4.1.1 Support biosecurity management within our shire*

Consultation:

- Cr Ross Pigdon – Shire President, MRVC member.
- Cr Les Price – Deputy Shire President, MRVC member.

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

That Council advise the Murchison Regional Vermin Council that it has considered the Draft deed of Contribution and would like the MRVC to consider a cost structure that is reflective of actual budgeted costs for the year ahead with any cost savings or reductions reflected in the precepts as opposed to a continual minimum 3% increase.

and

That Council would still like to see further detailed information justifying the merger and an exploration of proposed Local Government legislative changes to reduce the level of compliance requirements for smaller councils that could maintain the MRVC in its current state.

Council Decision:06112021

Voting requirement: Simple Majority

MOVED: CR HOUGHTON

SECONDED: CR HOGBEN

That Council advise the Murchison Regional Vermin Council that it has considered the Draft deed of Contribution and would like the MRVC to consider a cost structure that is reflective of actual budgeted costs for the year ahead with any cost savings or reductions reflected in the precepts as opposed to a continual minimum 3% per annum increase.

and

That Council would still like to see further detailed information justifying the merger and an exploration of proposed Local Government legislative changes to reduce the level of compliance requirements for smaller councils that could maintain the MRVC in its current state.

CARRIED:6/0

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

Nil

12. MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

Cr Houghton – Land for Pensioners Units (Meet with CEO)

7.53pm Mrs Jenni Dennis left the chambers.

13. NEW BUSINESS OF AN URGENT NATURE

7.57pm Mrs Jenni Dennis returned to the chambers and left again.

8.01pm Mrs Jenni Dennis returned to the chambers.

8.02pm Mrs Jenni Dennis and Ms Catherine Willett left the chambers.

Mr Eugene Ferraro

Eugene gave Council a presentation highlighting how a new Town Planning scheme would simplify approvals.

The Chief Executive Officer updated Councillors regarding a matter concerning a building contractor.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

15. CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 8.06pm

To be confirmed at Ordinary Meeting on the 21 December 2021.

Signed:.....

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