



**MINUTES  
ORDINARY MEETING  
OF COUNCIL**

**21<sup>ST</sup> OF JUNE 2016**

# **NOTICE OF MEETING**

Please be advised that meeting of the

## **Ordinary Meeting of Council**

commencing at **6:30pm**

to be held on

**Tuesday, 21<sup>ST</sup> of JUNE 2016**

in Council Chambers at Austin Street, Cue WA

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Rob Madson  
Chief Executive Officer  
16<sup>th</sup> of June 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)

Table with 5 columns: Item No., Subject, Details of Interest, Type of Interest Impartial/Financial, \*Extent of Interest. The table contains 8 empty rows for data entry.

(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 21<sup>st</sup> of June 2016 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 Leonie Fitzpatrick

Councillor Pixie Pigdon

Councillor Fred Spindler

**LEAVE OF ABSENCE:**

Councillor Ron Hogben

**STAFF:**

Mr Rob Madson, Chief Executive Officer

Mrs Noelene Meredith, Manager Corporate & Community Services

Mr Richard Towell, Manager Finance

**GALLERY:**

Mr Travis Bate, RSM Bird Cameron (left at 8:02)

Mr Gollie Coetez, RSM Bird Cameron (left at 8:02)

Mr Ernie Campbell (left at 7:46)

Mr Peter Tegg (left at 7:46)

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**2. PUBLIC QUESTION TIME**

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Questions on Notice

At the Ordinary Meeting of Council held on 17 May 2016 the following questions were asked by Mr Ernie Campbell and taken on notice:

1. I paid for a Freedom of Information request which was rejected by John McCleary and I still have not had my funds returned. Could I have them returned please ?
2. Have the roadhouse renovation approvals been approved ? If yes, what builder are we using to authorise all these things ?

3. Has the CEO's house renovations / upgrading been started yet ? There was \$31,000 to renovate the CEO's house covering vinyl floors and things and to do the reticulation of the yard. Then there was the spa thing and I just want to know where it was going on from there ?

The following response was provided to Mr Campbell by the Acting Chief Executive Officer in correspondence dated 24 May 2016:

1. The fee paid for a Freedom of Information request is to have your request considered and is not refundable.
2. This question was answered during question time, however included in the Environmental Health Officer's report to Council on 17 May 2016 an update is provided on the Cue Roadhouse renovations and states 'The owners of the Cue Roadhouse have commenced non-structural aspects of the refurbishment to relocate Murchison Traders to the site. I have requested an application for the Class 6 alterations and referred the owners to a Certifying Building Surveyor accordingly.' The Shire are currently using the services of Steve Clever at Auswest Building Certifies.
3. This was answered during question time.

At the Ordinary Meeting of Council held on 17 May 2016 the following questions were asked by Mr Roger Le Maitre and taken on notice:

1. The CEO advised that a number of items on the Cue-Beringarra Road would be undertaken over a period of years and drew parallel with Mains Roads WA who carry out repairs on their network as their budget allows. This statement is disingenuous because, unlike Main Roads, the Cue-Beringarra Road attracts little or no funding from either State or Federal governments it does not get fresh funds injected each year. We have just a finite sum of \$3 million. So, over what period of time does Council expect to rehabilitate the road? And how will it be funded ?
2. The CEO stated sections of the road can be repaired more cheaply than indicted by GHD. How much less ? 5% ? 10% ? What evidence exists for the assertion that it can be done at lower cost ?
3. The CEO indicated the road would at some future point need a reseal; but stated this is just a matter of road maintenance and it was something which would be taken into account in the normal budgeting of operating expenditure.  
In 2013 Greenfields indicated a reseal would be needed in 10 years time at a cost of \$6 million in 2013 dollars. On a pro rata basis the cost to this shire is \$2.88 million. Say \$3 million over 7 years, equates to \$428,500, need to be accrued each year.  
How will this amount be included in the normal budgeting expenditure. ?  
If this sum is included in the amount we normally forecast for road maintenance, but the total budget is not increased which roads will have their funding cut ?

The following response was provided to Mr Le Maitre by the Acting Chief Executive Officer in correspondence dated 24 May 2016:

1. It is expected that rehabilitation work for the worst affected sections of the Road will be conducted in the 2016-2017 financial year. Following this, rehabilitation works will be ongoing annually to address sections of road based on priority of need and funds available. This will be funded through interest earned on the funds in the reserve for the road and if needed the reserve fund themselves, Roads to Recovery funding, and the Shire's own source funding expenditure allocated to Roads.



2. The GHD cost estimate includes amounts for mobilisation, demobilisation, contract supervision and contingencies. The Shire of Cue is intending to undertake most of the works in-house using our own equipment and staff, as well as sourcing materials locally. This will significantly reduce the costs mentioned above and the actual costs of works. How much less cannot be fully ascertained yet as we are still in the process of fully costing the project.
3. The amount you refer to in your question will not be included in the normal budgeting expenditure, while it would be ideal to be able to accrue for future works the reality is this is not affordable and is not done for any of our road assets. The funding available for road expenditure is allocated to the roads and road sections that require the work on a priority basis. The Cue Beringarra Road is part of the Shire's road network and is likely to be renewed one section at a time with necessity and available funding being contributing drivers to prioritizing the works.

At the Ordinary Meeting of Council held on 17 May 2016 the following questions were asked by Ms Elizabeth Houghton and taken on notice:

1. Can I have my address updated from Marshall Street to 74A Robinson Street ?
2. The work done cleaning up the cars – quite impressed but I would like an update when the needles are removed.
3. Could tenders be sent out to local people who have businesses in town who could do some of the work that is being put out ? Ernie Campbell is a builder. Could emails / tenders be sent out to some of those people and try and keep some of the work in town ?
4. Has CEO contacted the Aboriginal Corporation ?  
  
Acting CEO advised that he doesn't believe so.
5. Cars have been cleaned up out there but they are dumping cars elsewhere now.

The following response was provided to Ms Houghton by the Acting Chief Executive Officer in correspondence dated 24 May 2016:

1. I have advised the administration of your request and advise that you check with the Electoral Commission to confirm that your address details are up to date on the Electoral roll.
2. These works will be ongoing as resources are available, updates will be published as milestones are reached either in the CEOs report to Council or the CEOs message in The Dryblower.
3. Tenders are usually published State-wide and all are invited to submit a tender for the works. In regards to seeking quotes from local suppliers, the Shire is in support of this. You mentioned that Ernie Campbell is a builder, after reviewing the Shire's creditor records there is no evidence that we have engaged Ernie's services in our system. It is suggested that local businesses that would like to be considered for future works should advertise their services or make themselves aware to the Shire for consideration.
4. The CEO has contacted CDEP in regards to assisting with Shire projects. The CEO is still waiting for a response from CDEP.

At the Ordinary Meeting of Council held on 17 May 2016 the following questions were asked by Mr Peter Tegg and taken on notice:

1. The containers for the dome down in the workshop area. I question the \$15,000 spent on concrete. I'm asking councillors if they would like to please have a look at the engineers specifications and let me know why the engineers specifications state X amount of concrete and they've put \$15,000 concrete on there. The reason that I am asking that question is because I'm led to believe that whoever dug the holes to put the concrete in dug massive holes and the easiest way to sort it out was just fill it with concrete. That's a waste of ratepayers money.
2. Mosquitos. I asked the CEO what chemical was being used ? Are they using a chemical ? Is the fogger working ? Do the people that are using the fogger know what they are doing ? Have they been trained adequately ? And the CEO gave me a safety data sheet of the chemical being used and he also told me that in February the Shire purchased 5L of chemical to use in the foggers. Just before that Rob, the gardener was down at the garage with the fogger on the back of the ute. I asked him what chemical he was using, I'd like to see because it's not working, something's not right here. He showed me a 20L drum which to me was possible 100 years old and he told me that's the latest chemical that we're using and that we're using that because it's a lot cheaper. And then a couple of days later the CEO's telling me that we've bought chemicals in February in a 5L tin. I don't know if the chemicals make the tin expand or I'm not being told the truth about what is going on as far as mosquito fogging goes. It does nothing to the mosquitoes, it's not clearing the mosquitoes. There are complaints from people all over town – it's not working. I ask the question why don't you use pyrethrum which was used previously ? It's an instant knockdown. It's expensive, \$4,700 per 20L but. What is going on with the fogging ?
3. What is the actual program with Brockman Park ? What is going to be done and when is it going to be finished ?
4. Bishop's House has been vandalised. Stage 1 was completed and we were going onto Stage 2. I'd like to know what Stage 1 was ? I was quite shocked to go through the front door to find there were no floors in it and there were no ceilings in it. I thought Stage one was that building complete, Stage 2 was the verandah on the back. Could I please find out what Stage 1 consisted of ?
5. Have we got a building surveyor ? Is he contracted to the Shire ? Will he be coming into town to do the work or will he do it via email like the previous one ? Does Phil Swain have the qualifications to do that ?
6. Phil Swain – contract extension of EHO in 2014 was for 12 months, in 2015 extension was for 2 years. Why was this not put out to tender ?
7. Cue-Beringarra Road road train agreement between the Shire and Mitsubishi where that road was going to be sealed to certain specifications acceptable by the Shire and yet the Shire chose to go and take much lesser funds which now seems to be a problem in trying getting this road resealed. Why was the original agreement not held and continued with ?
8. If you find irregularities in that whole system of the road train agreement with Mitsubishi and what's going on will you be reporting it as bad governance ?

The following response was provided to Mr Tegg by the Acting Chief Executive Officer in correspondence dated 24 May 2016:

1. After referring to the engineering specifications for the foundations of the sea containers I can confirm that the concrete required for the footings is 16.3 cubic metres. The invoice for the concrete shows that 16.4 cubic metres was supplied. The invoice also shows that an additional amount of \$4,590 (ex GST) was paid for additional works to straighten out, fill in and prepare the edges of the trenches in preparation for the concrete.

2. The chemical purchased in February 2016 for use in the fogger is Thermal Fogging Mosquito ULV (ultra-low volume) insecticide. The Shire purchased a 20lt container of this after making numerous enquiries regarding effectiveness, price and recommendations from suppliers. The 20lt drum you saw in the back of the ute is the product purchased, due to vibration etc. from the fogger the drum rubs in the cradle, making it look older than it is. I agree that some of the fogging conducted in the past weeks did not appear to be effective and I believe this may be due to too much wind on the nights that the fogging was conducted. The fogging that was undertaken last week was on a still night and this has produced a good result.
3. The works on Brockman Park are progressing and it is expected that the project will be completed by the end of the financial year. Works being undertaken in recent times have included filling the area with soil ready for lawn and installing reticulation. There has been some vandalism with reticulation works being pulled up and other delays due to staff having to undertake other priorities. The lawn for the park was picked up on 23 May 2016 and staff will start laying this out from today 24 May 2016.
4. Stage 1 of the Bishops House was to restore the roof and verandah, assumingly to make the building weather proof. Doors, windows and flooring has been ordered and delivered to the shire depot and will be installed in due course.
5. The Shire is currently using the services of Steve Clever of Auswest Building Certifiers to provide building certification services. There is no contractual arrangement in place and his services are provided on an as needs basis. All of the services provided to date have been via email and it is unlikely that he will be required to come to town. Phil Swain is currently providing our building officer requirements and provides the onsite support, building applications, site inspections and administration of the building role. Mr Swain has the necessary qualifications, expertise and experience to carry out the services he is providing.
6. Mr Swain's contract renewal was not required to be put out to tender due to it being less than the tender threshold limit currently set at \$150,000. The Shire are happy with the services provided by Mr Swain and look to continue this relationship.
7. The Council decision to accept the offer from Mitsubishi was made at the ordinary meeting of Council held on 17 December 2013. This was put up as a confidential item behind closed doors with Council agreeing to accept the offer from Mitsubishi and that the Cue Beringarra Road revert to an unsealed standard. The details of this decision are not available because it is a confidential item but the minutes show that you were a Councillor involved in the decision that was carried 6/0.
8. If irregularities are found that require reporting, they will be reported, however it is not the intention of Council or the administration to scrutinize past decisions of Council with the intention of determining if their actions would be construed as bad governance.

### **Public Question Time**

Ernie Campbell, Lot 104 Darlot Street, Cue

The Shire has passed on to my rates \$5,339 for legal fees from the Magistrates Court on outstanding rates on four properties of mine which I only own two now. The matter was settled in the early stages of pre-conference trial in August 2014 where I agreed to pay outstanding rates, interest, legal costs by instalments. After the conference the Shire issued a 2013/14 rates notice which included additional legal fees which I dispute on the basis of the legal fees were included in the settlement figures reached at the pre-conference trial. That leaves the 17 Darlot Street and 48 Robinson Street according to the Shire balance claimed on those properties on 21<sup>st</sup> April is still \$2,424. I would like the council to acknowledge that I'm not happy about this because I have paid all my rates up. The court had done it on a settlement of full and final payment. Can we please sort this out ?

This question was taken on notice.

Peter Tegg, 45 Dowley Street, Cue

I asked questions at the last council meeting and I don't know whether I didn't make myself clear or was misunderstood but I would like to know the scope of work for Stage 1 of the Bishop's House, the cost of Stage 1 of the Bishop's House, what is the scope of work for Stage 2 of the Bishop's House and what is the cost of Stage 2 of the Bishop's House. I did notice in tonight's agenda that you are going for compliance certificates for the Bishop's House. Does that mean that all the work that has been carried out that there has not been any building permit or compliance certificate for all the work that has been done ?

These questions were taken on notice.

What is the cost of Brockman Park to date ? What is the scope of work ? Does anyone know what trees have been planted and how big they get ? Does anyone know what size they grow to ?

The CEO advised that they are Tipuana Tipu and grow to about 6m. Mr Tegg advised that they grow to 30m and should be placed 15m apart.

What is the problem with the new staff housing and the houses sinking ?

The CEO advised that there has been some subsidence of the brick paving because of the drainage washing through and taking out sand from under the pavers. The Shire is currently looking into whether a claim can be made under the building contract insurance. Someone will be looking into it with a view to having it fixed.

The house in Burt Place. The shed has been put in the front of the property. It has been left standing for a fair amount of time. Is it going to be put in correctly? Is there approval for the shed to be put in the front of the property ? Will it be inspected on completion and by who ? The shed is not on the slab like it's supposed to be according to the engineers drawings. The sheets are meant to come down 100mm on the sides of it and will need to be cut off at the top.

These questions were taken on notice.

Roger Le Maitre, 4 Simpson Street, Cue (in writing)

1. Can council advise if revision of the Community Strategic Plan and Corporate Plan have been completed ? (The integrated Planning process mandates this to occur, I think every four years, and it must be about four years since we engaged Morrison & Low for the initial task).
2. If not, would Council consider direct mailing a questionnaire to every ratepayer, canvassing their views on say two topics from the existing plan together with a box marked "other" thus allowing input on any rate payer concerns.  
This approach would also support the Disability Plan which has as its lead strategies "communication".
3. Would Council ask Davyd Hooper to mark out one or two dedicated disabled parking bays at the road house supermarket ?

The Chief Executive Officer responded to Mr Le Maitre's questions in an email dated 21 June 2016:

1. The final year of the current four year Corporate Business Plan is 2016/17. We will be making allowance in the 2016/17 budget for a review of the Strategic Community Plan and associated plans to be conducted.
2. The actual processes for the conduct of the review have not yet been determined. We will be taking advice from the consultants engaged, however the use of online surveys is generally favoured over direct mail.

3. The motion granting approval for the roadhouse development, passed at the Ordinary Council Meeting of 16 June 2015, included the condition that “the applicant submit a vehicle parking layout, including appropriate disabled bay/s for the whole roadhouse development to the satisfaction of the CEO”. Mr Hooper has been required to submit this plan, however this has not yet been received. I will be ensuring that this condition is adhered to.

### **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 01062016:***

**MOVED: CR DENNIS**

**SECONDED: CR P PIGDON**

That the Minutes of the Ordinary Meeting of 17<sup>th</sup> of May 2016 are confirmed as a true and correct record of the meeting.

**CARRIED: 6/0**

***Council Decision 02062016:***

**MOVED: CR PRICE**

**SECONDED: CR DENNIS**

That the Minutes of the Special Meeting of 9<sup>th</sup> of June 2016 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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The Shire President advised that Late Item 12.1 – Budget Rate Setting Statement would be brought forward to this point in the meeting to allow the representatives of RSM Bird Cameron to make a presentation.

**Council Decision 03062016:**

**MOVED: CR FITZPATRICK      SECONDED: CR SPINDLER**

That Item 12.1 – Budget Rate Setting Statement be introduced as urgent business in accordance with clause 4.9 of the Shire of Cue Standing Orders Local Law 2015.

**CARRIED: 6/0**

<b>12.1 LATE ITEM - BUDGET RATE SETTING STATEMENT</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	20 June 2016
<b>Matters for Consideration:</b>	
Adoption of the 2016-2017 Budget Rate Setting Statement in support of the proposed differential rates.	
<b>Background:</b>	
As part of Councils budget deliberations the Budget Rate Setting Statement – see <a href="#">Appendix 6</a> - has been prepared by RSM Australia Pty Ltd in support of Councils proposed differential rates.	
<b>Comments:</b>	
<p>This item needs to be addressed as urgent business in order to progress Councils application to the Minister for Local Government for approval for the imposition of differential general rates that are more than twice the lowest differential general rate imposed by a rate category.</p> <p>Travis Bate and Gollie Coetzee from RSM Australia Pty Ltd will attend the meeting to further discuss the contents of the report and its implications on the 2016-2017 Annual Budget.</p>	
<b>Statutory Environment:</b>	
Local Government Act 1995 – Section 6.33, Differential General Rates.	
<b>Policy Implications:</b>	
Nil	
<b>Financial Implications:</b>	
Council needs to ensure that rate revenue remains at a level where the Shire can continue to maintain its current level of services to ratepayers and the community.	
<b>Strategic Implications:</b>	
Shire of Cue Strategic Community Plan 2013 - 2023	
<b>Consultation:</b>	
<p>Rob Madson – Chief Executive Officer</p> <p>Travis Bate – RSM Australia Pty Ltd</p>	

<b>Officer's Recommendation:</b>	<b>Voting requirement:</b>
<i>That Council adopt the attached 2016-2017 Budget Rate Setting Statement for Differential Rates Proposal and incorporate relevant information from the report into the 2016-2017 Annual Budget.</i>	
<b>Council Decision 04062016</b>	<b>Voting requirement: Simple Majority</b>
<p><b>MOVED: CR PRICE    SECONDED: CR DENNIS</b></p> <p>That Council adopt the attached 2016-2017 Budget Rate Setting Statement for Differential Rates Proposal and incorporate relevant information from the report into the 2016-2017 Annual Budget</p> <p><b>CARRIED: 6/0</b></p>	

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

The meeting will go behind closed doors at Item 13 to discuss staffing matters.

## **8. REPORTS**

### **8.1 CHIEF EXECUTIVE OFFICER**

Visionstream (Telstra) have notified the Shire of their intention to upgrade their existing mobile base station to enable the transfer of 3G services to 4G. It is anticipated that these works will be completed by August 2016. I have requested that the community be kept informed of any associated outages in mobile service before they happen.

Advice has been received that the Shire's application to Lotterywest for a grant of \$305,000 toward the old Post Office Community and Visitor Centre redevelopment has been successful. It is expected that the outcome of the remaining grant applications for this project (NSRF \$300,000 and R4R \$200,000) will be known by July or early August.

Ital Developments have recently completed repairs of all damaged fencing and shade sails which were the subject of an insurance claim following the storm of 16 March 2016. After initially advising that the Shire could proceed with arranging a builder of our choice to undertake roofing repairs resulting from the same storm, a loss adjuster visited Cue approximately six weeks after the event with a builder appointed by him to assess the damages. This assessment resulted in an offer to the Shire of \$44,965 in satisfaction of the claim for roofing damage to the old Post Office, Old Gaol and Number 6 Pensioner Hut. This amount was considered well below what was required to repair the buildings in accordance with State Heritage Council requirements and I advised our insurers that the Shire would not be accepting their offer. After negotiation with our insurers, I have secured an offer of \$150,066, which is the amount of the quote received from Ital Developments, based on discussions with Heritage Architect, Stephen Carrick, detailing the requirements of the State Heritage Council for State Heritage Listed buildings. The builders advise that materials are currently being ordered and they hope to be on site soon to commence repairs.

In accordance with the conditions of my contract, a probationary performance review is required to be conducted by Council during July. Mr Mike Fitz Gerald of Fitz Gerald Strategies has been engaged to facilitate the review, which will include an assessment meeting between myself, Mr Fitz Gerald and all Councillors on 5 July 2016 commencing at 2pm. It is anticipated that this meeting will take approximately one hour.



ORDINARY MEETING – 21 JUNE 2016

**STATUS OF GRANTS**

Submitted	Close Date	Project	Grant	Provider	Grant Amount	Project Cost	Result
13/08/2014	Indefinite	Heritage Advisory Service	Heritage Advisory Office Assistance Grant	Heritage Commission	\$10,000	\$15,000	Successful
05/09/2014	Indefinite	RV Park	RV Park Dump Point	Tourism Commission	\$27,896	\$52,000	Successful
24/09/2014	30/09/2014	Water Park Upgrade	CSRFF	Department of Sport and Recreation	\$94,682.50	\$189,365	Successful
19/10/2014	31/10/2014	Marshall Street	Blackspot	Main Roads	\$167,391	\$247,000	Successful
10/11/2014	11/12/2014	Streetscape (Oasis)	RGS Program	Mid West Development Commission	\$211,152	\$880,000	Unsuccessful
11/11/2014	Indefinite	Cue Industrial Site	CLGF	Royalties for Regions	\$358,405	\$358,405	Successful
27/8/2015	27/11/2015	Streetscape (Oasis)	NSRF	Dept of Infrastructure and Regional Development	\$448,698	\$880,000	Successful
07/10/2015	31/10/2015	Footpaths	Cycling Infrastructure Grants	Department of Transport	\$50,000	\$100,000	Unsuccessful
05/02/2015	Indefinite	Water Park	Community pools	Department of Sport and Recreation	\$10,000	\$10,000	Successful
20/1/2016	5/2/2016	Shared Cycle Path	Regional Bicycle Network	Department of Transport	\$125,447	\$250,895	Successful
22/2/2016	2/3/2016	Austin Street CCTV Cameras	Safer Streets Program	Attorney General's Department	\$24,564	\$29,564	Pending
3/3/2016	Indefinite	Community Resource and Visitor's Centre	Community Spaces	LotteryWest	\$305,000	\$1,161,000	Successful
9/3/2016	17/3/2106	Community Resource and Visitor's Centre	Royalties for Regions	Mid West Development Commission	\$200,000	\$1,161,000	Pending
9/3/2016	15/3/2016	Community Resource and Visitor's Centre	National Stronger Regions Fund	Department of Infrastructure and Regional Development	\$300,000	\$1,161,000	Pending

**ORDINARY MEETING – 21 JUNE 2016**  
**AIRPORT STATISTICS FOR THE 2015 / 16 FINANCIAL YEAR**

Month	Landings	Pax Inbound	Pax Outbound	Income	Budget	Actual YTD	Variance (Mthly)
July	5			\$ 584	\$ 417	\$ 584	\$ 168
August	4			\$ 440	\$ 417	\$ 1,025	\$ 24
September	0			\$ 0	\$ 417	\$ 1,025	-\$ 417
October	4			\$ 2,341	\$ 417	\$ 3,366	\$ 1,924
November	0			\$ 155	\$ 417	\$ 3,520	-\$ 262
December	0			\$ 168	\$ 417	\$ 3,688	-\$ 249
January	1			\$ 0	\$ 417	\$ 3,688	-\$ 417
February	2			\$ 211	\$ 417	\$ 3,899	-\$ 206
March	6			\$ 390	\$ 417	\$ 4,289	-\$ 27
April	4			\$ 0	\$ 417	\$ 4,289	-\$ 417
May	9			\$ 94	\$ 417	\$ 4,383	-\$ 323
June					\$ 417		
<b>Totals</b>	<b>35</b>			<b>\$ 4,383</b>	<b>\$ 5,000</b>		

**CARAVAN PARK REVENUE 2015 /16**

Month	Revenue	Last Year Actual	Actual YTD	Variance YTD	Expenditure	Cashflow
July	21,087	23,001	21,087	-1,914	10,258	10,829
August	20,269	15,449	41,356	4,820	17,966	2,303
September	12,358	12,323	53,714	35	7,618	4,740
October	5,155	4,360	58,869	795	11,674	-6,519
November	3,348	3,645	62,217	-297	10,045	-6,697
December	2,829	1,702	65,045	1,127	13,609	-10,780
January	1,899	3,395	66,944	-1,496	4,028	-2,129
February	1,164	3,307	68,109	-2,143	14,249	-13,085
March	4,684	3,088	72,793	1,596	9,743	-5,059
April	13,077	8,384	85,870	4,693	10,742	2,335
May	24,290	18,493	110,160	5,797	15,254	9,036
June		20,276				
<b>Totals</b>	<b>110,160</b>	<b>117,422</b>			<b>125,185</b>	<b>-15,025</b>

**STATUS OF PROJECTS**

<b>Project</b>	<b>Description</b>	<b>Status %</b>
<b>Employee Housing (Group)</b>	Project complete with installation of lawns and window awnings. Some ongoing maintenance issues with paving collapsing after rains.	100% Complete
<b>Employee Housing (Individual)</b>	Project nearing completion with lawns and window awnings installed. Final stages of shed being completed.	95% Complete
<b>Records Management</b>	This will be an on-going project. We have secured the services of Kim Ryan as our Customer Service Officer. As part of Kim's duties she will continue to remediate our records management.	Ongoing
<b>Local Laws Review</b>	As required by the Act. Advertising has been undertaken.	20% Complete
<b>Water Park</b>	Works currently being undertaken with the new pump shed being installed and shade sails replaced. The hard stand has now been resurfaced. New grass around the outside has been installed.	Completed
<b>Marshall Street</b>	Blackspot funding application has been submitted and has been successful. An audit of the proposed structure has been undertaken and it has been recommended that this project be undertaken when the proprietor of the Roadhouse undertakes their additions and alterations. Extension of Black Spot project funding has been authorised to 30 June 2017.	30% Complete
<b>Brockman Park</b>	Footpaths have been constructed, water tanks, reticulation & kerbing installed. Roll-on lawn and trees planted.	90% Complete
<b>Cue Post Office Building Renovations</b>	All planning is now complete, waiting for outcome of grant applications.	20% Complete
<b>Oasis Redevelopment</b>	Round 2 grant application successful - \$440,000 GST excl. Final plans being prepared by architects.	10% Complete

**ORDINARY MEETING – 21 JUNE 2016**

<b>Flood Damage Repairs</b>	Stage one works are nearing completion. Stage two works are progressing well and tenders have been advertised for stage three.	50% Complete
<b>OH&amp;S</b>	LGIS have attended the Shire and have carried out an Audit of our current status in relation to our statutory obligations under the Legislation.	Ongoing
<b>RV Park</b>	Holding Tank installed, concrete hopper installed. Electricity and water are connected.	60%
<b>Town Hall</b>	Reticulation and landscaping works required. New shelving has been erected, front entry tiles to be replaced. Shade sail poles have been cemented into place and shade sails erected in January 2016.	50%
<b>Public Toilets</b>	New Hand Wash Basins installed. Painting now completed, new fittings installed and floors epoxy painted. Waiting on new toilet roll holders and hand dryers.	Completed
<b>Cue Wondinong Road – Regional Road Group</b>	Work on current year RRG funding completed. Further re-sheeting allocated in 2016/17.	100% Complete
<b>Bishops House</b>	Electrical work completed, new roof completed, rear of building demolished, timber front verandah completed but since damaged by vandals, window, doors and flooring awaiting installation.	50% completed
<b>Staff Housing Repairs</b>	Ongoing – external painting has been completed, interior yet to be done.	45% completed
<b>Fencing</b>	Completed	100% completed

**8.2 RANGERS REPORT**

I attended Cue on Thursday 5 May 2016. Patrols were conducted of the townsite and surrounding areas and license enquiries made. Registration files were checked for compliance. Patrols were conducted of Nallan Nature reserve. No campers were sighted. There were no new written or verbal complaints received.

I also attended Cue on Tuesday 31 May 2016. Patrols were conducted of the townsite and surrounding areas and license enquiries made. Registration files were checked for compliance. All appeared correct. Patrols were conducted of Nallan Nature reserve. Several people were spoken to regarding the limitation of camping time. All of them stated they were only staying overnight.

Trapping was conducted in Cue during the evening of 30 May. No dogs were caught. Patrols were conducted of Walga Rock and Big Bell townsite. All appeared correct but there continues to be more graffiti added to the old hotel. No illegal campers were sighted inside the fenced off area of Walga Rock.

No new written or verbal complaints were received.

### **8.3 WORKS & SERVICES REPORT**

#### **Works Report for period 6th May to 14th June 2016**

##### **Construction Crew**

Burt Graham will commence with the Shire's Construction Crew as the new Watercart operator on 21 June 2016 and we welcome him aboard.

The Construction Crew have completed the Wondinong Road construction and they only have to complete the drainage when country dries out sufficiently to allow the machinery to access the drains. Road inspections have been carried out on the Shire roads after bad weather and storms. At this stage they held up reasonably well with minimal damage.

The outside crew have now commenced maintenance grading to take advantage of the moist conditions on the following roads:-

- Nallan Road completed
- Reedy's Road Loop completed
- Beebyn-Glenn Road ongoing
- Installed new guide posts on Kalli Road and Wondinong Road

Carting and stockpiling cracker dust from old Tuckanarra quarry and stockpiling at the Airport for Cue-Beringarra Road repairs prior for re-sealing program.

Also continuing on with Private works around town.

##### **Town Crew**

Dusty Clinch commenced employment with the Shire's Town Crew on 10 May 2016 and we welcome him aboard.

The crew completed the usual maintenance tasks including mowing islands and parks, cleaning of toilets (awaiting new toilets cisterns for public toilets).

Turf has now been laid at Brockman Park, plants ordered and delivered and in the process of being installed. Trickle system has been hooked up and monitored.

**ORDINARY MEETING – 21 JUNE 2016**

Thoo Thoo Wandu RV Park fence has been removed and tidied up for the public RVs to access public discharge conveniences more easily.

The Hall verge has been concreted to prevent slips, trips and falls/missile material.

Town crew also assisted insurance repair contractors for access and assistance in removing damaged equipment.

A weeding program was carried out on the southern approach of the airport runway and it looks good. Regular inspections of the airport have been conducted and are ongoing (Internal and External of fence).

**Mechanic**

The Mechanic has been working flat out repairing and servicing our overdue fleet.

The 926 Loader has been repaired, serviced and back in service.

The 950 Loader has had a new windscreen installed, repairs to brakes and replaced GET, serviced and back in service.

D6 Dozer repaired, serviced and back in service.

Bomag Roller has had its brakes and wheel bearings repaired, serviced and back in service.

Iveco Prime Mover has been set up as a road train to maximise staffing and is working well.

Some maintenance has been done on the Grader on site to keep it working and it is now back in service.

Numerous tyres have been changed on many vehicles.

**Plant**

<b>Plant No</b>	<b>Plant Description</b>	<b>Rego</b>	<b>Hours - 1 May 2016</b>	<b>Hours - 30 May 2016</b>	<b>Month</b>	<b>YTD</b>
P8	Cat 926E Loader	CD 426	3116	31177	28061	28245
P9	Cat 140H Grader	CD 555	9868	11574	1706	10089
P23	Backhoe CD 712	CD 712	1798	1837	39	361
P24	Toyota Forklift 1985	CD 671	8668	86794	78126	78270
P34	Caterpillar Skidsteer	CD 625	1285	1312	26	635
P36	Cat Vibratory Roller	CD 772	8974	13564	4590	5092
P46	Caterpillar 950 Loader	CD 793	4549	8983	4434	5157
P51	D6BXL111 Dozer	Not Reg'd	4099	4099	0	4881
P57	Bomag Multi Tyre Roller	CD 791	4549	9139	4590	10944
P12	Isuzu - NPR350 Truck	CD 645	50386	55508	5122	9028
P14	Isuzu NPR3000 - Fuel Truck	CD 684	125432	126107	675	10720
P44	International Garbage Truck	CD 804	127661	128085	424	10470
P30	Hino series Dump Truck	CD 736	64051	66273	2222	12523
P38	Prime Mover Cabover	CD 794	793450	793928	478	9602
P45	Iveco Prime Mover	CD 788	377223	378375	1152	36429

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P13	Nissan Navara - Builders Ute	CD683	46473	47162	689	7686
P54	Ford Ranger - Roads Supervisor	CD 706	67280	69229	1949	15402
P41	Community Bus	CD 792	18016	18071	55	23957
P61	Mack Trident Prime Mover	CD 775	323371	324874	1503	9836
P62	Ford Ranger - Works Supervisor	CD 805	25406	69229	43823	51935
P63	Ford Ranger - Town Supervisor	CD 803	7530	9152	1622	7734
P68	Toyota Prado - CEO	0 CD	7522	10225	2703	3758
P69	Toyota Hilux - Admin	14 CD	10760	13841	3081	8242
P66	Ride on Street Sweeper	CD 795	62	64	2	64
P58	Kubota Mower	IEPC 132	120	123	3	123

### **Mosquito Fogging**

Due to the wet and windy conditions, we have not done as many as we would have liked. Once the conditions are favourable, we will try again (also the fogger is very temperamental in restarting after recharging throughout the fogging process).

### **Other**

Crowe's Electrical contractors were commissioned to sort out various electrical problems at the Caravan Park, Shire Depot, Oval and Shire Office waste water department.

Midwest Windscreens attended Cue to repair damaged windows at the Post Office, 18 Dowley Street and the Caravan Park.

A Pump has been ordered for the sewerage facility at the Caravan Park. Pumps are on site for the Shire Office sewerage facility and just awaiting the availability of a sewerage plumber to install.

### **Training**

We have also have had all available staff trained and passed in Traffic Management.

We have also started bushfire fighting training and is ongoing.

We also have ongoing passing out on machinery for staff from Durack Training.

**John ("JC") Curtin**

**Officers Recommendation:**

*That Council receives the Chief Executive Officer, Ranger and Manager Works & Services Reports*

**Council Decision 05062016**

**Voting requirement:** Simple Majority

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

That Council receives the Chief Executive Officer, Ranger and Manager Works & Services Reports.

**CARRIED: 6/0**



<b>8.4 ACCOUNTS &amp; STATEMENTS OF ACCOUNTS</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	16 June 2016
<b><i>Matters for Consideration:</i></b>	
To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 21 <sup>st</sup> of June 2016 as attached – see <a href="#">Appendix 1</a>	
<b><i>Comments:</i></b>	
The list of accounts is for the month of May 2016.	
<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>Officer's Recommendation:</b>		<b>Voting requirement:</b> Simple Majority	
<p><i>That Council endorse the payments for the period 1<sup>st</sup> of May 2016 to 31<sup>st</sup> of May 2016 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.</i></p>			
<i>Municipal Fund Bank EFTs</i>	<i>3851-3950</i>		<i>\$1,302,331.28</i>
<i>Direct Debit Fund Transfer</i>			<i>\$ 21,080.80</i>
<i>Payroll</i>			<i>\$ 78,995.37</i>
<i>BPAY</i>			<i>\$ 26,416.32</i>
<i>Cheques</i>	<i>No's</i>		<i>\$</i>
<b>Total</b>			<b>\$1,428,823.77</b>
<b>Council Decision 06062016</b>		<b>Voting requirement:</b> Simple Majority	
<p><b>MOVED: CR P PIGDON                      SECONDED: CR SPINDLER</b></p>			
<p>That Council endorse the payments for the period 1<sup>st</sup> of May 2016 to 31<sup>st</sup> of May 2016 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.</p>			
Municipal Fund Bank EFTs	3851-3950		\$1,302,331.28
Direct Debit Fund Transfer			\$ 21,080.80
Payroll			\$ 78,995.37
BPAY			\$ 26,416.32
Cheques	No's		\$
<b>Total</b>			<b>\$1,428,823.77</b>
<p><b>CARRIED: 6/0</b></p>			

<b>8.5 FINANCIAL STATEMENT</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	16 June 2016
<b><i>Matters for consideration:</i></b>	
<p>The Statement of Financial Activity for the periods ended 31<sup>st</sup> of May 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><i>Comments:</i></b>	
The Statement of Financial Activity is for the month of May 2016.	
<b><i>Background:</i></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><i>Statutory Environment:</i></b>	
Local Government (Financial Management Regulations) 1996 – Clause 14.	
<b><i>Policy Implications:</i></b>	
Nil	
<b><i>Financial Implications:</i></b>	
Nil	

<b>Strategic Implications:</b>	
Nil	
<b>Consultation:</b>	
RSM Bird Cameron Chartered Accountants	
<b>Officer's Recommendation:</b>	
<p><i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the periods ended 31<sup>st</sup> May 2016.</i></p>	
<b>Council Decision 07062016</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 periods ended 31<sup>st</sup> May 2016.</p> <p><b>CARRIED      6/0</b></p>	

<b>8.6 OUTSTANDING RATES</b>	
APPLICANT:	Jennifer Jennings
DISCLOSURE OF INTEREST:	None
AUTHOR:	Claire Buckenara – Finance Officer
DATE:	1 June 2016
SIGNATURE:	
<b>Matters for Consideration:</b>	
For the Council to consider accepting a vacant residential block as payment for outstanding rates.	
<b>Background:</b>	
<p>Jennifer Jennings has been the owner of 16 Chesson Street since the 25<sup>th</sup> of March 1987. During this period council rates have never been paid off in full and now a rates debt of \$4490.56 including penalties has accrued. This continues to accrue interest of 11% p.a.</p> <p>This vacant block backs onto the Caravan Park and has a number of trees situated on the property which could be utilised as a shaded area for future campers or even a picnic area.</p> <p>The owner has confirmed that she would be happy to transfer 16 Chesson Street to the Shire of Cue as payment for outstanding rates.</p> <p>Should Council accept this proposal we would cover the transfer costs to have the property transferred into the Shire's name and write off all of the outstanding rates owed in lieu of taking possession of the property.</p>	
<b>Comments:</b>	
<p>The last vacant residential block to sell in Cue was 15 Burt Place in March 2016 for \$7,500, Landcorp have advised that they currently have blocks of land available for \$15,000. Market conditions in Cue show the sale of vacant land ranging from \$2,000 to \$10,000.</p> <p>The block of land could be utilised to extend the Caravan Park and as the area is shaded could potentially be used for future campers or even a picnic area.</p>	
<b>Statutory Environment:</b>	
<p><i>Local Government Act 1995,</i></p> <p><b>1..1.1.1 6.49. Agreement as to payment of rates and service charges</b></p> <p>A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.</p>	
<b>Policy Implications:</b>	
D1 - Debt Recovery – 2.2 Recovery of Rates Arrears	





<b>8.7 SALE OF LAND 54 MARSHALL STREET CUE (LOT 564)</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	
AUTHOR:	Richard Towell – Manager Finance
DATE:	14 June 2016
<b>Matters for Consideration:</b>	
Sale of the Shire owned block of land located at 54 Marshall Street Cue (Lot 564).	
<b>Background:</b>	
<p>Mr George Setnik of 52 Marshall Street, Cue has approached the shire of Cue asking if they would be willing to sell to him the block of land owned by the Shire at 54 (Lot 564) Marshall Street Cue. This block is shown as A9034 on the attached diagram. The Shire of Cue is also the owner of the block of land that backs onto this lot shown as A9033 on the diagram. The blocks are approximately one thousand four hundred square metres each in area.</p> <p>Mr Setnik has indicated that he would like the block to build a two story barn style shed house with living accommodation upstairs and vehicle parking area underneath.</p> <p>The offer for the block is \$10,000. Section 3.58(4) of the Local Government Act, requires that details of the market value of the disposition be included in the public notice as ascertained by a valuation carried out not more than six months before the proposed disposition. In April 2016 the Shire of Cue engaged Russell Coupe and Associates licensed valuers to provide a valuation on the block. The valuation provided a current fair market value of \$10,000.</p>	
<b>Comments::</b>	
<p>This block of land is on the Shires asset register with a current written down value of \$7,500. Landcorp have advised that they currently have blocks of land available for \$15,000. Market conditions in Cue show the sale of vacant land ranging from \$2,000 to \$10,000.</p> <p>It is recommended that all transfer costs associated with the sale be passed onto the purchaser.</p> <p>It is anticipated that the sale of the land will lead to a house being built on the block in the short term and provide economic stimulation for the town.</p> <p>As the proposed sale of land is not an exempt disposition of property under regulation 30(2)(c) of the Local Government (Functions and General ) Regulations 1996, it is necessary to give two weeks local public notice of the proposed disposition and invite submissions to be made to the Shire in regards to the sale. If any submissions are received it will be necessary to present these to Council for consideration before proceeding with the transaction.</p>	
<b>Statutory Environment:</b>	
<p><i>Local Government Act 1995,</i></p> <p>Section 1.7 – Local Public Notice.</p> <p>Section 3.58 – Disposing of Property</p> <p>(1)In this section —</p> <p><b>dispose</b> includes to sell, lease, or otherwise dispose of, whether absolutely or not;</p> <p><b>property</b> includes the whole or any part of the interest of a local government in property, but does not include money.</p>	



- (2) Except as stated in this section, a local government can only dispose of property to —
  - (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
  - (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned; and
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
 and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
  - (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
  - (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
  - (d) any other disposition that is excluded by regulations from the application of this section.

*Local Government (Functions and General) Regulations 1996,*

Regulation 30(2)(c) – Dispositions of property excluded from Act s.3.58.

- (2) A disposition of land is an exempt disposition if —
  - (c) the land is disposed of to —
    - (i) the Crown in right of the State or the Commonwealth; or
    - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
    - (iii) another local government or a regional local government





<b>8.8 SALE OF INDUSTRIAL LAND, PART LOT 641 ROBINSON STREET CUE</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	
AUTHOR:	Richard Towell – Manager Finance
DATE:	14 June 2016
<b>Matters for Consideration:</b>	
Sale of part of the Shire owned industrial block of land located Lot 641 Robinson Street Cue.	
<b>Background:</b>	
<p>Mr Peter Lacy of Lacy Bros Pty Ltd has approached the Shire of Cue asking if they would be willing to sell to them the portion of the block of land owned by the Shire at Lot 641 Robinson Street Cue. This land parcel is currently being leased to Lacy Contracting services Pty Ltd and used as a transport and earthmoving machinery yard. This block is shown as A9305 on the attached diagram and the portion of the block, measuring 1.3589 hectares is highlighted.</p> <p>The offer for the block is \$40,000 as is, with driveway access from Robinson Street to the yard. As this is a commercial transaction there is a GST implication in the sale. It is assumed that the offer will be exclusive of any GST payable. Section 3.58(4) of the Local Government Act, requires that details of the market value of the disposition be included in the public notice as ascertained by a valuation carried out not more than six months before the proposed disposition. In April 2016 the Shire of Cue engaged Russell Coupe and Associates licensed valuers to provide a valuation on the block. The valuation provided a current fair market value of \$40,000.</p>	
<b>Comments::</b>	
<p>This block of land is on the Shires asset register with a current written down value of \$60,000. The portion of the lot that is proposed for purchase represents approximately half of the total lot area. A portion of the lot outside of the proposed purchase area is currently being leased by Puma Fuels as a service station and the rest of the area is used for access and road train assembly area.</p> <p>For the proposed area to be sold, it will be necessary to subdivide the land portion from the main lot and provide an access driveway from Robinson Street to the land parcel. It is recommended that the costs for subdividing the land and all transfer costs associated with the sale be passed on to the purchaser.</p> <p>As the proposed sale of land is not an exempt disposition of property under regulation 30(2)(c) of the Local Government (Functions and General ) Regulations 1996, it is necessary to give two weeks local public notice of the proposed disposition and invite submissions to be made to the Shire in regards to the sale. If any submissions are received it will be necessary to present these to Council for consideration before proceeding with the transaction.</p>	
<b>Statutory Environment:</b>	
<p><i>Local Government Act 1995,</i></p> <p>Section 1.7 – Local Public Notice.</p> <p>Section 3.58 – Disposing of Property</p> <p>(1)In this section —</p> <p style="padding-left: 40px;"><b>dispose</b> includes to sell, lease, or otherwise dispose of, whether absolutely or not;</p> <p style="padding-left: 40px;"><b>property</b> includes the whole or any part of the interest of a local government in property, but does not include money.</p>	

- (2) Except as stated in this section, a local government can only dispose of property to —
  - (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
  
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
  - (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned; and
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
 and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
  
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
  - (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
  
- (5) This section does not apply to —
  - (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
  - (d) any other disposition that is excluded by regulations from the application of this section.

*Local Government (Functions and General) Regulations 1996,*

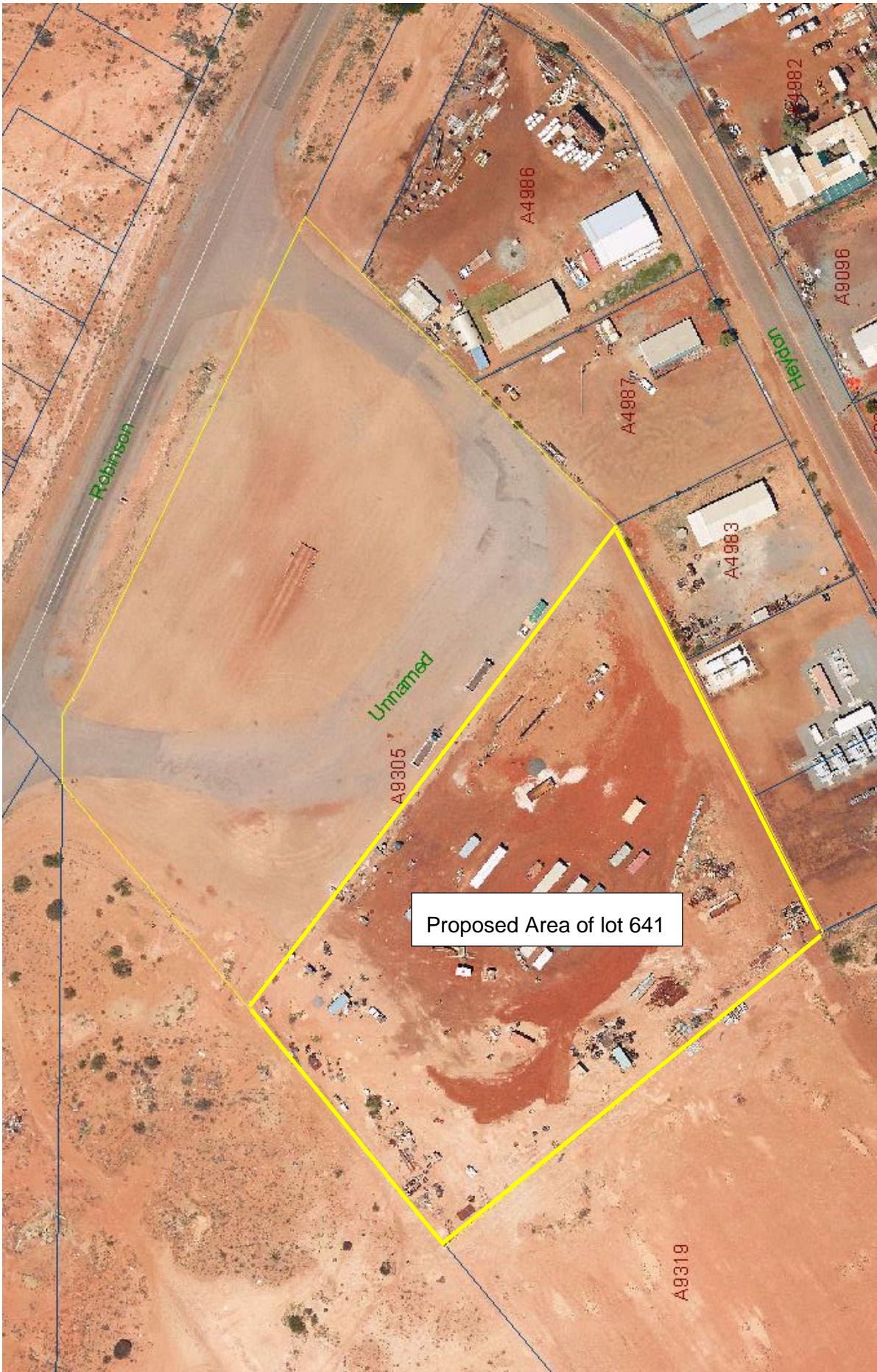
Regulation 30(2)(c) – Dispositions of property excluded from Act s.3.58.

- (2) A disposition of land is an exempt disposition if —
  - (c) the land is disposed of to —
    - (i) the Crown in right of the State or the Commonwealth; or
    - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
    - (iii) another local government or a regional local government



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<b><i>Policy Implications:</i></b>	
Nil	
<b><i>Financial Implications:</i></b>	
The block of land has a current written down value of \$60,000, if the sale is completed and the block subdivided, it would be assumed that each portion would have a carrying value of \$30,000. This will provide a profit on sale of assets of \$10,000. This transaction has not been budgeted for.	
<b><i>Strategic Implications:</i></b>	
Shire of Cue Strategic Community Plan 2013 to 2023, Focus area one: Economic Development. Goal Two: Utilise the land in the area for a range of new businesses to be self-sustaining. Strategy One: Diversify businesses in the community to improve resilience.	
<b><i>Consultation:</i></b>	
Rob Madson – Chief Executive Officer	
<b><i>Officer's Recommendation:</i></b>	<b>Voting requirement: Simple Majority</b>
<i>That Council authorise the Chief Executive Officer to give local public notice of the proposed disposition and if no submissions are received, accept the offer of \$40,000 for the sale of part of lot 641 Robinson Street Cue to Lacy Bros Pty Ltd on the condition that the offer is exclusive of GST and Lacy Bros Pty Ltd meet all costs incurred in subdividing the lot and transferring the ownership.</i>	
<b><i>Council Decision 10062016</i></b>	<b>Voting requirement:</b>
<p><b>MOVED: CR DENNIS                      SECONDED: CR FITZPATRICK</b></p> <p>That Council authorise the Chief Executive Officer to give local public notice of the proposed disposition and if no submissions are received, accept the offer of \$40,000 for the sale of part of lot 641 Robinson Street Cue to Lacy Bros Pty Ltd on the condition that the offer is exclusive of GST and Lacy Bros Pty Ltd meet all costs incurred in subdividing the lot and transferring the ownership.</p> <p><b>CARRIED: 6/0</b></p>	



Cr Fitzpatrick declared a financial interest in the next item and left the meeting at 7:52pm

<b>8.9 TENDER – FLOOD DAMAGE ROAD CONSTRUCTION PLANT WITH OPERATORS</b>	
APPLICANT:	Shire of Cue
FILE:	
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson - Chief Executive Officer
DATE:	17 June 2016
<b><i>Matters for Consideration:</i></b>	
Awarding of tender for the Supply of Hired Road Construction Plant with Operators for flood damage works Package#3.	
<b><i>Background:</i></b>	
<p>Between the 28<sup>th</sup> of February 2015 and the 8<sup>th</sup> of March 2015, the Shire of Cue received very heavy rainfall that led to flooding which severely damaged the Shire's road assets. This event was declared a natural disaster, as such the Shire could access funding under the National Disaster Relief &amp; Recovery Arrangements (NDRRA).</p> <p>Accordingly, an inspection of road assets was undertaken by Greenfield Technical Services detailing the damage which indicated estimated repair costs of \$10,797,187, which was approved by the NDRRA. Due to the overall size of the remedial works it was decided to break the project down into three packages. Tenders for the first two packages were determined in October 2015, these being:</p> <p>Package#1 (Cue West-Dalgaranga, Afghan Rock-Coodardy, Big Bell-Coodardy and Big Bell South Roads) is almost complete.</p> <p>Package#2 (Cue South-Lakeside, Big Bell-Wyah Pool, Coodardy-Noondie and Kalli Roads) is continuing.</p> <p>Package #3 consists of flood damage repairs on Cue-Wondinong, Beebyn-Karbar, Cue-Beringarra and Cogla Downs-Taincrow Roads. The Shire instructed Greenfield Technical Services to carry out the tender process. Tenders were advertised on the 30 April 2016 and closed on the 24 May 2016.</p>	
<b><i>Comments:</i></b>	
<p>The selection criteria set for the tender is based on Overall Price (40%), Quality of Plant (20%), Remote Construction Experience (20%), Capacity to Complete Works (10%) and Provision for Mechanical Support (10%).</p> <p>Five conforming tenders were received.</p> <p>A detailed report prepared by Greenfield Technical Services is contained at <a href="#">Appendix 3</a></p>	





<b>8.10 TENDER – CONTRACT FLOOD DAMAGE SUPERVISOR</b>	
APPLICANT:	Shire of Cue
FILE:	
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson - Chief Executive Officer
DATE:	17 June 2016
Matters for Consideration:	
Awarding of tender for the supply of Contract Flood Damage Supervisor for flood damage works Package#3.	
<b>Background:</b>	
<p>Between the 28<sup>th</sup> of February 2015 and the 8<sup>th</sup> of March 2015, the Shire of Cue received very heavy rainfall that led to flooding which severely damaged the Shire's road assets. This event was declared a natural disaster, as such the Shire could access funding under the National Disaster Relief &amp; Recovery Arrangements (NDRRA).</p> <p>Accordingly, an inspection of road assets was undertaken by Greenfield Technical Services detailing the damage which indicated estimated repair costs of \$10,797,187, which was approved by the NDRRA. Due to the overall size of the remedial works it was decided to break the project down into three packages. Tenders for the first two packages were determined in October 2015, these being:</p> <p>Package#1 (Cue West-Dalgaranga, Afghan Rock-Coodardy, Big Bell-Coodardy and Big Bell South Roads) is almost complete.</p> <p>Package#2 (Cue South-Lakeside, Big Bell-Wyah Pool, Coodardy-Noondie and Kalli Roads) is continuing.</p> <p>Package #3 consists of flood damage repairs on Cue-Wondinong, Beebyn-Karbar, Cue-Beringarra and Cogla Downs-Taincrow Roads. The Shire instructed Greenfield Technical Services to carry out the tender process. Tenders were advertised on the 30 April 2016 and closed on the 24 May 2016.</p>	
<b>Comments:</b>	
<p>The tender selection criteria was based on capacity, experience and competence.</p> <p>4 conforming tenders were received, nominating a total of 8 supervisors. As the most appropriate candidate was clearly ahead of other tenderers and was already known to both the Shire and Greenfield technical Services, interviews were not considered necessary.</p> <p>A detailed report prepared by Greenfield Technical Services is contained at <a href="#">Appendix 4</a></p>	



<b>8.11 OUR TOWN TELEVISION SERIES</b>	
APPLICANT:	Visage Productions
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson - Chief Executive Officer
DATE:	15 June 2016
<b><i>Matters for Consideration:</i></b>	
Payment of \$10,000 (plus GST) toward production costs for Our Town television series featuring Cue and three other towns.	
<b><i>Background:</i></b>	
A request has been received from Visage Productions for Council to consider contributing to the production costs of an episode of the Our Town television series.	
<b><i>Comments:</i></b>	
<p>In their approach to Council, Visage has advised the following information:</p> <ul style="list-style-type: none"> <li>• The series will be broadcast throughout the state via Channel 7 (metro) and GWN Prime (regional) from November this year.</li> <li>• Each Shire contributes \$10,000, ex GST towards a total commitment of \$40,000 for an 'Outback Way' or similar episode.</li> <li>• The entire episode would be totally focussed on an 'Outback Way', or similar theme (no other locations included).</li> <li>• Each 30 minute episode ends up being 22 minutes after commercials breaks, which after opening and closing graphics, to-commercial play-offs and Presenter links throughout the region, ends up being 20 minutes of designated-region content.</li> <li>• Each LGA would receive five minutes coverage (¼ of episode) as part of the overall picture.</li> <li>• That particular five minute package can be utilised further for marketing purposes, for example the Shire's website of social media pages.</li> <li>• All raw footage, inclusive of drone footage can be on-utilised by the Shire for other projects (terms and conditions apply).</li> <li>• VISAGE will work closely with the Shire from start-to-finish to develop scripting and provide a package of the highest quality.</li> <li>• Potential to commence filming in Spring, to take advantage of wildflower season.</li> <li>• Each Shire will have access to view the finished product prior to broadcast.</li> <li>• Series to commence airtime from November this year – schedule placement open to discussion.</li> </ul> <p>The Shires of Sandstone and Yalgoo have already committed to the project.</p> <p>Although it is possible that the inclusion of Cue in the Our Town television series would increase the town's exposure domestically, with potential tourism benefits, the town is not currently presented at its best and revisiting a proposal of this nature in future years may be more appropriate once projects such as the Oasis have been completed.</p>	



<b>8.12 APPLICATION TO ERECT FENCING – 17 RICHMOND STREET, CUE</b>	
APPLICANT:	Mr Jon & Mrs Noelene Meredith
FILE:	
DISCLOSURE OF INTEREST:	Mrs Noelene Meredith
AUTHOR:	Philip Swain – Environmental Health Officer
DATE:	14 June 2016
<b><i>Matters for Consideration:</i></b>	
Council to consider a request to approve fencing to be located within the front setback of 17 Richmond St Cue in contradiction with Council's Policy B3.	
<b><i>Background:</i></b>	
<p>Following previous instances of badly constructed and aesthetically poor fences being installed in residential areas around the Cue townsite the Council, in 2014, adopted <b>Policy B3 – Sufficient Fencing</b> to establish some acceptable fencing standards for the town. Whilst there are a number of examples of non-compliant fencing around the Cue townsite, and particularly in residential areas, these existed prior to the policy adoption. This application is the first received that is requesting a variation of policy. The owners are requesting that the Shire permit the construction of a chain link wire mesh fence and colorbond metal side boundary fence within the front setback of 17 Richmond St Cue.</p>	
<b><i>Comments:</i></b>	
<p>The adjoining properties are the Cue Primary School to the east, which is fenced with chain link fencing, including 2 strands of barbed wire for security purposes and residential properties to the west, which have colorbond fencing to 1.8m along the front setbacks, (<b>Attachment 1 – Street Frontages Richmond St</b>). The frontages along the street are very defensive and aesthetically contradict the Shire's attempts to retain open frontages with a maximum height of fencing to 1.2m.</p> <p>The applicants are concerned about safety and security particularly in light of recent vandalism around the town and threats that have been made by youth about their pets. The applicants have proposed that a wire mesh fence will retain open views to and from the street and that, if constructed to 1.8m, will afford some security to their property, particularly when they are away from the town. The applicants have expressed an intention to install vehicular gates and a pedestrian gate to the front fence. The west side boundary will be fenced with colorbond metal within the front setback area (approximately 6m) however this will merely replace existing colorbond fencing previously installed by the adjoining landowner. The east side boundary is currently fenced to 1.8m due to the Primary School link mesh fencing and the applicants intend to plant hedging vegetation along this boundary to afford some privacy. There are no line of sight issues associated with fencing the property in this way.</p> <p>Given the solid fencing predating Council's policy installed along the street in front of other residences and the preparedness of the Applicants to install permeable fencing, maintaining views to and from the street, it is the view of Administration that the increase of 600mm in fence height can be permitted.</p>	
<b><i>Statutory Environment:</i></b>	
The Shire has no current Local Laws relating to fencing.	



Attachment 1 – Photographs – Street Frontages Richmond Street





<b>8.13 REMOVAL OF BUILDINGS LOT 500 WITTENOOM STREET</b>	
APPLICANT:	Big Bell Gold Operations (MetalsX Group)
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson - Chief Executive Officer
DATE:	15 June 2016
<b><i>Matters for Consideration:</i></b>	
Granting of consent for the removal of buildings from mining camp at Lot 500 Wittenoom Street (former Crosslands camp).	
<b><i>Background:</i></b>	
<p>Lot 500 Wittenoom Street is owned by the Shire and is currently leased to Big Bell Gold for a period of 10 years ending 12 March 2023.</p> <p>Big Bell Gold Operations have requested that approval be given to dismantling accommodation units located on the Lot.</p>	
<b><i>Comments:</i></b>	
<p>In support of their submission, Big Bell Gold Operations have advised:</p> <ul style="list-style-type: none"> <li>• All accommodation units at the camp are to be removed. None are currently occupied as all miners are resident in the main camp opposite. A laundry unit and two shipping containers will also be removed.</li> <li>• Units will be relocated to the Company's Bluebird camp South of Meekatharra as the need for accommodation for their Meekatharra operations is greater than that of their Cue operations.</li> <li>• An office complex will remain and the lot's future intended use is mainly that of a carpark.</li> <li>• All service connections will be retained in case accommodation units are returned to the site in the future.</li> </ul> <p>Clause 11.2 of the lease agreement refers to Alteration and Substantial Works and states that:</p> <p style="padding-left: 40px;"><i>The Lessee must not make any alteration to or addition to or demolish any part of the Leased Premises and the Lessee's Fixtures, or remove or alter any of the Lessee's Fixtures or any Facility or Service in or on the Leased Premises and the Lessee's Fixtures without the prior written consent of the Lessor which consent may be granted or refused or granted subject to conditions at the absolute discretion of the lessor EXCEPT THAT the Lessor shall not arbitrarily or unreasonably withhold its approval in the case of any mandatory alterations required by a Relevant Authority.</i></p> <p>The rent applicable to the lease will not be affected by the removal of the units. It is possible that the Valuer General will place a lesser value on the property once buildings have been removed, resulting in a reduction of rates payable, however as the valuation method is Gross Rental Value and the rent on the property remains unchanged it is also possible that there may be no change in valuation.</p>	

The proposal does not appear to support the goals and strategies of the Shire of Cue Strategic Community Plan, however not granting consent has the potential to lead to greater negative impact on the community in the event that the lease on the property were terminated, or buildings left empty for an extended period to fall into disrepair.

Removal of transportable buildings constitutes demolition under the *Building Act 2011* and therefore a demolition license will be required for the proposed works.

As the site is to be used mainly as a car park, it is important that areas where septic tanks have been installed be protected from traffic to avoid potential damage.

**Statutory Environment:**

BUILDING ACT 2011 - SECT 3

3. Terms used

In this Act, unless the contrary intention appears -

*Demolition work* means -

- (a) the demolition, dismantling or removal of a building or an incidental structure;

**Policy Implications:**

Nil

**Financial Implications:**

Reduction in Commercial rubbish service charges for the property from \$4000 pa to \$520 pa. Potential for reduction in rates received if reassessment by Valuer General results in lower GRV.

**Strategic Implications:**

Shire of Cue Strategic Community Plan 2013 to 2023, Focus area one: Economic Development. Goal One: We want to be able to spend our money locally and encourage others to do the same. Strategy One: Work with the mining sector to manage and support the growth of infrastructure and services.

**Consultation:**

Phil Swain – Environmental Health officer

Wes Coutts – Commercial Manager Big Bell Gold Operations



<b>8.14 DISABILITY ACCESS AND INCLUSION PLAN 2016-2020</b>	
<b>APPLICANT:</b>	Shire of Cue
<b>FILE:</b>	00184
<b>DISCLOSURE OF INTEREST:</b>	None
<b>AUTHOR:</b>	Noelene Meredith – Manager Corporate & Community Services
<b>REPORT DATE:</b>	16 <sup>th</sup> June 2016
<b><i>Matters for Consideration:</i></b>	
Adoption of the review of the Disability Access and Inclusion Plan 2016-2020 (DAIP).	
<b><i>Applicant's Submission:</i></b>	
<p>The shire's DAIP has been reviewed regularly although there have been no amendments to the Plan other than those required as a result of changes to legislation eg. inclusion of Outcome 7 in March 2015.</p> <p>The shire is cognisant of the requirements of the Act and includes these requirements in its planning processes.</p> <p>For example the shire ensured that the ablution building at the Cue Tourist Park provided wheelchair access to the facilities.</p> <p>The shire also sought ways of improving access to the Council Chambers and the Cue CRC (located in the Old Municipal Chambers) for persons with a disability. This was achieved by the installation of a chairlift to enable persons with a disability to gain access to the upper storey of the Council Chambers and the provision of folding ramps at both locations. The plan has been advertised for comment and there has been no response.</p> <p>Accordingly the review of the Plan is presented for adoption - see <a href="#">Appendix 5</a>.</p>	
<b><i>Background:</i></b>	
The shire is required to review its Disability Access and Inclusion Plan every five years.	
<b><i>Statutory Environment:</i></b>	
<p>The Disability Services Act 1993 (Western Australia, amended 2015)</p> <p>This legislation makes Disability Access and Inclusion Plans (DAIPs) mandatory, and guides their development, implementation and reporting.</p> <p>The Act requires Western Australian State Government and Local Governments to develop and implement a DAIP (previously known as a Disability Service Plan). This means planning to ensure that people with disabilities can access services provided by public authorities in Western Australia.</p>	
<b><i>Policy Implications:</i></b>	
Nil	

<b>Financial Implications:</b>	
Nil	
<b>Strategic Implications:</b>	
The Plan is the basis for consideration in decisions on access and movement in various planning processes.	
<b>Consultation:</b>	
Public comment sought.	
<b>Comment:</b>	
Nil	
<b>Officer's Recommendation:</b>	<b>Voting requirement: Simple majority</b>
<i>That Council adopts the Shire of Cue Disability Access and Inclusion Plan 2016-2020 as tabled.</i>	
<b>Council Decision 16062016</b>	
<p><b>MOVED: CR FITZPATRICK                      SECONDED: CR R PIGDON</b></p> <p>That Council adopts the Shire of Cue Disability Access and Inclusion Plan 2016-2020 as tabled.</p> <p><b>CARRIED: 6/0</b></p>	

**9. INFORMATION BULLETIN****9.1 EBO REPORT****ACTION SHEET**

Council's Environmental Health Officer – Philip Swain

Date: 13-17 June 2016

Next visit proposed: 4-8 July 2016

Date	Subject	Action Taken
16/5-15/6/2016	Controlled Waste Tracking	<p>I have had recent difficulties finalising outstanding controlled waste disposal documents on the DER website. I have managed to resolve the website issues and close out unloading's to the septage ponds but the Shire is regularly in technical breach of the legislation due to these difficulties. I have proposed to the CEO that an office staff member take over this role so that it can be conducted in house in a more timely manner</p> <p>Action: PS to seek staff login from DER and train staff member to handle waste unloadings</p>
13/6/2016	Reporting Building Statistics	<p>I have completed the monthly return to the DoCEP for May. I have provided the MFS with details for the Building Commission payment to the EOFY. The MFS and myself are currently resolving the outstanding funds held for the BCITF.</p> <p>Action- MFS to pay outstanding Building Commission fees, MFS &amp; PS to resolve BCITF funds outstanding.</p>
13-14/6/2016	Building Permits	<p>I am of the view that building approval services within the Shire are best provided in the medium term by utilising the services of a Certifying Building Surveyor with the Shire processing all applications as Certified Applications with the assistance of a Building Surveyor in Perth. There is a cost implication with this as the Shire will have to absorb the cost of certification, or pass it on, for Class 1 (Dwellings) and Class 10 (Verandahs Patios Pools etc). The Shire has previously absorbed this cost by paying an hourly rate for Building Surveyor services for an appointed Building Surveyor.</p> <ol style="list-style-type: none"> <li>1. Uncertified Application - Service Station Canopy and ablutions Lots 354 &amp; 355 Austin St. The planning approval has been issued and additional detail has been requested, including the approval of traffic management arrangements from the Main Roads Department. Still awaiting further details and the MRD approval;</li> <li>2. Certified Application – Lot 73 Robinson St Cue, Steel Framed Steel Clad Verandahs. The application has been approved.</li> <li>3. Certified Application - The owners of the Cue Roadhouse have commenced non-structural aspects of the refurbishment to relocate Murchison</li> </ol>

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		<p>Traders to the site. I have requested an application for the Class 6 alterations and referred the owners to a Certifying Building Surveyor accordingly, as Class 6-9 buildings have to have design compliance certification issued by a Certifying Building Surveyor.</p> <p>Action – CEO to issue Building Permits as required.</p>
13-15/6/2016	Fencing Policy Variation 17 Richmond St Cue	<p>I have had a request from the new owners of 17 Richmond St Cue to install fencing in contradiction with Council's current policy. I have prepared an Agenda item to go to next week's Council meeting</p> <p>Action: Awaiting outcome of Council meeting</p>
13-15/6/2016	Waste Disposal Site	<p>I have inspected the landfill site with the CEO. I have also confirmed the current Registration details for the site with the Department of Environmental Regulation. The Shire has previously sought to excise the waste site from the two (2) reserve lots that it is located on, both of which are vested with the Shire, by extending one reserve around all the waste site activities. Due to objections from a tenement holder the Department of Lands has not undertaken the Reserve adjustments but rather issued a licence for the Shire to operate the site for 20 years. I have discussed this matter with the CEO and it is regarded as totally unsatisfactory as the main purpose of the excision was to mitigate the Shire's risk associated with the potentially contaminated site. This will have the potential to restrict any further activity on the larger reserve lot (R7273) into the future. I have directed our Surveyors to re-submit the Reserve proposal. I have also commenced preparing an amendment application for the current landfill Registration with the Department of Environmental Regulation.</p> <p>Action: WS to continue site improvements. PS to finalise Registration amendment application for DER and monitor Surveyor's progress in relation to the Reserve boundary realignment.</p>
13-17/6/2016	Statutory Inspections	<p>The current Food Business, Lodging House and Public Building Inspections are up to date with the exception of Murchison Traders which are relocating.</p> <p>Action: Routine inspections as required</p>
15/6/2016	Big Bell Gold Operations (Metals X) Lot 500 Wittenoom St Camp	<p>The Administration has been in discussions with Metals X regarding the former Precision Camp on the corner of Wittenoom and Robinson Streets. The company is planning on relocating the accommodation from this site to Bluebird near Meekatharra. I have requested, and received, a demolition permit application accordingly and the CEO is preparing a report to go to the next Council meeting regarding the substantial changes under the lease of the site.</p> <p>Action: Council to resolve "substantial changes" at next meeting. CEO to issue demolition Permit following Council approval.</p>

**ORDINARY MEETING – 21 JUNE 2016**

15/6/2016	Mid-West Gold Operations Pty Ltd	Administration has received advice from ASIC that a company, being Mid-West Gold Operations Pty Ltd has been deregistered, and seeking information relating to lots held by the company; Lot 602 33 Dowley St, Cue Lot 603 31 Dowley St, Cue Lot 584 25 Heydon Pl, Cue I have provided advice in relation to any environmental issues that may be associated with the lots. Action: No further action
16/5/2016	Contract Power Workshop Lot 594 Heydon Place	The building and the office and ablution facilities on site are complete. Work on this site associated with the wash-down facility has still not commenced. The Shire will require a Certificate of Construction Compliance and Application for the Occupancy Permit for a Class 6 Building. I have advised the Owner accordingly and most recently queried progress of the documentation. Action – Awaiting project completion documentation and wash-down bay construction
16/6/2016	Staff Tenancy Inspections	I have conducted all but one (1) of the tenancy inspections in conjunction with the Customer Services/Records Officer who is preparing the inventories for each house. I have provided the maintenance schedules for each dwelling to the CEO Action: Maintenance schedules for future budget consideration by CEO
16/6/2016	Dilapidated Dwelling Lot 28 Dowley St Cue – Lane’s House	Following a complaint in October, Administration has condemned the building in accordance with the Health Act 1911 and advised the owner accordingly I have forwarded the Heritage Architects report and recent photographs to the owner who has employed the services of a builder to determine if the building will be demolished or restored. The owner’s builder was relocating to Meekatharra and was to provide further advice several month ago. I have again requested advice from the owners Guardian as the property is owned by a minor. Action: Awaiting owner response
16/6/2016	Shire Lot Land Purchase Proposal	The Shire has been approached to sell one of it’s residential lots. The proposal is to be put to Council next week. I have contacted the owner and the proposals for development will not require any amalgamation of lots or activity over the boundary. Action: Awaiting Council resolution and land transfer



ORDINARY MEETING – 21 JUNE 2016

16/5/2016	Lot Revestments	<p>In July Council approved the revestment to the State of 3 lots. One lot contained mine tailings from historic mining and hence may be contaminated. I previously referred this matter to the Department of Local Government and Communities (DLGC) who are liaising with the Department of Lands with respect to the preparedness of the State to accept the revestment. The State has agreed to accept all three (3) revestments and I have prepared a draft Statutory Declaration for the CEO to sign relating to the contaminated site. The Customer Service Officer has forwarded other documentation as requested.</p> <p>Action: CEO to sign and forward statutory declaration</p>
Pending	Cue Village Wastewater System	<p>I had sought clarification on the operation of the wastewater treatment system from the Manager as I have seen advice of the transfer from to the Department of Health but have not seen any recent compliance test results.</p> <p>Action: Awaiting compliance testing.</p>
Pending	Burnakurra Mine Site Reopening – New Ownership	<p>The former Kentor Gold site at Burnakurra has reopened under new ownership by Monument Mining Pty Ltd and I have arranged for the issue of the Food Business Registration. I have conducted a site visit and have forwarded documentation to the company to address the alterations to the wastewater system that were not finalised in 2013 and for a retrospective building permit for 6 accommodation units that were installed on site but had an expired permit following Kentor Golds departure from the site. I am following up aspects of the operation including their drinking water management plan, however generally the food business operation was compliant at the time of inspection.</p> <p>Action: PS to manage applications for alterations and extensions to the wastewater disposal system and Building Approval Certification for the existing unpermitted staff accommodation.</p>
Pending	Murchison Club Hotel Food Business Inspection/ Lodging House Inspection/ Public Building Inspection	<p>The kitchen floor has been replaced. The smoke detectors within the motel units have now all been fitted as hard wired units. The routine food safety inspection has been conducted and minor issues only, identified. I have recommended to the Manager that hard wired or 10 year battery life tamperproof smoke detectors be installed in each room of the hotel proper but this is not mandatory. If the latter are installed the Shire needs to approve their use and I have advised the Manager to put a request in writing to the Shire in that case. Most public building issues have been addressed with the exception of 2 barrel bolts to be replaced in the former dining room and an incorrectly wired exit light that needs to be rewired.</p> <p>Action: Follow up inspections to be conducted by PS in July</p>

ORDINARY MEETING – 21 JUNE 2016

Pending	Condition of Premises – Shops on Lot 5 Austin St, Cue	The owners will be removing the ancillary and dilapidated sections at the rear of the buildings in the near future. I have requested a demolition permit for these works from the owners Action: Awaiting Demolition Application regarding ancillary and dilapidated buildings
Pending	Building Order – Show Cause Notice – Dilapidated Dwelling	The Shire previously issued a show cause notice on a property in Railway St and subsequently sought clarification from the Building Commission relating to permits and temporarily relocated and unused derelict buildings. We have been waiting on a further response from the Building Commissioner after raising this issue with WALGA and the Commission at last year’s WALGA Conference. Most recently the Shire has received planning advice which suggests that this matter should bbe best dealt with using the Local Planning Scheme and may require amendment of the same. The WA Planning Commission will be issuing advice in this regard shortly and it is proposed that the matter be reviewed at that time. Action: Awaiting WAPC advice
Pending	Built Strata Subdivision Proposal Lot 74 Robinson St Cue	In relation to this proposal as a built, rather than a survey strata, I have met with the owner and the CEO regarding the process for approval. The Department of Health reviewed their position on this matter and confirmed on 26 November 2015, on the basis of certain conditions, that it may go ahead. I have previously advised the surveyors, and now the owner that we are awaiting the BA16 Application before we can progress the matter. Action: PS awaiting BA16 Application from HTD Surveyors
Pending	Roadhouse Expansion Proposal	The main development requires Main Roads Department approval and although approval in principle has been issued, there is considerable work to be undertaken before the new access into and out of the roadhouse will be approved. I have sought a clarification from the owners regarding progress with the Main Roads Department and again sought additional information to progress the Building Permits. Action: Awaiting Building Permit details and MRD approval
Pending	Town Hall Improvements	I have conducted an inspection now that the necessary electrical works have been completed. Staff are installing locks to secure the gates open when the hall is in use to comply with the Regulations. I will arrange for the relevant documentation to be forwarded to be certified to enable the issue of the Certificate of Construction Compliance and the Occupancy Permit. Action: PS to arrange for issue of Certificate of Construction Compliance and issue of the Occupancy Permit.

ORDINARY MEETING – 21 JUNE 2016

Pending	Lodging House Inspection – Queen of the Murchison	The owners are currently carrying out external and internal maintenance of the premises. Items to be addressed were mainly minor but some are outstanding from the last inspection. The faulty exit light has been replaced and the non-compliant locking devices to the rear doors will be replaced shortly. The owners have obtained the necessary fittings but they are yet to be installed Action: Confirm repairs December visit
Pending	Council Sewer Scheme and Oxidation Ponds	I have drafted a reply to the Department of Health regarding this matter and requested further advice on the Health Act and Economic Regulatory Authority implications of the scheme. Action: Nil , awaiting Department of Health advice
Pending	Post Office/ Police Station Building	Redevelopment proposals including the effluent disposal system are being developed by consultants. The building is currently zoned Public Purposes – Police Station & Post Office. The lot is to be zoned to commercial in TPS 2 as this allows for the approval of a variety of Civic uses in addition to Commercial and even residential use. Action: Awaiting consultancy outcomes
Pending	Planning Application Lot 587 Heydon Place – Caretaker Accommodation	A planning report for the development was approved in October 2014 and the applicant has been advised. The applicant advises that they are in a legal dispute with a creditor and dependent upon that outcome will progress the development in the short to medium term. Action: Awaiting Building Permit application
Pending	Local Law Review	The local law review has been advertised for six (6) weeks and submissions have closed. No public submissions were received. Administration will complete the review of existing local laws before referring a report to Council on outcomes of the review. Action: PS to prepare report and recommendations in relation to the current local laws
Pending	Western Mining Tailings Removal	Western Mining have completed the second stage tailing removal. Some further water samples could not be taken due to a lack of heavy rains. Results to date have not highlighted any issues. Consideration needs to be given by Council to the future rehabilitation and use of the area. Administration will propose a consultation session with the company prior to a Council meeting at a date to be set Action- Administration to make arrangements for a Councillor consultation.
Pending	Pensioners Cottages	Two huts have been repainted and are now available for use. The flooring in the ablutions has been replaced. One hut was damaged badly during the recent storm and is the subject of an insurance claim. Action: Project pending quotations & grant approval

**9.2 STATUS OF RESOLUTIONS OF COUNCIL**

<b>Motion No</b>	<b>Subject</b>	<b>Status</b>	<b>Open / Closed</b>	<b>Responsible Officer</b>
17022014	Local Laws	Review has been advertised as required.	<b>Open</b>	<b>EBO / CEO</b>
10102015	Tender – Bishop’s House	Refer to our Building Surveyor to get a Certificate of design compliance prior to going to tender	<b>Open</b>	<b>CEO</b>
13102015	Incubator Hub	Lawyers have been instructed to prepare the lease	<b>Open</b>	<b>CEO</b>
11022016	GRV Unimproved Differential Minimum Payments	Application for rates to be quashed lodged with SAT, awaiting outcome.	<b>Open</b>	<b>CEO</b>
06032016	Lot 507 Burt Place Sale of Land	Dept of Housing advised of approval for sale of land. Titles forwarded to settlement agent.	<b>Open</b>	<b>CEO</b>
06052016	Contribution of \$5,000 to produce “The Decadent and Depraved”	Letter sent advising of decision	<b>Closed</b>	<b>CEO</b>
08052016	Lots 301 and 302 on Deposited Plan 43061 Grazing Lease	Letter sent to Dept of Lands advising of decision 09/06/16	<b>Closed</b>	<b>CEO</b>

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

Nil

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

Nil

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

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This item 12.1 was dealt with earlier in the meeting.

**13. MATTERS BEHIND CLOSED DOORS**

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<b>Council Decision 17062016</b>			
<b>MOVED:</b>	<b>CR FITZPATRICK</b>	<b>SECONDED:</b>	<b>CR PRICE</b>
That Council goes behind closed doors to discuss a staff matter.			
<b>CARRIED:</b>	<b>6/0</b>		

Mrs Noelene Meredith and Mr Richard Towell left the meeting at 8:19pm

<b>Council Decision 18062016</b>			
<b>MOVED:</b>	<b>CR FITZPATRICK</b>	<b>SECONDED:</b>	<b>CR P PIGDON</b>
That the meeting comes out from behind closed doors.			
<b>CARRIED:</b>	<b>6/0</b>		

Mrs Noelene Meredith and Mr Richard Towell returned to the meeting at 8:37pm

The staffing matter was discussed behind closed doors, however no decisions were made.

**14. CLOSURE**

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The President thanked those present for attending the meeting and declared the meeting closed at 8:37pm

<p><b>To be confirmed at Ordinary Meeting on the 19<sup>th</sup> of July 2016</b></p> <p><b>Signed:</b>.....</p> <p><b>Presiding member at the Meeting at which time the Minutes were confirmed.</b></p>
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