



**MINUTES
ORDINARY MEETING
OF COUNCIL**

19TH OF JULY 2016

NOTICE OF MEETING

Please be advised that meeting of the

Ordinary Meeting of Council

commencing at **6:30pm**

to be held on

Tuesday, 19TH of JULY 2016

in Council Chambers at Austin Street, Cue WA

Rob Madson
Chief Executive Officer
14th of July 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.

Local Government Act 1995 - SECT 5.23

Meetings generally open to the public

5.23. (1) Subject to subsection (2), the following are to be open to members of the public:

- (a) All Council meetings; and
- (b) All meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following --

- (a) A matter affecting an employee or employees;
- (b) The personal affairs of any person;
- (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
- (d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
- (e) A matter that if disclosed, would reveal;
 - (i) A trade secret;
 - (ii) Information that has a commercial value to a person; or
 - (iii) Information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
- (f) A matter that if disclosed, could be reasonably expected to;
 - (i) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) Endanger the security of the local government's property; or
 - (iii) Prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- (g) Information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
- (h) Such other matters as may be prescribed.

(3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

SHIRE OF CUE

REVOKING OR CHANGING DECISIONS MADE AT COUNCIL MEETINGS

Local Government (Administration) Regulations 1996 (**Regulation No.10**)

If a previous Council decision is to be changed then support for a revocation motion must be given by an **Absolute Majority** of Councillors (that is at least 4 Councillors) if a previous attempt to rescind has occurred within the past three months or, if no previous attempt has been made the support must be given by at least **1/3rd** of all Councillors (that is at least 4 Councillors).

Regulation 10(1a) also requires that the support for revocation must be in writing and signed by the required number of Councillors, including the Councillor who intends to move the revocation motion.

Any revocation motion must be carried by the kind of vote that put the motion into place in the first instance (that is, if carried originally by an Absolute Majority or Special Majority vote then the revocation motion must also be carried by that same kind of vote).

If the original motion was carried by a Simple Majority vote then any revocation motion must be carried by an Absolute Majority vote.

To the Presiding Member,

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

Councillor’s Names

Councillor’s Signature

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

SHIRE OF CUE
Ordinary Council Meeting
MINUTES

Held in the Council Chambers, Austin Street Cue on Tuesday 19th of July 2016 commencing at 6:30pm.

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1. OFFICIAL OPENING

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 Ian Dennis

Councillor Leonie Fitzpatrick

Councillor Ron Hogben

Councillor Pixie Pigdon

Councillor Fred Spindler

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Manager Finance

Mrs Noelene Meredith, Manager Corporate & Community Services

GALLERY:

Mr Ernie Campbell (left at 6:46pm)

Mr Peter Tegg (left at 6:44pm)

2. PUBLIC QUESTION TIME

Questions on Notice

At the Ordinary Meeting of Council held on 21 June 2016 the following questions were asked by Mr Ernie Campbell of Lot 104 Darlot Street, Cue and were taken on notice:

“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 21st 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 ?”

The following response was provided to Mr Campbell by the Chief Executive Officer in correspondence dated 14 July 2016:

“In response to your questions which were taken on notice at the ordinary meeting of Council held 21 June 2016, I advise the following:

I am currently conducting an investigation into the circumstances surrounding the application of legal fees to your outstanding rates account, however due to the complicated nature of the debt recovery process over a lengthy period, this may take some time. I will advise you further when I am able.”

At the Ordinary Meeting of Council held on 21 June 2016 the following questions were asked by Mr Peter Tegg of 45 Dowley Street, Cue and were taken on notice:

1. 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 ?
2. 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.

3. 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.

4. 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.

The following response was provided to Mr Tegg by the Chief Executive Officer in correspondence dated 14 July 2016:

Bishop's House

It is my understanding that Stage 1 of works at the Bishop's House entailed replacement of the roof, verandah sheeting, flooring, windows and doors. The roof has been replaced. The verandah sheeting had been replaced, but has since been removed due to vandalism and an alternative treatment is under consideration. Floor has been purchased and new sash windows constructed. These will be installed and the doors replaced when suitable trades people are available. Stage 2 was the proposed construction of an extension which would house the staff's amenities room. This part of the project has been placed on hold to consider other options.

The item contained in the June agenda is a note in the Health/Building Officer's report indicating the current status of the project for information only. None of the works to date have required a building permit.

Brockman Park

Costs associated with the redevelopment of Brockman Park to date total \$225,257. This is made up of the following:

Materials	\$80,240
Labour	\$54,436
Plant Costs	\$37,460
Overheads	\$53,121

The scope of the work is as detailed in the plan submitted to Council during your time as Councillor, which was based on the original concept plans developed in 2005. As advised at question time, the trees that have been planted are *Tipuana tipu*. While some literature indicates that they can grow up to 30 metres, given ideal conditions, the Natural Heritage Trust notes that the tree grows to 10 metres in Australia. I have discussed the selection with the Town Crew Supervisor and he is confident that regular maintenance, combined with the harsh growing conditions, will limit the trees' growth potential.

New Staff Housing Sinking

This question was partially answered during question time. I would add that in addition to the subsidence of some sections of brick paving, there has been uneven settling of the two parts of each house to varying degrees. This is not unexpected.

Staff House in Burt Place

The shed at this house is yet to be completed. Some minor corrective work to the structure has been identified and will be undertaken in due course. The shed does not require special approval to be located at the front of the property. There is no requirement for the building to be inspected on completion.

Public Question Time

Mr Ernie Campbell, Lot 104 Darlot Street, Cue

At the last meeting I asked the Council to look at my rates notices, the payments, everything that I have paid out there is still a debt owing. I asked Michael Rennie to send you a letter with what he thought. I haven't got answer back from the Council.

The Chief Executive Officer advised that the answer is recorded in the agenda and a letter sent to Mr Campbell. More time is required to fully investigate the matter as it has occurred over a considerable period of time and needs to be unravelled. A further response will be provided.

Why is Council allowing the post office and shop to be moved to the roadhouse?

The Chief Executive Officer advised that the owner of the roadhouse also owns the post office and shop and as the roadhouse is zoned commercial Council does not have to grant permission for the businesses to be moved.

What about the approvals for the dongas and the laneway to be taken up? Have these been taken care of?

The Chief Executive Officer advised that approval had been granted for the dongas to be placed for use as motel units, however he was not aware of any development involving the laneway. He added that other approvals have been granted in relation to the whole development, but that on a planning basis, Council does not have the power to stop something solely on the basis that it might not be good for the town. It was noted that a traffic management plan is required for the development and the Shire had received State Black

Spot funding to address the intersection of Austin and Marshall Streets to try and stop trucks cutting across that intersection. The owner of the roadhouse is also relocating diesel bowsers further south so that trucks have more room to negotiate refuelling.

Mr Peter Tegg, 45 Dowley Street, Cue

Regarding responses received to previous questions.

Bishops House

'Flooring has been purchased'. According to John McCleary's letter the flooring would be renovated and painted so I don't know why flooring has been purchased.

Cost of Stage 1 – this has not been provided as yet.

'None of the works to date have required a building permit' I question why the Health / Building Officer has put in applications for building permits and compliance certificates but you've said that none of the works require a building permit. Could you please come back to me with an answer.

Brockman Park

The most I could find budgeted was \$50,000. That is leaving an outstanding amount of \$175,257. Unless I've missed it or can't find it there, I'd like you to show me where more was budgeted for this because that's \$175,000 over budget. Has that come back to Council to sort this out – overdrawn / over budget? The expenditure there just seems to be astronomical.

Could I please have a breakdown of the amounts for Materials, Plant, Labour and Overheads.

The park was based on the concept plans of 2005. Concept plans never came to council whilst I was on council. No plans ever came to council. I can find no council resolution on works over and above items budgeted for.

45 Dowley Street'

I asked Richard when he was Acting Chief Executive Officer for a copy of the letter that my house was assessed to be a danger and not easily rectifiable. He came back to me and said that he doesn't have such a letter. I requested a letter stating that you don't have a letter stating that you've assessed my house to be a danger and not easily rectifiable. I will refer you to your own Authority Register which states quite clearly:

1. Chief Executive Officer to sign the Building Order.
2. Subject to Sub-Section 112(2)(b) being conditional as follows; "*The Order to demolish, dismantle or remove a building or incidental structure that has been, or is being, built or occupied in suspected contravention of a provision of the Building Act 2011, SHALL only be issued where the building is assessed to be in a state that is dangerous and which cannot be easily rectified*".

When you answer this you should also write to William Campbell and Ernie Campbell as they were also issued Building Orders.

The Chief Executive Officer advised that these questions would be taken on notice.

Why was depot out of fuel the other day?

The Chief Executive Officer advised that this was a timing issue.

3. APOLOGIES AND LEAVE OF ABSENCE

3.1 ATTENDANCE BY TELEPHONE	
APPLICANT:	Cr Les Price
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson - Chief Executive Officer
DATE:	16 July 2016
Matters for Consideration:	
Attendance at Council meeting by telephone	
Background:	
Cr Price has requested permission to attend the July Council meeting by teleconference.	
Comments:	
Nil	
Statutory Environment:	
<p>LOCAL GOVERNMENT ACT 1995 - SECT 5.25</p> <p>5.25 . Regulations about council and committee meetings and committees</p> <p>(1) Without limiting the generality of section 9.59, regulations may make provision in relation to — ...</p> <p>(ba) the holding of council or committee meetings by telephone, video conference or other electronic means; and ...</p> <p>LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 14A</p> <p>14A . Attendance by telephone etc. (Act s. 5.25(1)(ba))</p> <p>(1) A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —</p> <p>(a) the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and</p> <p>(b) the person is in a suitable place; and</p> <p>(c) the council has approved* of the arrangement.</p> <p>(2) A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person (other than a person with a disability) who was not physically present was taken to be present in accordance with this regulation.</p> <p>(3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.</p> <p>(4) In this regulation —</p> <p>disability has the meaning given in the Disability Services Act 1993 section 3;</p>	

5. CONFIRMATION OF MINUTES

Council Decision: 02072016

MOVED: CR P PIGDON SECONDED: CR DENNIS

That the Minutes of the Ordinary Meeting of 21st of June 2016 are confirmed as a true and correct record of the meeting.

CARRIED: 7/0

6. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.

The Shire President advised that he had received a media release from Vince Catania MLA regarding nominations for the 2016 WA Seniors Awards and applications for Seniors Week grants and referred the item to the Chief Executive Officer for follow up.

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

The meeting will go behind closed doors to discuss Item 13.1.

8. REPORTS

8.1 CHIEF EXECUTIVE OFFICER

Repair works have commenced on the Old Post Office, Old Gaol and Pensioner's Hut, with the erection of scaffolding currently being undertaken to ensure a safe work site.

As previously advised, having received the resignation of Phil Swain, I have made enquiries regarding an alternative supplier of Health and Building services to the Shire. Mr Bill Atyeo has advised that he is able to provide a service based on one day in the office per month with additional in-person service as required and daily availability through electronic delivery and I am having further discussions with him to determine if a suitable contract can be negotiated.

As allowance has been made for the purchase of a stabiliser in the 2016/17 budget, the Manager Works & Services and I participated in an online auction that featured several machines of differing specifications and condition. Although unsuccessful in bidding on a machine at what was considered a reasonable price given each machine's condition, the purchase of a 1986 Bomag MPH100 was negotiated successfully after the auction at a price of \$32,550 plus GST. It is considered that this machine will be suitable for concrete stabilisation of floodways and reclamation and stabilisation of sections of the Cue-Beringarra Road.

The Mid West Development Commission have advised that they will be visiting the Murchison region in late August to hold meetings with each Council. The group will consist of MWDC Chair Murray Criddle, CEO Gavin Treasure and two other staff members. The itinerary includes a dinner meeting at the Murchison Club Hotel with the Shire President, Deputy Shire President and myself at 6pm on Monday 22 August and a meeting with all Councillors in the Council Chamber at 8am on Tuesday 23 August to discuss strategic and future plans for Cue. Tuesday's meeting is likely to include a short bus tour around town and will conclude with morning tea at 10am.

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

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	2			\$ 0	\$ 417	\$ 4,383	-\$ 417
Totals	37			\$ 4,383	\$ 5,000	\$ 4,383	-\$ 617

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	26,595	20,276	136,756	6,319	20,988	5,607
Totals	136,775	117,422	136,756	6,319	146,173	-9,418

STATUS OF PROJECTS

Project	Description	Status %
Employee Housing (Group)	Project complete with installation of lawns and window awnings. Some ongoing maintenance issues with paving collapsing after rains.	100% Complete
Employee Housing (Individual)	Project nearing completion with lawns and window awnings installed. Final stages of shed being completed.	95% Complete
Records Management	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
Local Laws Review	As required by the Act. Advertising has been undertaken.	20% Complete
Water Park	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
Marshall Street	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.	30% Complete
Brockman Park	Footpaths have been constructed, water tanks, reticulation & kerbing installed.	75% Complete
Cue Post Office Building Renovations	All planning is now complete, waiting for outcome of grant applications.	20% Complete
Oasis Redevelopment	Round 2 grant application successful - \$440,000 GST excl. Final plans being prepared by architects.	10% Complete

ORDINARY MEETING – 19 JULY 2016

Flood Damage Repairs	Stage one works are nearing completion. Stage two works are progressing well and tenders have been advertised for stage three.	50% Complete
OH&S	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
RV Park	Holding Tank installed, concrete hopper installed. Electricity and water are connected, new fencing to be erected.	60%
Town Hall	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%
Public Toilets	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
Cue Wondinong Road – Regional Road Group	Work is progressing on the Wondinong Road with approximately 2 km to be completed.	90% Complete
Bishops House	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
Staff Housing Repairs	Ongoing – external painting has been completed, interior yet to be done.	45% completed
Fencing	Completed	100% completed

8.2 RANGERS REPORT

I attended Cue on Monday 20 June 2016. Patrols were conducted of the town site and surrounding areas and license enquiries made. Registration files were checked for compliance. Patrols were conducted of Nallan Nature reserve. There is evidence of regular camp activity which is usual for this time of year. Several campers were sighted and spoken to. All appeared correct and they stated that they were only there overnight.

No new written or verbal complaints were received at the shire. No dogs were seen wandering during patrols of the town site. A brief meeting regarding the upcoming Murdoch Vet Program was held with the CEO and staff.

8.3 WORKS & SERVICES REPORT

Works Report for period 15th June 2016 to 14th July 2016

Construction Crew

The Construction Crew are continuing maintenance of the Shire roads as a result of the recent moist conditions. Particular attention has been paid to Dalgaranga Road, Milly Soak and Lake Nallan tourist access road. Maintenance of the Rifle Range Road has begun and is ongoing.

The Construction Crew have also been re-organising the rubbish tip which is an ongoing project.

Delineators have been installed in and around town. Damaged signage has been re-erected and this too is ongoing.

Town Crew

The Town Crew have almost completed Brockman Park. They are now awaiting the dedication plaques to be installed, as well as public seating and drinking fountain. Works have been carried out at the Tourist Park to prevent it from becoming a mud pit in future wet weather.

Mechanic

Ongoing maintenance on all fleet vehicles has been undertaken and we are currently up to speed with repairing any break down equipment.

Mosquito Fogging

We have not undertaken any fogging since our last report due to the cool and wet weather conditions.

Other

The sewerage farm effluent pond has been fixed and this should aid in the elimination of the some of the mosquito breeding cycles.

The football oval on the south eastern side has been prepared in order to erect a fence to prevent vermin damage on the oval.

The newly purchased Bomag is due to commence in approximately two weeks repairing the worst sections between town and Wyah Pool on Cue-Beringarra Road and getting it ready for re-sealing.

Contractors are currently undergoing repairs to the Old Post Office roof, Old Gaol and the pensioners hut in the Tourist Park.

We have been waiting for the plumber to attend Cue but due to the ill health of the plumber's wife, we have engaged another contractor, Sun City Plumbing to come to Cue. They will be replacing the faulty cisterns in the public toilets, installing the hot water system at the Council's Chambers, the effluent pumps at the back of Council's Chambers and the Tourist Park. This will be done in conjunction with the electricians who are due in Cue next week.

Training

Fire Brigade training is continuing Saturday 16 July 2016 and Sunday 17 July 2016.

John ("JC") Curtin

ORDINARY MEETING – 19 JULY 2016

Please note: the following table includes data for the last two months (ie from 1 May to 30 June)

Plant No	Plant Description	Rego	Hours - 1 May 2016	Hours - 30 June 2016	Month	YTD
P8	Cat 926E Loader	CD 426	3116	3117	1	9
P9	Cat 140H Grader	CD 555	1673	1811	138	1073
P23	Backhoe CD 712	CD 712	1798	1860	62	264
P24	Toyota Forklift 1985	CD 671	8668	8687	19	115
P34	Caterpillar Skidsteer	CD 625	1285	1348	63	384
P36	Cat Vibratory Roller	CD 772	8974	9013	39	211
P46	Caterpillar 950 Loader	CD 793	4349	4442	93	721
P51	D6BXL111 Dozer	Not Reg'd	4099	4103	4	476
P57	Bomag Multi Tyre Roller	CD 791	4549	4670	121	649
P12	Isuzu - NPR350 Truck	CD 645	50386	52438	2052	7797
P14	Isuzu NPR3000 - Fuel Truck	CD 684	125432	128841	3409	10677
P44	International Garbage Truck	CD 804	123084	123349	265	4000
P30	Hino series Dump Truck	CD 736	64051	67209	3158	12637
P38	Prime Mover Cabover	CD 794	793450	794748	1298	7051
P45	Iveco Prime Mover	CD 788	377223	380544	3321	14425
P13	Nissan Navara - Builders Ute	CD683	46473	47112	639	9468
P54	Ford Ranger - Roads Supervisor	CD 706	67280	70400	3120	38444
P41	Community Bus	CD 792	18016	18175	159	6639
P61	Mack Trident Prime Mover	CD 775	323371	326217	2846	16411
P62	Ford Ranger - Works Supervisor	CD 805	25406	34500	9094	34500
P63	Ford Ranger - Town Supervisor	CD 803	7530	9940	2410	9940
P67	Toyota Prado - CEO	0 CD	7522	11423	3901	11399
P68	Toyota Hilux - Admin	14 CD	10760	17169	6409	17134
P66	Ride on Street Sweeper	CD 795	62	65	3	65
P58	Kubota Mower	IEPC 132	119	126	7	126

Officers Recommendation:

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

Council Decision: 030725016

Voting requirement: Simple Majority

MOVED: CR FITZPATRICK

SECONDED: CR DENNIS

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

CARRIED: 7/0

8.4 ACCOUNTS & STATEMENTS OF ACCOUNTS	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	14 July 2016
Matters for Consideration:	
To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 19 th of July 2016 as attached – see Appendix 1	
Comments:	
The list of accounts is for the month of June 2016.	
Background:	
The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.	
Statutory Environment:	
Local Government (Financial Management Regulations) 1996 – Clause 13.	
Policy Implications:	
Nil	
Financial Implications:	
Nil	
Strategic Implications:	
Nil	
Consultation:	
Nil	

8.5 FINANCIAL STATEMENT	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	14 July 2016
<i>Matters for consideration:</i>	
<p>The Statement of Financial Activity for the periods ended 30th of June 2016 including the following reports:</p> <ul style="list-style-type: none"> • Statement of Financial Activity • Significant Accounting Policies • Graphical Representation – Source Statement of Financial Activity • Net Current Funding Position • Cash and Investments • Major Variances • Budget Amendments • Receivables • Grants and Contributions • Cash Backed Reserve • Capital Disposals and Acquisitions • Trust Fund <p>see Appendix 2</p>	
<i>Comments:</i>	
<p>The Statement of Financial Activity is for the month of June 2016.</p> <p>Please note, the 30 June 2016 financial report excludes year-end adjustments which were yet to be finalised at the date of preparation. As such, the final closing surplus for the year will differ to that presented once these year-end adjustments are finalised.</p>	
<i>Background:</i>	
<p>Under the Local Government (Financial Management Regulations 1996), a monthly Statement of Financial Activity must be submitted to an Ordinary Council meeting within 2 months after the end of the month to which the statement relates. The statement of financial activity is a complex document but presents a complete overview of the financial position of the local government at the end of each month. The Statement of Financial Activity for each month must be adopted by Council and form part of the minutes.</p>	
<i>Statutory Environment:</i>	
<p>Local Government (Financial Management Regulations) 1996 – Clause 14.</p>	
<i>Policy Implications:</i>	
<p>Nil</p>	

Financial Implications:	
Nil	
Strategic Implications:	
Nil	
Consultation:	
RSM Bird Cameron Chartered Accountants	
Officer's Recommendation:	
<i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the periods ended 30th June 2016.</i>	
Council Decision 05072016	Voting requirement: Simple Majority
<p>MOVED: CR SPINDLER SECONDED: CR P PIGDON</p> <p>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30th June 2016.</p> <p>CARRIED 7/0</p>	

8.6 SETTING OF THE ANNUAL RATE IN THE DOLLAR FOR 2016-2017 FINANCIAL YEARS	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	12 July 2016
<i>Matters for Consideration:</i>	
<p>To consider the submissions received from McMahon Mining Title Services Pty Ltd and Metals X Limited in relation to the proposed differential rates for the 2016-2017 financial year.</p> <p>And</p> <p>To apply to the Minister for Local Government and Communities for approval to impose differential general rates that are more than twice the lowest differential rate being imposed.</p> <p>And</p> <p>To apply to the Minister for Local Government and Communities for approval to impose a minimum payment on vacant land which applies to more than fifty percent of the number of properties in that category.</p>	
<i>Background:</i>	
<p>At the Special Meeting held on 9 June 2016, Council approved the advertising of the proposed differential rates for the 2016-2017 financial year as required under section 6.33 of the Local Government Act.</p> <p>Submissions regarding the proposed differential rates and minimum payments closed on 6 July 2016. The Shire of Cue received two submissions in respect to the proposed differential rates, being from McMahon Mining Title Services Pty Ltd and Metals X Limited and are attached at Appendix 3</p>	
<i>Comments::</i>	
<p>The submission from McMahon Mining Title Services Pty Ltd who represent a number of exploration and prospecting companies, requests that Council carefully consider a separate, lower rate for exploration and prospecting mining tenements which reflects their view of significantly lower use of Shire infrastructure and the sectors reduced capacity to pay.</p> <p>The submission from Metals X Limited states their objection to the UV mining rate in the dollar being more than twice the UV pastoral rate in the dollar and the Shires intention to increase the UV mining rate in the dollar to 31.32 cents. The submission also questions the justification for application of a differential rate of 30.75 cents in the dollar for the GRV mining and transient workforce facilities both of which are currently operated by Metals X Limited.</p> <p>In regards to separate rate for different types of mining tenement, the difference in use is already factored into the valuation for the different types of tenements by the Valuer General Office. By applying a uniform rate in the dollar across all tenement types, the resulting rates imposed are considerably less for prospecting and exploration tenements when compared to mining tenements. It is therefore not considered necessary to have separate rates in the dollar for each tenement type. Furthermore most of our prospecting and exploration tenements are minimum rated and separating them into a differential rate category will produce a category where more than fifty percent of the properties are on the minimum rate.</p>	

The lower use of Shire infrastructure by exploration ratepayers is debateable in terms of usage, however the infrastructure needs to be in place and maintained. In regards to roads this includes maintaining roads at a safe standard and level that allows for increased heavy vehicle traffic.

While it is acknowledged that there is a general downturn in the mining industry, discussions held by the CEO and mining companies in recent times indicate that there will be increased mining activity within the Shire of Cue over the next year. It is therefore necessary for Council to maintain its current level of services and facilities to the community to meet these demands.

The rates proposed for the 2016-2017 financial year provides for a balanced budget with no significant increase over rates raised for the previous year. This is in conjunction with no increase to the Federal Assistance Grants, resulting in total operating revenue for the Shire remaining at a very similar level to last years actuals.

In relation to the comments made regarding the mining and transient workforce facilities, the Crosslands camp has recently had its accommodation buildings removed and relocated which is likely to affect the valuation of the property for rating purposes in the coming financial year. The Cue Village was acquired by Metals X Limited in February 2016 and is claimed in the submission to be operating at twenty percent capacity.

The establishment of Cue Camp on Lot 635 Wittenoorn St was encouraged by the Shire through negotiation with Silverlake Resources and construction by NT Link. Outback Parks and Lodges, subsequently operated the site. The acceptance of the wastewater from the SAF Treatment system was mutually beneficial, however the camp could not have been constructed without the Shire accepting the wastewater. To do this, in technical contravention of the State Sewer Policy at the time, it was the Shire that brokered the approval with the Department of Health to permit the discharge of treated wastewater from Lot 635 to Lot 637, (both on Shire Vested Reserve 38357). The Shire accepts the wastewater and it is discharged to water the reserve, even when watering is not required. This has at times caused significant issues with the Shire oval itself and increased management and maintenance of the reticulation system and oval due to wastewater quality. It should be noted that if the camp had been constructed without the Shire intervening and assisting in this way, the useable area of building site would have been, at least, halved. To suggest that the Shire is the major beneficiary in the acceptance of the wastewater is to ignore historical fact. The Shire can continue to accept treated wastewater, in this mutually beneficial relationship.

The Cue Village facilities were created with the Shire and Silver Lake Resources Limited working together for the mutual benefit of both parties. The intention is to integrate the workforce into the town for the benefit of both the workforce and the community. When the camp is at capacity it over doubles the population of the town placing extra requirements on the Shire to meet service levels.

In considering the difference in the rate in the dollar for the GRV M&T workforce facilities, UV mining and UV pastoral rate and should Council decide to amend the advertised rates for the 2016-2017 annual budget, a number of alternative models are presented for Council to consider.

The tables below in order show the rates raised for the 2015-2016 financial year, the advertised proposed rates for 2016-2017 followed by four alternative rates models. The models show different methods of raising the required rates by reducing the GRV M&T workforce facilities and UV mining rate in the dollar and sharing this over the other rating categories.

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Rates raised 2015-2016				
Rate Category	Rate in \$	Number of Properties	Rateable Value	Rates Levied
GRV - RESIDENTIAL	0.1011	82	448,032	45,296
GRV - COMMERCIAL	0.0865	10	373,148	32,277
GRV - VACANT LAND	0.0982	0	-	-
GRV- M&T WORKFORCE FACILITIES	0.3000	2	303,888	91,166
UV - MINING TENEMENTS	0.3056	290	6,492,446	1,984,091
UV - PASTORAL	0.0802	14	502,918	40,334
Minimum payment	Minimum \$			
GRV - RESIDENTIAL	430	44	110,869	18,920
GRV - COMMERCIAL	430	8	24,665	3,440
GRV - VACANT LAND	520	32	7,712	16,640
GRV- M&T WORKFORCE FACILITIES	430	0	-	-
UV - MINING TENEMENTS	430	129	86,821	55,470
UV - PASTORAL	430	3	1,290	1,290
Totals		614	8,351,789	2,288,924

Proposed rates 2016-2017				
Rate Category	Rate in \$	Number of Properties	Rateable Value	Rates Levied
GRV - RESIDENTIAL	0.1036	81	442,832	45,877
GRV - COMMERCIAL	0.0886	10	373,148	33,061
GRV - VACANT LAND	0.1036	0	-	-
GRV- M&T WORKFORCE FACILITIES	0.3075	2	303,888	93,446
UV - MINING TENEMENTS	0.3132	283	6,334,865	1,984,080
UV - PASTORAL	0.0822	14	502,918	41,340
Minimum payment	Minimum \$			
GRV - RESIDENTIAL	440	45	111,039	19,800
GRV - COMMERCIAL	440	8	24,665	3,520
GRV - VACANT LAND	530	33	8,192	17,490
GRV- M&T WORKFORCE FACILITIES	440	0	-	-
UV - MINING TENEMENTS	440	124	83,969	54,560
UV - PASTORAL	440	3	10,400	1,320
Totals		603	8,195,916	2,294,493
Additional revenue raised				5,569

Alternative proposed rates for 2016-2017 model 1

Rate Category	Rate in \$	Number of Properties	Rateable Value	Rates Levied	% increase
GRV - RESIDENTIAL	0.1062	81	442,832	47,009	5.00%
GRV - COMMERCIAL	0.0908	10	373,148	33,891	5.00%
GRV - VACANT LAND	0.1062	0	-	-	5.00%
GRV- M&T WORKFORCE FACILITIES	0.3069	2	303,888	93,263	2.30%
UV - MINING TENEMENTS	0.3126	283	6,334,865	1,980,461	2.30%
UV - PASTORAL	0.0842	14	502,918	42,351	5.00%
Minimum payment	Minimum \$				
GRV - RESIDENTIAL	440	45	111,039	19,800	2.33%
GRV - COMMERCIAL	440	8	24,665	3,520	2.33%
GRV - VACANT LAND	530	33	8,192	17,490	1.92%
GRV- M&T WORKFORCE FACILITIES	440	0	-	-	2.33%
UV - MINING TENEMENTS	440	124	83,969	54,560	2.33%
UV - PASTORAL	440	3	10,400	1,320	2.33%
Totals		603	8,195,916	2,293,665	

Revenue raised from proposed rates

2,294,493

Difference

-828

Alternative proposed rates for 2016-2017 model 2

Rate Category	Rate in \$	Number of Properties	Rateable Value	Rates Levied	% increase
GRV - RESIDENTIAL	0.1062	81	442,832	47,009	5.00%
GRV - COMMERCIAL	0.0908	10	373,148	33,891	5.00%
GRV - VACANT LAND	0.1062	0	-	-	5.00%
GRV- M&T WORKFORCE FACILITIES	0.3000	2	303,888	91,166	0.00%
UV - MINING TENEMENTS	0.3126	283	6,334,865	1,980,461	2.30%
UV - PASTORAL	0.0842	14	502,918	42,351	5.00%
Minimum payment	Minimum \$				
GRV - RESIDENTIAL	450	45	111,039	20,250	4.65%
GRV - COMMERCIAL	450	8	24,665	3,600	4.65%
GRV - VACANT LAND	540	33	8,192	17,820	3.85%
GRV- M&T WORKFORCE FACILITIES	450	0	-	-	4.65%
UV - MINING TENEMENTS	450	124	83,969	55,800	4.65%
UV - PASTORAL	450	3	10,400	1,350	4.65%
Totals		603	8,195,916	2,293,698	

Revenue raised from proposed rates

2,294,493

Difference

- 795

Alternative proposed rates for 2016-2017 model 3

Rate Category	Rate in \$	Number of Properties	Rateable Value	Rates Levied	% increase
GRV - RESIDENTIAL	0.1051	81	442,832	46,561	4.00%
GRV - COMMERCIAL	0.0900	10	373,148	33,568	4.00%
GRV - VACANT LAND	0.1051	0	-	-	4.00%
GRV- M&T WORKFORCE FACILITIES	0.3060	2	303,888	92,990	2.00%
UV - MINING TENEMENTS	0.3117	283	6,334,865	1,974,653	2.00%
UV - PASTORAL	0.0834	14	502,918	41,947	4.00%
Minimum payment	Minimum \$				
GRV - RESIDENTIAL	450	45	111,039	20,250	4.65%
GRV - COMMERCIAL	450	8	24,665	3,600	4.65%
GRV - VACANT LAND	540	33	8,192	17,820	3.85%
GRV- M&T WORKFORCE FACILITIES	450	0	-	-	4.65%
UV - MINING TENEMENTS	450	124	83,969	55,800	4.65%
UV - PASTORAL	450	3	10,400	1,350	4.65%
Totals		603	8,195,916	2,288,540	

Revenue raised from proposed rates 2,294,493
 Difference - 5,953

Alternative proposed rates for 2016-2017 model 4

Rate Category	Rate in \$	Number of Properties	Rateable Value	Rates Levied	% increase
GRV - RESIDENTIAL	0.1036	81	442,832	45,890	2.50%
GRV - COMMERCIAL	0.0887	10	373,148	33,084	2.50%
GRV - VACANT LAND	0.1036	0	-	-	2.50%
GRV- M&T WORKFORCE FACILITIES	0.3069	2	303,888	93,263	2.30%
UV - MINING TENEMENTS	0.3126	283	6,334,865	1,980,461	2.30%
UV - PASTORAL	0.0842	14	502,918	42,351	5.00%
Minimum payment	Minimum \$				
GRV - RESIDENTIAL	440	45	111,039	19,800	2.33%
GRV - COMMERCIAL	440	8	24,665	3,520	2.33%
GRV - VACANT LAND	530	33	8,192	17,490	1.92%
GRV- M&T WORKFORCE FACILITIES	440	0	-	-	2.33%
UV - MINING TENEMENTS	440	124	83,969	54,560	2.33%
UV - PASTORAL	440	3	10,400	1,320	2.33%
Totals		603	8,195,916	2,291,739	

Revenue raised from proposed rates 2,294,493
 Difference - 2,754

If Council decides to modify the proposed rates or minimum payments after considering any submissions it is not necessary to readvertise the rates however the changes will be included in the notes to the adopted annual budget.

Statutory Environment:

Local Government Act 1995, Part 6 – Division 6 – Subdivision 2, Categories of Rates and Service Charges.

Policy Implications:

Department of Local Government and Communities, Rating Policy, Differential Rates (s.6.33), March 2016.

Financial Implications:

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. The proposed revenue raised from rates will make up the budget deficiency and provide Council with a balanced budget for the 2016-2017 financial year.

Strategic Implications:

Shire of Cue Strategic Community Plan 2013-2023

Consultation:

Rob Madson – Chief Executive Officer

Officer's Recommendation:

Voting requirement: Simple Majority

That Council

1. *Acknowledges the receipt of the submissions received from McMahon Mining Title Services Pty Ltd and Metals X Limited.*
2. *Having considered the submissions received, adopts the following rates for the 2016-2017 financial year.*

Rate Category	Minimum Rates \$	Rate in \$ (cents)
GRV - RESIDENTIAL	440.00	0.1036
GRV - COMMERCIAL	440.00	0.0886
GRV - VACANT LAND	530.00	0.1036
GRV- M&T WORKFORCE FACILITIES	440.00	0.3075
UV - MINING TENEMENTS	440.00	0.3132
UV - PASTORAL	440.00	0.0822

3. *Make application to the Minister for Local Government and Communities for approval to impose differential general rates that are more than twice the lowest differential rate being imposed.*

8.7 WRITE OFF OF SUNDRY DEBTOR	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	11 July 2016
Matters for Consideration:	
To write off the outstanding debtor amount of \$651.20 owing by Anthony Bardile for damage caused to a kerb while manoeuvring a truck and trailer in Darlot Street, Cue	
Background:	
On 4 August 2015 a vehicle and trailer known as the Lamb Van caused damage to the road kerb in Darlot Street, Cue. The incident was witnessed by a Shire employee. The quote to repair the kerb of \$651.20 was on-charged to Anthony Bardile being the owner of the vehicle causing the damage.	
Comments::	
<p>Numerous attempts have been made to recover this outstanding amount and to contact Anthony Bardile without success. Given the relatively small amount owing and the age of the debt, it would not be a prudent use of council resources to continue pursuing this action and it is recommended that this amount be written off as uncollectable.</p> <p>The amount of the outstanding debtor is outside of the CEO's delegated authority and requires a decision from Council to write off the debt.</p>	
Statutory Environment:	
Local Government Act 1995, Section 6.12. – Power to defer, grant discounts, waive or write off debts.	
Policy Implications:	
Shire of Cue Policy Manual, Policy D1 – Debt Recovery	
Financial Implications:	
The waiving of the outstanding amount of \$651.20 will be offset against Councils provision for doubtful debts in the 2015-2016 financial year. This account currently has an allocation of \$35,500 and the expected balance of bad debts with the inclusion of this amount will be \$8,205.	
Strategic Implications:	
Nil	
Consultation:	
<p>Rob Madson – Chief Executive Officer</p> <p>Peter Hutchinson – Former Manager of Finance – Shire of Cue</p>	

8.8 WAIVING OF SUNDRY DEBTOR RUBBISH FEES	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Manager Finance
DATE:	11 July 2016
<i>Matters for Consideration:</i>	
To waive part of the rubbish fees charged to Top Group WA Pty Ltd for the disposal of demolished buildings in Cue in November 2015.	
<i>Background:</i>	
<p>On 2 November 2015 Top Group WA Pty Ltd removed three houses from lots adjacent to the Roadhouse on Austin Street Cue. The material from these lots was taken to and disposed of at the Cue rubbish disposal site by a contractor engaged by Top Group WA Pty Ltd. The CEO at the time Mr John McCleary estimated that twenty loads of ten cubic metres each was disposed at the rubbish site and raised an invoice in line with the Shire of Cue fees and charges for the disposal of two hundred cubic metres of building waste totalling \$9,450.00.</p> <p>Davyd Hooper from Top Group WA Pty Ltd has disputed these charges stating that the disposal from the sites was carried out by a contractor Mr Terry Bloxsome and that advice from Terry at the time was he had been informed by the Tip Manager there would be no charge for the waste. Davyd has also disputed the estimated volume of waste removed from the sites and charged for.</p> <p>The CEO met with Terry Bloxsome who concurred that the estimated volume of waste was about right and that a Shire employee at the tip site informed him that there was no charge to dispose of the waste.</p> <p>The CEO met with Davyd Hooper to resolve the dispute where Davyd offered a payment of \$3,000 for settlement of the account. In considering this offer the CEO has taken into account the proposed reduction to the commercial waste charges for the 2016-2017 fees and charges in conjunction with the potential costs of taking legal action against Top Group WA Pty Ltd for collection of the outstanding amount. The CEO accepted this offer on the provision that payment was made in a timely manner. The payment of \$3,000 has been received from Top Group WA Pty Ltd leaving an outstanding amount of \$6,450 on the account.</p> <p>The amount of the outstanding debtor is outside of the CEO's delegated authority to write off and requires Councils endorsement to waive the charges.</p>	
<i>Comments::</i>	
<i>Statutory Environment:</i>	
Local Government Act 1995, Section 6.12. – Power to defer, grant discounts, waive or write off debts.	
<i>Policy Implications:</i>	
Nil	
<i>Financial Implications:</i>	
The waiving of the outstanding amount of \$6,450 will be offset against Councils provision for doubtful debts in the 2015-2016 financial year. This account currently has an allocation of \$35,500 and the expected balance of bad debts with the inclusion of this amount will be \$8,205.	

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Strategic Implications:	
Nil	
Consultation:	
Rob Madson – Chief Executive Officer Terry Bloxsome – Contractor for the waste removal Davyd Hooper – Top Group WA Pty Ltd	
Officer’s Recommendation:	Voting requirement: Simple Majority
<i>That Council waive the outstanding rubbish disposal charges of \$6,450 outstanding from Top Group WA Pty Ltd.</i>	
Council Decision 08072016	Voting requirement: Simple Majority
<p>MOVED: CR P PIGDON SECONDED: CR HOGBEN</p> <p>That Council waive the outstanding rubbish disposal charges of \$6,450 outstanding from Top Group WA Pty Ltd.</p> <p>LOST: 1/5</p>	

Cr Dennis returned to the meeting at 7:35pm

8.9 ASSIGNMENT OF LEASE LOT 635 WITTENOOM STREET	
APPLICANT:	Outback Parks & Lodges
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson - Chief Executive Officer
DATE:	13 July 2016
<i>Matters for Consideration:</i>	
Granting approval to assign the lease of Lot 635 Wittenoorn Street (Cue Village) from Gwalia Properties to Big Bell Gold Operations (MetalsX)	
<i>Background:</i>	
<ul style="list-style-type: none"> • Big Bell Gold Operations purchased the assets of Gwalia Properties. This includes the camp facilities at Cue Village. • Outback Parks & Lodges, who had been managing Cue Village on behalf of Gwalia, notified the Shire of their intention to assign the lease of Lot 635 Wittenoorn Street to Big Bell Gold Operations on 22 February 2016, but have been waiting for the approval of the Foreign Investment Review Board for the sale to be finalised. • Big Bell Gold Operations now advise that they are restructuring their ownership such that the approval of the FIRB is no longer necessary. 	
<i>Comments:</i>	
<p>Big Bell Gold Operations have occupied the property since March 2016. Shortly after, the Shire brought to their attention that they did not legally hold the right to occupy the property as the lease would need to be assigned to them and such assignment would require Council's approval in accordance with clause 14.1 of the current lease.</p> <p>Metals X has arranged for a deed of assignment to be drawn up by EMK Lawyers.</p>	
<i>Statutory Environment:</i>	
<p>Clause 14 of the current lease states:</p> <p>14.1 <u>No assignment</u></p> <p>The Lessee must not assign, mortgage or charge the Lessee's leasehold estate in the Leased Premises, nor sublet, part with possession or dispose of the Leased premises in any way.</p> <p>14.3 <u>Lessor may consent to assignment</u></p> <p>The Lessee will not be in breach of the covenant in clause 14.1 of this clause in respect of an assignment if both the Lessor and the Minister consent to the assignment. The Lessor's consent shall not be unreasonable withheld.</p> <p>LOCAL GOVERNMENT ACT 1995 - SECT 9.49A</p> <p>9.49A . Execution of documents</p> <p>(1) A document is duly executed by a local government if —</p>	

(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or

(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

(3) The common seal of the local government is to be affixed to a document in the presence of —

(a) the mayor or president; and

(b) the chief executive officer or a senior employee authorised by the chief executive officer,

each of whom is to sign the document to attest that the common seal was so affixed.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Nyree Patterson – Business & Finance Group Manager
Outback Parks & Lodges

David Okeby – Corporate Development Manager MetalsX
Limited

Officer’s Recommendation:

Voting requirement: Simple majority

That Council:

1. Grant approval for the lease held by Gwalia Properties Pty Ltd on Lot 635 Wittenoom Street Cue to be assigned to Big Bell Gold Operations Pty Ltd, subject to:
 - Satisfactory assessment of the Deed of Assignment by the Shire’s legal representative; and
 - Approval of the Minister for Lands being obtained.
2. Authorise the Shire President and Chief Executive Officer to sign the Deed of Assignment and apply the common seal.

Council Decision 09072016

MOVED: CR FITZPATRICK SECONDED CR P PIGDON

That Council:

1. Grant approval for the lease held by Gwalia Properties Pty Ltd on Lot 635 Wittenoorn Street Cue to be assigned to Big Bell Gold Operations Pty Ltd, subject to:
 - Satisfactory assessment of the Deed of Assignment by the Shire’s legal representative; and
 - Approval of the Minister for Lands being obtained.
2. Authorise the Shire President and Chief Executive Officer to sign the Deed of Assignment and apply the common seal.

CARRIED: 7/0

9. INFORMATION BULLETIN

9.1 EBO REPORT

ACTION SHEET

Council's Environmental Health Officer – Philip Swain

Date: 4-8 July 2016

Next visit proposed: 10-12 August 2016

Date	Subject	Action Taken
1/7/2016	Resignation of Contract Health Building Planning Officer	<p>I have been in negotiations with other local governments with respect to my contract and consultancy business and I have unfortunately had to resign my current contract with the Shire of Cue. I have enjoyed my role with the Shire over the last nearly five (5) years, although it has not been without its challenges. I wish you and all the staff and Councillors at Cue the best moving forward. I have given the required one month's notice, however have agreed to undertake a final visit to site, 10-12 August 2016.</p> <p>Action: CEO is currently negotiating with suitable replacement officers for the role. The role can be tendered or can be contracted over the short term in accordance with Shire purchasing policy.</p>
15/6-4/7/2016	Big Bell Gold Operations (Metals X) Lot 500 Wittenoom St Camp	<p>Council at the last meeting approved the "substantial changes" under the lease of the site for the removal of some buildings. Metals X has relocated 15 accommodation buildings from the former Precision Camp on the corner of Wittenoom and Robinson Streets to Meekatharra, following the issue of a demolition permit. I have inspected the site and reminded the contractor of the various incomplete demolition conditions associated with the site.</p> <p>Action: PS to confirm Demolition Permit compliance</p>
4-7/7/2016	Controlled Waste Tracking	<p>I have applied to DER for a login for the Customer Service/Records Officer and given her some training to close out the controlled waste disposal documents. I have also given some basic training to the CSO to undertake this role.</p> <p>Action: CSO to undertake waste unloading's as required</p>
5/7/2016	Delegation to the Shire by the Department of Lands – Development Applications on Crown Lands	<p>The Shire has received advice, in relation to the delegation by the State, of the ability to sign, as owner, development applications for activities on Crown Lands vested with the Shire, typically reserves and roads. Where the Shire has received a Development Application of this type in the past it has had to refer the Application to the Department of Lands, as owner, to sign the same before the matter can be considered. The ability to sign on behalf of the Minister for Lands and progress Development Applications of this type will streamline processes. To facilitate the use of this delegation the Minister has granted the same to the CEO.</p>

		Action: No further action pending any applications
5/7/2016	Dilapidated Dwelling Lot 28 Dowley St Cue – Lane’s House	<p>I have again requested advice from the owners Guardian by further correspondence to the owner (a minor) requiring a response within 14 days. Failing an adequate response I will issue further Notices to remove the dwelling and disused materials from the lot</p> <p>Action: PS awaiting owner response within 14 days pending Notice issue to take down and remove the dwelling</p>
4-6/7/2016	Reporting Building Statistics	<p>I have completed the monthly return to the DoCEP for June. I have provided the MFS with details for the Building Commission payment to the EOFY. The MFS and I have resolved the outstanding funds held for the BCITF and payments to the EOFY will be made shortly</p> <p>Action- MFS to pay outstanding Building Commission & BCITF fees.</p>
4-8/7/2016	Building Permits	<p>I am of the view that building approval services within the Shire are best provided in the short term, pending my replacement, 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"> 1. 09-2015 Uncertified Application - Service Station Canopy and ablutions Lots 354 & 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; 2. 03-2016 Certified Application - The owners of the Cue Roadhouse have now made the application for the Roadhouse refurbishment. I have been liaising with the applicants Certifying Building Surveyor accordingly, as Class 6-9 buildings have to have design compliance certification issued privately. I have also advised the applicant of additional information that we require before issuing the permit; 3. 04-2016 Certified Application – Lot 216 Allen St – Carport and Verandah repairs following storm damage. I have received an application this week for these repairs and arranged the issue of the Building Permit to assist the owner. <p>Action – CEO to issue Building Permits as required.</p>

ORDINARY MEETING – 19 JULY 2016

6/7/2016	Building Order – Show Cause Notice – Dilapidated Dwelling	<p>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. Most recently the Shire has been advised by the owner that he is intending to remove the building and is going to seek approval to construct a storage shed on the Lot. I have provided advice to the CEO who is liaising with the landowner in relation to a Development Application and a Building Permit for the works.</p> <p>Action: Awaiting applications</p>
4-8/7/2016	Waste Disposal Site	<p>The Surveyors are in the process of re-submitting the Reserve proposal to hopefully properly mitigate the Shire's risk associated with the potentially contaminated site by having all waste activity on the one reserve lot. I have nearly finalised an amendment application for the current landfill Registration with the Department of Environmental Regulation.</p> <p>Action: PS to finalise Registration amendment application for DER and monitor Surveyor's progress in relation to the Reserve boundary realignment.</p>
4-8/7/2016	Statutory Inspections	<p>I have updated for the new financial year the inspection schedule and the current Food Business, Lodging House and Public Building Inspections are up to date.</p> <p>Action: Routine inspections as required</p>
7/7/2016	Western Mining Tailings Removal	<p>Western Mining have had recent discussions with the CEO. Consideration still needs to be given by Council to the future rehabilitation and use of the tailings area and clarification needs to be sought from WM regarding the same. I have provided the CEO with the reports previously prepared in relation to this matter and recommended that he seek a consultation with WM and Council.</p> <p>Administration will propose a consultation session with the company prior to a Council meeting at a date to be set.</p> <p>Action- Administration to make arrangements for a Councillor consultation.</p>
7/7/2016	Lodging House Inspection – Queen of the Murchison	<p>The owners are currently carrying out external and internal maintenance of the premises. Items to be addressed were mainly and have been completed. Minor plumbing repairs have been commenced and will be completed in the Male ablutions shortly.</p> <p>Action: Confirm repairs December visit</p>
Pending	Staff Tenancy Inspections	<p>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</p> <p>Action: Next inspections due September/October 2016</p>
Pending	Shire Lot Land Purchase Proposal	<p>The Shire has been approached to sell one of its residential lots in Marshall St. The proposal has been approved by Council and is in the process of being advertised.</p> <p>Action: Awaiting progress of land sale</p>

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<p>Pending</p>	<p>Lot Revestments</p>	<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 including the potentially contaminated site. The Customer Service Officer has forwarded other documentation as requested.</p> <p>Action: Awaiting DoL response</p>
<p>Pending</p>	<p>Contract Power Workshop Lot 594 Heydon Place</p>	<p>The building and the office and ablution facilities on site are complete and the occupancy certification has been issued. Work on this site associated with the wash-down facility has still not commenced.</p> <p>Action – Awaiting project completion documentation and wash-down bay construction</p>
<p>Pending</p>	<p>Cue Village Wastewater System</p>	<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>
<p>Pending</p>	<p>Burnakurra Mine Site Reopening – New Ownership</p>	<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>
<p>Pending</p>	<p>Murchison Club Hotel Food Business Inspection/ Lodging House Inspection/ Public Building Inspection</p>	<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>

		Action: Follow up inspections to be conducted by PS in August
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	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.
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

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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	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

Motion No	Subject	Status	Open / Closed	Responsible Officer
17022014	Local Laws	Review has been advertised as required.	Open	EBO / CEO
10102015	Tender – Bishop’s House	Refer to our Building Surveyor to get a Certificate of design compliance prior to going to tender	Open	CEO
13102015	Incubator Hub	Lawyers have been instructed to prepare the lease	Open	CEO
11022016	GRV Unimproved Differential Minimum Payments	Application for rates to be quashed lodged with SAT, awaiting outcome.	Open	CEO
06032016	Lot 507 Burt Place Sale of Land	Dept of Housing advised of approval for sale of land. Titles forwarded to settlement agent.	Open	CEO

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14. CLOSURE

The President thanked those present for attending the meeting and declared the meeting closed at 8:02pm

To be confirmed at Ordinary Meeting on the 16th of August 2016

Signed:.....

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