



**MINUTES
ORDINARY MEETING
OF COUNCIL**

18TH OF APRIL 2017

NOTICE OF MEETING

Please be advised that the next

Ordinary Meeting of Council

held on

Tuesday, 18Th of APRIL 2017

commencing at **6:30pm**

in the Council Chambers at 73 Austin Street, Cue WA

Rob Madson
Chief Executive Officer
18 April 2017

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations, which have not yet been adopted by Council.

SHIRE OF CUE

DISCLOSURE OF FINANCIAL INTEREST AND INTERESTS AFFECTING IMPARTIALITY

To: Chief Executive Officer

As required by section 5.65(1)(a) or 5.70 of the Local Government Act 1995 and Council’s Code of Conduct, I hereby declare my interest in the following matter/s included on the Agenda paper for the Council meeting to be held on _____
(Date)

Item No.	Subject	Details of Interest	Type of Interest Impartial/Financial	*Extent of Interest

(see below)

* Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions of the decision making process (see item 6 below). Employees must disclose extent of interest if the Council or Committee requires them to.

Name (Please Print)

Signature

Date

NB

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have declared an interest is discussed, Section 5.65(1) (a) & (b).
2. It remains Councillors’/Employees’ responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor’s/Employee’s responsibility to ensure the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor’s responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. The responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are confirmed.
5. It is recommended that when previewing Agenda, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of the Council. Where Councillors request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor’s application.

Remember: The responsibility to declare an interest rests with individual Councillors / Employees. If in any doubt seek legal opinion or, to be absolutely sure, make a declaration.

Office Use Only: Date/Initials

1. Particulars of declaration given to meeting _____
2. Particulars recorded in the minutes: _____
3. Signed by Chief Executive Officer _____

Local Government Act 1995 - SECT 5.23

Meetings generally open to the public

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

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

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

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

(g) Information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and

(h) Such other matters as may be prescribed.

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

SHIRE OF CUE

REVOKING OR CHANGING DECISIONS MADE AT COUNCIL MEETINGS

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

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

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

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

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

To the Presiding Member,

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

Councillor’s Names	Councillor’s Signature
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

SHIRE OF CUE
Ordinary Council Meeting
MINUTES

Held in the Council Chambers, Austin Street Cue on Tuesday 18th April 2017 commencing at
6.31 PM

1.	OFFICIAL OPENING	7
2.	PUBLIC QUESTION TIME.....	7
3.	APOLOGIES AND LEAVE OF ABSENCE.....	7
4.	PETITIONS/PRESENTATIONS/SUBMISSIONS.....	9
5.	CONFIRMATION OF MINUTES	ERROR! BOOKMARK NOT DEFINED.
6.	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....	ERROR! BOOKMARK NOT DEFINED.
7.	MATTERS FOR WHICH THE MEETING MAY GO BEHIND CLOSED DOORS..	10
8.	REPORTS.....	10
8.1	ACCOUNTS & STATEMENTS OF ACCOUNTS.....	11
8.2	FINANCIAL STATEMENT	13
8.3	OUTSTANDING RATES.....	15
8.4	OUTSTANDING RATES.....	17
8.5	PLANNING APPLICATION LOT 619 DOWLEY STREET	20
8.6	MID-WEST WHEATBELT (CENTRAL) DEVELOPMENT ASSESSMENT PANEL.....	23
8.7	PROPOSED NEW LEASE FOR GRAZING.....	26
9.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	28
10.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	28
11.	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION.....	28
12.	MATTERS BEHIND CLOSED DOORS	ERROR! BOOKMARK NOT DEFINED.
13.	CLOSURE.....	28

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 Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Pixie Pigdon

Councillor Fred Spindler

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Ms Claire Buckenara, Coordinator Human Resources & Rates

GALLERY:

Liz Houghton

Martin King

Ernest Campbell

Peter Tegg

2. PUBLIC QUESTION TIME

1) Ernest Campbell, Darlot Street Cue

- Why is the Shire putting so much money and time into the Bishop's House when you already have an office? Can I have a breakdown on the costing to date please?

This is an operational matter, not a Council matter you can make an appointment with the Chief Executive Officer where he may be able to provide costings and explain further information to you regarding the renovations. You will find that the money has been allocated through the budget.

- When is the Shire going to fix the potholes near the Roadhouse? (In front of the standpipe)

Unanswered question was taken on notice

- Is the Shire supplying bottled drinking water to the community considering it's not safe to drink? Or do we buy our own bottled drinking water from the roadhouse? Can you provide me with the information the Water Corporation gave the Chief Executive Officer regarding the water quality?

It's a personal choice to buy bottled water, the water is perfectly fine for drinking standards. I can give you the information the Water Corporation has given us.

2) **Peter Tegg, 45 Dowley Street Cue**

- Funds spent on stage one of the Bishop's House? John McCleary (the then Chief Executive Officer) informed Council that Stage One had been completed and wanted funding for Stage Two. So what were the funds spent on if Shire is now doing the work on Stage One that was supposed to be completed?

Unanswered questions were taken on notice.

- Shire Works Mechanical Workshop. Can you please explain if this workshop is open to the rate payers of Cue as your Mechanic has been working on his own vehicle and local ambulance? Over time there have been private vehicles in the workplace. Is it not supposed to be that no private vehicles beyond the front gate – a policy throughout all local government?

The council has allowed him to use the workshop to work on the Ambulance as he is using his own tools and is doing so in his own time. Chief Executive Officer has allowed him to work on his own vehicle as he is using his own tools and is doing so in his own time.

- Ratepayer's meeting. Were the dates changed from the time of February to an earlier date as I would have liked to attend? The Ratepayer's meeting has been in February for the last four or five years or longer.

Unanswered question was taken on notice

- Brockman Park – I would like to again request costings and the final figures?

Unanswered question was taken on notice

- Why have you taken the Work's & Services Supervisor Reports out of the Agenda?

Unanswered question was taken on notice

- Is the Oasis over budget/under budget what's going on? Is work being done as planned?

Unanswered question was taken on notice

3) **Martin King – Austin Downs Station**

- Is there Shire support for someone taking up a lease within someone else's lease? It appears 293 and 59 (I think) are entirely enclosed within Austin Downs and I'm wondering if there is a policy on fencing and also the fact that its entirely enclosed within someone else's lease?

I hadn't considered fencing as a matter at this stage. Generally we only get consulted by the Department of Lands for a comment, usually, we could incorporate that in our comments that we believe that it should be fenced.

3. APOLOGIES AND LEAVE OF ABSENCE

Councillor Leonie Fitzpatrick

4. PETITIONS/PRESENTATIONS/SUBMISSIONS

Nil

5. CONFIRMATION OF MINUTES

Council Decision: 01042017

MOVED: CR DENNIS

SECONDED: CR HOGBEN

That the Minutes of the Ordinary Meeting of 21 March 2017 are confirmed as a true and correct record of the meeting.

CARRIED: 6/0

6. ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Nil

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

Nil

8. REPORTS

8.1 ACCOUNTS & STATEMENTS OF ACCOUNTS	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	
Matters for Consideration:	
To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 18 April 2017 as attached – see Appendix 1	
Comments:	
The list of accounts is for the months of March 2017	
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	

Officer's Recommendation:	Voting requirement: Simple Majority																								
<p><i>That Council endorse the payments for the period 1 March 2017 to 31 March 2017 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.</i></p> <table data-bbox="219 367 1258 661"> <tr> <td><i>Municipal Fund Bank</i></td> <td><i>EFTs</i></td> <td><i>4768 - 4847</i></td> <td><i>\$530,130.45</i></td> </tr> <tr> <td><i>Direct Debit Fund Transfer</i></td> <td></td> <td></td> <td><i>\$ 26,491.92</i></td> </tr> <tr> <td><i>Payroll</i></td> <td></td> <td></td> <td><i>\$111,128.53</i></td> </tr> <tr> <td><i>BPAY</i></td> <td></td> <td></td> <td><i>\$ 8,763.84</i></td> </tr> <tr> <td><i>Cheques</i></td> <td></td> <td></td> <td><i>\$ 0.00</i></td> </tr> <tr> <td><i>Total</i></td> <td></td> <td></td> <td><i>\$676,514.74</i></td> </tr> </table>		<i>Municipal Fund Bank</i>	<i>EFTs</i>	<i>4768 - 4847</i>	<i>\$530,130.45</i>	<i>Direct Debit Fund Transfer</i>			<i>\$ 26,491.92</i>	<i>Payroll</i>			<i>\$111,128.53</i>	<i>BPAY</i>			<i>\$ 8,763.84</i>	<i>Cheques</i>			<i>\$ 0.00</i>	<i>Total</i>			<i>\$676,514.74</i>
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Council Decision 02042017	Voting requirement: Simple Majority																								
<p>MOVED: CR SPINDLER SECONDED: CR PRICE</p> <p><i>That Council endorse the payments for the period 1 March 2017 to 31 March 2017 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.</i></p> <table data-bbox="219 1060 1258 1354"> <tr> <td><i>Municipal Fund Bank</i></td> <td><i>EFTs</i></td> <td><i>4768 - 4847</i></td> <td><i>\$530,130.45</i></td> </tr> <tr> <td><i>Direct Debit Fund Transfer</i></td> <td></td> <td></td> <td><i>\$ 26,491.92</i></td> </tr> <tr> <td><i>Payroll</i></td> <td></td> <td></td> <td><i>\$111,128.53</i></td> </tr> <tr> <td><i>BPAY</i></td> <td></td> <td></td> <td><i>\$ 8,763.84</i></td> </tr> <tr> <td><i>Cheques</i></td> <td></td> <td></td> <td><i>\$ 0.00</i></td> </tr> <tr> <td><i>Total</i></td> <td></td> <td></td> <td><i>\$676,514.74</i></td> </tr> </table> <p>CARRIED: 6/0</p>		<i>Municipal Fund Bank</i>	<i>EFTs</i>	<i>4768 - 4847</i>	<i>\$530,130.45</i>	<i>Direct Debit Fund Transfer</i>			<i>\$ 26,491.92</i>	<i>Payroll</i>			<i>\$111,128.53</i>	<i>BPAY</i>			<i>\$ 8,763.84</i>	<i>Cheques</i>			<i>\$ 0.00</i>	<i>Total</i>			<i>\$676,514.74</i>
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8.2 FINANCIAL STATEMENT	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	10 April 2017
Matters for consideration:	
<p>The Statement of Financial Activity for the period ended 31 March 2017 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>	
Comments:	
The Statement of Financial Activity is for the month of March 2017.	
Background:	
<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>	
Statutory Environment:	
Local Government (Financial Management Regulations) 1996 – Clause 14.	
Policy Implications:	
Nil	

Financial Implications:	
Nil	
Strategic Implications:	
Nil	
Consultation:	
RSM Bird Cameron Chartered Accountants	
Officer's Recommendation:	Voting requirement: Simple Majority
<i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 31 March 2017.</i>	
Council Decision: 03042017	Voting requirement: Simple Majority
<p>MOVED: CR SPINDLER SECONDED: CR DENNIS</p> <p><i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 31 March 2017</i></p> <p>CARRIED: 6/0</p>	

8.3 OUTSTANDING RATES	
APPLICANT:	Kylie Coupar
DISCLOSURE OF INTEREST:	None
AUTHOR:	Claire Buckenara
DATE:	11 April 2017
<i>Matters for Consideration</i>	
For Council to consider accepting the property at Lot 332 Austin Street Cue for payment for outstanding rates. See Appendix 3	
<i>Background:</i>	
<p>Gordon Coupar was paying the rates on Lot 332, 19 Austin Street until he passed away sometime in 2015. Kylie Coupar is the daughter of the late Gordon Coupar and has recently become the proprietor of this property. As Mr Coupar didn't have a will when he passed away there was a lengthy process in transferring the title over to Ms Coupar and subsequently the rates debt has accrued to \$1,464.79 and continues to accrue interest at 11%p.a.</p> <p>The Shire has previously received complaints from local residents regarding the condition of this property and was obligated to inspect where it was declared unfit for human habitation as the house is falling apart due to lack of maintenance. See Appendix 3 Local kids are often seen loitering around the property which is highly dangerous considering its state. Aside from the danger it presents it is very unappealing to the local community and tourists.</p> <p>Ms Coupar has confirmed that she is happy to transfer Lot 332, 19 Austin Street to the Shire of Cue as payment for outstanding rates, we would then demolish the property using Shire resources.</p>	
<i>Comments:</i>	
<p>Should Council accept this proposal we would write off all outstanding rates owed in lieu of taking possession of the property.</p> <p>Electricity to the property has been disconnected at the request of the Shire and water rates for the property are currently up to date according to Ms Coupar.</p> <p>The last vacant residential block to sell in Cue was 15 Burt Place on the 19th of January 2017 for \$7500.00, 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>	

Statutory Environment:	
<p><i>Local Government Act 1995,</i></p> <p>6.49. Agreement as to payment of rates and service charges</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>	
Policy Implications:	
D1 - Debt Recovery – 2.2 Recovery of Rates Arrears	
Financial Implications:	
<p>If the proposal was accepted by Council the Shire would be required to write off \$1464.79 in overdue rates. Other costs involved with the property include Shire resources to remove the house estimated at approximately \$3,000. These costs will form the cost of acquisition of the property and be capitalised to Land and Buildings against the Streetscape capital account.</p>	
Strategic Implications:	
Nil	
Consultation:	
Rob Madson – Chief Executive Officer	
Officer's Recommendation:	Voting requirement: Simple Majority
<p><i>That Council authorise the Chief Executive Officer to accept the offer by Ms Coupar for lot 332, 19 Austin Street, Cue as payment for outstanding rates against the property.</i></p> <p><i>and</i></p> <p><i>Once the transaction is completed, write off all rates owing on the property, being assessment A4829.</i></p>	
Council Decision 04042017	Voting requirement: Simple Majority
<p>MOVED: CR P PIGDON SECONDED CR PRICE</p> <p><i>That Council authorise the Chief Executive Officer to accept the offer by Ms Coupar for lot 332, 19 Austin Street, Cue as payment for outstanding rates against the property.</i></p> <p><i>and</i></p> <p><i>Once the transaction is completed, write off all rates owing on the property, being assessment A4829.</i></p> <p>CARRIED: 6/0</p>	

8.4 OUTSTANDING RATES	
APPLICANT:	Tahlia Roddan
DISCLOSURE OF INTEREST:	None
AUTHOR:	Claire Buckenara
DATE:	11 April 2017
<i>Matters for Consideration:</i>	
For Council to consider accepting the property at Lot 28, 28 Dowley Street Cue for payment for outstanding rates. See Appendix 4	
<i>Background:</i>	
<p>Tahlia Roddan was registered as the proprietor of Lot 28, 28 Dowley Street by her father, the late Lindsay Roddan, in 2005 when she was only 6 years old. Mr Roddan was paying off the rates on this property until he passed away sometime in 2009.</p> <p>As Miss Roddan was only 10 years old when the late Mr Roddan passed away she has been unable to make any contributions towards her rates debt as minors are unable to work in Western Australia until they are 15 years of age or older. When Miss Roddan turned 15 working a casual position around school hours wouldn't have earned her the money required to pay off the rates debt.</p> <p>Miss Roddan's older brother, Brendan Roddan, rang the Shire in 2012 regarding the rates debt and agreed to pay \$25.00 per month off the debt. This payment arrangement lasted until 2014 which is the last recorded rates payment made towards this property. The rates debt has accrued to \$1231.53 and continues to accrue interest at 11% p.a.</p> <p>Due to a complaint made from a local resident in 2016 regarding the condition of the property a subsequent inspection was required which confirmed the dilapidated state and was then declared unfit for human habitation as the house is falling apart due to lack of maintenance. See Appendix 4 Aside from the danger it presents it is extremely unsightly for local community and tourists.</p> <p>As Miss Roddan has now turned 18 she has confirmed that she is happy to transfer Lot 28, 28 Dowley Street to the Shire of Cue as payment for outstanding rates, we would then demolish the property using Shire resources.</p>	
<i>Comments:</i>	
Should Council accept this proposal we would write off all outstanding rates owed and pay the outstanding water rates of around \$3000 according to Miss Roddan in lieu of taking possession of the property.	

According to Miss Roddan electricity to the property has been disconnected as she doesn't have an account with Horizon Power as she has never been sent an invoice from them.

The last vacant residential block to sell in Cue was 15 Burt Place on the 19th of January 2017 for \$7500.00, 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.

Statutory Environment:

Local Government Act 1995,

6.49. Agreement as to payment of rates and service charges

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.

Policy Implications:

D1 - Debt Recovery – 2.2 Recovery of Rates Arrears

Financial Implications:

If the proposal was accepted by Council the Shire would be required to write off \$1231.53 in overdue rates and pay the overdue water rates of around \$3,000. Other costs involved with the property include Shire resources to remove the house estimated at approximately \$3,000. These costs will form the cost of acquisition of the property and be capitalised to Land and Buildings against the Streetscape capital account.

Strategic Implications:

Nil

Consultation:

Rob Madson – Chief Executive Officer

Officer's Recommendation:	Voting requirement: Simple Majority
<p><i>That Council authorise the Chief Executive Officer to accept the offer by Ms Roddan for Lot 28, 28 Dowley Street, Cue as payment for outstanding rates against the property.</i></p> <p><i>and</i></p> <p><i>Once the transaction is completed, write off all rates owing on the property, being assessment A4927.</i></p>	
Council Decision 05042017	Voting requirement: Simple Majority
<p>MOVED: CR DENNIS SECONDED: CR HOGBEN</p> <p><i>That Council authorise the Chief Executive Officer to accept the offer by Ms Roddan for Lot 28, 28 Dowley Street, Cue as payment for outstanding rates against the property.</i></p> <p><i>and</i></p> <p><i>Once the transaction is completed, write off all rates owing on the property, being assessment A4927.</i></p> <p>CARRIED: 6/0</p>	

8.5 PLANNING APPLICATION LOT 619 DOWLEY STREET	
APPLICANT:	Peter Miley
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson – Chief Executive Officer
DATE:	12 April 2017
<i>Matters for Consideration:</i>	
Construction of an oversized outbuilding.	
<i>Background:</i>	
A planning application has been received in relation to the construction of a house and shed on lot 619 Dowley Street where the size of the shed exceeds the maximum allowable parameters for total floor area, wall height and ridge height permissible by Council policy.	
<i>Comments:</i>	
<p>Plans of the proposed development are attached at Appendix 5</p> <p>The planning application indicates that the proposed house and shed both incorporate elements of second hand materials in their construction. This aspect of the application will be dealt with in accordance with the requirements of Council policy B.1 (Second Hand Dwellings) and C.3 (Outbuildings). Ordinarily, the matter of the size of the proposed shed would also be dealt with in the same manner, however in discussions with the applicant it was apparent that the strict application of Council policy may be a critical factor in the proposed development proceeding. I therefore feel that it is prudent to refer the matter to Council for guidance.</p> <p>Lot 619 Dowley Street has a total area of 1255m². Council Policy C.3 allows for a total maximum floor area for outbuildings of 8% of the lot area, meaning that the largest shed which could be constructed on this property would be one with a floor area of 100.4m². The maximum wall height allowable is 3.0m and ridge height 4.0m.</p> <p>The proposed shed included in the planning application has a total floor area of 231.25m², a wall height of 3.658m and a ridge height of 4.8m.</p>	
<i>Statutory Environment:</i>	
<p>The Town Planning Scheme outlines procedure for making policies pursuant to clause 7.6 of the Scheme;</p> <p>7.6 POWER TO MAKE POLICIES</p> <p><i>7.6.1 In order to achieve the objectives of the Scheme, the Council may make Town</i></p>	

Planning Scheme Policies relating to parts or all of the Scheme Area and relating to one or more of the aspects of the control of development.

7.6.2 *A Town Planning Scheme Policy shall become operative only after the following procedures have been completed:*

- (a) *The Council having prepared and having resolved to adopt a Draft Town Planning Scheme Policy, shall advertise a summary of the Draft Policy once a week for town consecutive weeks in a newspaper circulating in the area giving details of where the Draft Policy may be inspected and where, in what form and during what period (being not less than 21 days) representations may be made to the Council.*
- (b) *The Council shall review its Draft Town Planning Scheme Policy in the light of an representations made and shall then decide to finally adopt the Draft Policy with or without amendment, or not proceed with the Draft Policy.*
- (c) *Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with Scheme Documents for inspection during normal office hours.*

Policy Implications:

Council policy C3 applies.

C.3 OUTBUILDINGS

Permissible Outbuildings

The Shire will permit up to two (2) outbuildings on a lot, the combined area of which must comply with the following. Table 2 outlines the maximum total floor area allowable under this policy in the Residential zone.

Table 2 - Maximum Floor Areas

<u>Zone</u>	<u>Maximum Floor Area (combined)</u>
<u>Residential</u>	<u>8% of the lot area</u>

The maximum wall height from natural ground level for outbuildings shall be as outlined in Table 3.

Table 3 - Maximum Wall Heights

<u>Zone</u>	<u>Wall Height</u>	<u>Ridge Height</u>
<u>Residential</u>	<u>3.0m</u>	<u>4.0m</u>

Financial Implications:	
Nil	
Strategic Implications:	
Nil	
Consultation:	
Peter Miley - Applicant Bill Atyeo – Principal Environmental Health Officer/Building Surveyor	
Officer’s Recommendation:	Voting requirement: Simple Majority
That Council affirm the application of Policy C.3 in relation to the construction of outbuildings on lots zoned residential within the Shire of Cue.	
Council Decision 06042017	Voting requirement: Simple Majority
<p>MOVED: CR SPINDLER SECONDED: CR DENNIS</p> <p>That Council affirm the application of Policy C.3 in relation to the construction of outbuildings on lots zoned residential within the Shire of Cue.</p> <p>CARRIED: 6/0</p>	

8.6 MID-WEST WHEATBELT (CENTRAL) DEVELOPMENT ASSESSMENT PANEL	
APPLICANT:	Department of Planning
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson – Chief Executive Officer
DATE:	12 April 2017
<i>Matters for Consideration:</i>	
Nomination of Council representatives on the Mid-West Wheatbelt (Central) Joint Development Assessment Panel.	
<i>Background:</i>	
Development Assessment Panels were introduced by the State Government in 2011 to take on the responsibility for considering planning applications for large development projects.	
<i>Comments::</i>	
<p>Under the current requirements for planning approval, projects outside the City of Perth valued at \$10M and above are unable to be considered by a local government and <u>must</u> be submitted to a Development Assessment Panel for consideration. Applicants for planning approval for projects valued at between \$2M and \$10M <u>may choose</u> to have their application considered by a DAP.</p> <p>It is highly unlikely that a planning application for development within the Shire of Cue will meet the requirements for consideration by a DAP, however the Department of Planning has requested that the Shire nominate representatives to sit on the panel if and when required.</p> <p>Four elected member nominations are required, comprising two local members and two alternate local members to fill in if the local members are unavailable. Nominees are generally required to undertake training and are entitled to be paid for attendance at meetings and training.</p>	
<i>Statutory Environment:</i>	
<p>PLANNING AND DEVELOPMENT (DEVELOPMENT ASSESSMENT PANELS) REGULATIONS 2011 - REG 26</p> <p>26 . JDAP local government member register</p> <p>(1) The Minister must cause to be established and maintained a register of local government members of JDAPs.</p> <p>(2) Subject to subregulation (4), the register must include, for each local government of a</p>	

district for which a JDAP is established, the names of 2 members of the council of the local government.

(3) Whenever it is necessary to include a member of a council of a local government on a local government register under subregulation (2), the Minister must —

(a) in writing, request the local government to nominate a member of the council of the local government for inclusion on the register; and

(b) unless subregulation (4) applies, include on the register the name of the person nominated.

(4) If, within 40 days after the date on which the Minister makes a request under subregulation (3) or such longer period as the Minister may allow, the local government fails to nominate a person for inclusion on the local government register in accordance with the request, the Minister may instead include on the register a person who is an eligible voter of the district of the local government.

(5) For the purposes of subregulation (4) a person is an eligible voter of a district if that person is eligible under the [Local Government Act 1995](#) section 4.29 or 4.30 to be enrolled to vote at elections for the district.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Key focus area one of the Shire’s Strategic Community Plan is economic development. In the unlikely event that a development application falls within the parameters of the DAP regulations, the only avenue for input into consideration of the application is through Council members sitting on the panel.

Consultation:

Nil

Officer’s Recommendation:

Voting requirement: Simple Majority

That Council nominate Cr _____ and Cr _____ to be local members of the Mid-West Wheatbelt (Central) Joint Development Assessment Panel and CR _____ and Cr _____ to be alternate local members.

Council Decision 07042017

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR DENNIS

That Council nominate CR SPINDLER and CR DENNIS to be local members of the Mid-West Wheatbelt (Central) Joint Development Assessment Panel and CR HOGBEN and CR PRICE to be alternate local members.

CR HOGBEN left the room at 7.19PM.

CARRIED: 5/0

8.7 PROPOSED NEW LEASE FOR GRAZING	
APPLICANT:	Department of Lands
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson – Chief Executive Officer
DATE:	16 March 2017
<i>Matters for Consideration:</i>	
Consideration of a request from the Department of Lands for Council comment on a proposal to lease an area of land incorporating the town site of Mainland for grazing.	
<i>Background:</i>	
<p>The Department of Lands sought, and received, Council's approval of a proposal to incorporate Lots 293 and 59 on Deposited Plan 31197 and Lot 174 on Deposited Plan 259562 into pastoral lease N49607 (Wanarie Pastoral Station). These lots were formerly leased by Tom & Barbara Jackson of Austin Downs Station, however the former lessee's advised that they did not wish to renew the lease on the land, which incorporates the former Mainland town site and rubbish reserve.</p> <p>The process to incorporate the land into Wanarie's lease was unable to be achieved prior to the renewal of the lease. The Department of Lands is now seeking the Shire's comments on a proposal to grant a new separate grazing lease on the land.</p> <p>This item was considered at the Council meeting of 21 March 2017, where concern was expressed regarding the potential negative impact of grazing on a permanent soak known to exist on the proposed lease area. A resolution was subsequently passed "That the item lay on the table until the next ordinary meeting of Council for further information to be presented on the item."</p> <p>Since that meeting I have spoken to the proposed lessee, Chris Richards, who is also the lessee of Wanarie Pastoral Station. Mr Richards advised that it is his intention to graze cattle on the new lease area and use the soak as a water source. When concerns over the potential damage to the soak's ecosystem, originally raised by the operators of a mining lease covering the same area, were brought to his attention, he agreed to meet on site to discuss the matter. This meeting has not yet been arranged.</p>	
<i>Comments:</i>	
A map of the proposed lease area is attached at Appendix 6	
<i>Statutory Environment:</i>	
Nil	
<i>Policy Implications:</i>	
Nil	

Financial Implications:	
<p>As the land in question was previously rated as part of Austin Downs Station, any effect on overall rating should be negligible, although the land will now be rated on a separate assessment and may therefore attract minimum rates.</p>	
Strategic Implications:	
<p>Nil</p>	
Consultation:	
<p>Lisa Nicholas – Mid West Gascoyne Region Department of Lands. Chris Richards – Lease applicant</p>	
Officer's Recommendation:	Voting requirement: Simple Majority
<p>Original recommendation from 21 March 2017 agenda:</p> <p>That Council advise the Department of Lands that it has no objection to Lots 293 and 59 on Deposited Plan 31197 and Lot 174 on Deposited Plan 259562 being leased for grazing.</p> <p>Amended recommendation:</p> <p>That Council advise the Department of Lands that it has no objection to Lots 293 and 59 on Deposited Plan 31197 and Lot 174 on Deposited Plan 259562 being leased for grazing, subject to adequate controls being put in place to protect the permanent soak located on the lease area.</p>	
Council Decision 08042017	Voting requirement: Simple Majority
<p><i>CR HOGBEN returned to the room at 7.21pm.</i></p> <p>The following motion was moved at the Council meeting of 21 March and laid on the table until this meeting in accordance with a resolution of Council:</p> <p>MOVED: CR FITZPATRICK SECONDED: CR DENNIS That Council advise the Department of Lands that it has no objection to Lots 293 and 59 on Deposited Plan 31197 and Lot 174 on Deposited Plan 259562 being leased for grazing.</p> <p>LOST: 0/6</p> <p>NEW MOTION</p>	

MOVED: CR PRICE

SECONDED: CR DENNIS

That Council advise the Department of Lands that it has the following comments to make in relation to the proposal for Lots 293 and 59 on Deposited Plan 31197 and Lot 174 on Deposited Plan 259562 being leased for grazing:

- Council is concerned about the environmental consequences of cattle accessing the permanent soak on the property;
- Council is concerned for the safety of travellers on the Great Northern Highway as it runs through the proposed lease area;
- Has consideration been given to fencing, given that the subject land is fully enclosed within the boundaries of Austin Downs Station?; and
- Has there been any consultation with the owners of the adjoining station?

CARRIED: 6/0

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

MATTERS BEHIND CLOSED DOORS

Nil

CLOSURE

The President thanked those present for attending the meeting and declared the meeting closed at 7.39PM

To be confirmed at Ordinary Meeting on the 16 May 2017

Signed:.....

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