



**MINUTES
ORDINARY MEETING
OF COUNCIL**

18 DECEMBER 2018

SHIRE OF CUE
Ordinary Council Meeting
MINUTES

held in the Council Chambers, 73 Austin Street Cue on Tuesday 18 December 2018 commencing at 6:30pm

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1. DECLARATION OF OPENING

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

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

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

Meeting opened at 6.30pm

PRESENT:

Councillor Ross Pigdon, Shire President
Councillor Les Price, Deputy Shire President
Councillor Ian Dennis – Via Teleconference
Councillor Ron Hogben
Councillor Leonie Fitzpatrick
Councillor Fred Spindler
Councillor Liz Houghton

STAFF:

Mr Rob Madson, Chief Executive Officer
Mr Richard Towell, Deputy Chief Executive Officer

GALLERY:

Ms Catherine Willett
Ms Kylie Mouchemore
Mr Geoff Willett
Mr Michael Moore

1.1 ATTENDANCE BY TELEPHONE CR DENNIS

APPLICANT: Cr Ian Dennis
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 18 December 2018

Matters for Consideration:

Attendance at Council meeting by telephone

Background:

Cr Dennis has requested permission to attend the December Council meeting by teleconference.

Comments:

Nil

Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 5.25

5.25 . Regulations about council and committee meetings and committees

(1) *Without limiting the generality of section 9.59, regulations may make provision in relation to — ...*

(ba) **the holding of council or committee meetings by telephone, video conference or other electronic means; and ...**

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 14A

14A . Attendance by telephone etc. (Act s. 5.25(1)(ba))

(1) *A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —*

(a) *the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and*

(b) *the person is in a suitable place; and*

(c) *the council has approved* of the arrangement.*

(2) *A council cannot give approval under 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.*

(3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.

(4) In this regulation —

disability has the meaning given in the [Disability Services Act 1993 section 3](#);

suitable place —

(a) in relation to a person with a disability — means a place that the council has approved* as a suitable place for the purpose of this paragraph; and

(b) in relation to any other person — means a place that the council has approved* as a suitable place for the purpose of this paragraph and that is located —

(i) in a townsite or other residential area; and

(ii) 150 km or further from the place at which the meeting is to be held under [regulation 12](#), measured along the shortest road route ordinarily used for travelling;

Policy Implications:

Nil

Financial Implications:

The cost of the telephone call will be borne by the Shire. Cr Dennis will be entitled to receive a meeting attendance fee.

Strategic Implications:

Nil

Consultation:

Shire President – Cr Ross Pigdon

Officer's Recommendation:

Voting requirement: Absolute Majority

1. That Council approves of Cr Dennis' hotel room at Esplanade Hotel, Marine Terrace, Fremantle as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.
2. That Council grant approval for Cr Dennis to attend this meeting by instantaneous communication in the form of a teleconference.

Council Decision: 01122018

Voting requirement: Absolute Majority

MOVED: CR FITZPATRICK

SECONDED: CR PRICE

1. *That Council approves of Cr Dennis' hotel room at Esplanade Hotel, Marine Terrace, Fremantle as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*

2. *That Council grant approval for Cr Dennis to attend this meeting by instantaneous communication in the form of a teleconference.*

CARRIED: 6/0

Councillor Dennis joined the meeting by telephone at 6.35pm.

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Mrs Janelle Duncan, Coordinator Community Development

3. DISCLOSURE OF MEMBERS' INTERESTS

Cr Houghton – Impartiality interest - Item 10.4

4. PUBLIC QUESTION TIME

Ms Kylie Mouchemore

19 Burt Place Cue WA 6640

1. Who on the Council will support the town for a salt pool in principle.

Councillors expressed their support or otherwise for the proposal.

2. Does the Shire have a plan to improve mental health for the people of Cue.

This is not a Local Government responsibility, it is a State Government responsibility.

There is something being addressed at the WALGA State Council level, but is wider than the Shire of Cue.

Ms Kylie Mouchemore left the meeting at 6.48pm

5. CONFIRMATION OF MINUTES

Council Decision: 02122018

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR DENNIS

That the Minutes of the Ordinary Meeting of 20 November 2018 are confirmed as a true and correct record of the meeting.

CARRIED: 7/0

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DEPUTATIONS

Nil

8. PETITIONS

Nil

9. ANNOUNCEMENTS WITHOUT DISCUSSION

The Presiding member advised that he would be bringing Item 10.5 forward to be dealt with as the first item in reports.

10. REPORTS

10.5 APPLICATION TO DRILL WITHIN TOWNSITE

APPLICANT:	Golden State Mining
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Rob Madson –Chief Executive Officer
DATE:	13 December 2018

Matters for Consideration:

Request for approval to conduct exploration drilling with the Cue town site.

Background:

Golden State Mining (GSM) have purchased tenements, previously belonging to Western Mining, some of which encroach upon the Cue Townsite. The company recently floated on the ASX to fund an exploration drilling program and are seeking approval to drill within the townsite boundary.

GSM's proposal is based on the following:

- 6 x Reverse Circulation (RC) holes highlighted in green on the attached plan
Located close to the northern town boundary
500m from the nearest property
- 1 x Diamond hole with an RC pre-collar highlighted in red
Located close to the end of Simpson Street
138m from the nearest property
- Day shift only operation
- GSM to provide a dedicated 24hr Cue Shire contact for the duration of drilling within the town boundary
- Appropriate signage and barricading
- Close monitoring of wind direction
- Diamond drilling is a wet form of drilling that produces minimal dust
- RC drilling to use water to minimise dust
- Rehabilitation of all drill sites once drilling is completed

GSM have provided a map of their proposed drilling locations, attached at [Appendix 5](#). Of the twelve proposed drill holes, five are outside the townsite boundary, six are within the boundary but still a considerable distance from any residential development and one is extremely close to existing houses, being 138 metres from the nearest residence by GSM's measurements. A further map has been produced from information obtained from Tengraph, attached at [Appendix 6](#), which shows more clearly the proximity of the nearest drill hole to residences in Richmond and Simpson Streets.

Nine of the holes are contained on tenement P 20/2342 and three on M 20/522. The following condition is endorsed on each tenement:

“Unless the written approval of the Environmental Officer, DMIRS is first obtained, the use of drilling rigs, scrapers, graders, bulldozers, backhoes or other mechanised equipment for surface disturbance or the excavation of costeans is prohibited. Following approval, all topsoil being removed ahead of mining operations and separately stockpiled for replacement after backfilling and/or completion of operations.”

Tenement M 20/522 is further endorsed:

“Consent to mine on Cue Townsite granted subject to the terms and conditions as outlined in a letter dated 20 October 2011, 23 May 2012 and 22 August 2012 from the Shire of Cue.”

Each of the letters referenced relate to the proposed removal of tailings by Western Mining. Many of the conditions relate to the health impact of potential contaminants in the tailings left over from previous processing methods blowing onto properties, particularly rainwater supplies.

Comments:

I have spoken to the owners of the three properties most likely to be affected by the proposed drilling activity, in particular the Diamond drill hole proposed for a location at the end of Simpson Street.

- Karl & Vicki Blackmore – Simpson Street
Opposed to the drilling due to the impact of noise, dust and increased vehicle traffic in a residential street.
- Mal Taylor – Simpson Street
Has no issue with the proposal, acknowledging that Cue is a mining town.
- Doug & Wendy Lawson – Richmond Street
Indicated concern regarding the impact of noise on rescued wildlife kept on the property, although very few animals are kept at present so if drilling is to be undertaken in the very near future, impact is likely to be minimal.

Statutory Environment:

Nil

Policy Implications:

C.1 MINING WITHIN THE TOWN BOUNDARY

1. Cue Townsite

1.1 The shire generally opposes the granting of any mining lease or license that may affect;

a) The satisfactory continuation of existing urban uses within and adjacent to the existing townsite; and

b) The planned use of the land in the vicinity of the townsite.

c) The Council may by decision permit limited mining activities within Cue townsite but only under conditions that will be determined at the time by the Council.

Financial Implications:

Nil

Strategic Implications:

Strategic Community Plan 2017-2027

Outcome 1.1 Maximise local economic opportunities to benefit the whole community

1.1.1	Work with the mining and pastoral sectors to grow and support local infrastructure and services
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Consultation:

Mike Moore – Managing Director, Golden State Mining

Geoff Willets - Exploration Manager, Golden State Mining

Brenton Siggs – Geologist, Golden State Mining

Janet Wicks – Director, Golden State Mining

Karl & Vicki Blackmore – Simpson Street

Mal Taylor – Simpson Street

Doug & Wendy Lawson – Richmond Street

Officer's Recommendation:

Voting requirement: Simple Majority

That Council grant approval for Golden State Mining's drilling program, as detailed in their application dated 7 December 2018 and including 6 Reverse Circulation drill holes and 1 Diamond drill hole within the Cue townsite as marked on the plan provided with their application, under the following conditions:

- *Golden State Mining to provide the Shire with a copy of their DMIRS programme of work approval for the drilling before drilling commences.*
- *Drilling to be conducted between 7:30am and 5:30pm only.*
- *Approval is not transferrable.*
- *Approval expires 18 December 2019.*

Alternative Officer's Recommendation:

Voting requirement: Simple Majority

That Council grant approval for Golden State Mining's drilling program, as detailed in their application dated 7 December 2018 and including 6 Reverse Circulation drill holes, but excluding 1 Diamond drill hole within the Cue townsite as marked on the plan provided with their application, under the following conditions:

- *Golden State Mining to provide the Shire with a copy of their DMIRS programme of work approval for the drilling before drilling commences.*
- *Drilling to be conducted between 7:30am and 5:30pm only.*
- *Approval is not transferrable.*
- *Approval expires 18 December 2019.*

Council Decision:03122018

Voting requirement: Simple Majority

MOVED: CR FITZPATRICK

SECONDED: CR PRICE

That Council grant approval for Golden State Mining's drilling program, as detailed in their application dated 7 December 2018 and including 6 Reverse Circulation drill holes and 1 Diamond drill hole within the Cue townsite as marked on the plan provided with their application, under the following conditions:

- *Golden State Mining to provide the Shire with a copy of their DMIRS programme of work approval for the drilling before drilling commences.*
- *Drilling to be conducted between 7:30am and 5:30pm only.*
- *Approval is not transferrable.*
- *Approval expires 18 December 2019.*

CARRIED 7/0

Mr Michael Moore and Mr Geoff Willett left the meeting at 7.07pm

10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 13 December 2018

Matters for Consideration:

To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 18 December 2018 as attached – **see [Appendix 1](#)**

Background:

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

Comments:

The list of accounts is for the month of November 2018.

Statutory Environment:

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

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Nil

That Council endorse the payments for the period 1 November 2018 to 30 November 2018 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank EFTs	6711 – 6834	\$314,271.21
Direct Debit Fund Transfer		\$ 31,818.34
Payroll		\$111,296.63
BPAY		\$ 12,385.33
Cheques		\$ -
Total		\$469,771.51

Council Decision: 04122018

Voting requirement: Simple Majority

MOVED: CR PRICE

SECONDED: CR HOGBEN

That Council endorse the payments for the period 1 November 2018 to 30 November 2018 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank EFTs	6711 – 6834	\$314,271.21
Direct Debit Fund Transfer		\$ 31,818.34
Payroll		\$111,296.63
BPAY		\$ 12,385.33
Cheques		\$ -
Total		\$469,771.51

CARRIED:5/2

AGAINST, CR HOUGHTON, CR FITZPATRICK

10.2 FINANCIAL STATEMENT

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 13 December 2018

Matters for consideration:

The Statement of Financial Activity for the period ended 30 November 2018 including the following reports:

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

see [Appendix 2](#)

Background:

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

Comments:

The Statement of Financial Activity is for the month of November 2018.

Statutory Environment:

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

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

RSM Australia Pty Ltd

Officer's Recommendation:

Voting requirement: Simple Majority

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 November 2018, as presented at [Appendix 2](#).

Council Decision:05122018

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR DENNIS

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 November 2018, as presented at [Appendix 2](#).

CARRIED: 5/2

AGAINST, CR FITZPATRICK, CR HOUGHTON

10.3 2017-2018 ANNUAL REPORT

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 13 December 2018

Matters for Consideration:

Accepting of the 2017/18 Annual Report including the audited financial statements attached at [Appendix 3](#). And setting the date for the general electors meeting.

Background:

Council has an obligation under the *Local Government Act 1995* to prepare an Annual Report and to present the report to the community. It is a requirement under the Local Government Act that Council accept the annual report by 31 December of the year following the report and hold a general electors meeting within fifty six days of accepting the annual report.

Comments:

The 2017/18 Annual Report includes:

- Shire President's Report
- Chief Executive Officer's Report – including Statutory Reports
- Audited Financial Statements
- Auditor's Report

The report outlines the activities undertaken during 2017-2018 together with the financial position of the Shire of Cue as at 30 June 2018.

The proposed Annual Electors Meeting date will be for the same night as the first Forum meeting for 2019, with the Forum meeting scheduled to start following the Annual Electors meeting.

Statutory Environment:

Local Government Act 1995

Subdivision 4 – Electors' meetings

5.26. Term used: electors

In this Subdivision —

electors includes ratepayers.

5.27. Electors' general meetings

(1) A general meeting of the electors of a district is to be held once every financial year.

(2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.

(3) The matters to be discussed at general electors' meetings are to be those prescribed.

5.29. Convening electors' meetings

(1) The CEO is to convene an electors' meeting by giving —

(a) at least 14 days' local public notice; and

(b) each council member at least 14 days' notice,

of the date, time, place and purpose of the meeting.

(2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

5.30. Who presides at electors' meetings

(1) The mayor or president is to preside at electors' meetings.

(2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at an electors' meeting in accordance with that section.

(3) If the circumstances mentioned in section 5.34(a) or (b) apply and —

(a) the office of deputy mayor or deputy president is vacant; or

(b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president, then the electors present are to choose one of the councillors present to preside at the meeting but if there is no councillor present, able and willing to preside, then the electors present are to choose one of themselves to preside.

5.31. Procedure for electors' meetings

The procedure to be followed at, and in respect of, electors' meetings and the methods of voting at electors' meetings are to be in accordance with regulations.

5.32. Minutes of electors' meetings

The CEO is to —

(a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and

(b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

5.33. *Decisions made at electors' meetings*

(1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —

(a) at the first ordinary council meeting after that meeting; or

(b) at a special meeting called for that purpose,

whichever happens first.

(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Division 5 — Annual reports and planning

5.53. *Annual reports*

(1) The local government is to prepare an annual report for each financial year.

(2) The annual report is to contain —

(a) a report from the mayor or president; and

(b) a report from the CEO; and

(e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and

(f) the financial report for the financial year; and

(g) such information as may be prescribed in relation to the payments made to employees; and

(h) the auditor's report for the financial year; and

(ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and

(hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —

(i) the number of complaints recorded in the register of complaints; and

(ii) how the recorded complaints were dealt with; and

(iii) any other details that the regulations may require;

and

(i) such other information as may be prescribed.

5.54. Acceptance of annual reports

(1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

(2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.56. Planning for the future

(1) *A local government is to plan for the future of the district.*

(2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Division 3 — Conduct of audit

7.9. Audit to be conducted

(1) *An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —*

(a) the mayor or president; and

(b) the CEO of the local government; and

(c) the Minister.

(2) *Without limiting the generality of subsection (1), where the auditor considers that*

(a) there is any error or deficiency in an account or financial report submitted for audit; or

(b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or

(c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government, details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.

(3) *The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —*

- (a) prepare a report thereon; and*
- (b) forward a copy of that report to the Minister, and that direction has effect according to its terms.*
- (4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government to be dealt with under section 7.12A.*

Local Government (Administration) Regulations 1996

Part 3 — Electors' meetings

15. Matters to be discussed at general meeting (Act s. 5.27(3))

For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

17. Voting at meeting (Act s. 5.31)

- (1) Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote.*
- (2) All decisions at a general or special meeting of electors are to be made by a simple majority of votes.*
- (3) Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.*

18. Procedure at meeting (Act s. 5.31)

Subject to regulations 15 and 17, the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Rob Madson – Chief Executive Officer

Travis Bate – RSM Australia Pty Ltd

Officer's Recommendation:

Voting requirement: Absolute Majority

That Council:

Accepts the 2017-2018 Annual Report as presented in [Appendix 3](#), including:

2017-2018 Annual Report;

Audited Annual Financial Statements

Audit Report;

and

Determine that the Annual Electors Meeting be held on Tuesday 12 February 2019 at 6.30pm in the Council Chambers.

Council Decision: 06122018

Voting requirement: Absolute Majority

MOVED: CR DENNIS

SECONDED: CR SPINDLER

That Council:

Accepts the 2017-2018 Annual Report as presented in [Appendix 3](#), including:

2017-2018 Annual Report;

Audited Annual Financial Statements

Audit Report;

and

Determine that the Annual Electors Meeting be held on Tuesday 12 February 2019 at 6.30pm in the Council Chambers.

CARRIED 6/1

AGAINST, CR FITZPATRICK

10.4 OUTSTANDING RATES 43 WITTENOOM ST.

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 3 December 2018

Matters for Consideration:

For Council to consider accepting the vacant residential block, Lot 416, 43 Wittenoom St as payment for outstanding rates.

Background:

Lot 416, 43 Wittenoom Street Cue is owned by joint tenants. One of the owners has written to the Shire requesting to surrender the block to the Shire. The property currently owes \$2,639.77 in rates and \$1,129.46 in Water Corp charges. The Shire rates continue to accrue interest of 11% p.a.

Comments:

While it is not possible for owners to surrender blocks to the Shire that they no longer want to have an interest in, the Shire may enter into an offer and acceptance to purchase the block for the amount of rates outstanding. By entering into an offer and acceptance, the Shire will save on the costs and administration of commencing legal proceedings for the recovery of outstanding rates and consequent taking possession of the property for sale by auction to recover rates which may or may not be successful.

Should Council accept this proposal we would write off all outstanding rates owed, pay the outstanding water charges and transfer costs in lieu of taking possession of the property.

Market conditions in Cue show the sale of vacant land ranging from \$2,000 to \$10,000. If the Shire take possession of the property they can include this in an upcoming auction for the sale of properties for the recovery of rates.

A map showing the location of the property is attached at [Appendix 4](#).

Statutory Environment:

Local Government Act 1995, Section 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:

Shire of Cue Policy Manual

D1 – Debt Recovery, 2.2 Recovery of Rate Arrears.

Financial Implications:

Rates currently owing on the property amount to \$2,639.77 and accruing interest at 11% per annum. Water Corp charges on the property are currently \$1,129.46. Transfer and legal charges to be incurred are estimated to be \$2,500.00.

The cost of pursuing payment of outstanding rates and charges through legal proceedings is estimated at \$7,000 to \$10,000.

Strategic Implications:

Nil

Consultation:

Rob Madson – Chief Executive Officer

Jason O’Meara – CS Legal

Officer’s Recommendation:

Voting requirement: Simple Majority

That Council:

Authorise the Chief Executive Officer to enter into an offer and acceptance with the owners of Lot 416, 43 Wittenoom Street Cue, to transfer the property to the Shire as consideration for the current rates outstanding on the Lot.

and

Authorise the Shire President and Chief Executive Officer to apply the common seal to the transfer of land.

Council Decision:07122018

Voting requirement: Simple Majority

MOVED: CR PRICE

SECONDED: CR FITZPATRICK

That Council:

Authorise the Chief Executive Officer to enter into an offer and acceptance with the owners of Lot 416, 43 Wittenoom Street Cue, to transfer the property to the Shire as consideration for the current rates outstanding on the Lot.

and

Authorise the Shire President and Chief Executive Officer to apply the common seal to the transfer of land.

CARRIED 7/0

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

Nil

12. MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

The Presiding Member advised that he would like to include Councillor training on the next meeting's agenda.

13. NEW BUSINESS OF AN URGENT NATURE

Nil

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Council Decision: 08122018

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR HOUGHTON

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

CARRIED:7/0

The meeting was closed to the public at 7.53pm.

14.1 CONFIDENTIAL ITEM - PREMIER'S AUSTRALIA DAY ACTIVE CITIZENSHIP AWARDS

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 14 December 2018

Matters for Consideration:

That Council consider who will be awarded the Premier's Australia Day Active Citizenship awards.

***Council Decision:* 09122018**

Voting requirement: Simple Majority

MOVED: CR DENNIS

SECONDED: CR PRICE

That Helene Salame be awarded the Premier's Australia Day Active Citizenship Award for 2019.

CARRIED 7/0

14.2 CONFIDENTIAL ITEM – PURCHASE OF NEW WHEEL LOADER WITH ATTACHMENTS

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 12 December 2018

Matters for Consideration:

Consider quotes provided for the purchase of a new Wheel Loader with attachments, (Integrated Tool carrier).

Council Decision: 10122018

Voting requirement: Simple Majority

MOVED: CR HOGBEN

SECONDED: CR DENNIS

That Council:

Authorise the CEO to purchase a JCB 426HT Wheel Loader including extendable lifting jib and delivery from Purcher – International for the changeover price of \$148,870.00 excluding GST.

CARRIED: 6/1

AGAINST: CR FITZPATRICK

Council Decision: 11122018

Voting Requirement: Simple Majority

MOVED: CR FITZPATRICK

SECONDED: CR HOUGHTON

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

CARRIED: 7/0

The meeting was re-opened to the public at 8.03pm.

15. CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at: 8.05pm

To be confirmed at Ordinary Meeting on the 19 February 2019

Signed:.....

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