



Confirmed Minutes
ORDINARY MEETING
OF COUNCIL

19 December 2023

SHIRE OF CUE
Ordinary Meeting of Council
MINUTES

Held in the Council Chambers, 73 Austin Street Cue on
Tuesday, 19 December 2023 commencing at 6:00 PM

1 DECLARATION OF OPENING

The meeting was opened at 06:00 PM

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

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

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

PRESENT:

Shire President Les Price

Councillor Ron Hogben via Teams

Councillor Ian Dennis

Councillor Leonie Fitzpatrick

Councillor Julie Humphreys

Councillor Neil Montgomery via Teams

Deputy Shire President Elizabeth Houghton joined the meeting via Teams at 6.13pm

STAFF:

Chief Executive Officer Richard Towell

Deputy Chief Executive Officer Glenn Boyes

Executive Assistant Janelle Duncan

Senior Admin Officer Stephanie Wandek

GALLERY:

Ms Catherine Willett

Mrs Jenni Dennis entered the chamber at 6.04pm

2 APOLOGIES AND APPROVED LEAVE OF ABSENCE

Nil

3 DISCLOSURE OF MEMBER'S INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 CONFIRMATION OF MINUTES

Council Decision: 01122023 **Voting Requirement: Simple Majority**

MOVED: Cr Julie Humphreys

SECONDED: Cr Ian Dennis

That the Minutes of the Ordinary Meeting 21 November 2023 are confirmed as a true and correct record of the meeting.

CARRIED: 6/0

AGAINST: None

6.04pm Mrs Jenni Dennis entered the chamber

6 APPLICATION FOR LEAVE OF ABSENCE

Nil

7 DEPUTATIONS

Nil

8 PETITIONS

Nil

9 ANNOUNCEMENTS WITHOUT DISCUSSION

Winners of the Christmas Light Competition will be decided after tonight's Council meeting.

The CEO provided an update regarding the new legislation coming into effect 1 January 2025 for Local Government Bands 3 & 4 audio recording of meetings and suggested we start trialling this over the next 12 months.

6:13pm Cr Houghton joined the meeting via Teams

10 REPORTS

10.1 ACCOUNTS AND STATEMENTS OF ACCOUNT

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Glenn Boyes - Deputy Chief Executive Officer

DATE: 28 November 2023

Matters for Consideration:

To receive the attached List of Accounts Due and submitted to the Ordinary Council Meeting on 19 December 2023.

Background:

The Local Government, under its delegated authority to the CEO to make payments from municipal and trust funds, is required to prepare a monthly list of accounts showing each account paid and present it to Council at the next Ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.

Comments:

The list of accounts are for the month of November 2023.

Statutory Environment:

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

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Richard Towell, Chief Executive Officer

Officers Recommendation:

Voting Requirement: Simple Majority

That Council endorse the attached payments for the period 01 November 2023 to 30 November 2023, which have been made in accordance with delegated authority under s5.42 of the *Local Government Act 1995*.

Municipal Fund Bank EFTs	EFT12716 - 12834	\$	449,546.00
Direct Debit Fund Transfer	General	\$	38,913.12
Direct Debit Fund Transfer	CEO Credit Card	\$	15,061.02
Payroll		\$	140,569.11
BPAY		\$	15,019.11
Cheques		\$	0.00
Total		\$	659,108.36

Council Decision: 02122023		Voting Requirement: Simple Majority	
MOVED: Cr Julie Humphreys		SECONDED: Cr Ian Dennis	
That Council endorse the attached payments for the period 01 November 2023 to 30 November 2023, which have been made in accordance with delegated authority under s5.42 of the <i>Local Government Act 1995</i> .			
Municipal Fund Bank EFTs	EFT12716 - 12834	\$	449,546.00
Direct Debit Fund Transfer	General	\$	38,913.12
Direct Debit Fund Transfer	CEO Credit Card	\$	15,061.02
Payroll		\$	140,569.11
BPAY		\$	15,019.11
Cheques		\$	0.00
Total		\$	659,108.36
CARRIED: 7/0			
AGAINST: None			

10.2 FINANCIAL STATEMENT

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Glenn Boyes - Deputy Chief Executive Officer

DATE: 28 November 2023

Matters for Consideration:

The attached monthly Financial Report is for the period ending November 2023 and includes the following statements and notes:

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

Background:

Under the *Local Government (Financial Management) Regulations 1996*, a monthly Financial Report must be submitted to an Ordinary Council meeting within two months after the end of the month to which the statement relates. The monthly Financial Report presents an overview of the financial position of the local government at the end of each month. The monthly Financial Report must be adopted by Council and form part of the minutes.

Comments:

The monthly Financial Report is for the month of November 2023.

Statutory Environment:

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

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Richard Towell – Chief Executive Officer

Officers Recommendation: **Voting Requirement:** Simple Majority

That Council receive the attached monthly Financial Report, prepared in accordance with the *Local Government (Financial Management) Regulations 1996*, for the period ending November 2023.

Council Decision: 03122023 **Voting Requirement:** Simple Majority

MOVED: Cr Ian Dennis **SECONDED: Cr Julie Humphreys**

That Council receive the attached monthly Financial Report, prepared in accordance with the *Local Government (Financial Management) Regulations 1996*, for the period ending November 2023.

CARRIED: 7/0
AGAINST: None

10.3 2022 - 2023 ANNUAL REPORT

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Glenn Boyes - Deputy Chief Executive Officer

DATE: 14 December 2023

Matters for Consideration:

Accepting of the 2022 - 2023 Annual Report including the audited financial statements as presented 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 Act that Council accept the Annual Report by 31 December of the year following the report or within two months of the Auditors Report becoming available. It must also hold a general electors' meeting within fifty six (56) days of accepting the Annual Report.

Comments:

The 2022 - 2023 Annual Report includes:

- Shire President's Report
- Chief Executive Officer's Report
- Audited Financial Statements
- Auditor's Report

The report outlines the activities undertaken during 2022 - 2023 together with the financial position of the Shire of Cue as at 30 June 2023.

The proposed Annual Electors Meeting date will be Monday 12 February 2024.

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 the notice is first given and is to continue in the prescribed way 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.

5.55A. Publication of annual reports

The CEO is to publish the annual report on the local government's official website within 14 days 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.*

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:

Shire of Cue Strategic Community Plan 2023-2038

Outcome 2.1.3 Maintain accountability and financial responsibility

Consultation:

Richard Towell - Chief Executive Officer

Officers Recommendation:

Voting Requirement: Absolute Majority

That Council:

Accepts the 2022 - 2023 Annual Report as presented, including:

- 2022 - 2023 Annual Report;
- Audited Annual Financial Statements;
- Audit Report and
- Determine that the Annual Electors Meeting be held on Monday 12 February 2024 at 5.30pm in the Council Chambers

Council Decision: 04122023

Voting Requirement: Absolute Majority

MOVED: Cr Julie Humphreys

SECONDED: Cr Leonie Fitzpatrick

That Council:

Accepts the 2022 - 2023 Annual Report as presented, including:

- 2022 - 2023 Annual Report;
- Audited Annual Financial Statements;
- Audit Report and
- Determine that the Annual Electors Meeting be held on Monday 12 February 2024 at 5.30pm in the Council Chambers

CARRIED: 7/0

AGAINST: None

6.29pm Mrs Jenni Dennis left the chamber

6.29pm Mrs Jenni Dennis re-entered the chamber

10.4 SALE OF PROPERTIES

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 15 December 2023

Matters for Consideration:

Offering the properties that did not sell at auction for sale.

Background:

The following is a list of properties the Shire of Cue has taken possession of for non-payment of rates and the total outstanding rates and charges owing against them.

Address	Charges Outstanding
Lot 397, 86 Austin St Cue	\$10,232.11
Lot 405, 19 Patterson St Cue	\$10,152.81
Lot 417, 41 Wittenoom St Cue	\$18,976.97
Lot 414, 47 Wittenoom St Cue	\$11,129.76

The Shire has offered the properties for sale by public auction at 54 Dowley St Cue on 6 December 2023 at 12.00pm. The properties were passed in at auction for lack of a bid or due to not reaching the reserve price as shown below.

Address	Reserve Price	Sale Price
Lot 397, 86 Austin St Cue	\$10,000.00	Passed in at \$5,000.00
Lot 405, 19 Patterson St Cue	\$10,000.00	Passed in at \$1,000.00
Lot 417, 41 Wittenoom St Cue	\$ 5,000.00	No bids
Lot 414, 47 Wittenoom St Cue	\$ 5,000.00	No bids

Comments:

The Shire has the option to offer the land for sale by private contract or to have the land transferred to the Shire of Cue if a reasonable price is not reached at the expiration of twelve months.

Statutory Environment:

Part 6, Division 6, sections 6.63 to 6.75 and Schedules 6.2 and 6.3 of the Local Government Act 1995 (the Act) and Part 5 of the Local Government (Financial Management) Regulations 1996 (FMR) regulations 72 to 78 and Forms 2 to 7.

6.71. Power to transfer land to Crown or to local government

(1) If under this Subdivision land is offered for sale but at the expiration of 12 months a contract for the sale of the land has not been entered into by the local government, it may by transfer, where the land is subject to the provisions of the Transfer of Land Act 1893, and by deed, where the land is not subject to the provisions of that Act, transfer or convey the estate in fee simple in the land to

- (a) the Crown in right of the State; or*
- (b) the local government.*

(2) When a local government exercises the power referred to in subsection (1)(a) in relation to any land all encumbrances affecting the land are, by virtue of this section of no further force or effect against that land and the Registrar of Titles or the Registrar of Deeds and Transfers, as the case requires, is to give effect to this section.

(3) When exercising the power referred to in subsection (1)(b) the local government is required to pay the sum secured by, or payable under, a mortgage, lease, tenancy, encumbrance or charge in favour of the Crown in right of the State or a department, agency, or instrumentality of the Crown in right of the State.

(4) Schedule 6.3 has effect in relation to the exercise of the power referred to in subsection (1).

6.73. Discharge of liability on sale of land

A sale of land by a local government or a transfer or conveyance of land to the Crown or a local government under this Subdivision discharges

- (a) the land; and*
- (b) the owners (present and past) of the land, from any liability to the local government for rates, service charges or other money due to the local government which were, at the time of the sale, transfer or conveyance*
- (c) secured by a charge over the land; or*
- (d) otherwise recoverable, whether under this Act or another written law, by the local government in respect of the land.*

Schedule 6.3 Provisions relating to sale or transfer of land where rates or service charges unpaid

3. Power of sale

The power of sale includes

(a) power to sell the whole or part of the land either together or in lots

(i) by public auction; or

(ii) by private contract, if having been offered for sale by public auction, it has not been sold, subject to such terms and conditions with respect to the payment of the purchase money or any other matter, including power to fix a reserve price, as the local government thinks fit; and

(b) power to vary a contract of sale by agreement with the other party to the contract, and to buy in at auction; and

(c) power to rescind a contract for sale on default by the other party to the contract, and to resell without being answerable for loss occasioned by the rescission and resale; and

(d) power to make such thoroughfares and to grant such easements of right-of-way or drainage over the land as the circumstances of the case require and the local government thinks fit.

Policy Implications:

D.1 Debt Recovery – 2.2 Recovery of Rates Arrears

Financial Implications:

Once the properties are sold under the Local Government Act 1995 provisions, all charges owed to the Shire will be discharged requiring the write off any amounts outstanding not covered by the sale price. Total combined charges owing against the properties are currently \$50,491.65. This does not include any additional charges related to the sale of the properties.

Strategic Implications:

Nil

Consultation:

Justin Smiley - Cloud Payment Group

Glenn Boyes - Deputy Chief Executive Officer

Officers Recommendation:

Voting Requirement: Simple Majority

That Council authorise the following in relation to the properties that did not sell at auction.

- Offer 86 Austin Street, Cue to the highest bidder, being \$5,000 and if this offer is declined advertise the property for sale at \$5,000.
 - Advertise 41 and 47 Wittenoom Street, Cue for sale at \$5,000.
-

- Advertise 19 Patterson St Cue for sale for \$10,000.

If the properties have not sold at the expiration of twelve months, transfer the land to the Shire of Cue.

Council Decision: 05122023 **Voting Requirement: Simple Majority**

MOVED: Cr Leonie Fitzpatrick **SECONDED: Cr Ian Dennis**

That Council authorise the following in relation to the properties that did not sell at auction.

- Offer 86 Austin Street, Cue to the highest bidder, being \$5,000 and if this offer is declined advertise the property for sale at \$5,000.
- Advertise 41 and 47 Wittenoom Street, Cue for sale at \$5,000.
- Advertise 19 Patterson St Cue for sale for \$10,000.

If the properties have not sold at the expiration of twelve months, transfer the land to the Shire of Cue.

CARRIED: 7/0
AGAINST: None

10.5 MURCHISON REGIONAL STRATEGY 2023-2033

APPLICANT: Murchison Executive Group

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 8 December 2023

Matters for Consideration:

Endorsement of the Murchison Regional Strategy 2023-2033.

Background:

The Murchison Executive Group has been working in conjunction with the Mid-West Development Commission and Regional Development Australia to create a strategic working document to guide the future direction of the Murchison Region.

Comments:

The Murchison Regional Strategy (Strategy) provides a comprehensive road map for the sustainable development and growth of the Murchison Region. The Strategy examines the regions evolution over the next decade and beyond, identifying economic, environmental, and social challenges. The aim of the Strategy is to provide strategic direction and focus for the participating Councils in the Murchison Region to work collaboratively with Local, State and Federal Government resources to achieve desired outcomes for the future of the Murchison Region.

The Strategy has been endorsed by the Murchison Executive Group and by the Murchison Country Zone of WALGA at their November meetings. It is anticipated that all of the individual Councils will also endorse the Strategy to provide a united focus on future priorities.

The Strategy has alignment with the Shire of Cue Strategic Community Plan as well as addressing the needs of the Region as a whole. The document provides an agreed framework to help prioritise the things we need, to achieve the future we want. This clearer picture of our priorities will help us secure local, State and federal government resources and funding for their implementation. It will also help encourage cooperation between all levels of government and the region's businesses and community groups, as we move towards our agreed vision for the future of the Murchison region.

Statutory Environment:

Local Government Act 1995

1.1.1 3.1. General function

- (1) The general function of a local government is to provide for the good government of persons in its district.*
- (1A) Without limiting subsection (1), the general function of a local government must be performed having regard to the following*
 - (a) the need*
 - (i) to promote the economic, social and environmental sustainability of the district; and*
 - (ii) to plan for, and to plan for mitigating, risks associated with climate change; and*
 - (iii) in making decisions, to consider potential long-term consequences and impacts on future generations;*
 - (b) the need*
 - (i) to recognise the particular interests of Aboriginal people; and*
 - (ii) to involve Aboriginal people in decision-making processes;*
 - (c) the need to consider collaboration with other local governments.*

Policy Implications:

Nil

Financial Implications:

Any regional projects undertaken will be considered and allowed for in future budgets.

Strategic Implications:

Nil

Consultation:

Murchison Executive Group

Officers Recommendation:

Voting Requirement: Simple Majority

That Council endorse the Murchison Regional Strategy 2023 – 2033.

Council Decision: 06122023 **Voting Requirement:** Simple Majority

MOVED: Cr Julie Humphreys **SECONDED: Cr Ron Hogben**

That Council endorse the Murchison Regional Strategy 2023 – 2033.

CARRIED: 7/0
AGAINST: None

APPLICATION FOR PROGRAM OF WORKS WITHIN CUE TOWNSITE

10.6

APPLICANT: Schalk Van Diggelen

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell - Chief Executive Officer

DATE: 15 December 2023

Matters for Consideration:

Request for approval to conduct program of works on P20/2393, which sits predominantly within the Cue town site.

Background:

Schalk and Peter Van Diggelen have purchased tenement P20/2393, previously belonging to Gary Allen Tegg, most of which encroaches upon the Cue Townsite. The new owners have applied for a new program of works as the current program of works was not transferred to them with the sale of the lease.

The applicants have provided a map of their proposed program and location as attached. Also attached is a further map that has been produced from information obtained from Tengraph, which shows more clearly the proximity of the works in relation to the town site.

I have had discussions with Schalk Van Diggelen in relation to the proposed works and already rejected their first proposal with it's vicinity being too close to residential properties. The current proposal is approximately four hundred metres back from the nearest town site development.

Comments:

The proposed tenement encompasses the area formerly held by Golden State Mining as mining lease M 20/548, which itself comprised former tenements P 20/2026, P 20/2067 and P 20/2232, previously held by Western Mining.

Western Mining were granted permission to conduct scrape and detect operations on tenement P 20/2026 to a depth of 200mm at the Council meeting of 15 April 2014.

Following a request from Western Mining to approve mining activity contained in a proposed programme of works on mining tenements which encroach upon the Cue town site, Council, at their meeting of 21 November 2017, passed the following resolution:

That Council indicate its approval of the mining activities proposed by Western Mining detailed in their programme of work application to the Department of Mines and petroleum dated 13 November 2017, subject to adherence to the conditions contained in the document titled Western Mining Pty Ltd, Management Plan – P 20/2026, November 2017.

Following a later request to amend that approval, Council, at their meeting of 19 June 2018, passed the following resolution:

That Council agree to amend the approval granted to Western Mining on 21 November 2017 of mining activities on tenements encroaching on the Cue townsite by including additional areas on tenements P 20/2026 and P 20/2067 as detailed in

the plan contained at Appendix 8.

At the ordinary meeting of Council held on 17 March 2020, Council resolved to withdraw the objection to mining tenement application P 20/2393 when it was applied for by Gary Tegg.

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.*

1.2 The Council may approve mining activities close to but external from the Cue townsite and such conditional approval may include but will not be limited to landscaping, dust/noise suppression measures, and any other provisions considered by the Council to be necessary to protect and preserve the amenity of the existing nearby uses especially residential uses.

Financial Implications:

Nil

Strategic Implications:

Strategic Community Plan 2023 - 2038

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

Consultation:

Schalk Van Diggelen

Officers Recommendation:

Voting Requirement: Simple Majority

That Council grant approval for the program of works on P20/2393 as attached, under the following conditions:

- A copy of the DMIRS programme of work approval is provided to the Shire prior to works commencing.
- No activity is to be undertaken that will cause dust to travel towards the townsite.
- Approval is not transferrable.

Council Decision: 07122023

Voting Requirement: Simple Majority

MOVED: Cr Ian Dennis

SECONDED: Cr Julie Humphreys

That Council grant approval for the program of works on P20/2393 as attached, under the following conditions:

- A copy of the DMIRS programme of work approval is provided to the Shire prior to works commencing.
- No activity is to be undertaken that will cause dust to travel towards the townsite.
- Approval is not transferrable.

LOST: 0/7

AGAINST: Shire President Price, Councillor Hogben, Councillor Dennis, Deputy Shire President Houghton, Councillor Fitzpatrick, Councillor Humphreys, Councillor Montgomery

11 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

Nil

13 NEW BUSINESS OF AN URGENT NATURE

Nil

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

15 CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 07:13 PM.

To be confirmed at Ordinary Meeting on the 20 February 2024.

Signed:

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