



**MINUTES
ORDINARY MEETING
OF COUNCIL**

21 NOVEMBER 2017

NOTICE OF MEETING

Please be advised that the next

Ordinary Meeting of Council

is to be held on

Tuesday, 21 November 2017

commencing at **6:30pm**

in the Council Chambers at 73 Austin Street, Cue WA

Rob Madson
Chief Executive Officer
17 November 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 21 November 2017
commencing at 6:30pm

1.	OFFICIAL OPENING	8
2.	PUBLIC QUESTION TIME	8
3.	APOLOGIES AND LEAVE OF ABSENCE	9
4.	PETITIONS/PRESENTATIONS/SUBMISSIONS	9
5.	CONFIRMATION OF MINUTES	9
6.	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.	9
7.	MATTERS FOR WHICH THE MEETING MAY GO BEHIND CLOSED DOORS	10
8.	REPORTS	11
8.1	ACCOUNTS & STATEMENTS OF ACCOUNTS	11
8.2	FINANCIAL STATEMENT	13
8.3	ADOPTION PROPOSED AMENDMENT NO.2 TO L.P.S. NO.2	15
8.4	PROPOSED MINING ACTIVITY ON TENEMENTS IN CUE TOWNSITE	19
9.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	21
10.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	22
11.	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION .	22
12.	MATTERS BEHIND CLOSED DOORS	22
13.	CLOSURE	22

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 Leonie Fitzpatrick

Councillor Ron Hogben

Councillor Fred Spindler

STAFF:

Mr Rob Madson, Chief Executive Officer

Mrs Janelle Duncan, Community Development Coordinator

GALLERY:

Catherine Willett

Janet Wicks

Peter Tegg

Jenni Dennis

Ernie Campbell

2. PUBLIC QUESTION TIME

Ernie Campbell, 17 Darlot Street

Is there any reason why my property can't be re-zoned? If not, can it be re-zoned?

The Shire President recommended Mr Campbell visit the CEO to discuss the matter.

Why is the Shire working on the Beebyn–Karbar Road Flood Damage?

The CEO advised that WA Shires were granted an exemption from the standard WANDRRA requirement for flood damage repairs to be undertaken by external contractors.

Will Council review the 2017/2018 Budget in an effort to reduce spending?

Has Council done anything for the town people?

Unanswered questions were taken on notice.

Peter Tegg, 45 Dowley Street

The Shire President did not accept any questions.

3. APOLOGIES AND LEAVE OF ABSENCE

Councillor Liz Houghton

Mr Richard Towell, Deputy Chief Executive Officer

4. PETITIONS/PRESENTATIONS/SUBMISSIONS

Nil

5. CONFIRMATION OF MINUTES

Council Decision: 05112017

MOVED: CR DENNIS

SECONDED: CR PRICE

That the Minutes of the Ordinary Meeting of 17 October 2017 and the Minutes of the Special Meeting of 14 November 2017 are confirmed as a true and correct record of the meetings.

CARRIED: 5/1

AGAINST: CR FITZPATRICK

6. ANNOUNCEMENTS BY THE 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:	16 November 2017
<i>Matters for Consideration:</i>	
To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 21 November 2017 as attached – see Appendix 1	
<i>Comments:</i>	
The list of accounts is for the month of October 2017	
<i>Background:</i>	
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.	
<i>Statutory Environment:</i>	
Local Government (Financial Management Regulations) 1996 – Clause 13.	
<i>Policy Implications:</i>	
Nil	
<i>Financial Implications:</i>	
Nil	
<i>Strategic Implications:</i>	
Nil	
<i>Consultation:</i>	
Nil	

Officer's Recommendation:	Voting requirement: Simple Majority																								
<p><i>That Council endorse the payments for the period 1 October 2017 to 31 October 2017 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.</i></p> <table data-bbox="217 344 1292 644"> <tr> <td><i>Municipal Fund Bank</i></td> <td><i>EFTs</i></td> <td><i>5420 – 5528</i></td> <td><i>\$ 1,043,774.31</i></td> </tr> <tr> <td><i>Direct Debit Fund Transfer</i></td> <td></td> <td></td> <td><i>\$ 21,206.65</i></td> </tr> <tr> <td><i>Payroll</i></td> <td></td> <td></td> <td><i>\$ 78,807.66</i></td> </tr> <tr> <td><i>BPAY</i></td> <td></td> <td></td> <td><i>\$ 71,722.92</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>\$ 1,215,511.54</i></td> </tr> </table>		<i>Municipal Fund Bank</i>	<i>EFTs</i>	<i>5420 – 5528</i>	<i>\$ 1,043,774.31</i>	<i>Direct Debit Fund Transfer</i>			<i>\$ 21,206.65</i>	<i>Payroll</i>			<i>\$ 78,807.66</i>	<i>BPAY</i>			<i>\$ 71,722.92</i>	<i>Cheques</i>			<i>\$ 0.00</i>	<i>Total</i>			<i>\$ 1,215,511.54</i>
<i>Municipal Fund Bank</i>	<i>EFTs</i>	<i>5420 – 5528</i>	<i>\$ 1,043,774.31</i>																						
<i>Direct Debit Fund Transfer</i>			<i>\$ 21,206.65</i>																						
<i>Payroll</i>			<i>\$ 78,807.66</i>																						
<i>BPAY</i>			<i>\$ 71,722.92</i>																						
<i>Cheques</i>			<i>\$ 0.00</i>																						
<i>Total</i>			<i>\$ 1,215,511.54</i>																						
Council Decision: 06112017	Voting requirement: Simple Majority																								
<p>MOVED: CR DENNIS SECONDED: CR PRICE</p> <p><i>That Council endorse the payments for the period 1 October 2017 to 31 October 2017 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.</i></p> <table data-bbox="217 1054 1292 1339"> <tr> <td><i>Municipal Fund Bank</i></td> <td><i>EFTs</i></td> <td><i>5420 – 5528</i></td> <td><i>\$ 1,043,774.31</i></td> </tr> <tr> <td><i>Direct Debit Fund Transfer</i></td> <td></td> <td></td> <td><i>\$ 21,206.65</i></td> </tr> <tr> <td><i>Payroll</i></td> <td></td> <td></td> <td><i>\$ 78,807.66</i></td> </tr> <tr> <td><i>BPAY</i></td> <td></td> <td></td> <td><i>\$ 71,722.92</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>\$ 1,215,511.54</i></td> </tr> </table> <p>CARRIED: 6/0</p>		<i>Municipal Fund Bank</i>	<i>EFTs</i>	<i>5420 – 5528</i>	<i>\$ 1,043,774.31</i>	<i>Direct Debit Fund Transfer</i>			<i>\$ 21,206.65</i>	<i>Payroll</i>			<i>\$ 78,807.66</i>	<i>BPAY</i>			<i>\$ 71,722.92</i>	<i>Cheques</i>			<i>\$ 0.00</i>	<i>Total</i>			<i>\$ 1,215,511.54</i>
<i>Municipal Fund Bank</i>	<i>EFTs</i>	<i>5420 – 5528</i>	<i>\$ 1,043,774.31</i>																						
<i>Direct Debit Fund Transfer</i>			<i>\$ 21,206.65</i>																						
<i>Payroll</i>			<i>\$ 78,807.66</i>																						
<i>BPAY</i>			<i>\$ 71,722.92</i>																						
<i>Cheques</i>			<i>\$ 0.00</i>																						
<i>Total</i>			<i>\$ 1,215,511.54</i>																						

8.2 FINANCIAL STATEMENT	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	16 November 2017
<i>Matters for consideration:</i>	
<p>The Statement of Financial Activity for the period ended 31 October 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>	
<i>Comments:</i>	
The Statement of Financial Activity is for the month of October 2017.	
<i>Background:</i>	
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.	
<i>Statutory Environment:</i>	
Local Government (Financial Management Regulations) 1996 – Clause 14.	
<i>Policy Implications:</i>	
Nil	

8.3 ADOPTION PROPOSED AMENDMENT NO.2 TO L.P.S. NO.2	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Joe O’Keefe, Town & Regional Planner
DATE:	6 November 2017
SIGNATURE	
<i>Matters for Consideration</i>	
<p>The first proposal; Resolution 1 concerns Reserve 39957, its proposed closure and eventual amalgamation into abutting private lots 559 Burt Place & 564 Marshall St. Scheme Amendment Report elaborating on this proposal is section A.</p> <p>The second proposal; Resolutions 2 & 3; concerns the laneway between Lots 1 & 25 Marshall Street. Zone and lot boundary adjustments to: cater for building encroachment; increase curtilage to Heritage property. Scheme Amendment Report elaborating on this proposal is section B.</p> <p>The full amendment report is attached at Appendix 3</p>	
<i>Background:</i>	
<p>Sections A & B Both proposals are designed to comply with Aim (a) of LPS No.2, and with Residential Zone amenity objective (ii).</p> <p>Section B is also designed to comply with LPS No.2:</p> <p>Aims (f) (h) and (i)-cultural heritage asset protection; & Objective (ii) of the Light Industry Zone.</p>	
<i>Comments:</i>	
<p>Classification as ‘<i>Standard</i>’ ensures public participation in the rezoning process, as required by Local Planning Strategy.</p> <p>Dep’t Planning Lands & Heritage requested that smaller rezoning proposals be grouped into single Scheme Amendments.(These are sometimes called ‘<i>omnibus</i>’ amendments, but as that term is not defined in LPS Regulations 2015 it is avoided hereafter)</p>	
<i>Statutory Environment:</i>	
<p><u>Planning & Development Act 2005</u></p> <p>Shire of Cue Local Planning Scheme No.3</p> <p>(Gazetted 23 October 2015)</p> <p>Shire of Cue Local Planning Strategy (Jan. 2015)</p>	

Planning & Development Act 2005 (Local Planning Scheme Regulations) 2015

Land Administration Act 1997 Sections 56, 58 & 75 Land Administration Regulations 1998

Local Government Act 1995 Schedule 9.1 3. (1)

Environmental Protection Act 1986

Heritage of WA Act 1990 & **Shire of Cue “Municipal Inventory of Heritage Places”** : (Resolutions 2 & 3 Only)

Policy Implications:

Shire of Cue Heritage Strategy 2013

Financial Implications:

Estimated costs of mapping and surveying \$2,100. Estimated costs of advertising \$500. Estimated costs of Gazettal \$2,000. Next stage: Estimated costs of two subdivision/amalgamation applications \$1, 600. [A Budget amendment will be required to cover these costs.]

Strategic Implications:

Implementation of aspects of Shire of Cue Local Planning Strategy.

Consultation:

Sections **A & B**: *Department Planning, Lands and Heritage*, Perth.

Water Corporation, Perth

Section **A** only: Landowner- Lot 564 Marshall St.

Section **B** only: Landowner- Geraldton Diocese.

Heritage Council WA: Perth

Officer’s Recommendation:

Voting requirement: Simple Majority

That Council resolves to amend Local Planning Scheme No. 2 as follows:

Pursuant to Section 75 of the Planning & Development Act 2005, to amend Local Planning Scheme No. 2 as follows:

1-Rezone Reserve 39957 between Marshall Street and Burt Place, Cue from Local Road Reserve to the Residential Zone.

2-Rezone an area of approximately 100m² of the laneway between Lot 1 and Lot 25 Marshall Street, Cue as shown on Scheme Amendment Maps, a dedicated road, from Local Road Reserve to Light Industrial Zone.

3-Rezone an area of approximately 125m² of Lot 25 Marshall Street, Cue as shown on Scheme Amendment Maps, from the Residential Zone to Local Road Reserve.

4-Amend the Scheme Maps accordingly.

5- Pursuant to Section 35 (2) (a) of the WA Planning & Development Act (Local Planning Scheme) Regulations 2015, the proposed Amendment No.2 is a *Standard* Local Planning Scheme Amendment as defined in Sec. 34 of the WA Planning & Development Act (Local Planning Scheme) Regulations 2015.

6- Pursuant to Sec. 35 (2) (b) of the WA Planning & Development Act (Local Planning Scheme) Regulations 2015, proposed Amendment No.2 meets criteria for a *Standard* Amendment; as it is made consistent with Local Planning Scheme No. 2 Part 9 Aims of Scheme “(a) to direct and control the development of the Scheme area in a manner that promotes and safeguards the health, safety, convenience, economic and general welfare of its inhabitants and amenities in every part of the Shire, through appropriate decision making; compliant with Sec. 34 (a) of LPS Regulations 2015 as it is consistent with Residential zone objectives; Part 16 (2) ii. “To facilitate and encourage high quality design, built form and streetscapes throughout residential areas” and consistent with Sec. 34 (b) as entirely consistent with Shire of Cue Local Planning Strategy “3.3.2 Housing Objectives: 4. Investigate residential infill opportunity sites as shown on the Local Planning Strategy Map. 6. Identify and promote vacant and serviced residential land for future housing within the townsite”; consistent with Sec. 34 (e) having minimal impact on land in the scheme area that is not the subject of the amendment; and consistent with Sec. 34 (f) does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area. Resolutions 2 and 3 are also consistent with Aims of Scheme (f), (h) and (i), heritage aims.

Council Decision: Pending

Voting requirement: Simple Majority

MOVED: CR SPINDLER

SECONDED: CR FITZPATRICK

That Council resolves to amend Local Planning Scheme No. 2 as follows:

Pursuant to Section 75 of the Planning & Development Act 2005, to amend Local Planning Scheme No. 2 as follows:

1-Rezone Reserve 39957 between Marshall Street and Burt Place, Cue from Local Road Reserve to the Residential Zone.

2-Rezone an area of approximately 100m² of the laneway between Lot 1 and Lot 25 Marshall Street, Cue as shown on Scheme Amendment Maps, a dedicated road, from Local Road Reserve to Light Industrial Zone.

3-Rezone an area of approximately 125m² of Lot 25 Marshall Street, Cue as shown on Scheme Amendment Maps, from the Residential Zone to Local Road Reserve.

4-Amend the Scheme Maps accordingly.

5- Pursuant to Section 35 (2) (a) of the WA Planning & Development Act (Local Planning Scheme) Regulations 2015, the proposed Amendment No.2 is a *Standard* Local Planning Scheme Amendment as defined in Sec. 34 of the WA Planning & Development Act (Local Planning Scheme) Regulations 2015.

6- Pursuant to Sec. 35 (2) (b) of the WA Planning & Development Act (Local Planning Scheme) Regulations 2015, proposed Amendment No.2 meets criteria for a *Standard* Amendment; as it is made consistent with Local Planning

Scheme No. 2 Part 9 Aims of Scheme “(a) to direct and control the development of the Scheme area in a manner that promotes and safeguards the health, safety, convenience, economic and general welfare of its inhabitants and amenities in every part of the Shire, through appropriate decision making; compliant with Sec. 34 (a) of LPS Regulations 2015 as it is consistent with Residential zone objectives; Part 16 (2) ii. “To facilitate and encourage high quality design, built form and streetscapes throughout residential areas” and consistent with Sec. 34 (b) as entirely consistent with Shire of Cue Local Planning Strategy “3.3.2 Housing Objectives: 4. Investigate residential infill opportunity sites as shown on the Local Planning Strategy Map. 6. Identify and promote vacant and serviced residential land for future housing within the townsite”; consistent with Sec. 34 (e) having minimal impact on land in the scheme area that is not the subject of the amendment; and consistent with Sec. 34 (f) does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area. Resolutions 2 and 3 are also consistent with Aims of Scheme (f), (h) and (i), heritage aims.

MOVED: CR DENNIS

SECONDED: CR HOGBEN

That Cr Price be permitted to participate in the debate.

WITHDRAWN

Council Decision: 08112017

Voting requirement: Simple Majority

MOVED: CR DENNIS

SECONDED: CR HOGBEN

That debate on this matter be deferred to the December Ordinary Council meeting.

CARRIED 5/0

Councillor Price re-entered the meeting at 7:13pm.

8.4 PROPOSED MINING ACTIVITY ON TENEMENTS IN CUE TOWNSITE

APPLICANT:	Western Mining
DISCLOSURE OF INTEREST:	Proximity interest - The author is owner of a 1/3 share in mining tenement P 20/2285 which adjoins Western Mining's tenement P 20/2067. This tenement will contain the track used to access P 20/2026.
AUTHOR:	Rob Madson – Chief Executive Officer
DATE:	17 November 2017
Matters for Consideration:	
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.	
Background:	
Western Mining were previously 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.	
Comments:	
<p>Ms Janet Wicks of Western Mining has indicated that the proposed works are not dissimilar to a previous programme of work involving the removal of battery sands from another of their tenements situated within the town site for processing off-site at their processing plant, which received Council approval in August 2012.</p> <p>Appendix 4 provides an overview of the planned activities.</p> <p>A copy of the programme of work application proposed by Western Mining to be submitted to the Department of Mines and Petroleum is attached at Appendix 5. This indicates that:</p> <ul style="list-style-type: none"> the estimated quantity of material to be removed is 9300 tonnes; scraping activity will extend to a depth of 500mm; no more than 2 hectares of ground is to be open at any one time; the completion date for proposed activities is 30 March 2018 (thus avoiding the high season for tourists); the area is to be rehabilitated by depositing topsoil currently stockpiled on an adjoining Western Mining tenement followed by seeding with a native flora mix. <p>Western Mining have prepared a Management Plan which details proposals for the mitigation of the impact of dust and noise. A copy of the Management Plan is attached at Appendix 6.</p> <p>The map at Appendix 7 gives an aerial view of the proposed area of activity with an indication of distances to nearby properties, including the Cue Tourist Park.</p>	

Statutory Environment:	
<p>Mining tenement P 20/2026 was granted subject to the following condition:</p> <p>Consent to conduct prospecting activities upon Cue Townsite given subject to: Access to the surface of land within Cue Townsite for mining purposes being subject to the approval of the local Authority or relevant reserve vestees, and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Director, Environment DMP.</p>	
Policy Implications:	
<p>Council policy C.1 refers:</p> <p>Cue Townsite</p> <p>1.1 The shire generally opposes the granting of any mining lease or license that may affect;</p> <ul style="list-style-type: none"> 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. <p>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.</p>	
Financial Implications:	
Nil	
Strategic Implications:	
Nil	
Consultation:	
Ms Janet Wicks – Director, Western Mining	

10. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

11. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

12. MATTERS BEHIND CLOSED DOORS

Nil

13. CLOSURE

The President thanked those present for attending the meeting and declared the meeting closed at 7.37pm:

To be confirmed at Ordinary Meeting on the 19 December 2017

Signed:.....

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