



**MINUTES
ORDINARY MEETING
OF COUNCIL**

21 MAY 2019

SHIRE OF CUE
Ordinary Council Meeting
MINUTES

Held in the Council Chambers, 73 Austin Street Cue on
Tuesday 21 May 2019 commencing at 6:35pm

1.	DECLARATION OF OPENING	3
1.1	ATTENDANCE BY TELEPHONE CR HOGBEN	4
1.2	ATTENDANCE BY TELEPHONE CR SPINDLER.....	7
1.	APOLOGIES AND APPROVED LEAVE OF ABSENCE	10
3.	DISCLOSURE OF MEMBERS' INTERESTS.....	10
4.	PUBLIC QUESTION TIME.....	10
5.	CONFIRMATION OF MINUTES.....	11
6.	APPLICATIONS FOR LEAVE OF ABSENCE	11
7.	DEPUTATIONS.....	11
8.	PETITIONS	11
9.	ANNOUNCEMENTS WITHOUT DISCUSSION	11
10.	REPORTS	12
10.1	ACCOUNTS & STATEMENTS OF ACCOUNTS	12
10.2	FINANCIAL STATEMENT	14
10.3	COUNCILLORS MEETING ATTENDANCE FEES.....	16
10.4	2019-2020 FEES AND CHARGES	20
10.5	CORPORATE BUSINESS PLAN REVIEW	23
10.6	FILM PRODUCTION SPONSORSHIP.....	26
10.7	DONKEY CULL CONTRIBUTION	30
10.8	MINING LEASE APPLICATION CUE TOWNSITE.....	35
11.	MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	38
12	MOTIONS FOR CONSIDERATION AT THE NEXT MEETING	38
13.	NEW BUSINESS OF AN URGENT NATURE.....	38
14	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	38
15	CLOSURE.....	38

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 open at 6.35pm

PRESENT:

Councillor Ross Pigdon, Shire President

Councillor Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Ron Hogben *

Councillor Fred Spindler *

Councillor Liz Houghton

*Attendance by telephone

STAFF:

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Ms Tracy Bachraty, Customer Service Officer

GALLERY:

Mr Graham Morphett

Mr Peter Tegg

1.1 ATTENDANCE BY TELEPHONE CR HOGBEN

APPLICANT: Cr Ron Hogben
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 9 May 2019

Matters for Consideration:

Attendance at Council meeting by telephone.

Background:

Cr Hogben has requested permission to attend the May 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 sub regulation (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 Hogben 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 Hogben's private office at his residence at 1 Calamar Place Woorree as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Hogben to attend this meeting by instantaneous communications in the form of a teleconference.*

Council Decision: 01052019**Voting requirement: Absolute Majority****MOVED: CR PRICE****SECONDED: CR DENNIS****CARRIED: 4/0**

6.45pm Cr Hogben joined the meeting via telephone

1.2 ATTENDANCE BY TELEPHONE CR SPINDLER

APPLICANT: Cr Fred Spindler
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 9 May 2019

Matters for Consideration:

Attendance at Council meeting by telephone.

Background:

Cr Spindler has requested permission to attend the May Council meeting by teleconference.

Comments:

Although Cr Spindler does not satisfy the distance requirements of paragraph 14A (4)(b)(ii), he is currently experiencing a health issue which I am satisfied classifies him as experiencing a disability in accordance with the definition contained in ***Disability Services Act 1993 section 3;***

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 sub regulation (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 Spindler 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 Spindler's private office at his residence at 59 Marshall Street, Cue as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Spindler to attend this meeting by instantaneous communications in the form of a teleconference.*

Council Decision: 02052019**Voting requirement: Absolute Majority****MOVED: CR HOUGHTON****SECONDED: CR DENNIS****CARRIED: 5/0**

6.48pm Cr Spindler joined the meeting via telephone

1. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Councillor Leonie Fitzpatrick

Mrs Janelle Duncan, Coordinator Community Development

3. DISCLOSURE OF MEMBERS' INTERESTS

Cr Price has disclosed a potential financial interest in item 10.6 and 10.7

4. PUBLIC QUESTION TIME

Mr Graham Morphett, 61 Railway Street Cue

Q1. I would like to raise my concerns about item 10.8 and get clarification on the information relating to it. I am very much against mining within the town boundaries and the mining tenement is very close to my boundary. I would like to ask if the council would say no to mining near town boundaries?

A1. The Chief Executive Officer advised that item 10.8 dealt with imposing conditions on the mining tenement which will provide the council with the opportunity to control mining activity within the townsite boundary. He also advised that the Council policy of not allowing mining within the townsite was strongly supported.

Mr Peter Tegg, 45 Dowley Street Cue

Q1. Can the Shire President remember the question I asked that was rejected at the November Council Meeting last year?

A2. The Shire President responded that he could not remember. He offered Mr Tegg the opportunity to ask the question again. Mr Tegg could not remember the question.

Q2. Why won't the Council rezone the block in Marshall Street?

A2. The Chief Executive Officer advised that authority for planning decisions is delegated to the CEO and the lot in question is not zoned or suitable for the purpose noted in the lease application to the Department of Planning, Lands and Heritage.

Q3. Why have "drop offs" on roads not been repaired?

A3. The Shire President advised Mr Tegg that questions concerning operational matters can be addressed to the Chief Executive Officer during office hours.

5. CONFIRMATION OF MINUTES

Council Decision: 03052019**Voting Requirement: Simple Majority****MOVED: CR PRICE****SECONDED: CR HOUGHTON**

That the Minutes of the Ordinary Meeting of 16 April 2019 are confirmed as a true and correct record of the meeting.

CARRIED: 6/0

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DEPUTATIONS

Nil

8. PETITIONS

Nil

9. ANNOUNCEMENTS WITHOUT DISCUSSION

Nil

10. REPORTS

10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 15 May 2019

Matters for Consideration:

To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on 21 May 2019 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 April 2019.

Statutory Environment:

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

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

Nil.

Officer's Recommendation:**Voting Requirement:** Simple Majority

That Council endorse the payments for the period 1 April 2019 to 30 April 2019 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

<i>Municipal Fund Bank</i>	<i>EFTs</i>	<i>7245 - 7333</i>	<i>\$213,272.31</i>
<i>Direct Debit Fund Transfer</i>			<i>\$ 31,207.45</i>
<i>Payroll</i>			<i>\$ 99,715.61</i>
<i>BPAY</i>			<i>\$ 52,541.57</i>
<i>Cheques</i>			<i>\$ -</i>
<i>Total</i>			<i>\$396,736.94</i>

Council Decision: 04052019**Voting requirement:** Simple Majority**MOVED: CR DENNIS****SECONDED: CR HOGBEN****CARRIED: 6/0**

10.2 FINANCIAL STATEMENT

APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	15 May 2019

Matters for Consideration:

The Statement of Financial Activity for the period ended 30 April 2019 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 April 2019.

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 April 2019, as presented at [Appendix 2](#).

Council Decision: 05052019**Voting requirement:** Simple Majority**MOVED: CR DENNIS****SECONDED: CR HOUGHTON****CARRIED: 6/0**

10.3 COUNCILLORS MEETING ATTENDANCE FEES

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 14 May 2019

Matters for Consideration:

To determine the fees and allowances payable to Councillors for attending Council and committee meetings for the 2019-2020 financial year.

Background:

The Local Government Act prescribes that council members be paid for attending meetings and reimbursed for costs incurred while carrying out their function as a council member. In 2013, the Salaries and Allowances Tribunal undertook a comprehensive review of the fees, allowances and expenses to be paid and reimbursed under the Local Government Act 1995 to elected council members. The review identified an increase in the roles and responsibilities of councillors as a result of key changes to local government planning and reporting requirements. The Tribunal determined minimum and maximum amounts of payments to be made or reimbursed to elected council members within a four band classification model.

Section 7B(2) of the Salaries and Allowances Act requires the Tribunal to undertake a review of the amount of fees and allowances to be paid to elected members under the local government act on an annual basis. The review for 2019 has been completed with the Tribunal determining that there be a 1% increase in the band ranges.

Comments:

The Shire of Cue sits as a band 4 local government. The table below shows the minimum and maximum amounts payable to elected members in the band 4 category along with the current amounts paid in 2018-2019 and proposed payments for 2019-2020, being a 1% increase as determined by the Salaries and Allowances Tribunal.

Shire of Cue				
Councillor Attendance Fees				
Band 4 Local Government	Minimum	Maximum	2018-2019	Proposed 2019-2020
Council Meeting Fee - per ordinary or special meeting				
President	\$91.00	\$490.00	\$485.00	\$490.00
Councillors	\$91.00	\$238.00	\$236.00	\$238.00
Committee Meeting Fee - per authorised meeting				
All Councillors	\$46.00	\$119.00	\$118.00	\$119.00
Allowances - Paid monthly				
President Allowance	\$42.75	\$1,671.91	\$900.00	\$908.00
Deputy President (25%)	\$10.69	\$417.98	\$225.00	\$227.00
ICT Allowance - Paid monthly				
All Councillors	\$41.67	\$291.66	\$290.00	\$290.00
Reimbursements				
Engine displacement over 2600cc			\$0.9901	\$0.9901
Engine Displacement over 1600cc to 2600cc			\$0.7087	\$0.7087
Engine displacement 1600cc and under			\$0.5837	\$0.5837
Other approved expenses supported by receipts.				

Council Meeting Attendance Fees

It is proposed that Councillor meeting attendance fees be increased in line with the Salaries and Allowances Tribunal determination and remain at the top rate of \$238 per meeting and the President meeting attendance fee also be increased to the top rate of \$490 per meeting.

Council Committee Attendance Fees

Recognising that Council Committee meeting attendance fees are usually paid at the rate of half the Councillors meeting attendance fee, it is proposed that this fee be increased in line to \$119 per meeting.

President and Deputy President Allowance

It is proposed that the President allowance be increased by 1% and rounded for convenience to \$908 per month or \$10,896 per annum. The Deputy President allowance is 25% of this amount, being \$227 per month or \$2,724 per annum.

ICT Allowance

It is proposed that this allowance remain at \$3,480 per annum payable as \$290 per month. This allowance is to provide councillors with the resources to obtain a high standard of electronic communication hardware and services to allow the Shire to optimise its communications with Councillors. There is no increase to this allowance under the Salaries and Allowances Tribunal review.

Travel Allowance

The Salaries and Allowances Tribunal determination has set this at the same rates contained in section 30.6 of the Local Government Officers' (Western Australia) Interim Award 2011, which is currently \$0.9901 cents per kilometre for a vehicle with an engine capacity over 2600cc.

Statutory Environment:

Local Government Act 1995

Part 5, Division 8 – Local government payments and gifts to its members.

Local Government (Administration) Regulations 1996

Part 8 – Local government payments and gifts to its members.

Salaries and Allowances Act 1975

Section 7B

Section 7B (2) of the SA Act requires the Tribunal to inquire into and determine the amount of:

- *fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 ('the LG Act') to elected council members for attendance at meetings;*
- *expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the LG Act to elected council members; and*
- *allowances, or the minimum and maximum amounts of allowances, to be paid under the LG Act to elected council members.*

Local Government Officers' (Western Australia) Interim Award 2011 section 30.6.

Policy Implications:

Nil

Financial Implications:

Allowance has been made in the draft 2019-2020 budget for councillor meeting attendance fees and allowances.

Strategic Implications:

Nil

Consultation:

Rob Madson – Chief Executive Officer

Officer’s Recommendation:

Voting Requirement: Absolute Majority

That Council, by absolute majority, set the following Members Fees for the 2019-2020 financial year.

Council Meeting Fee - per ordinary or special meeting			
President	\$490		
Councillors	\$238		
Committee Meeting Fee - per authorised meeting			
All Councillors	\$119		
Allowances - Paid monthly			
President Allowance	\$908	\$10,896	per annum
Deputy President (25%)	\$227	\$2,724	per annum
ICT Allowance - Paid monthly			
All Councillors	\$290	\$3,480	per annum
Reimbursements			
Travelling to and from authorised meetings - c/km			
Engine displacement over 2600cc	\$0.9901		
Engine Displacement over 1600cc to 2600cc	\$0.7087		
Engine displacement 1600cc and under	\$0.5837		
Other approved expenses supported by receipts.			

Council Decision: 06052019	Voting requirement: Absolute Majority
MOVED: CR HOUGHTON	SECONDED: CR PRICE
CARRIED: 6/0	

10.4 2019-2020 FEES AND CHARGES

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 14 May 2019

Matters for Consideration:

Adoption of the fees and charges for the Shire of Cue for the 2019-2020 financial year.

Background:

In accordance with section 6.16 of the Local Government Act 1995, fees and charges are adopted annually as part of the Council's budget.

Comments:

The schedules of fees and charges proposed for the 2019-2020 financial year are included in [Appendix 3](#). Some of the fees and charges are proposed with no increase, and increases have generally been indexed at 1.5% and rounded to assist administration. Comments have been included in the schedule of fees and charges to provide clarification on the proposed charge.

Statutory Environment:

Local Government Act 1995 – Part 6, Division 5, Subdivision 2 – Fees and Charges.

10.1.1.1 **6.16. Imposition of fees and charges**

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
 - (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

* *Absolute majority required.*

10..1.1.2 **6.17. Setting level of fees and charges**

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
 - (a) the cost to the local government of providing the service or goods; and
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
 - (a) under section 5.96; or
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

10..1.1.3 **6.18. Effect of other written laws**

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —
 - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
 - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

10..1.1.4 **6.19. Local government to give notice of fees and charges**

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications:

Nil

Financial Implications:

Fees and charges revenue makes up approximately 10% of the Shires operating income and provides a means for the Shire to recover the costs of providing services on a user pay basis.

Strategic Implications:

Shire of Cue Strategic Community Plan 2017 – 2027

Outcome 2.1: A strategically focused and unified Council functioning efficiently

2.1.3: Maintain accountability and financial responsibility.

Consultation:

Rob Madson – Chief Executive Officer

John Curtin – Manager Works and Services

Janelle Duncan – Coordinator Community Development

Colin Duncan – Manager Cue Tourist Park

Bill Atyeo – Environmental Health Officer

Officer's Recommendation:

Voting Requirement: Absolute Majority

That Council, by absolute majority, adopts the schedule of fees and charges contained in [Appendix 3](#) effective from 1 July 2019 and incorporates these fees and charges into the 2019-2020 budget.

Council Decision: 07052019

Voting requirement: Absolute Majority

MOVED: CR DENNIS

SECONDED: CR HOUGHTON

CARRIED: 6/0

10.5 CORPORATE BUSINESS PLAN REVIEW

APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	15 May 2019

Matters for Consideration:

To adopt the Shire of Cue's Draft review of the Corporate Business Plan as attached at [Appendix 4](#).

Background:

The Local Government (Administration) Regulations 1996 were amended in August of 2011 with the inclusion of regulation 19DA– Corporate Business Plans This regulation requires Councils to produce and maintain a Corporate Business Plan covering a period of at least four (4) years. The Corporate Business Plan sets out the priority actions required to achieve the objectives in the Strategic Community Plan over the next 4 years.

The Shire of Cue adopted an updated Community Strategic Plan in July 2017. This plan was developed in consultation with the community and reflects the values, goals, aspirations and vision of the broader community.

Comments:

A Local Government is required to review its Corporate Business Plan every year. This review has been undertaken as part of the 2019-2020 Annual Budget preparations with the proposed plan being updated to reflect the next four years in line with the financial forecasts adopted in the Strategic Resource Plan presented to council in April 2019.

The Corporate Business Plan links the projects identified in the Long Term Financial Plan and Asset Management Plan back to the Strategic Community Plan and forms the basis for the Annual Budget.

The Corporate Business Plan also draws upon the other planning documents which form part of Council's integrated planning. These include the Workforce Plan and operational plans. The Corporate Business Plan shows the actions that will be undertaken to achieve each objective and the timing of each action. Some actions are ongoing while others relate to specific projects.

Statutory Environment:*Local Government Act 1995*

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.

Local Government (Administration) Regulations 1996 – Section 19DA

11. 19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

Policy Implications:

As part of the integrated planning framework, the Corporate Plan will guide Council's future budget decision-making processes.

Financial Implications:

The Corporate Business Plan guides the actions for the coming years to achieve the objectives in the Community Strategic Plan. Major projects over this time are expected to be funded by grant funding, reserve funds or operating revenues.

Strategic Implications:

Shire of Cue Strategic Community Plan 2017- 2027

Outcome 2.1.2: Continue to improve and review organisational plans.

Consultation:

Rob Madson - Chief Executive Officer

Travis Bate - RSM Australia Pty Ltd

Officer's Recommendation:**Voting Requirement:** Absolute Majority

That Council, by absolute majority, adopt the Shire of Cue's Draft review of the Corporate Business Plan as attached at [Appendix 4](#)

Council Decision: 08052019**Voting requirement:** Absolute Majority**MOVED: CR DENNIS****SECONDED: CR SPINDLER****CARRIED: 6/0**

7.39pm Cr Price left the chambers as he declared a potential financial interest in items 10.6 & 10.7

10.6 FILM PRODUCTION SPONSORSHIP

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson - Chief Executive Officer
DATE: 9 May 2019

Matters for Consideration:

Provision of a financial contribution toward the production costs of a World War 1 movie to be partly filmed in the Shire of Cue.

Background:

Prince-Wright Productions recently produced and directed the international award winning feature film "The Decadent and Depraved" which was funded by remote WA shires and small and large businesses and organisations in WA. The Decadent and Depraved has won numerous major international awards including five Los Angeles Film Awards including Best Independent Film Feature, and three New York Film Awards including Best Feature Film. Jordon was selected by The Directors Guild of America as "Hollywood New Directors" and was winner of 7 Oscar Qualifying Film Awards.

The new feature length film, yet to be named, is a historical drama following lead character Jim Collins as he joins the ANZACs to fight on the western front of The Great War. The film is set to be monumental for WA, as the First World War 1 film to be shot in the state and with local crew.

With the film set to feature battles including Messines Ridge and Polygon Wood, Prince-Wright Productions has travelled the state on the hunt for large sets to help bring the events to life. Prince-Wright Productions has identified a property suitable for the pre-war scenes here in Cue.

Comments:

A movie outline was distributed to Councillors during a presentation by Prince-Wright Productions at the Council meeting held on 16 April 2019.

Following an approach from Jordan Prince-Wright for assistance in identifying suitable filming locations for his new production, Coodardy Station was identified as a potential site for filming. Discussions have led to a sponsorship opportunity for the Shire by way of financial contribution towards production costs. In return the Shire of Cue will receive recognition in the credits of the film and a film premier night held in Cue.

The contribution will potentially provide a long-term investment in tourism promotion for the Shire of Cue. The film will promote the Shire to a wide audience nationally and internationally as well as showcase our local environment and tourism options.

In addition to the potential benefit from national and international exposure, there will be a direct economic benefit to local businesses from the presence of a large production crew, estimated to be up to 80 strong, and the logistical requirements of a feature film production.

Prince-Wright Productions have asked if the Shire would consider contributing \$20,000 to assist with production costs. The Shire's previous contribution of \$5,000 toward production costs of the Decadent and Depraved demonstrated the potential to provide exposure for the Shire as it was featured in numerous news articles in print and on television.

Statutory Environment:

Nil

Policy Implications:

Policy D16 refers:

D.16 PROVISION OF SPONSORSHIP AND DONATIONS

Policy Statement

Calculation of Value of Requested Donation or Sponsorship

This Policy deals with requests for donation or sponsorship from external bodies. Requests may be for a cash donation or sponsorship; in kind (provision of goods and services or waiving of fees) donation or a combination of cash and in kind.

In assessing requests for in kind donation or sponsorship, or a combination of in kind and cash sponsorship, then the value of the in kind request will be calculated. The full cost of the request (including calculated value of any in kind component) will be considered.

Donations

Donations by the Council reflect its commitment to improve the wellbeing of the community of the Shire of Cue. Because of the philanthropic nature of donations, the Council does not seek a direct cost-benefit return from the donation, and does not require a business case to be put. However, the Council does not give preference to donations which will assist organisations which benefit the community of the Shire of Cue, or improve the services provided to visitors to the Shire of Cue.

Where the funds are not fully expended on the approved donation the surplus money is to be returned to the Shire.

All donations are to be acquitted in the financial year that it was granted unless prior approval is granted.

Eligibility

To be eligible to apply for a donation, the applicant must be an Association incorporated in accordance with the Associations Incorporations Act 1987 which includes organisations with religious and / or charitable objectives; and / or community based not for profit groups providing a direct service to the stakeholders and visitors of the Shire of Cue which demonstrably contribute to the wellbeing of residents and visitors, and serve to promote the development of the community.

Service Areas

The range of service areas considered for donations may include:

- a) Senior citizen's / community centre;*
- b) Community information and support services;*
- c) Youth services;*
- d) Children's services;*
- e) Emergency relief services;*
- f) Recreation services / sports clubs;*
- g) Community services;*
- h) Health services;*
- i) Education services;*

Organisations are expected to acknowledge the contribution made by the Shire of Cue.

Where a donation is approved for a specific purpose – such as purchase of equipment – the organisation is required to provide evidence of expenditure.

Assessment Process

Applications are to be made in writing to the Chief Executive Officer detailing as a minimum:

Reason for request;

Amount requested (whether monetary, in kind or a combination of both); and

If donation is to be used towards the purchase of equipment, who will ultimately be the owner of the equipment and be responsible for its upkeep / maintenance.

Any sponsorship or donation approved by the Chief Executive Officer will be funded from the G/L Account 04143 – CEO Discretionary Expenses.

Any request for sponsorship or donation which the Chief Executive Officer believes is outside his / her delegation, is in excess of the aforementioned budgetary item and / or requires the consideration of Council will be referred to Council.

Where a request for sponsorship or donations is referred to Council, the Council may decline the application or subject to sufficient funds being available in the Council’s budget, approve the application.

Financial Implications:

Expenditure will be allocated in the 2019/2020 budget.

Strategic Implications:

Shire of Cue Strategic Community Plan 2017-2027

Economic Objective

Outcome 1.1

Maximise local economic opportunities to benefit the whole community

Environmental Objective

Outcome 4.5

Implement sustainability and protection resources for the future of the area

4.5.2 Support town centre and tourism strategies

Consultation:

Jordon Prince-Wright – Prince-Wright Productions

Officer’s Recommendation:

Voting Requirement: Simple Majority

That Council agree to contribute \$20,000 toward the production costs of a World War 1 movie to be partly filmed in the Shire of Cue by Prince-Wright Productions.

Council Decision: 09052019

Voting requirement: Simple Majority

MOVED: CR DENNIS

SECONDED: CR SPINDLER

CARRIED: 5/0

10.7 DONKEY CULL CONTRIBUTION

APPLICANT: Meekatharra Rangelands Biosecurity Association
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson - Chief Executive Officer
DATE: 16 May 2019

Matters for Consideration:

Provision of a financial contribution toward the cost of a donkey cull conducted by the Meekatharra Rangelands Biosecurity Association (MRBA)

Background:

A request has been received from the MRBA for a contribution of \$5,000 toward the cost of an aerial culling program to control feral donkeys conducted in the Shire of Cue in March 2019.

The MRBA operation was conducted on several pastoral properties in the Shire and also on the Cue Common, which is under the care, control and management of the Shire of Cue.

The control program was planned to be conducted over three days from 16 to 19 March 2019, with the cost of the operation estimated to be \$10,000 per day. Discussion with participants at the time proposed that the Shire make a financial contribution to the exercise to extend the time available and maximise the effectiveness of the operation. The MRBA was therefore requested to make a formal request to the Shire, however this request was received after the cull had concluded.

The planned activities were disrupted by rain and the full three day program was unable to be completed. In spite of this, the MRBA advises that the operation cost \$19,535, with 357 feral donkeys being destroyed.

Comments:

The MRBA request advises that, as a land manager, the Shire has an obligation under the *Biosecurity and Agriculture Management Act 2007* to control declared pests such as feral donkeys. The Shire does perform limited control activities in conjunction with the region's Licensed Pest Management Technician, utilising the Shire Ranger and local recreational shooters. Aerial programs are far more efficient, however no allowance was made in the 2018/19 budget for that activity. The current allocation of funds in the 2018/19 budget for pest control is fully committed to the Shire's mosquito fogging program. Due to this, and the fact that the MRBA activity has already concluded, I would propose that a contribution be made in the 2019/20 budget toward future MRBA activities.

Statutory Environment:**BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007 - SECT 30****30. Duty to control declared pest**

(1) *In this section —*

prescribed control measures, in relation to a declared pest, means the measures to control that declared pest required under the regulations or a management plan.

(2) *The owner or other person in control, in an area for which an organism is a declared pest, of an organism or thing infected or infested with the declared pest must take the prescribed control measures to control the declared pest.*

Penalty: a fine of \$20 000.

(3) *The owner or occupier of land in an area for which an organism is a declared pest or a person who is conducting an activity on the land must take the prescribed control measures to control the declared pest if it is present on the land, or has infected or infested an organism or thing on the land, or is likely to be present on the land or to infect or infest an organism or thing on the land.*

Penalty: a fine of \$20 000.

Policy Implications:

Policy D16 refers:

D.16 PROVISION OF SPONSORSHIP AND DONATIONS**Policy Statement****Calculation of Value of Requested Donation or Sponsorship**

This Policy deals with requests for donation or sponsorship from external bodies. Requests may be for a cash donation or sponsorship; in kind (provision of goods and services or waiving of fees) donation or a combination of cash and in kind.

In assessing requests for in kind donation or sponsorship, or a combination of in kind and cash sponsorship, then the value of the in kind request will be calculated. The full cost of the request (including calculated value of any in kind component) will be considered.

Donations

Donations by the Council reflect its commitment to improve the wellbeing of the community of the Shire of Cue. Because of the philanthropic nature of donations, the Council does not seek a direct cost – benefit return from the

donation, and does not require a business case to be put. However, the Council does not give preference to donations which will assist organisations which benefit the community of the Shire of Cue, or improve the services provided to visitors to the Shire of Cue.

Where the funds are not fully expended on the approved donation the surplus money is to be returned to the Shire.

All donations are to be acquitted in the financial year that it was granted unless prior approval is granted.

Eligibility

To be eligible to apply for a donation, the applicant must be an Association incorporated in accordance with the Associations Incorporations Act 1987 which includes organisations with religious and / or charitable objectives; and / or community based not for profit groups providing a direct service to the stakeholders and visitors of the Shire of Cue which demonstrably contribute to the wellbeing of residents and visitors, and serve to promote the development of the community.

Service Areas

The range of service areas considered for donations may include:

- a) Senior citizen's / community centre;*
- b) Community information and support services;*
- c) Youth services;*
- d) Children's services;*
- e) Emergency relief services;*
- f) Recreation services / sports clubs;*
- g) Community services;*
- h) Health services;*
- i) Education services;*

Organisations are expected to acknowledge the contribution made by the Shire of Cue.

Where a donation is approved for a specific purpose – such as purchase of equipment – the organisation is required to provide evidence of expenditure.

Assessment Process

Applications are to be made in writing to the Chief Executive Officer detailing as a minimum:

Reason for request;

Amount requested (whether monetary, in kind or a combination of both); and

If donation is to be used towards the purchase of equipment, who will ultimately be the owner of the equipment and be responsible for its upkeep / maintenance.

Any sponsorship or donation approved by the Chief Executive Officer will be funded from the G/L Account 04143 – CEO Discretionary Expenses.

Any request for sponsorship or donation which the Chief Executive Officer believes is outside his / her delegation, is in excess of the aforementioned budgetary item and / or requires the consideration of Council will be referred to Council.

Where a request for sponsorship or donations is referred to Council, the Council may decline the application or subject to sufficient funds being available in the Council's budget, approve the application.

Financial Implications:

Expenditure will be allocated in the 2019/2020 budget.

Strategic Implications:

Shire of Cue Strategic Community Plan 2017-2027

Economic Objective

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

Environmental Objective

Outcome 4.1 To protect and uphold our natural environment

4.1.1 Support biosecurity management within our shire

Consultation:

Geoff Brooks – Executive Officer, MRBA

Officer's Recommendation: **Voting Requirement:** Simple Majority

That Council allocate \$10,000 in the 2019/20 budget to contribute to vermin control activities conducted by the Meekatharra Rangelands Biosecurity Association on properties within the Shire of Cue.

AMENDMENT – *the amendment was incorporated into the motion with the agreement of the Mover and Seconder at the suggestion of the Presiding Member.*

On the condition that the MRBA's own budget for these activities is exhausted first.

Council Decision: 10052019	Voting requirement: Simple Majority
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MOVED: CR HOUGHTON	SECONDED: CR DENNIS
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CARRIED: 5/0

7.50pm Cr Price returned to the chambers.

10.8 MINING LEASE APPLICATION CUE TOWNSITE

APPLICANT:	Department of Mines, Industry Regulation and Safety
DISCLOSURE OF INTEREST:	Proximity interest - The author is owner of a 1/3 share in mining tenement P 20/2285 which adjoins current tenement P 20/2067 and proposed tenement M 20/548.
AUTHOR:	Rob Madson - Chief Executive Officer
DATE:	16 May 2019

Matters for Consideration:

Agreement to impose an endorsement and condition proposed by the Department of Mines, Industry Regulation and Safety on a mining licence to be granted to Western Mining Pty Ltd encroaching on Cue townsite.

Background:

The Minister for Mines and Petroleum is obligated to consult with Council before granting permission to mine in a townsite. The Department of Mines, Industry Regulation and Safety has therefore written to Council, proposing that if Council is in agreement with allowing mining activity in the area that the following endorsement and condition be imposed upon the tenement:

Endorsement: The grant of this lease does not include any private land referred to in Section 29(2) of the Mining Act 1978 except that below 30 metres from the natural surface of the land.

Condition: 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, and DMIRS.

The proposed mining lease M 20/548 comprises existing tenements P 20/2026, P 20/2067 and P 20/2232.

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.

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.

Comments:

A copy of the Tengraph map showing the location of the licence applied for is attached at [Appendix 5](#).

Although the application being considered by DMIRS is in the name of Western Mining, all interest to the tenement area has been sold to Golden State Mining.

The works proposal included in the programme of work previously approved by Council on the existing prospecting lease has been used as the basis for the application in relation to the new mining lease and therefore remains valid.

Statutory Environment:

Sections 23 to 26 of the *Mining Act 1978*. (As notified in DMIRS correspondence).

Policy Implications:

Council policy C.1 refers:

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:

Nil

Consultation:

Janet Wicks – Director, Western Mining.

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council advise the Department of Mines, Industry Regulation and Safety that they agree to the endorsement:

The grant of this lease does not include any private land referred to in Section 29(2) of the Mining Act 1978 except that below 30 metres from the natural surface of the land.

And the condition:

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, and DMIRS.

being imposed on tenement M 20/548.

Council Decision: 11052019

Voting requirement: Simple Majority

MOVED: CR PRICE

SECONDED: CR DENNIS

CARRIED: 4/2

AGAINST: CR SPINDLER, CR HOGBEN

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 8.17pm.

To be confirmed at Ordinary Meeting on the 25 June 2019

Signed:

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