



**MINUTES
ORDINARY MEETING
OF COUNCIL**

18 MAY 2021

SHIRE OF CUE
Ordinary Council Meeting
AGENDA

To be held in the Council Chambers, 73 Austin Street Cue on
Tuesday 18 May 2021 commencing at 6:30pm

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DECLARATION OF OPENING

The meeting was opened at 6.34pm

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.

Cr Ron Hogben entered the room at 6:35pm

PRESENT:

Councillor Ross Pigdon, Shire President

Councillor Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Leonie Fitzpatrick

Councillor Fred Spindler

Councillor Liz Houghton

STAFF:

Mr Rob Madson, Chief Executive Officer

Ms Tracy Bachraty, Executive Assistant

Mr Glenn Boyes, Manager Finance

Beth McCall, CSO

GALLERY:

Allison Madson Jenni Dennis

Mitchell Mace Ellie Sanford

Harry Casey Julie Humphreys

Peter Tegg Eugene Ferraro

Derek Goodfellow

Catherine Willett

Stephanie Wandek

1. APOLOGIES AND APPROVED LEAVE OF ABSENCE

STAFF:

Richard Towell, Deputy Chief Executive Officer

3. DISCLOSURE OF MEMBERS' INTERESTS

Nil

4. PUBLIC QUESTION TIME

Derek Goodfellow, 21 Dowley Street, Cue

Mr Goodfellow indicated that he was opposed to the proposed development of Lot 609 Dowley Street as detailed in the agenda. His property is next door and he is concerned about the impact on his lifestyle from noise, light pollution etc. His bedroom is adjacent to the property's driveway.

Q1. What lights will be on the building?

A1. (CEO) Building plans indicate the installation of coach lights at the entry to each unit. There are no floodlights likely to spill over to the neighbouring property.

Q2. Why is there a need for parking bays as they will walk to work?

A2. (CEO) This is a question best directed to the applicant, who has advised that employees walk to the transport depot.

Q3. How will my activities (mowing, whipper snipping etc.) be restricted by having employees next door who work night shift?

A3. (CEO) Not at all, provided they are undertaken during hours permitted by noise regulations.

Q4. Why put a unit at the back of an existing house when they can purchase a vacant block to build on?

A4. (CEO) This question would be better directed to the applicant, but likely to be due to economic considerations.

Q5. How will the proposal maximise economic opportunity benefiting the community when they are only putting in a donga.

A5. (CEO) Additional employees in town are likely to spend locally.

Q5. How will it attract new families when employees will be fly in fly out?

A5. (CEO) It won't necessarily. The agenda item references outcome 3.1.1 of the Shire's Strategic Community Plan which is to "increase affordable housing options for existing residents and to attract new families".

Q6. Why weren't we informed of the proposal prior to the meeting when it will affect our lifestyle?

A6. (CEO) *The application was not within the category of the town planning scheme that requires advertising to affected properties, although it is acknowledged that it could be helpful to seek feedback from neighbours.*

Peter Tegg, 45 Dowley Street

Q1. *Why are questions I raised at the February and March meetings not included in the minutes?*

A1. (CEO) *I will have to refer to the minutes to provide a response.*

Q2. *EFT9611 relates to repairs to the Bank of NSW building, is this due to damage caused by another contractor? Shouldn't they pay for it? I would like a written response.*

A2. (CEO) *Response will be provided in writing.*

Q3. *Why is the railway building not finished when it was due to be completed in January?*

A3. (CEO) *Additional damage was discovered during renovations which required significant repair work. Pressure is being applied to the contractor to complete the project as soon as possible.*

Q4. *What happened to the \$346,000 GST payable on the contribution toward Beringarra-Cue Road paid to the Shire when Jack Hills mine closed?*

A4. (CEO) *This question has been answered previously, both verbally and in writing, indicating that GST on the funds received from Mitsubishi was paid. If there is a genuine concern, take it up with the ATO.*

5. CONFIRMATION OF MINUTES

Council Decision: 01052021

Voting Requirement: Simple Majority

MOVED: Cr Spindler

SECONDED: Cr Hogben

That the Minutes of the Ordinary Meeting 20 April 2021 are confirmed as a true and correct record of the meeting.

CARRIED: 7/0

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DEPUTATIONS

Nil

8. PETITIONS

Nil

9. ANNOUNCEMENTS WITHOUT DISCUSSION

The Shire President welcomed Eugene Ferraro, consultant Town Planner for the Shire of Cue, who was present in the gallery.

10. REPORTS

10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell – Deputy Chief Executive Officer
DATE: 14 May 2021

Matters for Consideration:

To receive the List of Accounts Due & Submitted to the Ordinary Council Meeting on 18 May 2021 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 are for the month of April 2021.

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 2021 to 30 April 2021 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

April 2021

| | | | |
|----------------------------|------|------------|---------------|
| Municipal Fund Bank | EFTs | 9561- 9661 | \$ 333,891.97 |
| Direct Debit Fund Transfer | | | \$ 25,436.06 |
| Payroll | | | \$ 99,428.55 |
| BPAY | | | \$ 23,674.44 |
| Cheques | | | \$ 0.00 |
| Total | | | \$ 482,431.02 |

Council Decision: 02052021

Voting requirement: Simple Majority

MOVED: Cr Spindler

SECONDED: Cr Dennis

That Council endorse the payments for the period 1 April 2021 to 30 April 2021 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

April 2021

| | | | |
|----------------------------|------|------------|---------------|
| Municipal Fund Bank | EFTs | 9561- 9661 | \$ 333,891.97 |
| Direct Debit Fund Transfer | | | \$ 25,436.06 |
| Payroll | | | \$ 99,428.55 |
| BPAY | | | \$ 23,674.44 |
| Cheques | | | \$ 0.00 |
| Total | | | \$ 482,431.02 |

CARRIED: 7/0

10.2 FINANCIAL STATEMENT

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Glenn Boyes – Manager Finance
DATE: 14 May 2021

Matters for Consideration:

The Statements of Financial Activity are for the period ended 30 April 2021 including the following reports:

- Statement of Financial Activity
- Graphical Representation – Source Statement of Financial Activity
- Net Current Funding Position
- Cash and Investments
- Major Variances
- 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 Statements of Financial Activity are for the month of April 2021.

Statutory Environment:

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

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

Richard Towell – Deputy Chief Executive Officer

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 2021, as presented at [Appendix 2](#).

Council Decision: 03052021

Voting requirement: Simple Majority

MOVED: Cr Dennis

SECONDED: Cr Spindler

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 April 2021, as presented at Appendix 2.

CARRIED: 7/0

10.3 APPOINTMENT OF CEO SELECTION PANEL

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 11 May 2021

Matters for Consideration:

Appointment of members to the CEO Selection Panel.

Background:

As Councillors are aware, my contract of employment as Chief Executive Officer ends on 30 June 2021. The CEO position was advertised in accordance with the standards, with applications closing 17 May 2021.

On 3 February 2021, the *Local Government (Administration) Amendment Regulations 2021 (CEO Standards)* introduced mandatory minimum standards for the recruitment, selection, performance review and termination of employment in relation to local government Chief Executive Officers (CEOs).

To comply with the regulation's requirements, the Shire of Cue Standards for CEO Recruitment, Performance and Termination were adopted by Council at the ordinary meeting of April 2021.

Comments:

Local governments are required to establish a selection panel to conduct and facilitate the recruitment and selection process. The selection panel is to be made up of elected members (the number of which is determined by the council) and must include at least one independent person. The independent person cannot be a current elected member, human resources consultant, or staff member of the local government. Examples of who the independent person could be include:

- former elected members or staff members of the local government;
- former elected members (such as a Mayor or Shire President) or staff members of another local government;
- a prominent or highly regarded member of the community; or
- a person with experience in the recruitment of CEOs and senior executives

Following discussion with the Shire President, Mr Norm Trenfield was approached and agreed to be considered to sit on the selection panel. As a former Shire President of the Shire of Meekatharra, and successful businessman, Mr Trenfield was considered to be an ideal candidate for the panel.

The panel are responsible for assessing applicants and making a recommendation to Council regarding the most suitable applicant or applicants. The essence of the role of an independent panel member is to bring an impartial perspective to the process and reduce any perception of bias or nepotism.

Statutory Environment:

Shire of Cue standards for CEO recruitment, performance and termination

8. Establishment of selection panel for employment of CEO

(1) In this clause —

independent person means a person other than any of the following —

(a) a council member;

(b) an employee of the local government;

(c) a human resources consultant engaged by the local government.

(2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.

(3) The selection panel must comprise —

(a) council members (the number of which must be determined by the local government); and

(b) at least 1 independent person.

Policy Implications:

Nil.

Financial Implications:

As the proposed independent member resides in Meekatharra, it is anticipated that reimbursement of their travel costs to attend panel meetings will be required.

Strategic Implications:

Nil.

Consultation:

Cr Ross Pigdon – Shire President

Mr Norm Trenfield

Mr Mike Fitz Gerald – Principal, Fitz Gerald Strategies

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council:

1. establish a selection panel to conduct the recruitment and selection process for the employment of the CEO;
2. appoint Crs<councillors to be nominated>..... to the CEO Selection Panel; and
3. appoint Mr Norm Trenfield as an independent person to the panel.

All councillors plus Mr Trenfield

Council Decision: 04052021

Voting requirement: Simple Majority

MOVED: Cr Price

SECONDED: Cr Dennis

That Council:

1. establish a selection panel to conduct the recruitment and selection process for the employment of the CEO;
2. appoint all current Councillors to the CEO Selection Panel; and
3. appoint Mr Norm Trenfield as an independent person to the panel.

CARRIED: 7/0

Cr Price declared an impartiality interest in items 10.4 and 10.5 due to having recent dealings with Fenix-Newhaul regarding the siting of a communications tower on Coodardy Station.

10.4 DEVELOPMENT APPLICATION – GROUPED DWELLING

APPLICANT: Fenix-Newhaul Pty Ltd
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 11 May 2021

Matters for Consideration:

Application for an amendment to a previously approved development application to construct an eight unit grouped dwelling on Lot 620 (11) Dowley Street, Cue, increased from the original six unit development.

Background:

At the ordinary Council meeting of 15 December 2020, Council approved a development application to construct a six unit transportable dwelling and ancillary dining and ablution building on Lot 620 Dowley St, Cue, to be used for worker accommodation for drivers hauling iron ore from the Iron Ridge mine for Newhaul's joint venture partner, Fenix Resources. The approval was subject to the following conditions:

- 1. That the applicant obtains a Building Approval Certificate, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012, prior to undertaking any further works on the lot associated with construction of the dwelling;*
- 2. That the applicant obtains a Building Permit, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012 prior to, undertaking any works associated with completing construction of the dwelling;*
- 3. That the applicant make application for the approval of an on-site effluent disposal system in accordance with the requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;*
- 4. That the applicant connect the operation to mains power and that any use of a generator on the site be for back-up purposes only;*
- 5. The applicant seeking the approval of the Water Corporation for the development;*
- 6. That the proponent satisfies local and any FESA requirements with regard to fire services;*
- 7. That the applicant obtain and submit to the Shire of Cue, prior to occupancy, a Certificate of Building Compliance, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012.*

A development application has now been received to amend that approval to increase the number of units from six (6) to eight (8). The application also seeks to increase the number of car parking bays from six (6) to eight (8).

Comments:

Lot 620 has an area of 1057 m², and is currently vacant land.

Due to the development only being able to be approved at Council’s discretion, I am unable to consider the application under delegated authority.

A copy of the application, including site and floor plans for the proposed development is attached at [Appendix 3](#)

The proposal for an additional two accommodation units represents a minor increase in the number of people to be accommodated on the property. The design of the individual units has been altered to accommodate the additional units on a similar footprint to that which was approved.

The provision of additional on-site parking will also ensure that parking demands will be contained on-site.

The applicant has advised that staff are on a 12 and 5 day roster, which means than no more than 4 – 5 people will be residing on-site any one time. The proposed communal facilities remain unchanged.

The Shire has not experienced any social issues arising from such facilities and the CEO will remain in contact with the Newhaul director to ensure that no such issues arise in the future.

The mining operation is a significant economic opportunity for the town and the ability to accommodate workers in town ensures that town centre operators can also benefit from this activity.

No town planning objection is raised to the proposed application to amend the current approval.

Statutory Environment:

Shire of Cue Local Planning Scheme No. 2.

- residential grouped*** - has the same meaning as defined in the Residential Design Codes, i.e. *A dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property*

The scheme Zoning Table indicates that the use “Residential – Grouped Dwelling” is a category D use in the Commercial Zone, meaning “that the use is not permitted unless the local government has exercised its discretion by granting development approval.”

Policy Implications:

Nil.

Financial Implications:

Development of the lot will increase the property's Gross Rental Value and consequently result in an increase in applicable rates. Development application and building permit fees apply.

Strategic Implications:

The proposed action addresses the following objectives contained in the Shire's Strategic Community Plan 2017-2027.

Economic Objective

Outcome 1.1 Maximise local economic opportunities to benefit the whole community

1.1.3 Utilise the land available in the area for a range of new business to be self-sustaining

Social Objective

Outcome 3.1 Community infrastructure that meets the needs of our Residents

3.1.1 Increase affordable housing options for existing residents and to attract new families

Consultation:

Craig Mitchell – Director, Fenix-Newhaul.
Benjamin Houweling - Town Planner, Harley Dykstra.

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

That Council approve the development of an eight unit transportable dwelling and ancillary dining and ablution facility on Lot 620 Dowley Street, Cue, subject to the following conditions:

1. *No more than a total of five (5) people are to reside at the property at any one time.*
2. *That the applicant obtains a Building Approval Certificate, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012, prior to undertaking any further works on the lot associated with construction of the dwelling;*
3. *That the applicant obtains a Building Permit, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012 prior to, undertaking any works associated with completing construction of the dwelling;*
4. *That the applicant make application for the approval of an on-site effluent disposal system in accordance with the requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;*

5. *That the applicant connect the operation to mains power and that any use of a generator on the site be for back-up purposes only;*
6. *The applicant seeking the approval of the Water Corporation for the development;*
7. *That the proponent satisfies local and any FESA requirements with regard to fire services;*
8. *That the applicant obtain and submit to the Shire of Cue, prior to occupancy, a Certificate of Building Compliance, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012.*

Council Decision: 05052021

Voting requirement: Simple Majority

MOVED: Cr Price

SECONDED: Cr Dennis

That Council approve the development of an eight unit transportable dwelling and ancillary dining and ablution facility on Lot 620 Dowley Street, Cue, subject to the following conditions:

- 1. No more than a total of five (5) people are to reside at the property at any one time.**
- 2. That the applicant obtains a Building Approval Certificate, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012, prior to undertaking any further works on the lot associated with construction of the dwelling;**
- 3. That the applicant obtains a Building Permit, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012 prior to, undertaking any works associated with completing construction of the dwelling;**
- 4. That the applicant make application for the approval of an on-site effluent disposal system in accordance with the requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;**
- 5. That the applicant connect the operation to mains power and that any use of a generator on the site be for back-up purposes only;**
- 6. The applicant seeking the approval of the Water Corporation for the development;**
- 7. That the proponent satisfies local and any FESA requirements with regard to fire services;**
- 8. That the applicant obtain and submit to the Shire of Cue, prior to occupancy, a Certificate of Building Compliance, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012.**

Amendment:

MOVED: Cr Spindler

SECONDED: Cr Hogben

That condition 1, detailing the total number of people permitted to reside at the property, be amended from 5 people to 8.

CARRIED: 5/2

Amended Motion:

That Council approve the development of an eight unit transportable dwelling and ancillary dining and ablution facility on Lot 620 Dowley Street, Cue, subject to the following conditions:

- 1. No more than a total of eight (8) people are to reside at the property at any one time.**
- 2. That the applicant obtains a Building Approval Certificate, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012, prior to undertaking any further works on the lot associated with construction of the dwelling;**
- 3. That the applicant obtains a Building Permit, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012 prior to, undertaking any works associated with completing construction of the dwelling;**
- 4. That the applicant make application for the approval of an on-site effluent disposal system in accordance with the requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;**
- 5. That the applicant connect the operation to mains power and that any use of a generator on the site be for back-up purposes only;**
- 6. The applicant seeking the approval of the Water Corporation for the development;**
- 7. That the proponent satisfies local and any FESA requirements with regard to fire services;**
- 8. That the applicant obtain and submit to the Shire of Cue, prior to occupancy, a Certificate of Building Compliance, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012.**

CARRIED: 5/2

10.5 DEVELOPMENT APPLICATION – GROUPED DWELLING

APPLICANT: Fenix Newhaul Pty Ltd

DISCLOSURE OF INTEREST: Proximity Interest – The author resides in Shire-provided housing which shares a rear boundary with the proposed development lot.

AUTHOR: Rob Madson –Chief Executive Officer

DATE: 11 May 2021

Matters for Consideration:

Application for Planning Approval to construct four single bedroom accommodation units at the rear of Lot 609 (23) Dowley Street, Cue.

Background:

Lot 609 is 1040m² in size and currently accommodates an existing three bedroom dwelling.

The proposal seeks to install a four unit accommodation facility at the rear of the property, to provide accommodation for Fenix Newhaul workers during their swing. The workers will be based at the nearby transport depot and will walk to and from the depot to their accommodation.

Fenix Newhaul is seeking to provide its workforce with comfortable and convenient accommodation while working on-site. The applicant has advised that staff are on a 12 and 5 day roster, which means than no more than 4 – 5 people will be residing on-site any one time.

Communal cooking, dining and laundry facilities will be provided in the existing dwelling.

Comments:

Due to the development only being able to be approved at Council’s discretion, I am unable to consider the application under delegated authority.

A copy of the application, including site and floor plans for the proposed development is attached at [Appendix 4](#)

The proposal for the accommodation units provides an opportunity to house workers in the town. The mining operation is a significant economic opportunity for the town and the ability to accommodate workers in town ensures that town centre operators can also benefit from this activity.

The application seeks to erect four accommodation units, 5m from the rear boundary and 5.8m from the respective side boundaries. The units will front the existing dwelling

and each contain separate bathroom facilities. In addition to the accommodation, four car parking bays will be provided.

Cooking, dining and laundry facilities will be available within the existing dwelling.

The provision of additional on-site parking will also ensure that parking demands will be contained on-site.

Lot 609 currently enjoys a row of mature trees located on the rear boundary. The trees provides an ideal screen to the neighbouring lot, as well as providing much needed shade, particularly during the summer months. The proposed development has been designed to avoid the trees, a condition requiring the trees to be protected would, therefore, be appropriate.

The town has not experienced any social issues, such as noise or anti-social behaviour arising from such facilities and will continue to rely on Newhaul to manage the behaviour of its employees and contractors.

The application is for accommodation in a residential area and as such, no town planning objection is raised to the application.

Given that the life of the mine is finite, it may not be appropriate for the building to remain once the mining activity has ceased. To this end, it is recommended that the life of this approval be set for a fixed period, after which a fresh application should be made to continue with the accommodation.

Statutory Environment:

Shire of Cue Local Planning Scheme No. 2.

- residential grouped** - has the same meaning as defined in the Residential Design Codes, i.e. *A dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property*

The scheme Zoning Table indicates that the use “Residential – Grouped Dwelling” is a category D use in the Commercial Zone, meaning “that the use is not permitted unless the local government has exercised its discretion by granting development approval.”

Policy Implications:

Nil.

Financial Implications:

Development of the lot will increase the property's Gross Rental Value and consequently result in an increase in applicable rates. Development application and building permit fees apply.

Strategic Implications:

The proposed action addresses the following objectives contained in the Shire's Strategic Community Plan 2017-2027.

Economic Objective

Outcome 1.1 Maximise local economic opportunities to benefit the whole community

1.1.3 Utilise the land available in the area for a range of new business to be self-sustaining

Social Objective

Outcome 3.1 Community infrastructure that meets the needs of our Residents

3.1.1 Increase affordable housing options for existing residents and to attract new families

Consultation:

Craig Mitchell – Director, Fenix-Newhaul.
Benjamin Houweling - Town Planner, Harley Dykstra.

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

That Council approve the development of a four unit transportable dwelling, ancillary to the existing three bedroom dwelling on Lot 620 Dowley Street, Cue, subsequently creating a grouped dwelling of the two buildings, subject to the following conditions:

1. This approval is for a period of three (3) years from the date of this approval;
2. Unless a further approval has been issued to continue the use, upon the expiry of this approval the buildings the subject of this approval must be removed within 60 days of this expiry and the land thereon made good;
3. *No more than a total of five (5) people are to reside at the property at any one time.
4. The existing trees located along the rear boundary of the property shall be retained to the satisfaction of the Shire of Cue.
5. That the applicant obtains a Building Approval Certificate, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012, prior to undertaking any further works on the lot associated with construction of the dwelling;

6. That the applicant obtains a Building Permit, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012 prior to, undertaking any works associated with completing construction of the dwelling;
7. That the applicant make application for the approval of an on-site effluent disposal system in accordance with the requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;
8. That the applicant connect the operation to mains power and that any use of a generator on the site be for back-up purposes only;
9. The applicant seeking the approval of the Water Corporation for the development;
10. That the proponent satisfies local and any FESA requirements with regard to fire services;
11. That the applicant obtain and submit to the Shire of Cue, prior to occupancy, a Certificate of Building Compliance, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012.

Council Decision: *deferred*

Voting requirement: Simple Majority

MOVED: Cr Dennis

SECONDED: Cr Hogben

That Council approve the development of a four unit transportable dwelling, ancillary to the existing three bedroom dwelling on Lot 620 Dowley Street, Cue, subsequently creating a grouped dwelling of the two buildings, subject to the following conditions:

1. This approval is for a period of three (3) years from the date of this approval;
2. Unless a further approval has been issued to continue the use, upon the expiry of this approval the buildings the subject of this approval must be removed within 60 days of this expiry and the land thereon made good;
3. *No more than a total of five (5) people are to reside at the property at any one time.
4. The existing trees located along the rear boundary of the property shall be retained to the satisfaction of the Shire of Cue.
5. That the applicant obtains a Building Approval Certificate, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012, prior to undertaking any further works on the lot associated with construction of the dwelling;
6. That the applicant obtains a Building Permit, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012 prior to, undertaking any works associated with completing construction of the dwelling;

7. That the applicant make application for the approval of an on-site effluent disposal system in accordance with the requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;
8. That the applicant connect the operation to mains power and that any use of a generator on the site be for back-up purposes only;
9. The applicant seeking the approval of the Water Corporation for the development;
10. That the proponent satisfies local and any FESA requirements with regard to fire services;
11. That the applicant obtain and submit to the Shire of Cue, prior to occupancy, a Certificate of Building Compliance, in accordance with the requirements of the Building Act 2011 and the Building Regulations 2012.

Procedural Motion:

Council Decision: 06052021 **Voting requirement: Simple Majority**

MOVED: Cr Price **SECONDED: Cr Houghton**

That item 10.5 be deferred to the June Council meeting to allow time for negotiation between affected parties regarding potential negative impacts of the proposed development.

CARRIED: 5/2

10.6 CUE-WONDINONG ROAD/AIRPORT ROAD INTERSECTION UPGRADE

APPLICANT: Westgold Resources Ltd
DISCLOSURE OF INTEREST: Nil
AUTHOR: Rob Madson –Chief Executive Officer
DATE: 12 May 2021

Matters for Consideration:

Endorsement of plans to upgrade the intersection of Cue-Wondinong and Airport Roads with a private haul road

Background:

A request has been received from Westgold Resources Ltd for consideration of a proposal to alter the intersection of Cue-Wondinong Road with Airport Road and Westgold's proposed Eastern bypass haulage road.

Comments:

Alterations to the intersection are required to safely facilitate the regular use of the proposed haul road to be constructed to the East of the refuse site. This will allow trucks hauling to Westgold's Tuckabianna processing plant to bypass the town site, improving the safety and general amenity of Austin Street.

Passage of heavy vehicles via this route has been the joint aim of the Shire and Westgold for some time and has been utilised on occasions in the past, however the poor standard of construction and drainage on the current haul road has not accommodated regular access. Westgold proposes to reconstruct and seal this route in the near future.

A copy of the design memo for the alterations proposed to the intersection is attached at [Appendix 5](#)

A copy of the design drawings for the proposed works is attached at [Appendix 6](#)

Statutory Environment:

Nil.

Policy Implications:

Nil.

Financial Implications:

All costs associated with the construction will be the responsibility of Westgold Resources.

Strategic Implications:

The proposed action addresses the following objectives contained in the Shire’s 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

Social Objective

Outcome 3.2 Encourage community participation and services

3.2.5 Support a safe community environment

Consultation:

Steve Robinson – Corporate & Business Development Manager, Westgold Resources
 Matt Barns – Senior Civil Engineer, Greenfield Technical Services

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

That Council note the report, dated 2 March 2021, prepared for Westgold Resources by Matt Barns of Greenfields Technical Services for the Cue-Wondinong/Airport Road intersection with Westgold’s proposed haul road and endorse the alterations proposed for the intersection detailed in the design drawings at Appendix 5, on the condition that all costs associated with the intersection upgrade are borne by Westgold Resources.

Council Decision: 07052021 **Voting requirement:** Simple Majority

MOVED: Cr Price **SECONDED: Cr Spindler**

That Council note the report, dated 2 March 2021, prepared for Westgold Resources by Matt Barns of Greenfields Technical Services for the Cue-Wondinong/Airport Road intersection with Westgold’s proposed haul road and endorse the alterations proposed for the intersection detailed in the design drawings at Appendix 5, on the condition that all costs associated with the intersection upgrade are borne by Westgold Resources.

CARRIED: 7/0

10.7 LAKESIDE ROAD MINERS PASS INTERSECTION SIGNAGE

APPLICANT: Fenix-Newhaul Pty Ltd
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Rob Madson –Chief Executive Officer
 DATE: 11 May 2021

Matters for Consideration:

Request to re-prioritise major and minor road status at the intersection of Lakeside Road and Miners pass.

Background:

A request has been received from Mr Craig Mitchell of Newhaul to reprioritise the major and minor road status of the intersection of Lakeside Road and Miners Pass and relocate the stop signs to give priority to trucks hauling on Miners Pass.

Comments:

Regulatory signage is the responsibility of Main Roads WA and therefore the final decision to change road priorities will be made by them, however it is anticipated that MRWA will agree to a request that is supported by the Shire as it involves a local road.

As the majority of traffic travelling on Lakeside Road is associated with Westgold's mining operations, I consulted with Mr Phil Wilding, General Manager of Cue Gold Operations, who indicated that he was not opposed to the request. Mining operations in this area at locations other than the Great Fingal mine have dropped off recently, significantly reducing the total amount of traffic travelling on Lakeside Road.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Financial Implications:

All costs associated with the proposed signage alterations will be the responsibility of Fenix-Newhaul.

Strategic Implications:

Nil.

Consultation:

Craig Mitchell – Director, Fenix-Newhaul.

Phil Wilding – General Manager Cue Gold Operations, Westgold Resources.

Peter Herbert – Network Operations Manager Central & Northern Regions Midwest-Gascoyne, Main Roads WA.

Officer’s Recommendation:

Voting Requirement: Simple Majority

That Council agree to request Main Roads WA to reprioritise the status of the intersection of Lakeside Road with Miners Pass and relocate stop signs at the intersection to give priority to traffic on Miners Pass, on the condition that all costs associated with the proposed alterations are borne by Fenix-Newhaul, including the provision of signage warning that the intersection has a modified layout.

Council Decision: 08052021

Voting requirement: Simple Majority

MOVED: Cr Spindler

SECONDED: Cr Dennis

That Council agree to request Main Roads WA to reprioritise the status of the intersection of Lakeside Road with Miners Pass and relocate stop signs at the intersection to give priority to traffic on Miners Pass, on the condition that all costs associated with the proposed alterations are borne by Fenix-Newhaul, including the provision of signage warning that the intersection has a modified layout.

CARRIED: 7/0

Cr Price declared an impartiality interest in item 10.8 due to being a Cue Community Resource Centre board member.

Cr Dennis declared an impartiality interest in item 10.8 due to being a Cue Community Resource Centre board member, and a financial interest due to his wife being a CRC employee, and left the meeting at 8:12pm.

10.8 CUE COMMUNITY RESOURCE CENTRE FUNDING REQUEST

APPLICANT: Cue Community Resource Centre
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Rob Madson –Chief Executive Officer
 DATE: 12 May 2021

Matters for Consideration:

Request for annual funding to support the employment of additional staff resources for the tourist information centre.

Background:

A request has been received from the Cue Community Resource Centre (CRC) for annual funding.

Prior to the CRC taking on the tourist information centre, this service was delivered by the Golden Art Shop on a contractual basis. At the conclusion of the latest contract that can be found, dated 2011- 2013, the annual cost of this service was \$22,000.

Comments:

Additional staff resources are required to adequately resource the newly constructed heritage resource centre, and provide for more extensive opening hours during tourist season.

As the CRC is seeking additional funding sources, it could be an appropriate time to discuss the potential for them to take over delivery of the Shire’s library services. The library is currently housed in the same building as the CRC and would benefit from integration with the CRC’s operations. This could also enable access to library services being improved by being available on weekends.

A copy of the CRC funding proposal is attached at [Appendix 7](#)

Statutory Environment:

Nil.

Policy Implications:

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 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:

Cue CRC's request is for a total of \$50,000 annually.

Strategic Implications:

The proposed action addresses the following objectives contained in the Shire's Strategic Community Plan 2017-2027.

Economic Objective

Outcome 1.1 Maximise local economic opportunities to benefit the whole community

1.2.2 Showcase our heritage and mining attractions

1.2.3 Develop new tourism attractions to enhance and encourage visitors to stay longer

Outcome 1.2 Develop strategies to increase number of tourists visiting the Shire

Outcome 2.2 Strengthen our communities' position for the future

- 2.2.1 Effective community and stakeholder engagement*
- 2.2.2 Maintain a strong customer focus*
- 2.2.3 Provide support to community and education groups*

Social Objective

Outcome 3.2 Encourage community participation and services

- 3.2.4 Support provision of emergency services, support and encourage community volunteers*

Consultation:

Ian Dennis – Chairman, Cue CRC

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council:

1. make allowance in the 2021/22 annual budget for a contribution of \$50,000 to be made to the Cue Community Resource Centre for the purpose of employing additional staff resources for the tourist information centre; and
2. instruct the CEO to consult with the Cue CRC Committee regarding the potential to provide library services on behalf of the Shire on a contractual basis.

Council Decision: 09052021

Voting requirement: Simple Majority

MOVED: Cr Houghton

SECONDED: Cr Spindler

That Council:

- 1. make an annual contribution of \$50,000 to the Cue Community Resource Centre for the purpose of employing additional staff resources for the tourist information centre; and**
- 2. instruct the CEO to consult with the Cue CRC Committee regarding the potential to provide library services on behalf of the Shire on a contractual basis.**

CARRIED: 6/0

Item 1 was varied from the officer's recommendation as Council wished to commit to the funding rather than make a budget allowance and include funding for the current financial year.

Cr Hogben left the meeting at 8:17pm.

Cr Dennis returned to the meeting at 8:18pm.

10.9 POTENTIAL MERGER OF MRVC AND MRBA

APPLICANT: Murchison Regional Vermin Council
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Rob Madson –Chief Executive Officer
 DATE: 13 May 2021

Matters for Consideration:

Request for Council to consider a possible merger of the Murchison Regional Vermin Council (MRVC) and The Meekatharra Rangelands Biosecurity Association (MRBA).

Background:

The Murchison Regional Vermin Council (MRVC) was formed in 1964, originally to manage the vermin proof fence.

The Shire of Cue is a foundation member of the MRVC and is represented on that body by two Councillor representatives, Currently Crs Pigdon and Price.

A request has been received from the MRVC for Council to consider a possible merger with the MRBA, ostensibly to reduce the financial burden of compliance associated with operating as a regional Council.

Comments:

A copy of the letter proposing the merger and an extract from the minutes of the MRVC meeting relating to an agenda item on the topic are attached [Appendix 8](#). This information makes it clear that the major motivating factor behind the proposed merger is to reduce the cost burden of compliance as the MRVC is bound by the same rules that apply to all WA councils.

At the most recent meeting of Cue Parliament, newly appointed Minister for Housing and Local Government, the Hon John Carey MLA, indicated his preparedness to consider a multi-tiered approach to compliance so that smaller councils are not burdened to the same extent as larger councils. This is a positive move from previously held positions of former Local Government Ministers and should be explored prior to any commitment to the proposed merger.

Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 3.63

3.63 . Dissolution or partial dissolution of regional local government

- (1) A regional local government is to be wound up —
 - (a) at the direction of the Minister; or
 - (b) in accordance with the establishment agreement.

- (2) A participant may, in accordance with the establishment agreement, withdraw from the regional local government and cease to be a participant.

Policy Implications:

Nil.

Financial Implications:

Levels of precepts for contributions toward operating costs and future capital projects are expected to remain the same.

Strategic Implications:

The proposed action addresses the following objectives contained in the Shire’s Strategic Community Plan 2017-2027.

Environmental Objective

- Outcome 4.1 To protect and uphold our natural environment*
- 4.1.1 Support biosecurity management within our shire*

Consultation:

Cr Ross Pigdon – Shire President, MRVC member.
 Cr Les Price – Deputy Shire President, MRVC member.

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

That Council advise the Murchison Regional Vermin Council that it is prepared to consider the possibility of a merger of the MRVC and the Meekatharra Rangelands Biosecurity Council, however requires further detailed information to be provided justifying the merger and an exploration of the appetite of the current Minister for Housing and Local Government to introduce legislative change to reduce the level of compliance requirements for smaller councils.

Cr Hogben returned to the meeting 8.21pm.

| | |
|---|--|
| Council Decision: 10052021 | Voting requirement: Simple Majority |
| MOVED: Cr Price | SECONDED: Cr Houghton |
| <p>That Council advise the Murchison Regional Vermin Council that it is prepared to consider the possibility of a merger of the MRVC and the Meekatharra Rangelands Biosecurity Association, however requires further detailed information to be provided justifying the merger and an exploration of the appetite of the current Minister for Housing and Local Government to introduce legislative change to reduce the level of compliance requirements for smaller councils.</p> | |
| CARRIED: 7/0 | |

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 8:36pm

To be confirmed at Ordinary Meeting on the 15 June 2021.

Signed:.....

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