



**MINUTES  
ORDINARY MEETING  
OF COUNCIL**

**17 OCTOBER 2017**

# **NOTICE OF MEETING**

Please be advised that the next

## **Ordinary Meeting of Council**

held on

**Tuesday, 17 October 2017**

commencing at **6:30pm**

in the Council Chambers at 73 Austin Street, Cue WA

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Rob Madson  
Chief Executive Officer  
13 October 2017

### **DISCLAIMER**

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations, which have not yet been adopted by Council.

**SHIRE OF CUE**

**DISCLOSURE OF FINANCIAL INTEREST AND INTERESTS AFFECTING IMPARTIALITY**

**To: Chief Executive Officer**

As required by section 5.65(1)(a) or 5.70 of the Local Government Act 1995 and Council’s Code of Conduct, I hereby declare my interest in the following matter/s included on the Agenda paper for the Council meeting to be held on \_\_\_\_\_  
(Date)

Item No.	Subject	Details of Interest	Type of Interest Impartial/Financial	*Extent of Interest

(see below)

\* Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions of the decision making process (see item 6 below). Employees must disclose extent of interest if the Council or Committee requires them to.

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**NB**

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have declared an interest is discussed, Section 5.65(1) (a) & (b).
2. It remains Councillors’/Employees’ responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor’s/Employee’s responsibility to ensure the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor’s responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. The responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are confirmed.
5. It is recommended that when previewing Agenda, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of the Council. Where Councillors request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor’s application.

**Remember: The responsibility to declare an interest rests with individual Councillors / Employees. If in any doubt seek legal opinion or, to be absolutely sure, make a declaration.**

Office Use Only: Date/Initials

1. Particulars of declaration given to meeting \_\_\_\_\_
2. Particulars recorded in the minutes: \_\_\_\_\_
3. Signed by Chief Executive Officer \_\_\_\_\_

### **Local Government Act 1995 - SECT 5.23**

#### **Meetings generally open to the public**

5.23. (1) Subject to subsection (2), the following are to be open to members of the public:

- (a) All Council meetings; and
- (b) All meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following --

- (a) A matter affecting an employee or employees;
- (b) The personal affairs of any person;
- (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
- (d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
- (e) A matter that if disclosed, would reveal:
  - (i) A trade secret;
  - (ii) Information that has a commercial value to a person; or
  - (iii) Information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
- (f) A matter that if disclosed, could be reasonably expected to:
  - (i) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
  - (ii) Endanger the security of the local government's property; or
  - (iii) Prejudice the maintenance or enforcement of a lawful measure for protecting public safety;

(g) Information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and

(h) Such other matters as may be prescribed.

(3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

**SHIRE OF CUE**

**REVOKING OR CHANGING DECISIONS MADE AT COUNCIL MEETINGS**

Local Government (Administration) Regulations 1996 **(Regulation No.10)**

If a previous Council decision is to be changed then support for a revocation motion must be given by an **Absolute Majority** of Councillors (that is at least 4 Councillors) if a previous attempt to rescind has occurred within the past three months or, if no previous attempt has been made the support must be given by at least **1/3rd** of all Councillors (that is at least 4 Councillors).

Regulation 10(1a) also requires that the support for revocation must be in writing and signed by the required number of Councillors, including the Councillor who intends to move the revocation motion.

Any revocation motion must be carried by the kind of vote that put the motion into place in the first instance (that is, if carried originally by an Absolute Majority or Special Majority vote then the revocation motion must also be carried by that same kind of vote).

If the original motion was carried by a Simple Majority vote then any revocation motion must be carried by an Absolute Majority vote.



To the Presiding Member,

The following Councillors give notice of their support for the bringing forward to the Council meeting to be held on \_\_\_\_\_ of a motion for revocation of Council resolution number \_\_\_\_\_ as passed by the Council at its meeting held on \_\_\_\_\_

<b>Councillor's Names</b>	<b>Councillor's Signature</b>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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**SHIRE OF CUE**  
**Ordinary Council Meeting**  
**MINUTES**

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Held in the Council Chambers, Austin Street Cue on Tuesday 17 October 2017 commencing at 6:31pm

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## 1. OFFICIAL OPENING

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The Shire President welcomed those present and read the following disclaimer:

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

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

*Please be advised that in accordance with a Department of Local Government recommendation this Meeting is being electronically recorded with my permission.*

### **PRESENT:**

Councillor Ross Pigdon, Shire President

Councillor Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Ron Hogben

Councillor Leonie Fitzpatrick

Councillor Pixie Pigdon

Councillor Fred Spindler

### **STAFF:**

Mr Rob Madson, Chief Executive Officer

Mr Richard Towell, Deputy Chief Executive Officer

Mrs Janelle Duncan, Community Development Coordinator

Mr Joe O'Keefe, Town Planning Consultant

### **GALLERY:**

Peter Tegg

Jacquie Moses

Rhiannon Towell

Jeff Gregory

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## 2. PUBLIC QUESTION TIME

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Questions on Notice

At the Ordinary Meeting of Council held on 19<sup>th</sup> September 2017 the following questions were asked and taken on notice:



**Ernie Campbell, 17 Darlot Street**

Requested a breakdown of costs for the Oasis Tourist Stop.

The Chief Executive Officer responded to this question in correspondence dated 16 October 2017:

In response to your question which was taken on notice at the ordinary meeting of Council held 19 September 2017, I advise the following breakdown of the cost of construction of the Oasis Visitor Stop to date:

Architect	19,858
Shire Labour (Including overheads)	61,412
Shire Plant and equipment	37,710
Wifi	16,206
Surveying	4,760
Materials and temporary fencing	6,818
Shelters and screens	173,850
Concrete and kerbing	179,894
Lighting	25,900
Project management	80,682
Asphalt	140,053
Landscaping	65,771
Plumbing	29,126
<b>Total</b>	<b>\$842,040</b>

The balance of the \$880,000 total budget for this project has been committed to signage.

**Terry Bloxsome, 65 Stewart Street**

*Previous advice was that shade would be provided in the park next to the spray park in Victoria Street, when will this happen?*

*When will the shed at Burt Place be bolted down? When will it be finished?*

*When will something be done about the rubbish tip?*

The Chief Executive Officer responded to these questions in correspondence dated 16 October 2017:

In response to your questions which were taken on notice at the ordinary meeting of Council held 19 September 2017, I advise the following:

- A picnic setting with roof for shade was purchased for the area next to the water park in Victoria Street. Unfortunately a complete kit was not supplied by the manufacturer and this has delayed installation.
- The shed at the staff residence at 19 Burt Place has been secured to the concrete pad since late last year. Construction of the shed will be completed when a suitable contractor is available.
- The current trench for domestic waste at the Shire's refuse facility is nearing capacity. When a new trench is constructed it is intended to erect fencing designed to capture wind-blown rubbish. Arrangements have been made for the stockpiled steel to be collected by a recycler. Enquiries are continuing regarding disposal of the tyres stored at the site, however of the available options onsite burial may be the most cost effective.

Questions asked by the Public Gallery

**Peter Tegg, 45 Dowley Street**

*Is it correct that audio recordings of the Council meeting are made only to ensure the accuracy of the minutes?*

The CEO confirmed that was correct.

*Will the minutes from September be corrected to accurately record the questions I asked?*

The CEO advised that the regulations call for a summary of each question and answer to be recorded in the minutes.

*Where in the regulations?*

The CEO advised that he would provide a copy of the regulation to Mr Tegg before he left the meeting.

*In the list of accounts for Council what is the amount of money spent on mining tenements?*

DCEO advised they are charges levied by Landgate for providing valuations on Mining Tenements.

*Is there a reason why contractors are being used for carting sand instead of Shire employees?*

CEO advised Shire employees were occupied with other projects.

**Jeff Gregory, Robinson Street**

*Could the construction of the industrial shed the Shire agreed to lease me be completed in a more expedient manner?*

President answered it is being completed as quickly as it can be.

**3. APOLOGIES AND LEAVE OF ABSENCE**

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Nil

**4. PETITIONS/PRESENTATIONS/SUBMISSIONS**

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**5. CONFIRMATION OF MINUTES**

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**Council Decision: 01102017**

**MOVED: CR PIXIE PIGDON**

**SECONDED: CR DENNIS**

That the Minutes of the Ordinary Meeting of 19 September 2017 are confirmed as a true and correct record of the meeting.

**CARRIED: 6/1**

**AGAINST: CR FITZPATRICK**

**6. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.**

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Nil

**7. MATTERS FOR WHICH THE MEETING MAY GO BEHIND CLOSED DOORS**

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Nil

## 8. REPORTS

<b>8.1 ACCOUNTS &amp; STATEMENTS OF ACCOUNTS</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	11 October 2017
<b><i>Matters for Consideration:</i></b>	
To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Tuesday 17 October 2017 as attached – see <a href="#">Appendix 1</a>	
<b><i>Comments:</i></b>	
The list of accounts is for the month of September 2017	
<b><i>Background:</i></b>	
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.	
<b><i>Statutory Environment:</i></b>	
Local Government (Financial Management Regulations) 1996 – Clause 13.	
<b><i>Policy Implications:</i></b>	
Nil	
<b><i>Financial Implications:</i></b>	
Nil	
<b><i>Strategic Implications:</i></b>	
Nil	
<b><i>Consultation:</i></b>	
Nil	



<b>8.2 FINANCIAL STATEMENT</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Richard Towell – Deputy Chief Executive Officer
DATE:	11 October 2017
<b><i>Matters for consideration:</i></b>	
<p>The Statement of Financial Activity for the period ended 30 September 2017 including the following reports:</p> <ul style="list-style-type: none"> <li>• Statement of Financial Activity</li> <li>• Significant Accounting Policies</li> <li>• Graphical Representation – Source Statement of Financial Activity</li> <li>• Net Current Funding Position</li> <li>• Cash and Investments</li> <li>• Major Variances</li> <li>• Budget Amendments</li> <li>• Receivables</li> <li>• Grants and Contributions</li> <li>• Cash Backed Reserve</li> <li>• Capital Disposals and Acquisitions</li> <li>• Trust Fund</li> </ul> <p>see <a href="#">Appendix 2</a></p>	
<b><i>Comments:</i></b>	
The Statement of Financial Activity is for the month of September 2017.	
<b><i>Background:</i></b>	
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.	
<b><i>Statutory Environment:</i></b>	
Local Government (Financial Management Regulations) 1996 – Clause 14.	
<b><i>Policy Implications:</i></b>	
Nil	

<b>Financial Implications:</b>	
Nil	
<b>Strategic Implications:</b>	
Nil	
<b>Consultation:</b>	
RSM Bird Cameron Chartered Accountants	
<b>Officer's Recommendation:</b>	
<i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 September 2017.</i>	
<b>Council Decision 03102017</b>	<b>Voting requirement:</b> Simple Majority
<p><b>MOVED: CR PIXIE PIGDON                      SECONDED: CR DENNIS</b></p> <p><i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 30 September 2017.</i></p> <p><b>CARRIED 7/0</b></p>	

<b>8.3 COUNCIL MEETING DATES – 2018</b>																									
APPLICANT:	Shire of Cue																								
DISCLOSURE OF INTEREST:	None																								
File:																									
AUTHOR:	Rob Madson – Chief Executive Officer																								
DATE:	11 October 2017																								
<b><i>Matters for Consideration:</i></b>																									
Council is required to adopt and advertise their Council meeting dates and the proposed dates for 2018 are submitted for Council's consideration																									
<b><i>Background:</i></b>																									
Nil																									
<b><i>Comments:</i></b>																									
<p>Council is required under the Local Government (Administration) Regulations 1996 to adopt annual meeting dates and times and advertise them to the community.</p> <p>Council traditionally meets on the 3<sup>rd</sup> Tuesday of the month at 6.30pm, therefore the dates proposed for 2018 are:</p> <table> <tbody> <tr> <td>January</td> <td>No meeting</td> </tr> <tr> <td>February</td> <td>Tuesday 20<sup>th</sup></td> </tr> <tr> <td>March</td> <td>Tuesday 20<sup>th</sup></td> </tr> <tr> <td>April</td> <td>Tuesday 17<sup>th</sup></td> </tr> <tr> <td>May</td> <td>Tuesday 15<sup>th</sup></td> </tr> <tr> <td>June</td> <td>Tuesday 19<sup>th</sup></td> </tr> <tr> <td>July</td> <td>Tuesday 17<sup>th</sup></td> </tr> <tr> <td>August</td> <td>Tuesday 21<sup>st</sup></td> </tr> <tr> <td>September</td> <td>Tuesday 18<sup>th</sup></td> </tr> <tr> <td>October</td> <td>Tuesday 16<sup>th</sup></td> </tr> <tr> <td>November</td> <td>Tuesday 20<sup>th</sup></td> </tr> <tr> <td>December</td> <td>Tuesday 18<sup>th</sup></td> </tr> </tbody> </table>		January	No meeting	February	Tuesday 20 <sup>th</sup>	March	Tuesday 20 <sup>th</sup>	April	Tuesday 17 <sup>th</sup>	May	Tuesday 15 <sup>th</sup>	June	Tuesday 19 <sup>th</sup>	July	Tuesday 17 <sup>th</sup>	August	Tuesday 21 <sup>st</sup>	September	Tuesday 18 <sup>th</sup>	October	Tuesday 16 <sup>th</sup>	November	Tuesday 20 <sup>th</sup>	December	Tuesday 18 <sup>th</sup>
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<b><i>Statutory Environment:</i></b>																									
<p>LOCAL GOVERNMENT ACT 1995 - SECT 5.25</p> <p>5.25. Regulations about council and committee meetings and committees</p> <p>(1) Without limiting the generality of section 9.59, regulations may make provision in relation to —</p> <p>(g) the giving of public notice of the date and agenda for council or committee meetings;</p>																									



LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 12

12. Meetings, public notice of (Act s. 5.25(1)(g))
- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
- (a) the ordinary council meetings; and
  - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

***Policy Implications:***

Nil

***Financial Implications:***

Nil

***Strategic Implications:***

Nil

***Consultation:***

Nil

**Officer’s Recommendation:**

That Council adopt the following meeting dates for 2018 and advertise them in accordance with the Local Government (Administration) Regulations 1996:

January	No meeting
February	Tuesday 20 <sup>th</sup>
March	Tuesday 20 <sup>th</sup>
April	Tuesday 17 <sup>th</sup>
May	Tuesday 15 <sup>th</sup>
June	Tuesday 19 <sup>th</sup>
July	Tuesday 17 <sup>th</sup>
August	Tuesday 21 <sup>st</sup>
September	Tuesday 18 <sup>th</sup>
October	Tuesday 16 <sup>th</sup>
November	Tuesday 20 <sup>th</sup>
December	Tuesday 18 <sup>th</sup>

With meetings commencing at 6.30pm

**Council Decision 04102017**

**Voting requirement:** Simple Majority

**MOVED: CR PRICE**

**SECONDED: CR HOGBEN**

That Council adopt the following meeting dates for 2018 and advertise them in accordance with the Local Government (Administration) Regulations 1996:

January	No meeting
February	Tuesday 20 <sup>th</sup>
March	Tuesday 20 <sup>th</sup>
April	Tuesday 17 <sup>th</sup>
May	Tuesday 15 <sup>th</sup>
June	Tuesday 19 <sup>th</sup>
July	Tuesday 17 <sup>th</sup>
August	Tuesday 21 <sup>st</sup>
September	Tuesday 18 <sup>th</sup>
October	Tuesday 16 <sup>th</sup>
November	Tuesday 20 <sup>th</sup>
December	Tuesday 18 <sup>th</sup>

With meetings commencing at 6.30pm

**CARRIED: 7/0**

<b>8.4 POTENTIAL PROPOSAL TO THE LOCAL GOVERNMENT ADVISORY BOARD</b>	
APPLICANT:	Mick Tierney
DISCLOSURE OF INTEREST:	None
File:	
AUTHOR:	Rob Madson – Chief Executive Officer
DATE:	12 October 2017
<b><i>Matters for Consideration:</i></b>	
<p>A potential proposal to be made to the Local Government Advisory Board by Mr Mick Tierney to adjust the boundary between the Shires of Murchison and Cue, moving Mileura Station from the Shire of Murchison to the Shire of Cue.</p>	
<b><i>Background:</i></b>	
<p>Periodically over a period of approximately twelve months, I have had discussions with Mr Mick Tierney concerning aspects of the maintenance of Beringarra-Cue Road and the alternate treatments proposed by the Shires of Cue and Murchison. Mr Tierney is unhappy with the Shire of Murchison's decision to proceed with reverting the road to an unsealed condition as it is his main transport route and currently provides all weather access. The full length of the sealed section of Beringarra-Cue Road within the Shire of Murchison runs through Mileura Station. Mr Tierney has been investigating lodging a proposal with the Local Government Advisory Board for a boundary adjustment which would result in Mileura Station being incorporated into the Shire of Cue to take advantage of Council's position to maintain Beringarra-Cue Road as a sealed road.</p> <p>On 27th July 2017, the Shire of Murchison resolved to invite public tenders to convert the sealed section of the Beringarra-Cue Road within their Shire to gravel. At the following meeting, a request from Mr Tierney for the Shire to consider delaying the tender process to allow time for a proposal to be determined by the Local Government Advisory Board was rejected. Mr Tierney now seeks the Shire of Cue's position on the proposed boundary adjustment before proceeding with lodging an official proposal to the Board.</p>	
<b><i>Comments:</i></b>	
<p>Mileura Station covers an area of 250,905 hectares. Including the station in the Shire of Cue would represent an increase in total area of approximately 18%.</p> <p>A summary of Mr Tierney's reasons for a proposed transfer of Mileura Station to the Shire of Cue are as follows:</p> <ul style="list-style-type: none"> <li>• Mileura Station historically uses Cue for everything – livestock is trucked through Cue; food shopping is done in Cue; mail is delivered via Cue; the Tierney's travel to Perth/Geraldton via Cue;</li> </ul>	

- Cue is 150 km from Mileura homestead and Murchison Settlement is 243 km from the homestead;
- The Tierney’s attend the Murchison Settlement once a year only for the Christmas party (for the benefit of the children) and attend two wild dog baiting events each year. They also attend two wild dog baiting events in Cue, as they like to make a contribution towards vermin control;
- Mr Tierney’s concern is that the return of the road to gravel will devalue his property, raise vehicle/tyre maintenance costs, raise transport costs and could lead to a medical emergency if the road is closed for long periods of time during periods of wet weather.

The Shire of Murchison’s portion of the sealed section of Beringarra-Cue Road is 85.26 kilometres long. Incorporating this into the Shire of Cue would roughly double the length of seal the Shire would be responsible for maintaining.

The balance of the reserve held by the Shire of Murchison for the maintenance of the Beringarra-Cue Road as at 31 August 2017 was \$3,754,134.

**Statutory Environment:**

Local Government Act 1995  
Division 1 — Districts and wards

2.1. State divided into districts

- (1) The Governor, on the recommendation of the Minister, may make an order —
- (a) declaring an area of the State to be a district; or
  - (b) changing the boundaries of a district; or
  - (c) abolishing a district; or
  - (d) as to a combination of any of those matters.

(2) Schedule 2.1 (which deals with creating, changing the boundaries of, and abolishing districts) has effect.

(3) The Minister can only make a recommendation under subsection (1) if the Advisory Board has recommended under Schedule 2.1 that the order in question should be made.

Local Government Act 1995 Schedule 2.1 — Provisions about creating, changing the boundaries of, and abolishing districts

2. Making a proposal

- (1) A proposal may be made to the Advisory Board by —
- (a) the Minister; or
  - (b) an affected local government; or
  - (c) 2 or more affected local governments, jointly; or
  - (d) affected electors who —
    - (i) are at least 250 in number; or
    - (ii) are at least 10% of the total number of affected electors.

**Policy Implications:**

Nil



<b>8.5 ADOPTION OF PROPOSED AMENDMENT NO.1 TO THE LOCAL PLANNING SCHEME (LPS) NO.2.</b>	
APPLICANT:	Shire of Cue
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Joe O'Keefe
DATE:	13 October 2017
SIGNATURE	
<b><i>Matters for Consideration</i></b>	
Adoption of proposed Amendment No.1 to Local Planning Scheme (LPS) No.2	
<b><i>Background:</i></b>	
<p>The General Industry Zone was designed in LPS No. 2 with Heydon Place as a through road. Subsequent WAPC approval resulted in construction of a cul-de-sac. This has caused access, safety and servicing problems as a consequence. The proposed amendment offers design solutions, which will allow the sub-division of Lot 641 Heydon Place. This process requires the proposed rezoning.</p>	
<b><i>Comments:</i></b>	
Please see the Amendment Report at <a href="#">Appendix 3</a>	
<b><i>Statutory Environment:</i></b>	
<p>Planning and Development Act 2015 and associated Regulations.</p> <p>Local Planning Scheme No.2.</p> <p>Local Government Act 1995.</p> <p>Bush Fires Act 1949 implications.</p> <p>Environment Protection Act 1996 approval processes for Amendment.</p>	
<b><i>Policy Implications:</i></b>	
Local Planning Strategy considerations.	
<b><i>Financial Implications:</i></b>	
<p>Estimated costs for the rezoning consists of surveying and mapping \$4,000, Gazettal of Amendment \$2,500, Advertising \$1,200, Geophysical site investigations \$4,000. A budget amendment will be required to cover these costs.</p>	
<b><i>Strategic Implications:</i></b>	
Consistency with Local Planning Strategy 3.2.1 Decision Making Objectives. Community	

Plan	
<b>Consultation:</b>	
<p>State Government Departments: Perth : (EPA, Planning, Lands &amp; Heritage, DWER Contaminated Sites, Water Corporation)</p> <p>Geraldton (Regional Development &amp; Primary Industry-Agriculture, MRWA)</p> <p>Public consultation 42 days once adopted and signed off by EPA.</p> <p>Formal referral to multiple State Government agencies.</p>	
<b>Officer's Recommendation:</b>	
<p>That council resolves to amend Local Planning scheme No.2 as follows.</p> <p>1-Realign the Heydon Place road reserve, within the General Industry Zone and on Public Open Space Reserve on the northwest of Cue Townsite.</p> <p>2-Rezone those portions of Heydon Place which have been constructed on land zoned General Industry to the Local Road Reserve.</p> <p>3-Rezone a portion of the General Industry zone required to realign the future extension of Heydon Place, from General Industry Zone to Local Road Reserve.</p> <p>4-Rezone a portion of abutting Reserve No. 7273 from Public Open Space Reserve to Local Road Reserve for the extension of Heydon Place.</p> <p>5- Rezone the portions of Local Road Reserve which have been included within existing lots fronting Heydon Place; from Local Road Reserve to General Industry Zone.</p> <p>6-Amend the Scheme Maps accordingly.</p> <p>7. Pursuant to Section 35 (2) (a) of the WA Planning &amp; Development Act (Local Planning Scheme) Regulations 2015, the proposed Amendment is a <i>Standard</i> Local Planning Scheme Amendment as defined in Sec. 34 of the WA Planning &amp; Development Act (Local Planning Scheme) Regulations 2015.</p> <p>8. Pursuant to Sec. 35 (2) (b) of the WA Planning &amp; Development Act (Local Planning Scheme) Regulations 2015, Amendment No.1 meets criteria for a <i>Standard</i> Amendment; as it is made consistent with Sec. 34 (a) General Industry zone objectives; consistent with Sec. 34 (b) Shire of Cue Local Planning Strategy; consistent with Sec. 34 (e) having minimal impact on land in the scheme area that is not the subject of the amendment; and consistent with Sec. 34 (f) does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.</p> <p>Please Note: Amendments/Rezoning once adopted cannot be refused by Council at Final Approval Stage, after advertising and consultation due to legislation changes.</p>	

**Council Decision 06102017****Voting requirement: Simple Majority****MOVED: CR DENNIS****SECONDED: CR PRICE**

That council resolves to amend Local Planning scheme No.2 as follows.

1-Realign the Heydon Place road reserve, within the General Industry Zone and on Public Open Space Reserve on the northwest of Cue Townsite.

2-Rezone those portions of Heydon Place which have been constructed on land zoned General Industry to the Local Road Reserve.

3-Rezone a portion of the General Industry zone required to realign the future extension of Heydon Place, from General Industry Zone to Local Road Reserve.

4-Rezone a portion of abutting Reserve No. 7273 from Public Open Space Reserve to Local Road Reserve for the extension of Heydon Place.

5- Rezone the portions of Local Road Reserve which have been included within existing lots fronting Heydon Place; from Local Road Reserve to General Industry Zone.

6-Amend the Scheme Maps accordingly.

7. Pursuant to Section 35 (2) (a) of the WA Planning & Development Act (Local Planning Scheme) Regulations 2015, the proposed Amendment is a *Standard* Local Planning Scheme Amendment as defined in Sec. 34 of the WA Planning & Development Act (Local Planning Scheme) Regulations 2015.

8. Pursuant to Sec. 35 (2) (b) of the WA Planning & Development Act (Local Planning Scheme) Regulations 2015, Amendment No.1 meets criteria for a *Standard* Amendment; as it is made consistent with Sec. 34 (a) General Industry zone objectives; consistent with Sec. 34 (b) Shire of Cue Local Planning Strategy; consistent with Sec. 34 (e) having minimal impact on land in the scheme area that is not the subject of the amendment; and consistent with Sec. 34 (f) does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Please Note: Amendments/Rezoning once adopted cannot be refused by Council at Final Approval Stage, after advertising and consultation due to legislation changes.

**CARRIED: 7/0**



**9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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Nil

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

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Nil

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

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Nil

**12. MATTERS BEHIND CLOSED DOORS**

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Nil

**13. CLOSURE**

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The President thanked those present for attending the meeting and declared the meeting closed at 7.42pm

**To be confirmed at Ordinary Meeting on the 21 November 2017**

**Signed:.....**

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