



**MINUTES  
ORDINARY MEETING  
OF COUNCIL**

**20 AUGUST 2019**

**SHIRE OF CUE  
Ordinary Council Meeting  
MINUTES**

Held in the Council Chambers, 73 Austin Street Cue on  
Tuesday 20 August 2019 commencing at 6:30pm

<b>1.</b>	<b>DECLARATION OF OPENING .....</b>	<b>3</b>
<b>2.</b>	<b>APOLOGIES AND APPROVED LEAVE OF ABSENCE .....</b>	<b>4</b>
<b>3.</b>	<b>DISCLOSURE OF MEMBERS' INTERESTS.....</b>	<b>4</b>
<b>4.</b>	<b>PUBLIC QUESTION TIME.....</b>	<b>4</b>
<b>5.</b>	<b>CONFIRMATION OF MINUTES.....</b>	<b>4</b>
<b>6.</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>4</b>
<b>7.</b>	<b>DEPUTATIONS.....</b>	<b>4</b>
<b>8.</b>	<b>PETITIONS .....</b>	<b>4</b>
<b>9.</b>	<b>ANNOUNCEMENTS WITHOUT DISCUSSION .....</b>	<b>4</b>
<b>10.</b>	<b>REPORTS.....</b>	<b>5</b>
<b>10.1</b>	<b>ACCOUNTS &amp; STATEMENTS OF ACCOUNTS .....</b>	<b>5</b>
<b>10.2</b>	<b>FINANCIAL STATEMENT .....</b>	<b>7</b>
<b>10.3</b>	<b>ADOPTION OF ANNUAL BUDGET FOR 2019-2020.....</b>	<b>9</b>
<b>10.4</b>	<b>LGIS REFUND .....</b>	<b>14</b>
<b>10.5</b>	<b>DONATION REQUEST – WHEATBELT CHRISTIAN FELLOWSHIP.....</b>	<b>16</b>
<b>10.6</b>	<b>CUE RIFLE RANGE RESERVE .....</b>	<b>20</b>
<b>10.7</b>	<b>PROSPECTING LICENCE CUDDINGWARRA PARKLAND .....</b>	<b>22</b>
<b>11.</b>	<b>MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>24</b>
<b>12.</b>	<b>MOTIONS FOR CONSIDERATION AT THE NEXT MEETING .....</b>	<b>24</b>
<b>13.</b>	<b>NEW BUSINESS OF AN URGENT NATURE.....</b>	<b>24</b>
<b>14.</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....</b>	<b>24</b>
<b>15.</b>	<b>CLOSURE.....</b>	<b>24</b>

## **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.*

### **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

Mr Richard Towell, Deputy Chief Executive Officer

Mrs Janelle Duncan, Coordinator Community Development

### **VISITORS:**

Mr Travis Bate – RSM Australia Pty Ltd

### **GALLERY:**

Ms Catherine Willett (entered at 7.08pm)

Mrs Jenni Dennis (entered at 7.08pm)

**2. APOLOGIES AND APPROVED LEAVE OF ABSENCE**

---

Nil

**3. DISCLOSURE OF MEMBERS' INTERESTS**

---

Nil

**4. PUBLIC QUESTION TIME**

---

Nil

**5. CONFIRMATION OF MINUTES**

---

***Council Decision:01082019***

**Voting Requirement:** Simple Majority

**MOVED: CR HOUGHTON**

**SECONDED: CR DENNIS**

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

**CARRIED:7/0**

***Council Decision:02082019***

**Voting Requirement:** Simple Majority

**MOVED: CR SPINDLER**

**SECONDED: CR HOUGHTON**

That the Minutes of the Special Meeting of 22 July 2019 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**

---

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: 16 August 2019

***Matters for Consideration:***

To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on 20 August 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 July 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 July – 31 July 2019 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.*

Municipal Fund Bank	EFTs	7515 – 7610	\$435,732.44
Direct Debit Fund Transfer			\$ 34,995.68
Payroll			\$100,081.24
BPAY			\$ 25,444.53
Cheques			\$ -
Total			\$596,253.89

**Council Decision:03082019**

**Voting requirement:** Simple Majority

**MOVED: CR PRICE**

**SECONDED: CR SPINDLER**

*That Council endorse the payments for the period 1 July – 31 July 2019 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.*

Municipal Fund Bank	EFTs	7515 – 7610	\$435,732.44
Direct Debit Fund Transfer			\$ 34,995.68
Payroll			\$100,081.24
BPAY			\$ 25,444.53
Cheques			\$ -
Total			\$596,253.89

**CARRIED: 7/0**

## 10.2 FINANCIAL STATEMENT

APPLICANT: Shire of Cue  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Richard Towell – Deputy Chief Executive Officer  
DATE: 16 August 2019

### ***Matters for Consideration:***

The Statement of Financial Activity for the period ended 31 July 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 July 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 31 July 2019, as presented at [Appendix 2](#).*

**Council Decision:04082019**

**Voting requirement:** Simple Majority

**MOVED: CR HOUGHTON**

**SECONDED: CR HOGBEN**

*That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended 31 July 2019, as presented at [Appendix 2](#).*

**CARRIED: 7/0**



### 10.3 ADOPTION OF ANNUAL BUDGET FOR 2019-2020

APPLICANT: Shire of Cue  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Richard Towell – Deputy Chief Executive Officer  
DATE: 16 August 2019

***Matters for Consideration:***

That Council adopt the annual budget for the 2019-2020 financial year including supporting schedules attached at [Appendix 3](#).

***Background:***

*Section 6.2 of the Local Government Act 1995* requires Council to adopt a budget in the form and manner prescribed prior to 31 August each year. *Part 3 of the Local Government (Financial Management) Regulations 1996* stipulates the structure and content of the budget.

The draft 2019-2020 annual budget has been compiled based on the principles contained in the Shire of Cue Strategic Community Plan and Corporate Business Plan.

***Comments:***

The Department of Local Government recommend that the adoption of the Annual Budget is completed in various components which is why this item has three parts and is set out differently to our standard agenda items.

The budget has been prepared with estimated rates revenue of \$2,337,128 and total operating revenue of \$4,601,072.

A capital works program totalling \$6,854,400 for investment in infrastructure, property, plant and equipment is planned.

Expenditure on road infrastructure totals \$1,083,400. Road projects include Roads to Recovery funding for resealing town streets, Regional Road Group funding for Wondinong Road gravel sheeting as well as resealing works on Beringarra Cue Road and allowance for flood damage works and grid widening.

\$3,260,500 is budgeted for land and buildings including two new houses to be leased to Government Regional Officers Housing, a new Tourist Park Managers house and office, repurposing of the old railway building and into a youth centre, purchasing and restoring the old Bank of New South Wales building as well as developing staff housing and independent living facilities in the future.

Other infrastructure projects include a small wheels track and playground equipment. A contribution to the MRVC dog fence construction, a niche wall for the cemetery,

Heydon Place industrial development, resealing works at the airport, outdoor museum display and upgrades to the waste facilities.

An estimated surplus of \$3,291,633 is anticipated to be brought forward from 30 June 2019. This amount is unaudited and may change with the finalising of the end of year accounts. Any changes will be addressed as part of a future budget review.

There is a change of purpose for the Sports Complex Reserve in Note 7(c) of the budget document. The change is to expand the purpose of the reserve to be the Sports Facilities Reserve, to be used to fund maintenance and capital expenditure on the sports facilities. The previous purpose being the maintenance and capital expenditure on the sports complex. The change provides better clarity to the purpose of the Reserve.

***Statutory Environment:***

*Local Government Act 1995, Section 6.2 – Local Governments to prepare annual budget.*

*Local Government (Financial Management) Regulations 1996 Part 3.*

***Policy Implications:***

Shire of Cue Policy Manual

***Financial Implications:***

The 2019-2020 Budget provides Council with the opportunity to continue to provide the current level of services to the community as well as carry out significant projects that will provide benefits into the future.

***Strategic Implications:***

Shire of Cue Strategic Community Plan 2017 – 2027

***Consultation:***

Rob Madson – Chief Executive Officer

Travis Bate - RSM Australia Pty Ltd

**Officer's Recommendation:**

**Voting Requirement:** Absolute Majority

**Part A – Adoption of 2019-2020 Annual Budget**

That pursuant to the provisions of *section 6.2 of the Local Government Act 1995* and *Part 3 of the Local Government (Financial Management) Regulations 1996*, Council adopts the 2019-2020 Statutory Budget as attached at **Appendix 3**, which includes the following:

- Statement of Comprehensive income showing a net result for the year of \$(684,186).
- Statement of Cash Flows.
- Rate Setting Statement showing an amount required to be raised from rates of \$2,337,128.
- Notes to and forming part of the Budget and significant accounting policies.
- Acquisition of assets as detailed in Note 4, totalling \$6,854,400.
- Transfer to and from Reserve Accounts as detailed in Note 7, totalling \$(346,065).

**Council Decision:05082019**

**Voting Requirement:** Absolute Majority

**MOVED: CR DENNIS**

**SECONDED: CR HOGBEN**

**CARRIED:7/0**

**Officer's Recommendation:**

**Voting Requirement:** Absolute Majority

**Part B – Imposition of General and Minimum Rates, Instalment Payment Arrangements, Charges and Interest.**

Pursuant to *section 6.45 of the Local Government Act 1995* that the rates and charges specified hereunder and in the attached budget document be imposed on all rateable property within the district of the Shire of Cue for the 2019-2020 financial period.

- GRV Residential 10.62 cents in the dollar
- GRV Commercial 10.62 cents in the dollar
- GRV Vacant Land 10.62 cents in the dollar
- UV Mining 30.00 cents in the dollar
- UV Pastoral 8.43 cents in the dollar

- GRV M&T Workforce 30.00 cents in the dollar
- GRV Residential and Commercial minimum rate \$451
- GRV Vacant Land Minimum Rate \$451
- UV Mining Minimum Rate \$451
- UV Pastoral Minimum Rate \$451

For properties that fit the definition of GRV Commercial under the Objects and Reasons for differential rates, a discount of 20% of the current rates levied will be offered to ratepayers whose payment of the full amount owing including arrears and service charges is received by the single payment due date.

Pursuant to *section 6.46 of the Local Government Act 1995*, Council offers an incentive for the payment of the 2019-2020 rates and charges by the single payment due date by the way of lottery draw for the cash prizes of:

- |      |              |          |
|------|--------------|----------|
| i.   | First Prize  | \$600.00 |
| ii.  | Second Prize | \$300.00 |
| iii. | Third Prize  | \$100.00 |

The terms and conditions that apply to the rates incentive prize are:

- To be eligible for the draw, all outstanding rates and charges must be received on or before the due date of 4 October 2019.
- All ratepayers are eligible.

The drawing of the winners for the above prizes will take place during the Council meeting held on 19 November 2019.

Pursuant to *section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996* Council adopts a charge of \$15 for the four instalment option.

Pursuant to *section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 5.5% where the ratepayer has elected to pay rates and service charges through an instalment option.

Pursuant to *section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996*, Council nominates the following due dates for payment in full and by instalments:

- Full payment and 1<sup>st</sup> instalment due 4 October 2019

- 2<sup>nd</sup> instalment due 6 December 2019
- 3<sup>rd</sup> instalment due 7 February 2020
- 4<sup>th</sup> instalment due 10 April 2020

Pursuant to *section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 11% to be imposed on all outstanding rates and services charges and costs of proceedings to recover such charges that remain unpaid after 4 October 2019 or in the case of instalment options, on all outstanding rate amounts after the due date for payment of the instalment.

**Council Decision:06082019**

**Voting Requirement:** Absolute Majority

**MOVED: CR HOUGHTON**

**SECONDED: CR SPINDLER**

**CARRIED:7/0**

---

**Officer's Recommendation:**

**Voting Requirement:** Simple Majority

**Part C – Material Variance Reporting for 2019-2020**

In accordance with *regulation 34(5) of the Local Government (Financial Management) Regulations 1996*, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2019-2020 for reporting material variances shall be 10% or \$25,000, whichever is the greater.

**Council Decision:07082019**

**Voting Requirement:** Simple Majority

**MOVED: CR SPINDLER**

**SECONDED: CR DENNIS**

**CARRIED:7/0**

---

## 10.4 LGIS REFUND

APPLICANT: WALGA, on behalf of Local Government Insurance Services

DISCLOSURE OF INTEREST: Nil

AUTHOR: Rob Madson – Chief Executive Officer

DATE: 16 August 2019

### ***Matters for Consideration:***

Method of receiving anticipated surplus refund from LGIS scheme.

### ***Background:***

The Shire uses Local Government Insurance Services (LGIS) for the provision of its insurance needs. LGIS is a commercial subsidiary of WALGA and operates a WA Local Government self-insurance scheme for the benefit of its members. Advice has been received from WALGA that LGIS expects to report a surplus from their 2018/19 financial year operations due to a lower than anticipated number of claims and better than expected investment performance. This will allow LGIS to return a portion of insurance contributions paid.

The amount to be returned has not yet been finalised, however LGIS have requested that Council make a determination on the method of the payment, being either an immediate refund or as an offset against the Shire's 2020/21 insurance premium.

### ***Comments:***

An immediate refund to the Shire will increase available funds for 2019/20, potentially enabling additional benefit to the community in the current financial year, while offsetting the amount against 2020/21 premiums will tend to misstate expenditure for that financial year, resulting in an inaccurate representation of the true cost of insurance.

### ***Statutory Environment:***

Nil

### ***Policy Implications:***

Nil

### ***Financial Implications:***

An as yet undetermined amount will be returned to the Shire by LGIS as either income in 2019/20 or an expenditure offset in 2020/21.

**Strategic Implications:**

Nil

**Consultation:**

Ross Pigdon – Shire President

Richard Towell – Deputy CEO

**Officer's Recommendation:**

**Voting Requirement:** Simple Majority

That Council advise WALGA that the amount to be returned to the Shire from the expected 2018/19 LGIS operational surplus be paid immediately it becomes available.

**Council Decision:08082019**

**Voting requirement:** Simple Majority

**MOVED: CR PRICE**

**SECONDED: CR HOGBEN**

That Council advise WALGA that the amount to be returned to the Shire from the expected 2018/19 LGIS operational surplus be paid immediately it becomes available.

**CARRIED:7/0**

**10.5 DONATION REQUEST – WHEATBELT CHRISTIAN FELLOWSHIP**

APPLICANT: Pastor Geoff van Schie  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Rob Madson – Chief Executive Officer  
DATE: 13 August 2019

***Matters for Consideration:***

Request for financial assistance to conduct Christian values education in Murchison schools.

***Background:***

Pastor van Schie has been delivering a Christian values education program, known as Gospelair, to the Cue Primary School on a volunteer basis since 2015. The program is also delivered to Meekatharra, Mount Magnet and Yalgoo. A similar request for financial assistance has been made with the Shires of Mount Magnet and Yalgoo. At the meeting of April 2018, Council approved a donation of \$4,000 for the 2018/19 financial year.

***Comments:***

A copy of Pastor van Schie's request, and associated support documentation, is attached at [Appendix 4](#). Wheatbelt Christian Fellowship is governed by an incorporated parent body, being the Willetton Christian Church.

Cue Primary School Principal, Catherine Jones, has provided a letter of support for Pastor van Schie's request. A copy is attached at [Appendix 5](#).

***Statutory Environment:***

Nil

***Policy Implications:***

Council policies D2 and D16 apply.

**D.2 DONATIONS AND GRANTS**

*D.2.1 The Council decides requests for donations and grants that are not provided for in the budget with a preference generally to those of a local nature or significance.*

*D.2.2 The CEO has discretion to make donations in accordance within the budget allocation made for the CEO.*



## **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:***

\$4000 has been requested. The available budget allocation for donations for the 2019/20 financial year is \$10,000.

#### ***Strategic Implications:***

Shire of Cue Strategic Community Plan 2017 to 2027:

##### *Social Objective*

*Outcome 3.2 Encourage community participation and services*

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

**Consultation:**

Pastor Geoff van Schie – Wheatbelt Christian Fellowship.

Cathy Jones – Principal, Cue Primary School.

**Officer's Recommendation:**

**Voting Requirement:** Simple Majority

That Council agree to donate \$4000 to Wheatbelt Christian Fellowship to assist with the delivery of the Gospelair Christian values education program to Cue Primary School for the 2019/20 financial year.

**Council Decision:09082019**

**Voting requirement:** Simple Majority

**MOVED: CR PRICE**

**SECONDED: CR HOGBEN**

That Council agree to donate \$4000 to Wheatbelt Christian Fellowship to assist with the delivery of the Gospelair Christian values education program to Cue Primary School for the 2019/20 financial year.

**CARRIED:7/0**

## 10.6 CUE RIFLE RANGE RESERVE

APPLICANT: Shire of Cue  
DISCLOSURE OF INTEREST: Nil  
AUTHOR: Janet Wicks – Projects Officer  
DATE: 7 August 2019

### ***Matters for Consideration:***

Authorising the CEO to commence consultation and negotiation with key stakeholders with regards to the excise of ground surrounding and including the Cue Rifle Range with the intent of turning this ground into a reserve.

### ***Background:***

The Cue Rifle Club has been in continuous occupation of a portion of the Yarraquin Pastoral Lease since the 1950s. It is currently located on ground that is not a reserve and, as such, has no protection from applications for mining, or from its use as grazing ground/storage for livestock. Several live tenements currently exist over the area. The adjacent Cue Pistol Club is currently protected as a reserve.

### ***Comments:***

In order to create a reserve for the Cue Rifle Club, several State Government Departments, plus Native Title Claimants, must be included in the process of negotiation to secure the land. The list of key stakeholders has been included in the Concept Plan for the Rifle Club, attached at [Appendix 6](#).

An Indigenous Land Use Agreement (ILUA) must be negotiated as part of the process of turning the Rifle Range into a reserve.

### ***Statutory Environment:***

A State Government representative has advised that it is unlikely that the governing body would consider a compulsory acquisition under Section 170 of the *Land Administration Act 1997* and Section 29 of the *Native Title Act 1993* for this reserve application. This means that it is a requirement to negotiate ILUA in this case.

### ***Policy Implications:***

Nil

### ***Financial Implications:***

A heritage consultant should be engaged to assist with the process to ensure it is conducted fairly and in a timely manner.

There is currently no funding allocated directly to the Rifle Range refurbishment.

**Strategic Implications:**

**Strategic Community Plan**

3.1.3 Provide, Maintain and improve community infrastructure

4.3.1 Maintain improve and renew infrastructure

**Consultation:**

Ross Pigdon – Shire President and President, Cue Rifle Club

Rob Madson – Chief Executive Officer

Richard Towell – Deputy Chief Executive Officer

**Officer's Recommendation:**

**Voting Requirement:** Simple Majority

That Council authorise the CEO to commence consultation and negotiation with key stakeholders regarding excising the area of land historically used by the Cue Rifle Club from Yarraquin Pastoral Lease in order to create a reserve for the rifle range and clubhouse facilities.

**Council Decision: 10082019**

**Voting requirement:** Simple Majority

**MOVED: CR HOUGHTON**

**SECONDED: CR HOGBEN**

That Council authorise the CEO to commence consultation and negotiation with key stakeholders regarding excising the area of land historically used by the Cue Rifle Club from Yarraquin Pastoral Lease in order to create a reserve for the rifle range and clubhouse facilities.

7.25pm Cr Hogben left the Chambers

7.28pm Cr Hogben returned to the Chambers

**CARRIED: 7/0**

## 10.7 PROSPECTING LICENCE CUDDINGWARRA PARKLAND

APPLICANT: Department of Mines, Industry Regulation and Safety

DISCLOSURE OF INTEREST: Nil

AUTHOR: Rob Madson – Chief Executive Officer

DATE: 16 August 2019

### ***Matters for Consideration:***

Provision of feedback to the Department of Mines, Industry Regulation and Safety (DMIRS) on an application for a prospecting licence which encroaches over Reserve 2638, which is currently vested in the Shire for the purposes of Parkland.

### ***Background:***

DMIRS has written to the Shire seeking Council's comments and recommendation with regard to the impact of an application for a prospecting licence which encroaches over Reserve 2638.

### ***Comments:***

Reserve 2638 is located at Cuddingwarra. The Shire accepted vesting of this Reserve, for the purposes of parkland, at the Council meeting of August 2000. No management plan has been located for the Reserve, or any indication of an intended use or purpose. A map showing the Reserve and the location of the proposed tenement (P 20/2382) is attached at [Appendix 7](#).

There are currently six live mining tenements and five live prospecting tenements encroaching on Reserve 2638, encompassing almost the entire Reserve area. There is evidence of significant historical mining activity on portions of those tenements. The addition of one more prospecting tenement, which likely replaces a previous tenement over that area, is not considered to adversely compromise the Reserve more than it already is.

### ***Statutory Environment:***

Under Sections 23 to 26 of the Mining Act 1978 mining may be carried out on certain classes of land with the written consent of the Hon. Minister for Mines, Industry Regulation and Safety.

In respect to Reserves vested with local authorities, the Minister for Mines, Industry Regulation and Safety is to first consult and obtain the recommendation of the vested authority and the responsible Minister before he can grant consent to mine.

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Nil

**Consultation:**

Fionna Munro – Mount Magnet Mining Registrar

**Officer's Recommendation:**

**Voting Requirement:** Simple Majority

That Council advise the Department of Mines, Industry and Regulation that they have no objection to the granting of prospecting licence 20/2382 which encroaches over Reserve 2638.

**Council Decision:11082019**

**Voting requirement:** Simple Majority

**Council Decision:11082019**

**Voting requirement:** Simple Majority

**MOVED: CR SPINDLER**

**SECONDED: CR DENNIS**

That Council advise the Department of Mines, Industry and Regulation that they have no objection to the granting of prospecting licence 20/2382 which encroaches over Reserve 2638.

**CARRIED:5/2**

**AGAINST: CR FITZPATRICK AND CR HOUGHTON**

**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**

---

***Council Decision:12082019***

**MOVED: CR DENNIS**

**]SECONDED: CR FITZPATRICK**

Council acknowledges the passing of former Councillor Warren Harrington and thanks him for his contribution and commitment to the community of Cue.

**CARRIED: 7/0**

**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 7.38pm.

**To be confirmed at Ordinary Meeting on the 17 September 2019**

**Signed:.....**

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