



Shire of Cunderdin

Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 21 February 2013** in the Council Chambers, Lundy Avenue Cunderdin commencing at 5:01 pm.

Peter Naylor
Chief Executive Officer

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AGENDA

1. Declaration of opening

The President will declare the meeting open at 5.01pm

The Shire of Cunderdin disclaimer will be read aloud.

The Local Government Act 1995 Part 5 Division 2 Section 5.25 and Local Government (Administration) Regulations 1996 Regulation 13

“No responsibility whatsoever is implied or accepted by the Shire of Cunderdin 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 decisions, which will be provided within ten working days of this meeting”.

2. Suspension of Clause 3.2 - Standing Orders

Location:	Cunderdin
Applicant:	Not applicable
Date:	12 th February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer

Resolution 2.0:

Council suspends clause 3.2 – Order of Business – of the Shire of Cunderdin Standing Orders Local Law 2001

Moved: Cr Dianne Kelly Seconded: Cr Dennis Whisson

Vote – Simple majority Carried 6/0

3. Public Question Time

Response to previous public questions taken on notice

Declaration of public question time opened at

Declaration of public question time closed at

4. Record of Attendance, Apologies and Approved Leave of Absence

Record of attendances

Councillors

Cr RC (Clive) Gibson	Deputy Shire President
Cr GJ (Graham) Cooper	
Cr TE (Todd) Harris	
Cr DG (Dianne) Kelly	
Cr DB (Doug) Kelly	
Cr DA (Dennis) Whisson	

Apologies

On Leave of Absence

Cr RL (Rod) Carter	Shire President
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Staff

Peter Naylor	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer
Ian Bartlett	Manager Works & Services (5.27pm - 6.09pm)

Guests of Council

Members of the Public

Applications for leave of absence

Resolution 4.0

That Councillor Dianne Kelly is granted Leave of Absence for the Ordinary Meeting of Council scheduled to be held on Thursday 21st March 2013 and any special meetings that may be held in February or March 2013.

Moved: Cr Todd Harris Seconded: Cr Graham Cooper

Vote – Simple majority Carried: 5/0

Declaration of Members and Officers Financial Interests

**Councillor Doug Kelly declared a financial interest in item 11.4.
Councillor Dianne Kelly declared a financial interest in item 11.4.**

5. Petitions, Deputations, Presentations

Deputations

Presentations

6. Announcements by President without discussion

7. Confirmation of the Minutes of Previous Meetings

7.1 Ordinary Meeting of Council held on Thursday 13 December 2012, and Special Meetings of Council held on Thursday 20 December 2012 and Wednesday 30 January 2013

Location:	Cunderdin
Applicant:	Administration
Date:	12 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	
Attachment/s:	Nil

Proposal/Summary

Council to confirm the minutes of the Ordinary Council meeting held on 13 December 2012, and the Special Meetings of Council held on Thursday 20 December 2012 and Wednesday 30 January 2013.

Background

The minutes have been circulated to all Councillors and they have been made available to the public.

Comment

No business arising.

Statutory Environment

Local Government Act 1995 Part 5 Division 2 Subdivision 3 - Section 5.22 (2)

The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Financial Implications

There are no financial implications in considering this item.

Resolution 7.1

That:

- 1. The minutes of the Ordinary Council meeting held on 13 December 2012, be confirmed as a true and correct record.**
- 2. The minutes of the two Special Meetings of Council held on Thursday 20 December 2012 and Wednesday 30 January 2013, be confirmed as a true and correct record.**

Moved: Cr Graham Cooper

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried 6/0

Note to this item:

The President will sign the minute declaration.

8. Finance & Administration

8.1. Financial Report for February 2013

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	14 th February 2013
Author:	Paul Godfrey/Darren Long
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	

Proposal/Summary

The financial position as at 31st January 2013 is presented for consideration.

Appendices – 31st January 2013 - Financial Statements

- Statement of Financial Activity
- Councillor EOY Estimate
- Operating Statement
- Statement of Surplus or Deficit
- Statement of Financial Position
- Statement of Cash Flows
- Details by Function & Activity
- Reserves Account Summary
- Loan Repayment Schedule
- Financial Activity Statement projected to 31st January 2013
- Municipal Bank Account Statement & Reconciliation 036-102 00-0030
- Municipal Business Cash Reserve Statement & Reconciliation 036-107 22-3647
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6303
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6418
- Municipal Term Deposit Statement & Reconciliation 036-107 22-8704
- Municipal Term Deposit Statement & Reconciliation 036-107 22-8712
- Reserves Business Cash Reserve Statement & Reconciliation 036-107 22-3639
- Reserves Term Deposit Statement & Reconciliation 036-107 22-6311
- Licensing Trust Account Statements & Reconciliations 036-102 00-0049
- Working Trust Account Statements & Reconciliations 036-172 12-2981
- REBA Trust Account Statements & Reconciliations 036-172 12-3001

Statutory Environment

The Local Government Act 1995 Part 6 Division 3 requires that a monthly financial report be presented to Council.

Commentary

Nil

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

Resolution 8.1

That council receive the financial reports to 31st December 2012 and 31st January 2013.

Moved: Cr Dennis Whisson

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried 6/0

8.2 Accounts Paid – December 2012 and January 2013

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	14 th February 2013
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling \$1,005,610.41 listed in the Warrant of Payments for the period 1st December 2012 – 31st January 2013.

Attachments

Warrant of Payments for 1st December 2012 – 31st January 2013.

Statutory Environment

Financial Management Regulations 12 & 13

Commentary on Statutory Environment

In accordance with Financial Management Regulations 12 & 13, a List of all accounts paid or payable shall be presented to Council (Refer Warrant of Payments attached).

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

The accounts paid and payable are summarised as follows for 1st December 2012 – 31st January 2013.

1.0 Accounts Already Paid

1.1 Municipal Fund –

CHEQUE NUMBERS	AMOUNT
00924 – 009960	\$ 253,167.27
Funds Transfers	\$0.00
Electronic Payments – Various	\$ 752,443.14

1.2 Other Funds – Recoup of Municipal Fund Expenditure and Term Investment	
Nil.	

CHEQUE NUMBERS	AMOUNT
	\$
2.0 Accounts to be passed for payment	
2.1 Municipal Fund -	
Nil	
TOTAL MUNICIPAL FUNDS	\$1,005,610.41

3. Trust Fund – Accounts Already Paid

DATE	CHEQUE NUMBER	DETAILS	AMOUNT
			\$
Nil			0.00

Resolution 8.2

(a) That Council's payment of accounts amounting to \$1,005,610.41 for the period of 1st December 2012 – 31st January 2013 from the Municipal Fund be confirmed and noted.

(b) The Payments List as presented where incorporated in the Minutes of the Meeting.

Moved: Cr Todd Harris Seconded: Cr Doug Kelly

Vote – simple majority Carried 6/0

Payments List - December 2012			
Date	Reference	Creditor	Amount
3/12/2012	EFT-940	Westpac Banking Corporation	-\$ 2,678.37
3/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 13.00
3/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 22.00
3/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 579.85
3/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 13.00
3/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 84.40
3/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 233.66
3/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 34.23
4/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 5.50
4/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 23.00
5/12/2012	EFT-941	Cunderdin Co-Op Fuel	-\$ 7,210.00
5/12/2012	EFT Pays	Staff Salaries & Wages	-\$ 35,901.66
14/12/2012	9924	Department Of Transport	-\$ 5,889.50
14/12/2012	9925	Macri Partners	-\$ 7,976.10
14/12/2012	9926	Synergy	-\$ 10,344.90
14/12/2012	9927	Rural Press Regional Media WA	-\$ 230.00
14/12/2012	9928	Carter, Cr Rod	-\$ 560.00
14/12/2012	9929	Cunderdin Panelbeaters	-\$ 1,991.00
14/12/2012	9930	Josco	-\$ 627.00
14/12/2012	9931	MLC Nominees Pty Ltd	-\$ 552.25
14/12/2012	9932	St John Ambulance Australia (Western Australia) Inc.	-\$ 5,866.74
14/12/2012	9933	Don, Geoffrey	-\$ 21.00
14/12/2012	9934	Telstra Corporation Limited	-\$ 1,945.97
14/12/2012	9935	Essential Resources	-\$ 246.20
14/12/2012	9936	Goodfield Quality Meats	-\$ 172.65

14/12/2012	9937	Suncorp WealthSmart	-\$ 489.81
14/12/2012	9938	Tammin 2 Cunderdin Adventure Run	-\$ 1,920.00
14/12/2012	9939	Australian Tax College	-\$ 405.45
14/12/2012	9940	Westscheme Superannuation	-\$ 935.50
14/12/2012	9941	Lowes Churchill & Associates Pty Ltd	-\$ 202,130.74
14/12/2012	9942	Wilkins, Shannae	-\$ 1,006.50
14/12/2012	9943	Petty Cash	-\$ 243.40
14/12/2012	9944	Local Government Appointments	-\$ 3,300.00
14/12/2012	9945	Gibsone, Cr Clive	-\$ 280.00
14/12/2012	9946	BT Super for Life	-\$ 138.70
14/12/2012	9947	Country Ford	-\$ 331.65
14/12/2012	9948	Bunnings Group Limited	-\$ 868.54
14/12/2012	9949	J & C Hockley T/as Be the Ripple Effect	-\$ 650.00
14/12/2012	9950	Child Care Super	-\$ 100.44
14/12/2012	9951	Kelly, cr. Dianne	-\$ 280.00
14/12/2012	9952	Water Corporation	-\$ 2,018.45
14/12/2012	9953	Signs Plus	-\$ 31.00
14/12/2012	9954	Cunderdin Newsagency	-\$ 327.55
14/12/2012	9955	Meckering Action Group	-\$ 369.50
14/12/2012	9956	Baxters Rural Centre	-\$ 99.75
14/12/2012	9957	OnePath Superannuation	-\$ 159.03
14/12/2012	9958	Combined Tyrepower	-\$ 493.00
14/12/2012	9959	Petty Cash	-\$ 120.00
14/12/2012	EFT-942	McLeods Barristers & Solicitors	-\$ 787.42
14/12/2012	EFT-943	Cunderdin Caravan Park	-\$ 360.00
14/12/2012	EFT-944	Hostplus	-\$ 132.87

14/12/2012	EFT-945	The Cunderdin Mob	-\$ 963.30
14/12/2012	EFT-946	WA Local Government Superannuation Plan	-\$ 12,557.44
14/12/2012	EFT-947	Courier Australia	-\$ 213.80
14/12/2012	EFT-948	Air Liquid Pty Ltd	-\$ 128.73
14/12/2012	EFT-949	Kelly, cr. Doug	-\$ 140.00
14/12/2012	EFT-950	Mick Walker Transport	-\$ 10,527.00
14/12/2012	EFT-951	Connelly Images	-\$ 655.60
14/12/2012	EFT-952	Cunderdin Co-op	-\$ 2,292.47
14/12/2012	EFT-953	Arrow Bronze	-\$ 531.68
14/12/2012	EFT-954	American Asset Pty Ltd	-\$ 352.00
14/12/2012	EFT-955	Australia Post	-\$ 243.73
14/12/2012	EFT-956	Darren Long Consulting	-\$ 8,203.25
14/12/2012	EFT-957	Irvine Transport	-\$ 33,414.73
14/12/2012	EFT-958	Sigma Chemicals	-\$ 58.00
14/12/2012	EFT-959	Rileys Earthworks Pty Ltd	-\$ 17,710.00
14/12/2012	EFT-960	Commarine	-\$ 864.71
14/12/2012	EFT-961	Passells, Clare	-\$ 258.50
14/12/2012	EFT-962	Avon Waste	-\$ 5,030.72
14/12/2012	EFT-963	Donovans Water Service	-\$ 16,619.90
14/12/2012	EFT-964	Whisson, Cr Dennis	-\$ 280.00
14/12/2012	EFT-965	LGISWA	-\$ 3,478.20
14/12/2012	EFT-966	Austral Mercantile Collections Pty Ltd	-\$ 15.40
14/12/2012	EFT-967	Shire of York	-\$ 1,705.37
14/12/2012	EFT-968	Onsite Rental Group Operations Pty Ltd	-\$ 8,869.80
14/12/2012	EFT-969	Hutton & Northey Sales	-\$ 5,111.80
14/12/2012	EFT-970	Thompson Signs	-\$ 704.00

14/12/2012	EFT-971	Contract Aquatic Services	-\$ 11,612.52
14/12/2012	EFT-972	Bandicoot Express	-\$ 80.00
14/12/2012	EFT-973	RBE Internet Services	-\$ 20.00
14/12/2012	EFT-974	Hitachi Construction Machinery (Australia) Pty Ltd	-\$ 113.74
14/12/2012	EFT-975	Donovans Engineering	-\$ 110.00
14/12/2012	EFT-976	Fire & Emergency Services Authority	-\$ 14,476.72
14/12/2012	EFT-977	Frear, Dianne	-\$ 1,297.84
14/12/2012	EFT-978	Cooper, Cr Graham	-\$ 140.00
14/12/2012	EFT-979	Farmways Cunderdin	-\$ 209.00
14/12/2012	EFT-980	Hempel, Loren	-\$ 30.00
14/12/2012	EFT-981	Rural Traffic Services	-\$ 24,611.68
14/12/2012	EFT-982	Revolution Learning	-\$ 792.00
14/12/2012	EFT-983	National Medals Pty Ltd	-\$ 164.18
14/12/2012	EFT-984	Harris, Cr Todd	-\$ 280.00
14/12/2012	EFT-985	Pestex Co	-\$ 7,964.00
14/12/2012	EFT-986	Bent Nail Building & Maintenance	-\$ 19,022.96
14/12/2012	EFT-987	Avdata Australia	-\$ 823.65
14/12/2012	EFT-988	Mack Cheno Earthmoving	-\$ 139,405.75
14/12/2012	EFT-989	Elders Limited	-\$ 346.50
14/12/2012	EFT-990	Bitutek Pty Ltd	-\$ 140,186.20
14/12/2012	EFT-991	E & MJ Rosher Pty Ltd	-\$ 198.95
14/12/2012	EFT-992	Tom Fullerton Trucking	-\$ 660.00
14/12/2012	EFT-993	Cunderdin Co-op Museum	-\$ 64.20
14/12/2012	EFT-994	WA Local Government Association	-\$ 869.00
14/12/2012	EFT-995	Fulton Hogan Industries Pty Ltd	-\$ 902.00
14/12/2012	EFT-996	Shire of Tammin	-\$ 1,132.95

14/12/2012	EFT-997	Orica Australia Pty Ltd	-\$ 75.24
14/12/2012	EFT-998	Skipper Truck Parts	-\$ 647.11
14/12/2012	EFT-999	Eastway Food Supplies	-\$ 882.59
14/12/2012	EFT-1000	Monsterball Amusements & Hire	-\$ 2,500.00
14/12/2012	EFT-1001	Northam & Districts Glass Service	-\$ 26.40
14/12/2012	EFT-1002	CDA Air Conditioning & Refrigeration	-\$ 832.85
14/12/2012	EFT-1003	Sportspower Northam	-\$ 452.20
17/12/2012	EFT-1004	sgfleet	-\$ 1,181.68
17/12/2012	Bank Fees	Westpac Banking Corporation	-\$ 30.82
19/12/2012	EFT Pays	Staff Salaries & Wages	-\$ 62,226.55
			-\$ 866,500.69

Payments List - January 2013			
Date	Reference	Creditor	amount
2/01/2013	EFT-1010	Westpac Banking Corporation	-\$ 764.80
2/01/2013	Bank Fees	Westpac Banking Corporation	-\$ 13.00
2/01/2013	Bank Fees	Westpac Banking Corporation	-\$ 230.29
2/01/2013	Bank Fees	Westpac Banking Corporation	-\$ 41.80
2/01/2013	Bank Fees	Westpac Banking Corporation	-\$ 37.00
2/01/2013	Bank Fees	Westpac Banking Corporation	-\$ 22.00
2/01/2013	Bank Fees	Westpac Banking Corporation	-\$ 20.00
2/01/2013	EFT Pays	Staff Salaries & Wages	-\$ 36,366.68
3/01/2013	9960	Westnet	-\$ 44.95
3/01/2013	Bank Fees	Westpac Banking Corporation	-\$ 5.50
3/01/2013	Bank Fees	Westpac Banking Corporation	-\$ 17.25
10/01/2013	Bank Fees	Westpac Banking Corporation	-\$ 5.00
15/01/2013	EFT-1005	Cunderdin Co-Op Fuel	-\$ 6,997.02
15/01/2013	EFT-1006	West Australian Treasury Corporation	-\$ 19,628.91
15/01/2013	EFT-1007	sgfleet	-\$ 1,330.33
15/01/2013	Bank Fees	Commonwealth Bank of Australia	-\$ 29.50
16/01/2013	EFT Pays	Staff Salaries & Wages	-\$ 36,169.44
22/01/2013	EFT-1008	Westpac Banking Corporation	-\$ 764.80
30/01/2013	EFT Pays	Staff Salaries & Wages	-\$ 36,125.96
31/01/2013	EFT-1011	Westpac Banking Corporation	-\$ 495.49
			-\$ 139,109.72

8.3 Council Investments – At 31st January 2013

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	14 th February 2013
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

To inform Council of its investments as at 31st January 2013.

Background

The authority to invest money held in any Council Fund is delegated to the Chief Executive Officer. Council Funds may be invested in one or more of the following:

- Fixed Deposits
- Commercial Bills
- Government bonds
- Other Short-term Authorised Investments

Council funds are to be invested with the following financial institutions.

- Major Banks & Bonds Issued by Government and/ or Government Authorities.

Commentary

COUNCIL INVESTMENTS AS AT 31st January 2013				
Institution	Amount Invested	Investment type	Municipal Funds	Reserve Funds
Westpac Banking Corporation	\$ 96.43	Business Cash Reserve Bonus 22-3639 0.01%	\$0.00	\$ 96.43
Westpac Banking Corporation	\$ 2,206,278.88	Reserves Term Deposit 22-6311 4.50%	\$0.00	\$ 2,206,278.88
Westpac Banking Corporation	\$ 23.20	Business Cash Reserve Bonus 22-3647 0.01%	\$ 23.20	\$0.00
Westpac Banking Corporation	\$ 377,437.60	Muni Term Deposit 22-6303 4.50%	\$ 377,437.60	\$0.00
Westpac Banking Corporation	\$303,629.59	Muni Term Deposit 22-6418 4.80%	\$ 303,629.59	\$0.00
Westpac Banking Corporation	\$500,000.00	Muni Term Deposit 22-8704 4.45%	\$ 500,000.00	\$0.00
Westpac Banking Corporation	\$500,000.00	Muni Term Deposit 22-8712 4.45%	\$ 500,000.00	\$0.00
TOTAL INVESTMENTS	\$ 3,887,465.70		\$1,681,090.39	\$2,206,375.31

Statutory Implications

Financial Management Regulation 19.

Policy Implications

Delegation #18 – Investments.

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

There are no strategic implications in considering this item.

Resolution 8.3

That the report on Council investments as at 31st January 2013 be received and noted.

Moved: Cr Graham Cooper Seconded: Cr Dennis Whisson

Vote – Simple Majority Carried 6/0

8.4 Shire of Cunderdin Common Seal

Location:	Shire Administration
Applicant:	Chief Executive Officer
Date:	12 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Reference:	
Attachment/s:	Nil

Proposal/Summary

Seeking Council endorsement for the affixing of the Shire of Cunderdin Common Seal on various documents in accordance with Council Policy #12 adopted 19 April 2007.

Background

Shire of Cunderdin Policy #12 authorises the Chief Executive Officer to affix the common seal to documents to be executed by the Shire where such documents are consistent and in accord with Council resolution.

Council is then to be notified of executed documents via a report to be submitted to a Council meeting.

Comment

During the previous month the Shire President and/or Chief Executive Officer witnessed the affixing of the Shire of Cunderdin Common Seal to the following document(s):

- 23 January 2013 – Grant Agreement between the Shire of Cunderdin and the Department of Local Government for funding to assist with the new Integrated Workforce Planning requirements for local government.
- 31 January 2013 – Contract of Employment between the Shire of Cunderdin and the Deputy Chief Executive Officer, Mr Paul Robert Godfrey.
- 11 February 2013 – Contract for Sale of Land, Lot 44 Hodgson Street, Cunderdin, and Lot 49 Togo Street, Cunderdin, from Shire of Cunderdin to LandCorp for the new residential subdivision.

Consultation

LandCorp

Statutory Implications

Local Government Act 1995 – section 9.49A Execution of documents.

Policy Implications

Finance Policy #12.

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.4

That Council endorses the affixing of the Shire of Cunderdin Common Seal to the following document(s):

- 1. 23 January 2013 – Grant Agreement between the Shire of Cunderdin and the Department of Local Government for funding to assist with the new Integrated Workforce Planning requirements for local government.**
- 2. 31 January 2013 – Contract of Employment between the Shire of Cunderdin and the Deputy Chief Executive Officer, Mr Paul Robert Godfrey.**
- 3. 11 February 2013 – Contract for Sale of Land, Lot 44 Hodgson Street, Cunderdin, and Lot 49 Togo Street, Cunderdin, from Shire of Cunderdin to LandCorp for the new residential subdivision.**

Moved: Cr Doug Kelly

Seconded: Cr Graham Cooper

Vote: Simple majority

Carried 6/0

8.5 Annual General Meeting of Electors

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	12 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Reference:	
Attachment/s:	10 Pages

Proposal/Summary

To receive the Minutes of the Annual General Meeting of Electors and the Minutes from the Meckering Public Meeting held on Thursday 13 December 2012.

Background

Council conducted an Annual General Meeting of Electors as required pursuant to the Local Government Act 1995 (s5.27), and undertaken a public meeting in Meckering along similar lines as the Annual General Meeting of Electors.

Comment

The purpose of the Electors Meeting is to adopt the Minutes from the previous Financial Years Electors Meeting, and receive the 2011/2012 Annual Report, incorporating the Shire Presidents Report, Chief Executive Officers Report, Independent Auditors Report, and the Annual Financial Report.

The meeting also provides the opportunity for the electors to raise questions with Councillors and Staff pertaining to other Shire matters.

Matters raised at the Annual General Meeting of Electors in Cunderdin:

- Concern at the safety and suitability of the Community Bus particularly in relation to the transportation of School students when it is not fitted with seatbelts.
- Councils future plans to receive additional waste at the Transfer Stations such as white goods, steel products, etc.
- The future CBH Redevelopment and proposed access for trucks. There is some concern that trucks carting to sites other than CBH will use Lundy Avenue.
- Has Council ever or is considering a Roadside Collection service for Farmers.
- Has Council received a response from the Southern Inland Health Initiative on the Expression of Interest submitted for a Primary Health Care Demonstration Site.
- If the Cunderdin Airfield is established as a site for future Fly In Fly Out (FIFO) workers where would they reside.
- How much of the recycled refuse that is placed in the recycling bins actually gets recycled and doesn't end up in the land fill site.
- The Residential Development on Yilgarn Street and who's responsibility it will be to reinstate damage sustained to roads and footpaths.
- The progress and status of the Cunderdin Townsite Entry Statements project.
- The status of the Rabbit Proof Fence Commemorative Project.
- Concern at the state of many Culverts within the Shire and the need for Council to instigate a program to have the culverts flushed out to allow the water to flow smoothly rather than build up and cause wash outs.

- The Shire needs to look at the possibility of purchasing a more effective spraying apparatus to carry out preventative spraying in the townsites and throughout the Shire.
- Councils future plans for Townscape Works and Planting within Cunderdin townsite.
- The status Cunderdin District High School Car Park and Cubbine Street upgrade project.
- The proposed Pharmacy for Cunderdin and the possible effect on other local business including the Doctor.
- The progress of the Defibrillators Project.
- Comment that the Cunderdin Town Hall is in need of some maintenance.

Matters raised at the Public Meeting in Meckering:

- If the proposed amalgamation proceeds is York to be the base for the new Local Government?
- The new Trucking Business on outskirts of town, planning issues, now looking to relocate, disappointing to lose a prospective business from town.
- Upgrade of Dowerin–Meckering and Goomalling–Meckering Roads and use of the roads by oversize vehicles, is this within the Main Roads Restricted Access Vehicle Network.
- Bitumen sealing of Meckering School car park was supposed to have been programmed but has not been done.
- Thank you to the Shire for works done at the hockey field in preparation for the 2012 season, look forward to working with the Shire again in 2013. Also would like to have on-site meeting to discuss improvements to the grounds.
- When will works commence on the Meckering – Goomalling Road.

No decisions were made at the electors meeting but questions and concerns were raised in relation to the abovementioned matters. The issues raised have and will continue to be addressed by Council through the taking of actions and determining whether some of the requests will need to be included in its forward planning to be funded in future budgets based on priorities set by Council.

Consultation

Nil

Statutory Implications

Local Government Act 1995

5.32. Minutes of electors' meetings

The CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and*
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.*

5.33. Decisions made at electors' meetings

(1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —

- (a) at the first ordinary council meeting after that meeting; or*
- (b) at a special meeting called for that purpose, whichever happens first.*

- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.5

That Council:

- 1. Receives the Minutes of the Annual General Electors Meeting held in Cunderdin on Thursday 13 December 2012, and the Public Meeting held in Meckering on Thursday 13 December 2012.**
- 2. Notes the concerns and issues raised at the abovementioned meetings (2) and will endeavour to include in future financial planning and undertake appropriate actions where resources and priorities allow.**

Moved: Cr Dennis Whisson

Seconded: Cr Dianne Kelly

Vote: Simple majority

Carried 6/0

8.6 Australian Local Government Association – 2013 National General Assembly

Location:	Not applicable
Applicant:	Australian Local Government Association
Date:	12 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Reference:	
Attachment/s:	3 Pages

Proposal/Summary

Inviting Council to participate in the 2013 National General Assembly (NGA) of Local Government which is to be held at the National Convention Centre in Canberra between 16 – 19 June 2013, and inviting Councils to submit motions for consideration at the NGA.

Background

The NGA is the major event on the annual local government calendar and attracts mayors, presidents, councillors and senior officers from councils across Australia. The NGA is an opportunity to contribute to the development of national local government policy.

Comment

Does Council wish to appoint a delegation to attend the 2013 NGA, and / or are there any major issues that Council would like to submit a motion to be raised at the NGA?

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil, depending on whether Council appoints a delegation to attend the NGA.

Strategic Implications

Nil

Recommendation 8.6

That Council receive and note Item 8.6 – 2013 National General Assembly of Local Government.

Moved: _____

Seconded: _____

Vote: Simple majority

Carried/Lost: __/__

Resolution 8.6

That Council:

1. **Receive and note Item 8.6 – 2013 National General Assembly of Local Government.**
2. **Supports Cr Graham Cooper attending the 2013 National General Assembly of Local Government and agrees to pay the registration fee.**

Moved: Cr Todd Harris

Seconded: Cr Doug Kelly

Vote: Simple majority

Carried: 6/0

8.7 Lease Variations Cunderdin Airfield

Location:	Cunderdin Airfield
Applicant:	Scott Powell, Taurus Aviation Damien O'Reilly, Glide West Pty Ltd Neville Dunn, Dunns Aviation
Date:	13 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Reference:	
Attachment/s:	4 Pages

Proposal/Summary

Seeking Council endorsement to Lease Variations at the Cunderdin Airfield.

Background

In May 2010 Council resolved to enter into a Lease Agreement with Scott Powell, Taurus Aviation, for lease of the Bellman Hangar and employee accommodation area at the Cunderdin Airfield.

The lease agreement was for an initial amount of \$10,000 to be adjusted in line with annual Consumer Price Index (CPI) movements and was for a term of 5 years with a further 5 year option. The break-down of the lease amount between the Bellman Hangar and the accommodation was not identified.

In September 2010 Council considered an application from Damien O'Reilly, Glide West Pty Ltd (also Soarability & Quiet Flight) for lease of a portion of land at the Airfield for construction of a hangar for private business venture (gliding for the disabled).

The Lease Agreement was prepared and formally commenced on 1 August 2012 for period of 25 years. The lease amount is for \$1,960 per annum, calculated at \$2 per square metre over the area of the hangar (980m²). This is the same calculation used for other privately owned hangars at the airfield.

On 30 November 2012, Council received email transmission from Scott Powell advising that due to personal, operational and financial reasons, the Taurus Aviation business will be relocating to Northam and the Bellman Hangar will be vacated effective from 31 December 2012.

Mr Powell also indicated that the accommodation units have been sold to Damien O'Reilly, Glide West Pty Ltd, that Neville Dunn from Dunns Aviation was interested in taking over the lease of the Bellman Hangar to house his Water Bomber plane fleet.

Subsequent to this correspondence has been received from both Mr O'Reilly (18 December 2012) and Mr Dunn (23 January 2013) confirming the above.

Comment

The Chief Executive Officer (CEO) has contacted all parties and they confirm the above.

The CEO has also contacted McLeods Barristers and Solicitors to seek advice in relation to lease variations to progress the changes should Council resolve to endorse.

The required changes will be:

- Deed of Assignment and Variation to the Taurus Aviation Lease to transfer the lease document into the name of Dunns Aviation and to remove the accommodation units from the lease.
- Deed of Variation to the Glide West Pty Ltd Lease to incorporate the accommodation units.

Matters for Council consideration are:

- Payment of associated costs for the lease variations to be borne by the respective parties.
- Annual lease payment for Glide West to be increased by \$2/m² for the area of the accommodation units. Lease to be reviewed annually in accordance with CPI movements.
- The lease payment for the Bellman Hangar to be \$10,000 per annum to be reviewed annually in accordance with CPI movements.

Consultation

Scott Powell, Taurus Aviation
Damien O'Reilly, Glide West Pty Ltd
Neville Dunn, Dunns Aviation

Statutory Implications

Planning and Development Act 2005
Shire of Cunderdin Town Planning Scheme No 3

Policy Implications

Nil

Financial Implications

Nil, costs associated with the lease variations will be met by the individual parties.

Strategic Implications

Nil

Resolution 8.7

That Council resolves:

- 1. To endorse the proposed lease variations for the Lease Agreements at the Cunderdin Airfield:
 - a. The Lease Agreement between the Shire of Cunderdin and Taurus Aviation be transferred to Dunns Aviation by Deed of Assignment and Variation to also remove the accommodation units.**
 - b. The Lease Agreement between the Shire of Cunderdin and Glide West Pty Ltd to be amended by Deed of Variation to incorporate the accommodation units which were previously part of the Taurus Aviation Lease Agreement.****
- 2. That payment of associated costs for the lease variations to be borne by the respective parties.**
- 3. That the annual lease payment for Glide West to be increased by \$2/m2 for the area of the accommodation units. Lease to be reviewed annually in accordance with CPI movements.**
- 4. That the lease payment for the Bellman Hangar to be \$10,000 per annum to be reviewed annually in accordance with CPI movements.**
- 5. To authorise the Chief Executive Officer to proceed with the above.**
- 6. To authorise the Shire President and Chief Executive Officer to engross final documents.**

Moved: Cr Graham Cooper

Seconded: Cr Dianne Kelly

Vote: Simple majority

Carried 6/0

8.8 Sponsorship Donation for Australian Representation

Location:	Cunderdin
Applicant:	Ms Terri Jasper
Date:	2013 January 2013
Author:	Community Development Officer
Item Approved by:	Chief Executive Officer
File Reference:	ADM0038
Attachment/s:	14 Pages

Proposal/Summary

This report recommends Council support the request of financial donation for Ms Terri Jasper sporting endeavours.

Background

Council have Community Donation accounts for supporting of local community groups and events.

Ms Jasper's application does not strictly fall within the Council Donation Policy however financial support available for adult sporting competitors is only available for upcoming young people, associations and teams rather than adults over the age of 21. This limits Ms Jasper's opportunities for obtaining financial support for her sporting endeavours which as detailed in the attached articles provide opportunities for the cultural promotion of our community on a national and international scale.

Ms Jasper is competing on a National and International level of hockey which indirectly benefits to the local sporting associations in terms of mentorship to younger players within the local sporting community.

Comment

INCOME	
Community Grant (refer item B below)	750
Group/Organisation Contribution Cunderdin Hockey Club	200
Other Personal Contribution (the remainder)	3200
Other Fundraising (Potential)	200
Total Income	4350
EXPENDITURE	
Item A - INDIVIDUAL PLAYER COSTING	
- Equalised Airfare Including Insurance	1850
- In Country Travel (airport transfers travel to games)	200
- Accommodation (Singapore & Hong Kong)	900
- Meals and Entries	250
- Team Administration	300
- Contingencies	100
ITEM A TOTAL	3600
Item B Uniforms	750
Total Expenditure	4350

Ms Jasper has previously requested Shire Sponsorship/ donations in support of her selection in the State Country Hockey Team:

- July 2006 – National Hockey Championships in Bendigo, Victoria – Council made financial contribution of \$200.
- July 2012 – National Hockey Championships in Bendigo, Victoria – Council declined to make a financial contribution. A letter of congratulations was forwarded to Ms Jasper on her achievement in being selected in the State Country Hockey Team.

Consultation

Ms Terri Jasper
Department of Sport and Recreation
Hockey WA
Australian Institute of Sport
Australian Sports Commission

Statutory Implications

Nil

Policy Implications

Finance Policy #4 – Council Donations

Clause 6 Assessment Criteria

Applications for projects, events or facilities will be assessed under the following categories:

- *Applicant's demonstrated proven record in providing quality community, sporting or cultural events or programs;*
- *Cultural, community, sporting or artistic merit of the proposed program, event or facility;*
- *Originality of the program, event or facility;*
- *Demonstrated relevance of the proposed project or event to the target audience;*
- *The project increases opportunities to extend community capacity for cultural and or artistic activity;*
- *The program encourages links between cultural, sporting, business, and tourism;*
- *The program increases returns on cultural, sporting or community infrastructure in the town;*
- *The project improves economic viability and demonstrates capacity to increase and diversify financial resources for community, sporting or cultural services and programs;*
- *The funds provided by Council must not lead to an applicant becoming dependent on Council for ongoing financial support; and*
- *The applicant has a demonstrated capacity for program development and management;*

Financial Implications

If approved, \$750 to be taken from the Council Donation Account from the 2012-13 Annual Budget. There is \$20,578.38 available funds in the Council donation account.

Strategic Implications

Nil

Recommendation 8.8

That Council provides \$750, to assist with the cost of uniforms, under the Council Donations Scheme from the 2012- 13 Annual Budget to Ms Terri Jasper.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost ___/___

Resolution 8.8

That Council provides \$500, to assist with the cost of representing Australia in Hockey, under the Council Donations Scheme from the 2012-13 annual budget to Ms Terri Jasper.

Moved: Cr Graham Cooper

Seconded: Cr Todd Harris

Vote – Simple majority

Carried 3/3

The Presiding member used casting vote and voted FOR the motion

9 Environmental Health & Building Services

No Reports

10 Works & Services

10.1 Works & Services Report

Location:	Cunderdin
Applicant:	Manager Works & Services
Date:	14 February 2013
Author:	Acting Manager Works & Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	4 Pages

Proposal/Summary

Council is to receive the Works and Services Report for February 2013.

Construction

The 3.5km section of the road which joins the Cunderdin town boundary is to be revisited with a view to sealing the gravel shoulders. It is proposed that this will be actioned following the Cunderdin District High School Car Park and Cubbine Street projects. Design Plans and Cost Estimates are still to be forwarded by MRWA

Quelagetting Road.

Shoulder reconstruction over a four kilometre section from Minnivale road is still in progress with approximately 40% completed.

Main Street.

The realignment of Islands, widening of the eastern access, removal of two nibs and the construction of two Truck Parking Bays in the Slip lane, the laying of asphalt paving, Line Marking and the erection of the necessary Traffic Signs has completed the upgrade of this road.

Stan and Clint have been requested to draw up a Landscape concept for consideration and implementation to enhance the appearance of the area.

Regional Road Group

Cunderdin - Wyalkatchem.

Pavement Correction, edge and pothole repairs have been completed. It is envisaged that the scheduled reseals will be completed before Easter.

Dowerin - Meckering Roads.

Pavement Correction was to have been completed but is not as the Contractor inadvertently did corrections on sections that had not been delineated and thus seven sections requiring correction are still to receive treatment before the reseal can be done. These sections are to be stabilised instead of having a Corrector Course applied.

Pothole and edge repairs have been completed. It is envisaged that the necessary stabilising will be done in the near future and the reseal also completed prior to Easter.

Future Movements

Mt Anne Road.

Gravel Sheetting of s 500m section at the northern end.

Repairs to bitumen Floodway's. The extent of the repairs will depend on available finance.

Coleman Road.

Gravel sheetting of 1.70 km from the Doodenanning junction northward.

Cunderdin-Quairading road

Sections of this road are scheduled for reseals. The reseals can only proceed if funding is made available. Hopefully they can be done in conjunction with the other reseal.

General

Extreme Weather Conditions

As Council are aware on 13th December 2012 a severe “Thunder Storm” struck Meckering deluging the area with up to 120mm of rain and hail in 30 to 45 minutes. Many roads suffered superficial damage which was repaired within days.

The rain however washed out a triple barrel culvert on Burgess Road which was beyond repair and required replacing. The replacement has been completed. As this event has been declared an “Extreme Weather Event” and funding is available for the replacement an application has been made to WANDRRA (W.A. Natural Disaster Relief and Recovery Assistance) through MRWA to meet a portion of the cost of the replacement. If the application is successful; and I believe it will, Council will be reimbursed 66% of the replacement cost and 100% of “Opening Up and Supervision” costs.

Routine maintenance works is continually being carried out throughout the Shire and on a as needs basis.

Grading has been done on the “Airport” aprons and taxiway to remove grass and windblown rills of sand.

Following the “thunder Storms” over Cunderdin and Meckering during December it was necessary to have the work crew remove debris and sweep the town streets with the Shire road broom and contract C & H Sweeping to sweep along all kerb lines.

Kerbing Replacement and Installation Programme

A Kerbing replacement and installation programme is being developed for council’s consideration and possible implementation

Footpath/s Construction

Footpath construction program is still to be prepared in accordance with Council resolution.

Manager Works & Services Position

Mr Ian Bartlett commenced on Monday 11 February 2013.

Statutory Implications

Local Government Act 1995

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.1

That Council receives the Works and Services Report for February 2013.

Moved : Cr Dennis Whisson

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried 6/0

10.2 Scale Aerobatics Western Australia

Location:	Cunderdin Airfield
Applicant:	Scale Aerobatics WA
Date:	13 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	4 Pages

Proposal/Summary

For Council to consider hiring portion of the Airfield, namely Runway 32, to Scale Aerobatics WA to host the inaugural International Miniature Aerobatic Club 2013 State Championships.

Background

Scale Aerobatics WA are seeking Council approval to conduct the inaugural State Championships at the Cunderdin Airfield from 12:00 noon Friday 27 September 2013 to 4:00pm Sunday 29 September 2013.

They do not require the full use of airfield facility only the use of runway 32.

The group will be able to clear the runway in a matter of 30 seconds if required to do so for the passage of an aircraft.

The contest director, Cameron Roberts, has extensive civil aviation experience as a Senior Air Crash Investigator with the Australian Transport Safety Bureau.

The Club will be responsible to make application to the Civil Aviation Safety Authority for any requirements for the duration of the event.

Comment

Council has in the past hired out the runway, or portion thereof, to commercial operators to test new equipment. On these occasions a fee of \$1,000 has been charged.

Scale Aerobatics is a non for profit organization attempting to promote a new sport in Western Australia and introduce a new state championship event. Perhaps Council could consider a lesser hire fee for such an event, ie \$150 per day or part thereof.

Consultation

Scale Aerobatics WA

Statutory Implications

Civil Aviation Safety Authority Regulations 1998
Manual of Standards Part 139 - Aerodromes

Policy Implications

Nil

Financial Implications

Nil, Scale Aerobatics will be responsible for all associated costs.

Strategic Implications

Nil

Resolution 10.2

That Council:

- 1. Grants approval to Scale Aerobatics Western Australia to host the inaugural International Miniature Aerobatic Club State Championships at the Cunderdin Airfield, runway 32, from 12:00 noon Friday 27 September 2013 to 4:00pm Sunday 29 September 2013.**
- 2. Impose a hire cost of \$150 per day or part thereof for the event.**
- 3. Informs Scale Aerobatics of their responsibility to ensure all statutory requirements in accordance with Civil Aviation Safety Authority Regulations and Standards, and any other air safety requirements, are undertaken.**
- 4. Informs Scale Aerobatics of their responsibility to ensure other airfield users, ie Gliding Club WA are aware of the event and how it may impact on their activities.**
- 5. Requests Scale Aerobatics to indemnify the Shire of Cunderdin against any potential liability issues that may arise from the championships and provides Council with a copy of their public liability insurance policy.**

Moved: Cr Graham Cooper

Seconded: Cr Dianne Kelly

Vote: Simple majority

Carried 6/0

11 Planning & Development

11.1 Application for Exploration Licences 70/4450 (Doodenanning) and 70/4452 (Kelkerring Spring)

Location:	Shire of Cunderdin
Applicant/s:	M&M Walter Consulting on behalf of Kaolin Resources Pty Ltd
Date:	12 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	5 Pages

Proposal/Summary

Correspondence advising Council of new applications for Mining Exploration Licences submitted to the Department of Mines and Petroleum (DMP).

This report recommends that Council acknowledges the applications and recommends to the DMP that certain conditions be imposed.

Background

Correspondence from M&M Walter Consulting advising that on behalf of their clients, Kaolin Resources Pty Ltd, applications have been submitted to the Department of Mines and Petroleum for the abovementioned exploration licences.

The applications have the capacity to impact on areas of land within the Shire.

Comment

Whilst Council has minimal power over whether the exploration licences are approved or not it is recommended that certain conditions be presented to the DMP for consideration during the approval process.

Consultation

Nil

Statutory Implications

Mining Act 1978

33. Application for mining tenement by permit holder

- 1) *Subject to subsection (1a), where an application is made in accordance with this Act for a mining tenement that relates to private land notice of the application shall be given in the prescribed manner by the applicant to —*
 - a) *the chief executive officer of the local government;*

- b) *the owner and occupier of the private land; and*
- c) *each mortgagee of the land under a mortgage endorsed or noted on the title or land register or record relating to that land, but if there is no occupier of the land, or no such occupier can be found, the notice of the application shall be affixed in some conspicuous manner on the land.*

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 11.1

That Council acknowledges the applications for Exploration Licences 70/4450 and 70/4452, and requests the following conditions be imposed by the Department of Mines and Petroleum if the exploration licences are to be issued:

- All surface holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.
- All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six (6) months after excavation unless otherwise approved in writing by the district mining engineer.
- Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration program.
- No activities taking place to the detriment of any roads, streets or verges.
- Minimum disturbance being made to natural vegetation.
- Adequate dust suppression control methods and practices being used.
- Except with the approval of the Shire of Cunderdin, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated at the completion of the operation to the satisfaction of the Shire of Cunderdin.
- All works comply with the Environmental Protection (Noise) Regulations 1997.
- All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.

Moved: Cr Dennis Whisson

Seconded: Cr Todd Harris

Vote: Simple majority

Carried 6/0

11.2 Development Assessment Panels – Local Government Nominations

Location:	Shire of Cunderdin
Applicant/s:	Department for Planning
Date:	12 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	3 Pages

Proposal/Summary

To consider nominating two (2) councillors to the local Development Assessment Panel and two (2) alternate members, for two-year periods.

Background

Council in May 2011, nominated Councillors Cooper & Gibsone to be Councils Local Government Development Assessment Panel (DAP) representatives, and Councillors Beard & Harris to be nominated as the alternate members.

Council's nominations were duly appointed by the Minister for a two-year term, expiring on 26 April 2013.

The Department of Planning is now seeking Council to nominate four elected members, comprising two local members and two alternate local members to sit on the local DAP.

Comment

Following receipt of all local government nominations, the Minister for Planning will consider and appoint all nominees for up to a two-year term, expiring on 26 April 2015.

It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

Nominations to the DAP were to be received by Friday 15 February 2013, however this has now been extended to Thursday 28 February 2013.

Consultation

Nil

Statutory Implications

Planning & Development (Development Assessment Panels) Regulations 2011.

Policy Implications

Nil

Financial Implications

There will be costs associated with elected members attending training sessions which will be covered under Members – Training allocations.

DAP application fees are in addition to any normal local government planning fees.

Strategic Implications

Nil

Resolution 11.2

That Council:

- 1. Nominates Councillors Clive Gibson and Graham Cooper to be the Shire of Cunderdin Local Members to sit on the local Development Assessment Panel.**
- 2. Nominates Councillors Dennis Whisson and Todd Harris to be the Shire of Cunderdin Alternate Local Members to sit on the local Development Assessment Panel.**

Moved: Cr Doug Kelly

Seconded: Cr Todd Harris

Vote: Simple majority

Carried 6/0

11.3 Alterations to Weighbridge – Cooperative Bulk Handling, 83 Loton Road, Meckering

Location:	Lots 99 & 100 (83) Loton Road, Meckering
Applicant/s:	Cooperative Bulk Handling
Date:	12 February 2013
Author:	Jacky Jurmann, Manager Planning Services, Shire of York
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	9 Pages

Proposal/Summary

Council is in receipt of a planning application to carry out alterations to the existing weighbridge at the Cooperative Bulk Handling (CBH) grain storage facility at 83 Loton Road, Meckering.

The use is a discretionary under the provisions of the Cunderdin District Planning Scheme No. 3 in the Industrial zone and therefore requires Council approval.

This report recommends approval of the application subject to the conditions listed at the end of this report.

Background

CBH have been operating a grain receival and storage facility in Meckering since 1933 and as part of their continuous improvement program have identified the need to upgrade the existing weighbridge.

It is proposed to improve the approach to and exit from the existing weighbridge at the site including the construction of reinforced concrete approach and exit slabs. Refer to Appendix 1 for the submitted plan.

Comment

This is a straightforward planning application with no change of use or intensification of use proposed.

The proposal is consistent with the provisions of the Cunderdin Local Planning Scheme and is therefore recommended for conditional approval.

Consultation

Consultation is not required in accordance with the provisions of the Cunderdin Local Planning Scheme No. 3.

Statutory Implications

Shire of Cunderdin Local Planning Scheme No. 3 & District Zoning Scheme

The property is located at 83 Loton Road, Meckering and is currently used as a grain storage facility by CBH. It is proposed to carry out alterations to the weighbridge within the existing facility. There is no change of use proposed.

The site is zoned Industrial under the Scheme and the use is best defined as Industry – Rural, which is a ‘D’ land use, which means that the use is not permitted unless the local government has exercised its

discretion by granting planning approval. In considering a 'D' use the local government must have regard to the matters set out in clause 10.2 and have been assessed as follows:

- (a) *The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area.*

The proposal is consistent with the aims and provisions of the Scheme and will provide for a more effective and efficient handling and storage facility that supports the local agricultural industry.

The objectives of the Industrial zones include provision of suitable locations for general, light and service industries that are compatible and support the needs of the district. The improvement of facilities at the grain handling and storage facility provides for better efficiency of the use of the site and benefits the local grain growers.

Clause 5.7 of the Scheme sets out the site and development requirements. The existing setbacks, frontage, etc are not affected by this proposal.

Clause 5.9 of the Scheme sets out the requirements for development in the Industrial zone. There are no applicable requirements relating to this application or affected by this application. No on-site parking is affected by this application.

Similarly, there is no detrimental effect on the general appearance of the building or amenity as set out in Clause 5.17.

- (b) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought.*

There are no new schemes or amendments applicable to this proposal.

- (c) *Any approved statement of planning policy of the Commission.*

There are no statements applicable to this proposal.

- (d) *Any approved environmental protection policy under the Environmental Protection Act 1986.*

There are no policies applicable to this proposal.

- (e) *Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State.*

There are no policies or strategies applicable to this proposal.

- (f) *Any Planning Policy adopted by the local government under clause 2.4, any policy for a designated heritage precinct adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme.*

There are no planning policies applicable to this proposal.

- (g) *In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve.*

The land is not reserved under the scheme.

- (h) *The conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage precinct.*

The property is not heritage listed.

- (i) *The compatibility or a use or development with its setting.*

The use is unchanged and is compatible with the objectives and existing uses within the Town Centre.

(j) Any social issues that have an effect on the amenity of the locality.

There are no social issues associated with the proposal.

(k) The cultural significance of any place or area affected by the development.

There are no impacts associated with this proposal.

(l) The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment.

No impacts on the natural environment identified.

(m) Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk.

There are no natural constraints affecting the proposal.

(n) The preservation of the amenity of the locality.

The amenity will not be impacted by the proposal.

(o) The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.

Not applicable. There are no changes to the structure of the existing buildings.

(p) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles.

There are no changes proposed to the existing site access or egress.

(q) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.

There is no increase in the intensity of the use proposed.

(r) Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal.

Not applicable.

(s) Whether public utility services are available and adequate for the proposal.

Existing utilities are adequate for proposal.

(t) Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities).

Not applicable.

(u) Whether adequate provision has been made for access by disabled persons.

Not applicable to the proposal.

(v) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.

Not applicable.

(w) Whether the proposal is likely to cause soil erosion and degradation.

The construction activities are unlikely to cause soil erosion and degradation.

(x) The potential loss of any community service or benefit resulting from the planning consent.

No loss identified.

(y) *Any relevant submissions received on the application.*

The application does not require advertising.

(z) *The comments or submissions received from any authority consulted under clause 10.1.1.*

No submissions were necessary or were sought.

(za) *Any other planning consideration the local government considers relevant.*

Nil

Policy Implications

Nil

Financial Implications

The application has paid the application fee in accordance with the Planning and Development Regulations.

Strategic Implications

The Cunderdin's Community Strategic Plan 2011 goals are:

Social

- Grow and build the population base.
- Improve community spirit, collectively caring for each other.
- Build an active community, increasing participation and ownership.

Environmental

- Maintain and enhance the natural environment and resources.
- Maintain and enhance the area's infrastructure.

Economic

- Strengthen local business and employment capacity.
- Support and encourage sustainable business growth.
- Position the area as a regional strategic location and transport hub.

This proposal is consistent with the Strategic goals, particularly economically as it will strengthen a local business.

Resolution 11.3

That Council:

APPROVE the planning application for alterations to the existing weighbridge at the Cooperative Bulk Handling grain storage and handling facility at Lots 99 and 100 (83) Loton Road, Meckering, subject to the following conditions and advisory notes:

Conditions:

- 1. Development must substantially commence within two (2) years from the date of determination.**
- 2. Development must take place in accordance with the stamped approved plans.**

Advice Notes:

- 1. If the development the subject of this approval is not substantially commenced within a period of two (2) years, or such other period as specified in the approval after the date of the determination, the approval will lapse and be of no further effect.**
- 2. Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.**
- 3. If an applicant is aggrieved by this determination there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged within 28 days of the determination.**
- 4. In accordance with the provisions of the Building Act 2011, an application for a building permit must be submitted to, and approval granted by the local government prior to the commencement of the development hereby permitted."**

Moved: Cr Todd Harris

Seconded: Cr Graham Cooper

Vote: Simple majority

Carried 6/0

11.4 Proposed Subdivision – Lot 176 (22) Byfield Street, Meckering

Location:	Lot 176 (22) Byfield Street, Meckering
Applicant/s:	Paul Kraft & Associates
Date:	12 February 2013
Author:	Jacky Jurmann, Manager Planning Services, Shire of York
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	5 Pages

Cr Doug Kelly declared an interest in this item as he is a Shareholder of the Meckering Shearing Syndicate, and left the meeting at 5.55pm returning at 5.58pm.

Cr Dianne Kelly declared an interest in this item as her husband (Shane) is a Shareholder of the Meckering Shearing Syndicate.

Proposal/Summary

The Western Australian Planning Commission (WAPC) have received an application to subdivide Lot 176 (22) Byfield Street, Meckering into two (2) lots.

As part of the WAPC's assessment process, the application has been referred to the Shire for comment.

This report provides an assessment of the proposal and recommends approval subject to the conditions listed at the end of this report.

Background

The subject lot is located in the Meckering townsite and contains a dwelling and disused shearing quarters. The lot size is currently 1.4429 hectares and generally surrounded by smaller residential lots, the Trinity Church on the south and the Meckering Primary School at the rear. Refer to Appendix 1.

It is proposed to subdivide the property into two (2) lots: Lot A with an area of 3078m² containing the dwelling and shearing quarters and Lot B with an area of 1.1351 hectares that is vacant land. Refer to Appendix 2 for the plan of subdivision.

The property is zoned Residential under the provisions of the Shire of Cunderdin Local Planning Scheme No. 3 (District Zoning Scheme) and is coded R20 under the provisions of the Residential Design Codes. The minimum lot size permitted is 440m² with an average lot size of 500m² and therefore the subdivision is permissible.

Comment

The proposed subdivision will facilitate further development of Lot B, which should be guided under an approved Development (Structure) Plan to ensure that infrastructure, such as roads and drainage, is appropriately managed.

Consultation

The WAPC have also referred the application to Western Power, Water Corporation and the Department of Environment and Conservation as part of their assessment process. As the Shire is not the determining authority, there are no consultation requirements.

Statutory Implications

Shire of Cunderdin Local Planning Scheme No. 3 (District Zoning Scheme)

The subject property is zoned Residential R20 under the provisions of the Scheme and is currently used for residential purposes.

The objectives of the Residential zone are:

- To achieve a high standard of residential development in accordance with contemporary planning and development practice for the benefit of the community of the Shire of Cunderdin.
- To enhance the character and amenity of residential areas.
- To provide for residential development at a range of densities with a variety of housing types to meet the needs of the community.
- To provide an opportunity for residents to undertake occupations ancillary to the use of their dwelling that are compatible in character, scale and operation with the residential use and which will not have an adverse effect upon the existing character and amenity of these areas.

The subdivision proposal is consistent with the objectives of the Residential zone and will provide the opportunity for further planned subdivision of proposed Lot B and is consistent with the objectives of the Cunderdin Local Planning Strategy for the Meckering townsite.

Clause 5.28 requires that the provision of reticulated sewerage to residential and other developments within the Cunderdin and Meckering town sites which exceed the R5 density code. It is recommended a condition be imposed to require connection of both lots to the reticulated sewerage system. The Water Corporation may also make this request.

Further subdivision of proposed Lot B may require the submission and approval of a Development (Structure) Plan in accordance with Clause 5.36 of the Scheme.

Policy Implications

The subdivision proposal is consistent with the aims and objectives of the Cunderdin Local Planning Strategy and Scheme and will provide additional serviced residential land.

Financial Implications

There are no financial implications for the Shire of Cunderdin associated with this proposal.

Strategic Implications

The Cunderdin's Community Strategic Plan 2011 goals are:

Social

- Grow and build the population base.
- Improve community spirit, collectively caring for each other.
- Build an active community, increasing participation and ownership.

Environmental

- Maintain and enhance the natural environment and resources.
- Maintain and enhance the area's infrastructure.

Economic

- Strengthen local business and employment capacity.
- Support and encourage sustainable business growth.
- Position the area as a regional strategic location and transport hub.

The proposal is consistent with the goals of the Community Strategic Plan and will provide additional developable residential land in the Meckering townsite.

Resolution 11.4

“That Council:

RESOLVE to advise the Western Australian Planning Commission that no objections are raised to the approval of Application No. 147191 for the proposed two (2) lot subdivision of Lot 176 (22) Byfield Street, Meckering, subject to the imposition of the following conditions:

- 1. All buildings having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia. (Local Government)**
- 2. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)**
- 3. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)**
- 4. Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)**
- 5. All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed. (Local Government)”**

Moved: Cr Graham Cooper

Seconded: Cr Todd Harris

Vote: Simple majority

Carried 5/0

12 Urgent Items

13 Matters for which the meeting may be closed

Resolution 13.0

In accordance with section 5.23 (2) of the Local Government Act 1995, the meeting be moved behind closed doors at 6:00pm.

Moved: Cr Dennis Whisson

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 6/0

13.1 Lot 6 Centenary Place, Cunderdin

Location:	Cunderdin
Applicant:	Earthstyle Contracting Pty Ltd
Date:	13 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosures of Interest:	Nil
File Reference:	
Attachment/s:	7 Pages

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Resolution 13.1

That Council:

- 1. Advertises the proposed sale of Lot 6 Centenary Place, Cunderdin, to Earthstyle Contracting Pty Ltd for amount of \$45,000, in accordance with section 3.58 of the Local Government Act 1995, prior to a contract for the sale of the land being entered into.**
- 2. Subject to not receiving any submissions, delegates authority to the Chief Executive Officer to proceed with the sale of the land and finalise the due processes.**
- 3. Authorises the Shire President and Chief Executive Officer to engross the final sale documentation on behalf of the Shire of Cunderdin.**

Moved: Cr Graham Cooper

Seconded: Cr Todd Harris

Vote – Simple majority

Carried 6/0

13.2 Chief Executive Officer Annual Review

Location:	Shire of Cunderdin
Applicant:	Acting Shire President
Date:	13 February 2013
Author:	Cr Clive Gibsone
Item Approved by:	Acting Shire President
Disclosures of Interest:	Peter Naylor, Chief Executive Officer
File Reference:	
Attachment/s:	Nil

The Chief Executive Officer, Peter Naylor, declared a Financial Interest in this matter and departed the Council Chamber at 6.15 pm and returned at 6.24pm.

Deputy Chief Executive Officer, Paul Godfrey departed the Council Chambers at 6.15pm and returned at 6.24pm.

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Resolution 13.2

That Council, following the Chief Executive Officer Annual Performance Review:

- 1. Congratulates the Chief Executive Officer for the period of performance under review.**
- 2. Increases the salary component of the Chief Executive Officer salary package by 10%, effective from the anniversary date of 3 January 2013.**

Moved: Cr Dennis Whisson

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried 6/0

13.3 Manager Works and Services

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	14 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosures of Interest:	Nil
File Reference:	
Attachment/s:	7 Pages

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Resolution 13.3

That Council:

- 1. Endorses the Chief Executive Officer appointment of Mr Ian Bartlett to the position of Manager Works and Services with the Shire of Cunderdin for a three year contractual period with six month probationary period.**
- 2. Endorses the appointment being in accordance with the salary package advertised to a value of \$116,440, with cash component of \$80,000.**

Moved: Cr Todd Harris

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried 6/0

13.4 Doctor Ken Gray

Location:	Cunderdin
Applicant:	Dr Ken Gray
Date:	14 February 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosures of Interest:	Nil
File Reference:	
Attachment/s:	5 Pages

*****CONFIDENTIAL TO MEMBERS ONLY*****

Resolution 13.4

That Council :

- 1. Reduce the rental on the residential premises to \$50 per week, from \$80 per week. Rental on surgery to be retained at \$100 per week.**
- 2. Obtain quotes for changeover of the current vehicle with like vehicle and also upgrade to Ford Territory, Council will then budget for as part of the mid-year budget review process.**
- 3. Authorise the Chief Executive Officer to inspect both premises with the Manager Environmental Health Building Services to ascertain any works required.**
- 4. Consider a subsidy for Locum Costs, Chief Executive Officer to Liaise with Dr Gray.**
- 5. Declines the offer to purchase the medical practice, due to it being a type of business that council does not usually involve itself with.**
- 6. Council may consider purchase of medical equipment, consumables and furniture, upon attaining a valuation.**

Moved Cr: Graham Cooper

Seconded: Cr Dianne Kelly

Vote – Simple Majority

Carried : 6/0

Resolution 13.5

The meeting moved from behind closed doors at 6.34pm.

Moved: Cr Dennis Whisson

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 6/0

14 Closure of meeting

There being no further business the Shire President declared the meeting closed at 6.35pm