



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 March 2013** in the Council Chambers, Lundy Avenue Cunderdin commencing at 5:00 pm.

Peter Naylor
Chief Executive Officer

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AGENDA

1. Declaration of opening

The President declared the meeting open at 5:00pm

The Shire of Cunderdin disclaimer was 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:	5 th March 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 Clive Gibsone

Seconded: Cr Todd Harris

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 RL (Rod) Carter	Shire President
Cr RC (Clive) Gibsone	Deputy Shire President
Cr GJ (Graham) Cooper	
Cr TE (Todd) Harris	
Cr DB (Doug) Kelly	
Cr DA (Dennis) Whisson	

Apologies

Paul Godfrey	Deputy Chief Executive Officer
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On Leave of Absence

Cr DG (Dianne) Kelly

Staff

Peter Naylor	Chief Executive Officer
Ian Bartlett	Manager Works & Services (from 5:25pm)

Guests of Council

Members of the Public

Applications for leave of absence

Declaration of Members and Officers Financial Interests

Cr Dennis Whisson declared a Financial Interest in Item 8.5

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 21 February 2013

Location:	Cunderdin
Applicant:	Administration
Date:	5 th March 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 Thursday 21 February 2013.

Background

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

Comment

No business arising.

Consultation

Nil

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.

Policy Implications

Nil

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

Nil

Resolution 7.1

That:

- 1. The minutes of the Ordinary Council meeting held on Thursday 21 February 2013, be confirmed as a true and correct record.**

Moved: Cr Graham Cooper

Seconded: Cr Clive Gibsone

Vote – Simple majority

Carried: 6/0

Note to this item:

The President will sign the minute declaration.

7.2 Audit Committee Meeting held on Wednesday 20 March 2013

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

Proposal/Summary

Council to receive the minutes of the Audit Committee meeting held on Wednesday 20 March 2013, and consider the committee recommendations contained therein.

Background

A copy of the Audit Committee agenda was circulated to all councillors and the minutes will be tabled at the meeting.

Comment

There were three items of business on the Audit Committee Agenda:

- Shire of Cunderdin Compliance Audit Return 2012
This is a statutory document that needs to be completed in the prescribed format in accordance with the provisions of the *Local Government Act 1995*. The Return has to be submitted to the Audit Committee in the first instance and then presented to and adopted by Council. The Return is to be submitted to the Department of Local Government by 31 March.
- Shire of Cunderdin Audit Services 2012-13 & 2013-14 Financial Years
Council's contract with Auditing Firm Macri Partners expired at the completion of the Audit for the 2011-12 Financial Year. Quotation was obtained from Macri Partners for their audit services to continue for the next two financial years. The *Local Government Act 1995*, s7.6 provides for a local government to appoint auditors for a period of up to 5 financial years, however this did not seem necessary given Councils involvement in the possible future amalgamation of the South East Avon Regional Transition Group.
- Shire of Cunderdin Budget Review 2012-13
In accordance with the Local Government (Financial Management) Regulations 1996, clause 33A, local governments are to undertake a review of their annual budgets between 1 January and 31 March in each financial year.
The Chief Executive Officer and Deputy Chief Executive Officer in consultation with Darren Long Consulting have completed this process with the result presented to the Audit Committee for review and recommendation to Council for consideration.

Consultation

Macri Partners
Darren Long Consulting

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.

Policy Implications

Nil

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

Nil

Recommendation 7.2

That:

1. The minutes of the Audit Committee meeting held on Wednesday 20 March 2013, be received and the recommendations contained therein, and as follows, be endorsed.

Moved: Cr. _____

Seconded: Cr. _____

Vote – Absolute majority

Carried/Lost ___/___

Resolution 7.2

That:

1. The minutes of the Audit Committee meeting held on Wednesday 20 March 2013, be received.
2. The three Recommendations from the Audit Committee to Council be with individually as follows:
 - a) Council endorse Committee Recommendation 8.1
That the Audit Committee:
 - (a) *Receives the Shire of Cunderdin Compliance Audit Return for the period 1 January 2012 to 31 December 2012, as prepared;*
 - (b) *Notes that the Shire of Cunderdin complied in all areas of legislative requirements during the reporting; and*
 - (c) *Recommends to Council that the Shire of Cunderdin Compliance Audit Return 2012, as prepared, be adopted and submitted to the Department of Local Government.*
 - b) Council endorse Committee Recommendation 8.2
That the Audit committee recommend to Council that;
 - (a) *Mr Anthony Macri from the firm Macri Partners be appointed the Shire's Auditors for two financial years commencing 30th June 2012, expiring 30th June 2014.*

(b) The fee structure, as submitted in Macri Partner's quote dated 31 January 2013, be accepted.

c) Council endorse Committee Recommendation 8.3 with the inclusion of \$5,000 to assist with engaging contractors to demolish and clear site of the buildings at the Meckering Showgrounds.

That the Audit Committee recommends that Council:

1. adopt the 2012/13 Annual Budget Review, as presented in Attachment 1, and notes that the estimated closing funds are based on current revenue and expenditure trends;
2. authorise the following budget amendments:

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT
95030101	Rates Training – Training course for rates for staff not included in budget	\$0	\$790
950340401	Rates Materials – Additional stationary costs	\$1,084	\$1,345
95030501	Rates B Pay Charges – Charges covered under bank fees	\$3,446	\$0
91030101	Rates Settlement Agent Charges – Trends indicate lower fees from this revenue source	\$2,506	\$1,533
91030308	Rates Debtor Legal Fees – Higher recovery of debt collection costs than anticipated	\$3,000	\$6,241
91030701	Rates Interim UV – Trends indicate no interim rates from UV properties	\$532	\$0
91030801	Rates UV – trends indicate less rates raised than originally budgeted	\$1,098,961	\$1,088,472
910303901	Rates GRV - trends indicate less rates raised than originally budgeted	\$336,414	\$326,064
91031601	Rates Interim GRV – Trends indicate higher interim rates levied than anticipated	\$0	\$11,497
91031702	General Purpose Grant – grant reduced due to reduction in total pool allocated to WA by Commonwealth Government	\$422,255	\$392,377
91031802	Local Road Grant - grant reduced due to reduction in total pool allocated to WA by Commonwealth Government	\$216,968	\$194,169
91031807	Municipal Interest Earned – interest rates lower than anticipated, thus will earn less interest	\$30,000	\$24,000
95041227	WALGA Subscriptions – Additional services subscribed to for reporting period	\$21,050	\$28,288
95041521	Election Expenses – Anticipate not holding an election this reporting period	\$500	\$0
950418	Administration Employee Costs – over allocation of overheads, percentages to be adjusted 2013/14	\$361,131	\$468,585
95042326	Insurance – insurance costs for this area lower than anticipated	\$30,179	\$25,214
95042721	Computer Software & Replacements – additional purchases required to ensure virus and data protection on systems	\$5,000	\$7,500
95042921	IT Support – Trends indicate lower support fees for reporting period and lack of IT support for a significant period.	\$30,433	\$25,000
95043621	Contractors/Consultants – additional provision Integrated Workforce Planning	\$45,000	\$70,000
91040508	Insurance Reimbursements/Rebates – Level of insurance rebate lower than anticipated	\$7,000	\$3,270
91040603	Other Reimbursements - trends indicate higher revenue stream than budgeted	\$500	\$3,791
91040406	Admin Charges - trends indicate Lower revenue stream than budgeted	\$1,200	\$0
91040902	Royalties for Regional – CLGF Individual – 2012/13 allocation will not be available due to Sports Club project not proceeding this reporting period and lack of acquittal of 2011/12 Individual funding allocation – Reduction of capital project will offset this.	\$345,656	\$0

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT
95050521	FESA Grant Expenditure – Shed - additional costs incurred not included in budget	\$0	\$950
950502	Fire Prevention Insurance – insurance premiums higher than anticipated	\$4,213	\$7,011
95050721	Non Eligible ESL Expenditure – trends indicate that expenditure will be lower than anticipated	\$26,438	\$22,000
95051121	Ranger Service – Trends indicate higher service costs than anticipated	\$8,000	\$11,235
91050906	Infringement Notices – Trends indicate lower fees from this source	\$300	\$196
91051106	Animal Control Fees – Trends indicate lower dog registrations than anticipated	\$1,500	\$1,050
New	AWARE Stationery – Trends indicate lower costs for this project	\$3,000	\$0
95070121	Contract Health Inspections – Trends indicate lower costs for this service area for the reporting period	\$20,000	\$14,000
91070103	Contributions, Donations – Trends indicate higher revenue from this source than anticipated	\$300	\$418
950710	Doctors Vehicle & Fuel Costs	\$2,637	\$4,800
91070506	Doctors House Rent – trends indicate lower rent to be charged for this area	\$4,160	\$3,360
91070606	Food Registration Fees – trends indicate higher fees levied for this service area	\$127	\$255
950802	Day Care Employee Costs – over allocation employee overheads	\$96,045	\$128,177
950803	Day Care Expenses – purchase of materials for children activities, previously unknown requirements	\$0	\$10,000
950805	Day Care utilities – trends indicate higher utility costs for reporting period	\$2,500	\$3,500
950804	Day Care Insurance – premium lower than anticipated	\$1,504	\$1,294
91080206	Day Care Fees and Charges	\$30,000	\$25,500
91080303	Day Care Child Care Benefits	\$17,500	\$15,000
950903	Housing Staff Insurances – Premiums higher than anticipated	\$2,037	\$2,855
950905	Staff Housing Utilities – Trends indicate that utility costs will be higher than anticipated	\$10,000	\$16,500
91090106	Housing Rent – Lower fees for this area due to contract negotiations and benefits offered to senior staff	\$13,300	\$9,800
951003	Household Refuse Insurance – premiums lower than anticipated for this service	\$894	\$653
95102112614	Waste Transfer Station Insurance – Premiums slightly higher than anticipated	\$312	\$401
9510122105	Waste Facility Cards – Additional cards purchased to meet new service requirements, no budget provision in original budget	\$0	\$1,849
951007	Green Waste Maintenance Expenses – Trends indicate higher costs for this service than anticipated	\$15,056	\$16,500
95100821	Refuse Other Tipping Fees – Higher fees to dispose of refuse from waste transfer station than anticipated	\$30,000	\$31,500
91100106	Sanitation Charges – Households More refuse removal charges raised than anticipated	\$95,000	\$107,627
91100506	Liquid Waste Charges – trends indicate lower fees for this service area	\$545	\$0
91100706	Town Planning Other Charges – Higher income due to unexpected development applications and associated fees	\$777	\$26,000
951018	Cunderdin Public Toilet Costs – trends indicate higher expenditure than anticipated	\$8,270	\$13,240
95102821	Cunderdin Public Toilet Maintenance Costs	\$1,000	\$2,000
951020	Cunderdin Public Toilets utilities – trends indicate higher utility costs than anticipated	\$5,000	\$7,600
951024	Meckering Public Toilets utilities - trends indicate higher utility costs	\$2,500	\$3,900

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT
	<i>than anticipated</i>		
951102	<i>Cunderdin Town Hall Insurance – premiums higher than anticipated</i>	\$4,498	\$6,211
951103	<i>Cunderdin Tow Hall utilities – trends indicate lower utility costs than anticipated</i>	\$3,240	\$2,400
951105	<i>Meckering Town Hall Insurance - premiums higher than anticipated</i>	\$2,457	\$2,897
951106	<i>Meckering Town Hall Utilities - trends indicate lower utility costs than anticipated</i>	\$2,750	\$3,500
91110506	<i>Gym Memberships Key Bond</i>	\$0	\$200
91110006	<i>Gym Memberships – Trends indicate lower memberships for this reporting period than anticipated</i>	\$6,450	\$3,000
951119	<i>Cunderdin Bowling & Tennis Club – trends indicate higher costs than anticipated</i>	\$73,926	\$75,000
951120	<i>Bowling & Tennis Club Insurance – premium higher than anticipated</i>	\$4,186	\$4,962
951118	<i>Meckering Sports Club Insurance</i>	\$2,644	\$1,944
951121	<i>Cunderdin Amenities Building Costs – Costs incurred for existing building due to new building not progressing</i>	\$0	\$2,000
951122	<i>Cunderdin Oval Buildings Insurance – premiums higher than anticipated</i>	\$6,093	\$8,660
951123	<i>Cunderdin oval Buildings Utilities – Costs incurred for existing building due to new building not progressing</i>	\$0	\$4,300
New	<i>Cunderdin Sports Centre Maintenance – no costs will be incurred as new building has not progressed</i>	\$7,536	\$0
New	<i>Cunderdin Sports Centre Utilities - no costs will be incurred as new building has not progressed</i>	\$4,000	\$0
New	<i>Cunderdin Sports Changerooms- no costs will be incurred as new building has not progressed</i>	\$2,000	\$0
New	<i>Cunderdin Sports Changerooms Utilities- no costs will be incurred as new building has not progressed</i>	\$1,000	\$0
95112522	<i>Cunderdin Parks & Gardens Utilities - Trends indicate lower utilities than anticipated</i>	\$2,575	\$1,800
951125	<i>Parks & Gardens Insurance – Premiums lower than anticipated</i>	\$4,593	\$4,369
New	<i>Meckering Sports Club Maintenance Contribution – Projections indicate no contribution this year</i>	\$7,500	\$2,500
New	<i>Lotterywest Grant – Project has not progressed so grant will not be received this reporting period. This will be offset by reduction in capital costs.</i>	\$800,000	\$0
New	<i>CSRFF Grant – Project has not progressed so grant will not be received this reporting period. This will be offset by reduction in capital costs.</i>	\$585,000	\$0
911111503	<i>Club Cleaning – trends indicate reimbursements will be lower than anticipated</i>	\$4,530	\$3,800
911111406	<i>Community Bus Charges – trends indicate lower hire fees than anticipated</i>	\$700	\$200
951111	<i>Swimming Insurances</i>	\$5,422	\$6,652
951114	<i>Swimming Pool utilities - Trends indicate lower utilities than anticipated</i>	\$26,580	\$20,000
951139	<i>Museum Operating Costs – Trends indicate lower costs than anticipated</i>	\$34,934	\$30,000
95114421	<i>Community Christmas Party – costs incurred no provision in budget</i>	\$0	\$350
95114821	<i>Tammin to Cunderdin Adventure Run Expenses – offset by income received</i>	\$0	\$5,530
91112008	<i>Tammin to Cunderdin Adventure Run Income – partially offset by expenses incurred</i>	\$0	\$5,530
91111902	<i>Thank a Volunteer Grant – Grant not provided for in budget, not anticipated – offset by expenditure under CDO area.</i>	\$0	\$1,000

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT
951202	Depot Insurance – premium lower than anticipated	\$14,920	\$3,679
951203	Depot Utilities - Trends indicate higher utilities than anticipated	\$2,950	\$5,200
95121121	Grading Contractor Maintenance – trends indicate higher maintenance costs than anticipated	\$60,000	\$100,000
95121521	Management Fee (Works Manager) – trends indicate costs to be lower than anticipated	\$5,000	\$0
95121722	Street Lighting – trends indicate higher utility costs than anticipated	\$38,060	\$41,000
91120106	Management Fees – trends indicate lower revenue from this service than anticipated	\$20,000	\$150
91120202	Road Grants RRG – Additional funding allocated to Shire for RRG projects – partially offset by additional capital expenditure	\$233,277	\$305,986
91120702	Strategic Grain Freight Funding – Reduction in grant funding for reporting period due to delay in design of scope of works, offset by reduction in capital expenditure.	\$2,024,000	\$1,029,423
95122521	Aerodrome Contractors – trends indicate lower costs for reporting period for this service area.	\$10,500	\$7,500
95123126	Aerodrome Insurance – premiums lower than anticipated	\$11,511	\$7,220
New	Aerodrome Utilities Reimbursements – Trends indicate lower revenue than anticipated	\$18,000	\$0
91121702	WBDC Grant – Aerodrome – Additional grant funding secured for aerodrome upgrade – offset by capital expenditure on project	\$30,000	\$105,000
New	RADS Grant funding – Reduction in grant funding due to less works to be carried out this reporting period – balance of grant to be carried over to 2013/14. Reduction offset by lower capital expenditure	\$387,650	\$150,000
91121602	Lotterwest Grant Building 104 – Awarded grant lower than anticipated	\$42,200	\$37,325
95130321	Town Entry Statements – provision for design costs	\$0	\$500
New	CDO Projects – budget reallocated to Account 95130921 in Economic Services	\$12,410	\$0
951223	Transport Licensing Expenses – Trends indicate higher costs than anticipated	\$11,366	\$18,969
95120028	General Administration Allocated – trends indicate higher costs than anticipated	\$4,019	\$6,115
91121103	Transport Licensing Contributions – lower commission due to service no longer provided by Council	\$15,513	\$5,986
91121206	Local Authority Plates - No commission due to service no longer provided by Council	\$1,000	\$0
95130421	Building Inspections – trends indicate lower costs for this service area	\$8,500	\$5,000
91130106	Building Licence Fees – trends indicate lower revenue for reporting period	\$3,660	\$2,536
95130621	Drum Muster Contractors – Trends indicate lower costs for this service area	\$5,800	\$1,193
95130921	CDO Projects – budget reallocation – original account in incorrect area	\$0	\$12,410
91130703	Drum Muster Reimbursements – Lower reimbursements due to lower costs incurred – offset by Account 95130621	\$5,800	\$1,193
95140021	Private Works General – Trends indicate lower expenses for this service area	\$60,000	\$15,000
95140199	Private Works Plant Costs – no provision made for plant costs in this area – first time booked separately – offset by income received for private works	\$0	\$7,900
951407	Private Works – Shire of Bruce Rock – offset by private works charges	\$0	\$1,764,094
91140106	Private Works Charges	\$75,000	\$2,413,660

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT
New	Transfer from Aerodrome Reserve – Reduce transfer from reserve to match Council contribution to capital expenditure on aerodrome project	\$190,000	\$120,000
New	Transfer from Building Reserve – Total funds will not be required this reporting period as building project will not be significantly progressed – will be offset by reduction in capital expenditure	\$1,251,633	\$400,000
	Surplus/Deficit Carried Forward – Actual surplus was higher than that estimated for budget	\$757,619	\$953,109
New	Loan for Synthetic Turf – Will not require loan this reporting period as building project will not be significantly advanced to commence on court surfaces – will be offset by reduction in capital expenditure	\$1,000,000	\$0
881802	Defibrillators – Additional units purchased, but cost will be offset by contributions made by community groups	\$2,000	\$5,867
881914	Cunderdin Town Hall – reduction in budget provision and cover any costs from maintenance allocation	\$2,500	\$0
881915	Meckering Town Hall – reduction in budget provision and cover any costs from maintenance allocation	\$2,500	\$0
881912001	Sports Ground Stage 1 – project has been deferred until 2013/14, only need to meet architectural and design costs this reporting period.	\$2,636,633	\$400,000
New	Sports Ground Stage 2 - project has been deferred until 2013/14	\$1,345,656	\$0
New	Swimming Pool regrout & tile – revised estimates have identified additional works that are prudent to do at same time of regrouting & tiling	\$4,500	\$28,000
New	Museum Gantry Pavement Repairs – Project not supported by National Trust so deferred until further discussions are held	\$10,000	\$0
881929	Asbestos Removal – Garrity Hut – Grant reduced, so scope of works reduced to suit	\$40,000	\$32,325
881930	Demolition & Clearing Garrity Hut – Council contribution to project reduced due to reduced scope of works	\$25,000	\$5,000
881927	Purchase of Land – Yilgarn Street – Purchase price under budget	\$115,000	\$103,727
882002	Works Manager Vehicle – purchase price lower than budget estimate	\$42,000	\$36,446
882101	Main Street Upgrade – Additional costs incurred to finalise project	\$236,936	\$245,979
882104	Cunderdin-Wyalkatchem Rd – Councils one third contribution to project not incorporated into budget, amendment require to correct this oversight.	\$71,418	\$179,480
882105	Cunderdin – Quairading Road – Delay in finalising scope of works for project, resulting in less works undertaken this year – grant funding reduced accordingly.	\$2,024,000	\$1,029,423
882108	Hopkins Road – No budget provision made for works undertaken	\$0	\$26,082
8821522139	Aerodrome Upgrade & Improvement Works – Scope of works has been revised for this reporting period, with reduction of works to be undertaken and remaining works to be carried over to 2013/14	\$1,075,300	\$675,000
881921	Day Care Air Conditioning – proposed new project to be incorporated into budget and funded from projected surplus	\$0	\$4,000
881904	2 Togo Street Pergola - proposed new project to be incorporated into budget and funded from projected surplus	\$0	\$18,250
882008	Multi Tyre Roller - proposed new project to be incorporated into budget and funded from projected surplus	\$0	\$158,000
882009	Brush Cutter & Minor Plant - proposed new project to be incorporated into budget and funded from projected surplus	\$0	\$5,000
New	Street Sweeper – proposed new project to be incorporated into budget and funded from projected surplus	\$0	\$75,000
New	Lighting Tower - proposed new project to be incorporated into budget and funded from projected surplus	\$0	\$20,000

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT
New	Community bus – proposed new project to be incorporated into budget and funded from projected surplus	\$0	\$112,000
New	Deputy CEO Vehicle - proposed new project to be incorporated into budget and funded from projected surplus	\$0	\$36,500
New	Doctors Vehicle - proposed new project to be incorporated into budget and funded from projected surplus	\$0	\$36,500
882101	Main Street Furniture Upgrade / Replacement (ie seats, refuse bin surrounds, etc)	\$0	\$20,000

3. *Submit a copy of the adopted 2012/13 Annual Budget Review Report and an extract of the minutes recording the adoption of the Annual Budget Review Report to the Department of Local Government.*

Moved: Cr Todd Harris

Seconded: Cr Doug Kelly

Vote – **Absolute** majority

Carried: 6/0

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 28th February 2013 is presented for consideration.

Appendices – 28th February 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 28th February 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 22-6418
- 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
- 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 report to 28th February 2013.

Moved: Cr Dennis Whisson

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 6/0

8.2 Accounts Paid – February 2013

Location:	Cunderdin
Applicant:	Chief Executive Officer
Author:	Peter Naylor
Report Date:	14 March
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	4 Pages

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling \$648,214.29 listed in the Warrant of Payments for the period 1st February – 28th February 2013.

Attachments

Warrant of Payments for 1st February – 28th February 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

Resolution 8.2

(a) That Council's payment of accounts amounting to \$648,214.29 for the period of 1st February – 28th February 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 Clive Gibsone

Seconded: Cr Graham Cooper

Vote – simple majority

Carried: 6/0

8.3 Council Investments – At 28 February 2013

Location:	Cunderdin
Applicant:	Chief Executive Officer
Author:	Peter Naylor
Report Date:	12 March 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 28 February 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 28 February 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	\$2,231,303.52	Reserves Term Deposit 22-6311 4.50%	\$0.00	\$2,231,303.52
Westpac Banking Corporation	\$23.20	Business Cash Reserve Bonus 22-3647 3.00%	\$23.20	\$0.00
Westpac Banking Corporation	\$306,996.97	Muni Term Deposit 22-6418 4.10%	\$306,996.97	\$0.00
Westpac Banking Corporation	\$500,000.00	Muni Term Deposit 22-8704 4.45%	\$500,000.00	\$0.00
Westpac Banking Corporation	\$505,608.22	Muni Term Deposit 22-8712 4.10%	\$505,608.22	\$0.00
TOTAL INVESTMENTS	\$3,544,028.34		\$1,312,628.39	\$2,231,399.95

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 28 February 2013 be received and noted.

Moved: Cr Graham Cooper Seconded: Cr Doug Kelly

Vote – Simple Majority Carried: 6/0

8.4 Shire of Cunderdin Common Seal

Location:	Shire Administration
Applicant:	Chief Executive Officer
Date:	9 March 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):

- 7 March 2013 – Contract of Employment between the Shire of Cunderdin and the Manager Works and Services, Mr Ian R Bartlett.

Consultation

Nil

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. 7 March 2013 – Contract of Employment between the Shire of Cunderdin and the Manager Works and Services, Mr Ian R Bartlett.

Moved: Cr Todd Harris

Seconded: Cr Dennis Whisson

Vote: Simple majority

Carried: 6/0

8.5 Rotary Club of Cunderdin Inc - Perth Hills & Wheatbelt Touring Band Concert

Location:	Cunderdin
Applicant:	Michael Barker – Rotary Programs Director
Date:	12 March 2013
Author:	Community Development Officer
Item Approved by:	Chief Executive Officer
File Reference:	ADM0038
Attachment/s:	6 Pages

Cr Dennis Whisson declared a Financial Interest as he is a member of the Rotary Club.

Council resolved that Cr Whisson may remain in the meeting and participate in discussion on the subject matter to provide background information but not in the decision making process.

Proposal/Summary

Rotary Club of Cunderdin seeking Council financial assistance in hosting the Perth Hills & Wheatbelt Touring Band in Cunderdin on 6 April 2013.

This report recommends Council support the request to amount of \$850.00

Background

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

Comment

The Rotary Club of Cunderdin Inc is a community Service Group who undertakes charitable activities and contributes to the local community calendar with family friendly events including the annual Kuringal Concert, Craft Markets and the Australia Day Breakfast.

In line with their fund raising objectives, Cunderdin Rotary are hosting a concert in April at the Cunderdin Town Hall. The 30-35 performers are young people from around the Perth Hills and Wheatbelt who come together as a touring band. The funds raised by holding the concert will be used to assist them in traveling overseas to a European concert in 2015. Rotary are supporting the Perth Hills and Wheatbelt Touring Band's endeavours.

The Shire of Cunderdin community will be able to experience a big band performance within the shire boundaries.

Cunderdin Rotary are seeking a council donation to cover the cost of bus hire in order to transport high school aged band members from Midland to Cunderdin for the evening of the concert – April 6, 2013.

The request for funding ensures that the cost of transporting the students does not come out of the money raised from tickets and refreshments on the night which will contribute to their 2015 European trip.

CORE OBJECTIVES of Perth Hills and Wheatbelt Band

- 1. The provision of inspirational musical experiences that school students could not otherwise have in their individual circumstances.*
- 2. To provide a community based arts organisation that provides opportunities for young musicians who have left high school to continue playing music in a band.*

OUR MISSION STATEMENT

We take musicians from all over the south west of WA and combine them into a band that participates in festivals and competitions all around the world as well as performing in smaller groups in Perth and West Australian regional towns.

Taken from Perth Hills and Wheatbelt Band website

INCOME	
Community Grant	850.00
Group/ Organisation Contribution	450.00
Ticket & Refreshment Sales – estimate	1,000.00
Total Income	2,300.00
EXPENDITURE	
Town Hall Hire	242.50
Bus Hire	850.00
Advertising	200.00
Ticket Printing	125.00
Poster Printing	80.00
Contingency	45.00
Total Expenditure	1,542.50
Estimated funds to be raised	757.50

Previous Council Funding

There has been no previous council funding, from the Community Donations Account, provided to the Rotary Club in the last two financial years. Council provides primarily in-kind and some financial support for the Australia Day Breakfast and other Rotary activities.

Consultation

Rotary Club of Cunderdin Program Director Michael Barker.

Statutory Implications

Nil

Policy Implications

4.0 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, \$850 to be taken from the Council Donation Account from the 2012-13 Annual Budget.

Strategic Implications

Nil

Resolution 8.5

That Council provides \$850 under the Council Donations Scheme from the 2012- 13 Annual Budget to Rotary club of Cunderdin Inc to assist in the hosting of the Perth Hills and Wheatbelt Touring Band Concert at the Cunderdin Town Hall.

Moved: Cr Rod Carter

Seconded: Cr Clive Gibsone

Vote – Simple majority

Carried: 5/0

9 Environmental Health & Building Services

No Reports

10 Works & Services

10.1 Works & Services Report

Location:	Cunderdin
Applicant:	Manager Works & Services
Date:	12 March 2013
Author:	Manager Works & Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is to receive the Works and Services Report.

Construction

Recommended clearing and shoulder upgrade on Quelagetting Road, now 85% complete.

Bitumen program for Cunderdin-Wyalkatchem and Meckering-Dowerin Roads should be completed by Mid March.

General

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

- Installed new culvert and cleaned out storm water drains in Watts Street.
- Carried out annual verge pick up in Cunderdin and Meckering over three and a half days resulting in the following being removed:
 - E Waste: 4 truck-loads.
 - Recycle materials: 7 truck-loads to Tammin.
 - Green waste: 24 truck-loads to Cunderdin and 4 loads to Meckering.
- Installed pram ramp and hand rail in front of main entrance to Meckering Sporting Club.
- Cleaned up Shire block in Togo Street.

Parks and Gardens Meckering

Carried out general mowing, whipper snipping and clean-up of all parks, gardens and public open space.

- Replaced six (6) dead shrubs in gardens.

Parks and Gardens Cunderdin

Carried out general mowing, whipper snipping and general clean-up of public open space.

Building and other Maintenance

Commenced upgrade works to the Cunderdin Early Learning Centre sand pit.

Airfield Maintenance

- Replaced light bulbs and fittings.
- Checked strip all ok.
- Replaced wind sock.

Plant Maintenance

- Carried out general servicing and minor repairs to all plant and equipment.

- No major breakdowns to report.

Waste Services

The rubbish truck was out of service for two weeks due to lift arm problems, it has now returned to service. A replacement truck was hired from Avon Waste to continue service.

Both transfer stations have reported no major problems and staff keep the grounds neat and tidy.

Statutory Implications

Local Government Act 1995

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.1

That Council receives the Works and Services Report.

Moved: Cr Todd Harris

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 6/0

10.2 HCT Rural Agencies, Meckering General Store – Temporary Part Closure Gabbedy Place

Location:	Gabbedy Place, Meckering
Applicant:	HCT Rural Agencies – Meckering General Store
Date:	19 March 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosures of Interest:	Nil
File Reference:	
Attachment/s:	2 Pages

Proposal/Summary

For Council to consider the temporary part closure of Gabbedy Place, Meckering, on Sunday 14 April 2013.

This report recommends the application be supported.

Background

HCT Rural Agencies – Meckering General Store are promoting a market day / car boot sale to be held in Meckering on Sunday 14 April 2013, from 8:00am to 1:00pm.

The proposal is to utilise the portion of Gabbedy Place immediately adjacent to the Agency / Store for easy access to power and water supplies.

Comment

This is a new concept for Meckering and one which will provide the community with the opportunity to showcase their local product.

Council has the capacity in accordance with the provisions of the *Local Government Act 1995*, section 3.50, to support the application.

There is a requirement for local public notice to be given to the local community and effected business and land owners / occupiers.

Consultation

Mrs Claire Taylor, HCT Agencies – Meckering General Store.

Statutory Implications

Local Government Act 1995

3.50. Closing certain thoroughfares to vehicles

(1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.

(1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.

(2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

[(3) deleted]

(4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —

(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and

(b) give written notice to each person who —

(i) is prescribed for the purposes of this section; or

(ii) owns land that is prescribed for the purposes of this section;

and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).

(6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.

[(7) deleted]

(8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.

(9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.

[Section 3.50 amended by No. 1 of 1998 s. 11; No. 64 of 1998 s. 15; No. 49 of 2004 s. 26.]

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.2

That Council:

- 1. Supports the application from the proprietors of HCT Rural Agencies – Meckering General Store for the temporary part closure of Gabbedy Place, Meckering, as defined in the letter of application, on Sunday 14 April 2013, from 8:00am to 1:00pm.**
- 2. Informs the local community and effected business and property owners/occupiers of the part road closure by Local Public Notice to be provided in accordance with the provisions of S3.50 of the Local Government Act 1995.**

Moved: Cr Dennis Whisson

Seconded: Cr Todd Harris

Vote: Simple majority

Carried: 6/0

11 Planning & Development

No Reports

12 Urgent Items

Nil

13 Matters for which the meeting may be closed

13.1 Lot 6 Centenary Place, Cunderdin

Location:	Cunderdin
Applicant:	Earthstyle Contracting Pty Ltd
Date:	11 March 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosures of Interest:	Nil
File Reference:	
Attachment/s:	Nil

Proposal/Summary

To consider the sale of Lot 6 Centenary Place, Cunderdin.

Background

Council original considered this matter at its Ordinary Meeting on Thursday 21 February 2013.

At the meeting, Council Resolved:

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.*

Comment

The proposed sale of the property, Lot 6 Centenary Place, Cunderdin, was advertised in the Avon Advocate on Wednesday 6 March 2013 and in the Bandicoot on 7 March 2013.

The closing date / time for submissions is Wednesday 20 March 2013 at 4:00pm. At the close of the submission period further information will be provided to Council on any submissions received.

Should no submissions be received the Chief Executive Officer will proceed with disposal of the property in accordance with Council resolution 13.1 of 21 February 2013.

Consultation

Bob Davey Real Estate.

Statutory Implications

Local Government Act 1995, s3.58 Disposing of Property

- (1) *In this section —*
- dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;*
- property includes the whole or any part of the interest of a local government in property, but does not include money.*

- (2) *Except as stated in this section, a local government can only dispose of property to —*
- (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*

Policy Implications

Nil

Financial Implications

Costs associated with the sale of the property will be deducted from the sale price.

Strategic Implications

Economic Development – Attracting light industrial growth, and develop employment and skill opportunities for our growing community.

Recommendation 13.1

To be provided.

The Chief Executive Officer informed Council that at the close of the Submission period, Wednesday 20 March 2013 at 4:00pm, no submissions have been received and therefore the CEO will act in accordance with Council Resolution 13.1 of 21 February 2013.

14 Closure of meeting

There being no further business the Shire President declared the meeting closed at 5:55pm.