



Shire of Cunderdin

Minutes of an Ordinary Council Meeting

Dear Council Member,

An Ordinary Meeting of the Cunderdin Shire Council was held on **Wednesday 16th April 2014** in the Council Chambers, Lundy Avenue Cunderdin commencing at **5:03pm**.

A handwritten signature in black ink, appearing to read 'Peter Naylor'.

Peter Naylor
Chief Executive Officer

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AGENDA

1. Declaration of opening

The President declared the meeting open at 5.03pm

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:	7 th April 2014
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer

Resolution 2.1:

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

Moved: Cr Dennis Whisson

Seconded: Cr Todd Harris

Vote – Simple majority

Carried: 8/0

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
Cr RC (Clive) Gibsons
Cr TE (Todd) Harris
Cr TA (Terri) Jasper
Cr NW (Norm) Jenzen
Cr DG (Dianne) Kelly
Cr DB (Doug) Kelly
Cr DA (Dennis) Whisson

Apologies

On Leave of Absence

Staff

Peter Naylor	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer
Ian Bartlett	Manager Works & Services (from 5:34pm)

Guests of Council

Members of the Public

Applications for leave of absence

Declaration of Members and Officers Financial Interests

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 20th March 2014

Location:	Cunderdin
Applicant:	Administration
Date:	7 th April 2014
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council to confirm the minutes of the Ordinary Council Meeting held on Thursday 20th March 2014.

Background

The minutes of the meeting have been circulated to all Councillors and 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 20th March 2014, be confirmed as a true and correct record.**

Moved: Cr Norm Jenzen

Seconded: Cr Todd Harris

Vote – Simple majority

Carried/Lost: 8/0

Note to this item:

The President will sign the minute declaration.

7.2 Inaugural Annual General Meeting of the Cunderdin Community Club held on Wednesday 9th April 2014

Location:	Cunderdin
Applicant:	Administration
Date:	11 th April 2014
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	4 Pages

Proposal/Summary

Council to receive the minutes of the Inaugural Annual General Meeting of the Cunderdin Community Club held on Wednesday 9th April 2014, and appoint an Ex-Officio member to the Management Committee.

Background

The meeting was called by Cr Clive Gibsone in the capacity of Chair of the Management Working Group.

The key focus of the meeting was to appoint the first Management Committee and adopt the draft General Management & Operating Procedures and Constitution.

The Management Committee was duly elected from the nominations submitted by each of the local sporting groups that will be involved in the co-located facility, as follows:

Basketball	Dan Carter
Bowls	Graham Cooper
Darts	Ric O'Malley
Football & Netball	Ashley Teakle
Hockey	Tenille Harrington
Nippers	Mark Sullivan
Tennis	David Beard

The draft General Management & Operating Procedures and Constitution was also adopted.

Comment

When endorsing the nominations for the Management Committee comment was made that perhaps there should be a Council Member on the Committee in an Ex-Officio capacity.

This is a very good idea and would provide Council with a direct link into the processes being put into place by the Management Committee during the formative years of the Club, especially given the amount of resources, both physical and financial, that Council has invested in the project.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

Nil

Resolution 7.2

That:

- 1. The minutes of the Inaugural Annual General Meeting of the Cunderdin Community Club held on Wednesday 9th April 2014, be received.**
- 2. Council appoints Cr Clive Gibsone to the Cunderdin Community Club Management Committee in an Ex-Officio capacity.**

Moved: Cr Todd Harris

Seconded: Cr Dennis Whisson

Vote – Simple majority

Carried : 8/0

8. Finance & Administration

8.1. Financial Report for March 2014

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	11 th April 2014
Author:	Paul Godfrey/Darren Long
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	71 Pages

Proposal/Summary

The financial position as at 31st March 2014 is presented for consideration.

Appendices - 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
- 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 23-6827
- 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 March 2014.

Moved: Cr Clive Gibsone

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried: 8/0

8.2 Accounts Paid – March 2014

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	11 th March 2014
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	3 Pages

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling \$1,187,694.21 listed in the Warrant of Payments for the period 1st March to 31st March 2014.

Attachments

Warrant of Payments for 1st March – 31st March 2014.

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 \$ 1,187,694.21 for the month of March 2014 from the Municipal Fund be confirmed and noted.

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

Moved: Cr Dennis Whisson

Seconded: Cr Clive Gibsone

Vote – simple majority

Carried: 8/0

Shire of Cunderdin Paid Creditor Listing March			
Date	Reference	Narration	Amount
3/03/2014	Bank Fees	Westpac Banking Corporation	-\$ 265.04
3/03/2014	Bank Fees	Commonwealth Bank of Australia	-\$ 30.08
4/03/2014	EFT-2007	White, Paul	-\$ 1,000.00
4/03/2014	EFT-2001	Bob Davey Real Estate	-\$ 1,300.00
4/03/2014	EFT-2002	Westpac Banking Corporation	-\$ 3,558.19
5/03/2014	10392	COVs Parts	-\$ 742.19
5/03/2014	10393	Josco	-\$ 627.00
5/03/2014	10394	MLC Nominees Pty Ltd	-\$ 202.47
5/03/2014	10395	Westscheme Superannuation	-\$ 286.75
5/03/2014	10396	Wayne Davies	-\$ 3,000.00
5/03/2014	10397	BT Super for Life	-\$ 261.84
5/03/2014	10398	OnePath Superannuation	-\$ 128.39
5/03/2014	10399	JASON SIGNMAKERS	-\$ 778.80
5/03/2014	EFT-1918	Colonial First State	-\$ 141.09
5/03/2014	EFT-1919	Hostplus	-\$ 49.72
5/03/2014	EFT-1920	WA Superannuation Plan	-\$ 5,499.12
5/03/2014	EFT-1921	Courier Australia	-\$ 185.69
5/03/2014	EFT-1922	Cunderdin Co-Op Fuel	-\$ 8,835.00
5/03/2014	EFT-1923	Loui's Plant Hire	-\$ 7,590.00
5/03/2014	EFT-1924	Boral Construction Materials Group	-\$ 185,735.55
5/03/2014	EFT-1925	Avon Waste	-\$ 5,320.40
5/03/2014	EFT-1926	Chatfield's Tree Nursery	-\$ 288.64
5/03/2014	EFT-1927	Andy's Plumbing Service	-\$ 3,971.00
5/03/2014	EFT-1928	G K Auto Electrics	-\$ 2,057.39
5/03/2014	EFT-1929	F-111 Engineering Pty Ltd	-\$ 660.00
5/03/2014	EFT-1930	Fire & Safety Australia	-\$ 139.39
5/03/2014	EFT-1931	Lloyds Earthmoving	-\$ 3,135.00
5/03/2014	EFT-1932	COLAS WA PTY LTD	-\$ 124,211.40
5/03/2014	EFT-1933	C & D Planke & Son PTY LTD	-\$ 30,800.00
5/03/2014	EFT-1934	Shire of Tammin	-\$ 2,234.80
5/03/2014	EFT-1935	Orica Australia Pty Ltd	-\$ 126.85
5/03/2014	EFT-1936	Skipper Truck Parts	-\$ 60.74
5/03/2014	EFT-1937	JR & A Hersey	-\$ 324.72
10/03/2014	EFT-1938	Robinson Build-Tech	-\$ 398,839.29
12/03/2014	PAYROLL	Net for 26 - Payroll Clearing	-\$ 40,304.99
17/03/2014	EFT-2004	West Australian Treasury Corporation	-\$ 41,538.45
17/03/2014	EFT-2005	West Australian Treasury Corporation	-\$ 20,632.57
17/03/2014	EFT-2006	sgfleet	-\$ 1,863.01
17/03/2014	EFT-2011	West Australian Treasury Corporation	-\$ 41,538.54
12/03/2014	EFT-2012	White, Paul	-\$ 500.00
17/03/2014	Bank Fees	Commonwealth Bank of Australia	-\$ 30.82
20/03/2014	10400	D Clements Smash Repairs	-\$ 300.00
21/03/2014	10401	Synergy	-\$ 498.85

21/03/2014	10402	Earthstyle Contracting	-\$	23,661.00
21/03/2014	10403	MLC Nominees Pty Ltd	-\$	199.89
21/03/2014	10404	D B Reynolds & Co	-\$	4,136.00
21/03/2014	10405	Telstra Corporation Limited	-\$	2,085.23
21/03/2014	10406	Godfrey, Nancy	-\$	41.37
21/03/2014	10407	Westscheme Superannuation	-\$	287.10
21/03/2014	10408	Westnet	-\$	44.95
21/03/2014	10409	Meckering Meriki Ladies	-\$	1,150.00
21/03/2014	10410	Dunlop, Graham	-\$	613.80
21/03/2014	10411	Gibsone, Cr Clive	-\$	463.00
21/03/2014	10412	BT Super for Life	-\$	261.95
21/03/2014	10413	Shire of Jerramungup	-\$	180.00
21/03/2014	10414	Kelly, cr. Dianne	-\$	225.00
21/03/2014	10416	Water Corporation	-\$	20,849.56
21/03/2014	10417	Signs Plus	-\$	31.00
21/03/2014	10418	Cunderdin Newsagency	-\$	1,775.70
21/03/2014	10419	Baxters Rural Centre	-\$	544.08
21/03/2014	10420	OnePath Superannuation	-\$	165.07
21/03/2014	10421	JASON SIGNMAKERS	-\$	165.00
21/03/2014	EFT-1939	Hills Concrete Products	-\$	540.00
21/03/2014	EFT-1940	Colonial First State	-\$	141.09
21/03/2014	EFT-1941	Hostplus	-\$	48.10
21/03/2014	EFT-1942	The Cunderdin Mob	-\$	283.90
21/03/2014	EFT-1943	Wren Oil	-\$	491.87
21/03/2014	EFT-1944	Clarke, Alicia Irene	-\$	84.00
21/03/2014	EFT-1945	WA Superannuation Plan	-\$	5,321.18
21/03/2014	EFT-1946	Courier Australia	-\$	40.09
21/03/2014	EFT-1947	Loui's Plant Hire	-\$	35,090.00
21/03/2014	EFT-1948	Horsfield, Garry	-\$	460.00
21/03/2014	EFT-1949	Samson, Michelle Toni	-\$	65.60
21/03/2014	EFT-1950	Snap Printing	-\$	515.50
21/03/2014	EFT-1951	Kelly, cr. Doug	-\$	225.00
21/03/2014	EFT-1952	Tutt Bryant Equipment	-\$	304.89
21/03/2014	EFT-1953	Carlville	-\$	9,240.00
21/03/2014	EFT-1954	Cunderdin Co-op	-\$	1,647.97
21/03/2014	EFT-1955	Meckering Sporting Club	-\$	53.70
21/03/2014	EFT-1956	Australia Post	-\$	365.27
21/03/2014	EFT-1957	Avon Waste	-\$	11,712.27
21/03/2014	EFT-1958	EW & SM Croft Pty Ltd	-\$	1,150.40
21/03/2014	EFT-1959	LGIS Risk Management	-\$	876.15
21/03/2014	EFT-1960	Whisson, Cr Dennis	-\$	225.00
21/03/2014	EFT-1961	Goodfield Quality Meats	-\$	484.59
21/03/2014	EFT-1962	Cunderdin Community Resource Centre	-\$	494.80
21/03/2014	EFT-1963	Shire of York	-\$	8,502.54
21/03/2014	EFT-1964	Talis Consultants Pty Ltd	-\$	3,300.00
21/03/2014	EFT-1965	Jasper, Ms. Terri Anne	-\$	225.00

21/03/2014	EFT-1966	Perfect Computer Solutions Pty Ltd	-\$	255.00
21/03/2014	EFT-1967	Major Motors Pty Ltd	-\$	69.01
21/03/2014	EFT-1968	Hitachi Construction Machinery	-\$	603.79
21/03/2014	EFT-1969	HCT Rural Agencies	-\$	170.22
21/03/2014	EFT-1970	Donovans Engineering	-\$	863.50
21/03/2014	EFT-1971	Fire & Emergency Services Authority	-\$	14,001.90
21/03/2014	EFT-1972	ADC Projects Pty Ltd	-\$	1,914.00
21/03/2014	EFT-1973	Farmways Cunderdin	-\$	110.00
21/03/2014	EFT-1974	Road & Traffic Services	-\$	7,123.38
21/03/2014	EFT-1975	Fire & Safety Australia	-\$	546.00
21/03/2014	EFT-1976	Av-Sec Security	-\$	180.20
21/03/2014	EFT-1977	Country Ford	-\$	1,261.15
21/03/2014	EFT-1978	Wongan Concrete Services	-\$	4,342.36
21/03/2014	EFT-1979	Harris, Cr Todd	-\$	225.00
21/03/2014	EFT-1980	Startrack Express	-\$	143.68
21/03/2014	EFT-1981	LG People	-\$	1,980.00
21/03/2014	EFT-1982	Bob Davey Real Estate	-\$	55.24
21/03/2014	EFT-1983	Avdata Australia	-\$	764.84
21/03/2014	EFT-1984	Billabong Coach Charters	-\$	1,584.00
21/03/2014	EFT-1985	Ryszard Wiland	-\$	90.00
21/03/2014	EFT-1986	AMPAC Debt Recovery (WA) Pty Ltd	-\$	70.00
21/03/2014	EFT-1987	Tudor House	-\$	242.00
21/03/2014	EFT-1988	Cunderdin Co-op Museum	-\$	426.51
21/03/2014	EFT-1989	WA Local Government Association	-\$	382.55
21/03/2014	EFT-1990	Data # 3 Limited	-\$	1,604.68
21/03/2014	EFT-1991	Temporal, Alvina Oclima	-\$	54.00
21/03/2014	EFT-1992	C & D Planke & Son PTY LTD	-\$	21,560.00
21/03/2014	EFT-1993	Shire of Tammin	-\$	491.20
21/03/2014	EFT-1994	AMJ Industries	-\$	528.86
21/03/2014	EFT-1995	Skipper Truck Parts	-\$	428.54
21/03/2014	EFT-1996	Shire of Quairading	-\$	2,821.43
21/03/2014	EFT-1997	Combined Tyrepower	-\$	877.50
21/03/2014	EFT-1998	Jenzen, Norm	-\$	225.00
21/03/2014	EFT-1999	JR & A Hersey	-\$	415.14
21/03/2014	EFT-2000	Landgate Revenue Office	-\$	145.70
26/03/2014	EFT-2008	White, Paul	-\$	500.00
26/03/2014	PAYROLL	Deduction for 28 - Payroll Clearing	-\$	41,747.45
31/03/2014	EFT-2003	Australian Men's Shed Association	-\$	528.00
		Total Amount:	-\$	1,187,694.21

EFT	-\$1,123,988.22
CHQ	-\$ 63,705.99
TOTAL	-\$1,187,694.21

8.3 Council Investments – At 31st March 2014

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	11 th April 2014
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 March 2014.

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				
Institution	Amount Invested	Investment type	Municipal Funds	Reserve Funds
Westpac Banking Corporation	\$96.43	Business Cash Reserve Bonus 22-3639 2.40%	\$0.00	\$96.43
Westpac Banking Corporation	\$1,157,661.37	Reserves Term Deposit 23-6827 3.25%	\$0.00	\$1,157,661.37
Westpac Banking Corporation	\$643,588.85	Business Cash Reserve Bonus 22-3647 2.4%	\$643,588.85	\$0.00
Westpac Banking Corporation	\$0.00	Muni Term Deposit 22-8712 3.2%	\$0.00	\$0.00
TOTAL INVESTMENTS	\$1,801,346.65		\$643,588.85	\$1,157,757.80

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 March 2014 be received and noted.

Moved: Cr Norm Jenzen

Seconded: Cr Di Kelly

Vote – Simple Majority

Carried: 8/0

8.4 WA Local Government Association – 2014 Association Honours

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	3 rd April 2014
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	31414
Attachment/s:	2 Pages

Proposal/Summary

For Council to consider nominating a Councillor or Councillors for recognition under the WA Local Government Association 2014 Honours program.

Background

Each year the WA Local Government Association invites member local governments to submit nominations for Councillors, either current and / or past, to receive an award under the Honours program.

The Honours program is a significant public recognition and celebration of the outstanding achievements and lasting contributions made by Elected Members and Officers to their respective Councils, to the local government industry in general, and to the wider community.

There are six (6) categories of awards within the 2014 Honours program as follows:

Local Government Medal

Available for nomination by State Councillors - recognises outstanding achievement and significant contribution by Elected Members and Officers to the Association and/or to Local Government.

Life Membership

Available for nomination by State Councillors and Local Governments – recognises the long and outstanding service of Elected Members and Officers to the Association and/or to Local Government.

Eminent Service Award

Available for nomination by State Councillors and Local Governments – recognises personal commitment, eminent service and contribution to Local Government or the Association.

Long and Loyal Service Award

Available for nomination by State Councillors and Local Governments – recognises Elected Members who have provided long service of a high degree as an executive member of WALGA for 8 or more years or as an Elected Member for 12 or more years.

Merit Award

Available for nomination by State Councillors and Local Governments – recognises Elected Members who have provided distinguished service to the community through their Local Government.

Local Government Distinguished Officer Award

Available for nomination by State Councillors and Local Governments – recognises serving local Government officers who have provided outstanding performance for the Local Government sector.

Nominations close at 5:00pm on Friday 16th May 2014, late nominations will not be accepted.

Comment

Does Council want to consider nominating a Councillor(s), past or present for 2014 Honours program award?

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.4

That Council nominates Mr Graham Cooper for a WA Local Government Association 2014 Honours Award in the category of Long and Loyal Service Award.

Moved: Cr Dennis Whisson

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried: 8/0

8.5 WA Local Government Association – Regional State Council Meeting, Merredin 8-9th May 2014

Location:	Shire of Cunderdin
Applicant:	Executive, Great Eastern Country Zone
Date:	11 th April 2014
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	2 Pages

Proposal/Summary

Council to consider a request from the Executive of the Great Eastern Country Zone to host a morning tea for members of the WA Local Government Association (WALGA) State Council and WALGA Executive Staff in Cunderdin at 9:30am on Thursday 8th May 2014.

This Report recommends that Council support the request.

Background

The WALGA State Council holds a meeting in a regional centre on an annual basis, the regional meeting for 2014 is scheduled to be held in Merredin on 8-9th May 2014.

The Great Eastern Country Zone (GECZ) Executive in organising an itinerary for the State Council Members and WALGA Executive traveling to the meeting are attempting to showcase the towns and regions along the way and also surrounding Merredin.

The request from the GECZ Executive is for the Shire of Cunderdin to host a morning tea at the Cunderdin Museum, catering for approx. 35 visitors plus any local attendees.

Comment

This is a wonderful opportunity for the Museum, which can be considered the Shire's major tourism attraction, to gain some external exposure. There will be an opportunity for a welcome address and then local historian/s to provide some background to the Museum and its former operations and other significant history of the local area.

Consultation

Great Eastern Country Zone Executive

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Minor costs (\$600 est – 40 x \$15) to be covered in Council's Refreshments Budget

Strategic Implications

Nil

Resolution 8.5

That Council:

- 1) Agrees to host a morning tea at the Cunderdin Museum on Tuesday 8th May 2014, at 9:30am, for the Members of the WA Local Government Association (WALGA) State Council and WALGA Executive Staff travelling to Merredin for the Regional WALGA State Council Meeting.**
- 2) Invites local historian/s to the morning tea to address the guests on the history of the Museum former operations and other significant local history and events.**

Moved: Cr Todd Harris

Seconded: Cr Di Kelly

Vote – Simple majority

Carried: 8/0

9. Environmental Health & Building Services

Nil

5:34PM Mr Ian Bartlett, Manager Works & Services, entered the meeting.

10. Works & Services

10.1 Works & Services Report

Location:	Cunderdin
Applicant:	Manager Works & Services
Date:	10 th April 2014
Author:	Ian Bartlett
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is to receive the Works and Services Report.

Construction

- Cunderdin-Wyalkatchem, Meckering-Dowerin and Quellington Roads now completed.
- Continuing pavement repair works on Meckering-Goomalling Road.

General

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

- Removed tree blocking road on Youndegin-Kelkering Road.
- Repaired “blow outs” on Wilding and Rabbit Proof Fence South Roads.
- Maintenance graded Three Mile Gate, Shorter and Scaddan Roads.

Parks and Gardens Cunderdin & Meckering

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

Building and other Maintenance

- General upkeep and odd jobs carried out.

Airfield Maintenance

- Routine inspections carried out, no other problems to report.

Plant Maintenance

- Carried out general servicing and minor repairs to all plant and equipment.
- No major breakdowns to report.

Waste Services

- General upkeep of the Cunderdin and Meckering Transfer Stations, everything running okay.
- Waste Transfer Station employee(s) also assist with general maintenance to Meckering Golf, Bowls & Tennis Clubs.

Works & Services Staff

- Mr Andrew O’Brien has resigned effective from 24th February 2014.

Other Matters

- Traffic counts on all roads within the Shire is continuing; the following roads have recently been completed.

Road	Date Range	Average Vehicles Per Day
Quellington	28/2/2014-8/3/2014	14.50
Henderson		2.50
Gangell		2.00
Hudson		9v during count period
Nambling	11/3/2014-19/3/2014	9.10
Wilding		24.30
Hagboom		9.10
Hitchcock		10.10

Statutory Implications

Local Government Act 1995

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.1

That Council:

- 1. Receives the Works and Services Report.**

Moved: Cr Terri Jasper

Seconded: Cr Di Kelly

Vote – Simple majority

Carried: 8/0

10.2 Road Names Allocations – Mrs Eva Beard

Location:	Shire of Cunderdin
Applicant:	Mrs Eva Beard
Date:	3 rd April 2014
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	31438
Attachment/s:	1 Page

Proposal/Summary

For Council to consider the future naming of a Road or Street in the Shire of Cunderdin after the Bycroft family.

Background

Mrs Beard seeking Council consideration to the future naming of a road or street within the Cunderdin Shire after the Bycroft family.

The Bycroft family were early residents of the Cunderdin District and been in the area for about 100 years.

Comment

Mrs Beard further advises that the matter was referred to Council many years ago by her brother Walter Bycroft but nothing seems to have eventuated.

For names to be approved there needs to be a Council resolution and then forwarded to the Geographical Names Committee at Landgate to be assessed in accordance with their policies and procedures.

Whilst there are currently no road / streets within the Shire that require naming it is possible for Council to endorse the proposal and request the Geographical Names Committee to commence a register that is held at Landgate for future road / street names within the Shire.

Consultation

Nil

Statutory Implications

Land Administration Act 1997

Geographical Names Committee Policies and Guidelines.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.2

That Council:

- 1. Supports the proposal from Mrs Eva Beard for the future naming of a road / street within the Shire of Cunderdin after the Bycroft family.**
- 2. Forwards the proposal to the Geographical Names Committee (Landgate) for their assessment in accordance with Landgate policies and guidelines.**
- 3. Requests the Geographical Names Committee to commence a register for future road / street names within the Shire of Cunderdin.**
- 4. Places an advertisement in the Bandicoot inviting community to submit names of historical significance to the Shire of Cunderdin to be presented to the Geographical Names Committee for consideration and to be placed on a register for future road / street names.**

Moved: Cr Doug Kelly

Seconded: Cr Todd Harris

Vote – Simple majority

Carried: 8/0

10.3 Wren Oil – Collection of Used Oil from Farms

Location:	Shire of Cunderdin
Applicant:	Wren Oil
Date:	3 rd April 2014
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	31435
Attachment/s:	6 Pages (6 attachments)

Proposal/Summary

For Council to consider a proposal by Wren Oil for collection of waste oil from farms within the Cunderdin Shire.

This report recommends that the proposal be supported.

Background

Some years ago Wren Oil, with assistance from the Federal Government, introduced a waste oil collection recovery scheme. This resulted in most local governments receiving financial assistance to purchase and install waste oil recycle collection facilities. In Cunderdin this has been placed at the Waste Transfer Station.

Whilst this process has been working reasonably well, Wren Oil believes that many farmers do not have the capacity or desire to take their waste oil to the current facilities.

Wren Oil are now promoting a new scheme whereby they work with Local Government and sections of the local communities to develop an ongoing waste oil management service with the collection of waste oil directly from the farming properties.

Wren Oil will provide the farmers with collection pods which will then be emptied on a as needs basis by establishing a recording method through local Shire Council offices.

The property owner will contact the Shire and advise of the need for their collection pod to be emptied and this information will be passed on to Wren Oil.

It is envisaged that most of the recovery can be done free of charge and the role of the shires will be minimal.

The more oil collected from one site lowers the cost of collection and so a co-ordinated program involving farmers, Local Government and Wren Oil could have great financial benefits to all involved as well as improving environmental outcomes.

It should be noted that this proposed free service will only apply to farming properties for environmental reasons, all other businesses are serviced through Wren Oil's normal procedures.

Comment

This appears to be a very interesting scheme for rural areas with minimal additional work load for Shire staff.

There may be some concern at the comment in the attachments that *“most of recovery done free of charge”* and what this actually means. Mr Terry Baker from Wren Oil has confirmed via email that *“there is no cost to the shire other than a small admin cost and the cost of the advertising in your local paper if there is any. So far that has not been an issue as everyone has had their own newsletter. We feel we have made a considerable contribution by waving the 15 cents per litre we normally charge for the collection of oil.”*

Based on this information the proposed collection scheme appears to be something that can only be of benefit to the local community, and the environment in the long term, and should be supported and advertised to local community.

Consultation

Wren Oil (Terry Baker)

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Minor administration costs (recording information and relaying to Wren Oil) and advertising costs in local publications.

Strategic Implications

Nil

Resolution 10.3

That Council:

- 1. Informs Wren Oil that it is prepared to support the concept for the introduction of a Waste Oil Management Service for rural properties within the Shire of Cunderdin.**
- 2. Supports the proposal on the understanding that the only cost to the Shire of Cunderdin will be minimal administration staff time and local advertising costs, and that there will be no additional cash costs.**

Moved: Cr Norm Jenzen

Seconded: Cr Todd Harris

Vote – Simple majority

Carried: 8/0

11 Planning & Development

11.1 Construction of an Outbuilding – Lot 405 (55) Dempster Street, Meckering

Location:	Lot 405 (55) Dempster Street, Meckering
Applicant:	J P Groves
Date:	7 th April 2014
Author:	Jacky Jurmann, Manager Planning Services, Shire of York
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	31399
Attachment/s:	7 Pages (2 attachments)

Proposal/Summary

The Shire of Cunderdin has received an application for planning approval for the construction of an outbuilding at Lot 405 (55) Dempster Street, Meckering.

It is recommended that the application be approved, subject to the conditions recommended at the end of this report.

Background

Meckering is a small townsite located within the Shire of Cunderdin, approximately 20 kilometres west of the town of Cunderdin. The Shire of Cunderdin Local Planning Scheme No 3 applies to the Scheme area which covers the entire local government district of the Shire.

The subject property is located at 55 Dempster Street, Meckering within the townsite just south of Throssell Street, the main highway through Meckering. The property is zoned Mixed Business under the Shire of Cunderdin Local Planning Scheme No 3.

It is proposed to construct an outbuilding with a floor area of 54m², wall height of 2.4m and a maximum ridge height of 2.929m, which will be used as a double carport and workshop for the landowner.

Comment

The proposed development is for a shed as an ancillary outbuilding to the existing dwelling. Whilst the shed requires variation to the rear setback, it is concluded that there will be no impacts on the neighbouring property and surrounding amenity and is considered appropriate development in conjunction with the residential use of the site.

There are no economic, social and / or environmental implications associated with this proposal.

Consultation

Under 9.4 of the Scheme, the application is not required to be advertised unless the Local Government requests it. In this case, the proposed outbuilding is considered to have minimal impact on the surrounding locality and therefore, notice and/or further consultation is not required.

Statutory Implications

Cunderdin Local Planning Scheme No 3 (LPS3)

The subject property is zoned Mixed Business under the Scheme. Clause 4.3 of the Scheme, a Single House is a 'X' use which means that the use is not permitted, including construction of ancillary structures.

This application has been considered as a non-conforming use in accordance with the provisions of Clauses 4.8 and 4.9 of the Scheme that permits the previous use to be continued, extended and expanded for the purpose that it was used for prior to the rezoning.

Prior to the gazettal of LPS3, the property was zoned Residential R10 as indicated in Table 3 of the Cunderdin Local Planning Strategy, which provides the basis of the assessment of this application and the requirement to obtain planning approval.

The provisions of the Scheme require residential development to comply with the provisions of the R-Codes (State Planning Policy 3.1 – Residential Design Codes). Table 1 provides an assessment of the relevant provisions that demonstrates that the proposal complies with the R-Codes.

Table 1 – R-Codes Assessment

Table 1 Provision	Requirement	Actual	Variation	Comments
Street Setbacks <ul style="list-style-type: none">• Primary• Secondary• Other/Rear	<ul style="list-style-type: none">• 7.5m• 3m• Table 2a and 2b/6m	<ul style="list-style-type: none">• >8.5m• N/A• 2m/3m	<ul style="list-style-type: none">• Nil• Nil• Nil/3m	The proposal requires variation to the rear setback. The variation is considered to have minimal impact on the surrounding area (refer Note 1)
Open Space	60% of site $0.6 \times 2'023\text{m}^2 = 1'213.8\text{m}^2$ $2'023 - 1'213.8 = 810\text{m}^2$ of development	Shed: $9 \times 6 = 54\text{m}^2$ House: $\sim 136\text{m}^2$ Total = $190\text{m}^2 < 810\text{m}^2$	<ul style="list-style-type: none">• Nil	The shed does not impact the required open space provision.

Note 1: The proposal does not comply with the rear setback requirement however it is considered that the variation does not compromise the design principle in 5.1.3 of the R-Codes and therefore the lot boundary setback is considered acceptable.

Furthermore, the outbuilding complies with the provisions of 5.4.3 of the R-Codes in regards to the design requirements for outbuildings including height and floor area.

Policy Implications

Cunderdin Local Planning Strategy

The Shire of Cunderdin Local Planning Strategy identifies a strategy for Meckering as to;

“provide opportunity for the development of a wide range of service, commercial, light and service industry type uses in more appropriate locations within the Meckering townsite.”

The proposed extension of the non-conforming use through the construction of a shed ancillary to the existing dwelling does not compromise the wide range of service, commercial, light and service industry envisaged to be established in the Meckering townsite.

Therefore there are no identified policy implications for the Shire of Cunderdin.

Financial Implications

There are no financial implications for the Shire of Cunderdin. The applicant and landowner/s are responsible for the costs associated with the development.

Strategic Implications

Cunderdin Community Strategic Plan

The Cunderdin Community Strategic Plan aims to manage growth sustainably through governance, leadership, and targeted service and economic growth. The goals to achieve the aim 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 not inconsistent with the aims and goals of the Community Plan.

Resolution 11.1

That Council approve the construction of an outbuilding at Lot 405 (55) Dempster Street, Meckering subject to the imposition of the following conditions:

1. Development must substantially commence within two (2) years from the date of determination.
2. Development shall take place in accordance with the stamped approved plans.
3. All stormwater is to be managed on-site to the satisfaction of the Local Government.
4. The outbuilding is not to be used for habitable, commercial or industrial purposes.
5. Materials and colours used are to be complementary to the existing development.

ADVICE NOTES:

Note 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.

Note 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.

Note 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.

Note 4: In accordance with the provisions of the Building Act 2011, an application for a building and/or demolition permit must be submitted to, and approval granted by the local government prior to the commencement of the development hereby permitted.

Moved: Cr Dennis Whisson

Seconded: Cr Doug Kelly

Vote: Simple majority

Carried: 8/0

11.2 Application for Renewal of Traders Permit – G & L Carpenter

Location:	Cunderdin Shire - Various
Applicant/s:	G & L Carpenter
Date:	15 th April 2014
Author:	J Jurmann, Manager Planning Services (Shire of York)
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Ref:	31509
Attachment/s:	2 Pages

Proposal/Summary

The Shire of Cunderdin has received an application for a renewal of the Trader's Permit to operate a food van to sell food and drinks from a van on Shire controlled land and premises, including Forrest Street, the swimming pool car park and football grounds.

The renewal application has been made in accordance with the provisions of the Cunderdin Local Laws relating to Trading in Thoroughfares and Public Places.

It is recommended that the application be approved, subject to the operating conditions and payment of the adopted annual fee.

Background

Council at its Ordinary Meeting held on 16 May 2013 resolved to approve the original application for a Trader's Permit, subject to the following conditions:

1. *The trader's permit is valid for a period of twelve (12) months from the date of issue.*
2. *Trading shall not commence until payment of the adopted fee of \$1,200 is paid. The fee may be paid monthly, half-yearly or yearly.*
3. *Trading is permitted on council owned/managed land in Forrest Street, Cunderdin, the Cunderdin Swimming Pool (with the operator's prior consent), and the Cunderdin Recreation Grounds (with the responsible hirer groups prior invitation or consent). Any other locations must be pre-approved by the local government, the property owner, and/or the responsible state/federal government agency.*
4. *The trader's permit is not transferrable.*
5. *The applicant is not permitted to use any signage, flashing lights, amplifiers or sound equipment in conjunction with the trading permitted under the trader's permit.*
6. *The trader must have current public liability insurance to the value of \$20,000,000 at all times whilst trading.*
7. *Trading under the trader's permit is not permitted within 200 metres of a retail food premises.*
8. *The trader is responsible for all waste generated as a result of the activity.*
9. *Trading is only permitted during daylight hours.*
10. *Council has the right to exclude trading on council property at any time.*
11. *All food products are to be labelled in accordance with the Australian and New Zealand Food Standards Code.*
12. *All ready to eat food is to be processed, stored and handled in accordance with the Australian and New Zealand Food Standards Code.*
13. *Structures and furniture used as a part of a trading area must be stable and secure under windy conditions and provision made for out of sight storage when not in use.*
14. *All items or furniture used as a part of a trading area must be of a movable nature and must be kept in a well maintained, free of rubbish and tidy condition at all times.*

15. *Electrical leads are to be tested and tagged in accordance with AS.3012 and must not be placed so as to cause a trip hazard.*
16. *The Shire of Cunderdin reserves the right to refuse renewal for a traders permit or to revoke approval at any other time if it considers that the trading area has not or does not fully comply with the Shire of Cunderdin Trading in Thoroughfares and Public Places Local Law.*
17. *The trader must hold at all times a current Certificate of Registration of a Food Business issued under the provisions of Section 110(6) of the Food Act 2008 to the vehicle Registration No. CM4925."*

Comment

The applicant has operated the mobile food van in accordance with the conditions of the Trader's Permit for the past 12 months. No complaints have been received by the Shire in relation to the operation of the food van. There are no apparent reasons not to renew the Permit, subject to the conditions of the original permit being reimposed.

The annual fee of \$1,200 for the Trader's Permit in accordance with the adopted Fees and Charges are applicable to this proposal. The applicant may also choose to pay the fee monthly or half-yearly.

There are no social implications associated with this proposal.

There are no environmental implications associated with this proposal provided there is no requirement for any clearing of native vegetation.

Consultation

There are no consultation requirements under the provisions of the Local Laws.

Statutory Implications

The Cunderdin Local Laws for Trading in Public Places and Thoroughfares enables Council to issue a one-off, monthly or annual trader's permit.

Trading is defined in the Local Laws and includes:

- (a) *"the selling or hiring of, the offering for sale or hire of or the soliciting of orders for goods of services in a public places;*
- (b) *displaying goods in any public place for the purpose of –*
 - i. *offering them for sale or hire;*
 - ii. *inviting offers for their sale or hire;*
 - iii. *soliciting orders for them; or*
 - iv. *carrying out any transaction in relation to them; and*
- (c) *the going from place to place, whether or not public places, and –*
 - i. *offering goods or services for sale or hire;*
 - ii. *inviting offers or soliciting orders for the sale or hire of goods or services; or*
 - iii. *carrying out any other transaction in relation to goods or services.*

but does not include –
- (d) *the setting up of a stall or the conducting of a business at a stall under the authority of a stallholder's permit;*
- (e) *the selling or the offering for sale of goods and services to, or the soliciting of orders for goods and services from a person who sells those goods or services;*

- (f) *the selling or the offering for sale or hire by a person of goods of her or his own manufacture or services which he or she provides; and*
- (g) *the selling or hiring or the offering for sale or hire of –*
- i. *goods by a person who represents a manufacturer of the goods; or*
 - ii. *services by a person who represents a provider of the services,*
which are sold directly to consumers and not through a shop.”

A Trading Permit means a permit issued to a trader. Council may impose a condition that a trader must move on as soon as practicable following the last sale. However, it is considered that this condition is not applicable to this application, especially when the trader has been requested to trade at the swimming pool, football ground or special event.

The relevant considerations in determining an application for a permit are:

- *Any relevant policies of Council.* Comment: There are no policies of the Council, except the Local Laws, applicable to this proposal.
- *The desirability of the proposed activity.* Comment: The business contributes to the local economy and therefore could be considered desirable.
- *The location of the proposed activity.* Comment: The 12 month trial period has shown that particularly the Forrest Street location does not cause an issue to traffic or otherwise. The trader has been requested by the operators at the other proposed locations.
- *The principles set out in the Competition Principles Agreement.* Comment: The approval of this application by Council is not inconsistent with the principles of the Agreement, which aims to prevent government monopoly on services.
- *Such other matters as the local government may consider to be relevant in the circumstances of the case.* Comment: The adopted annual fee will cover costs associated with use of public facilities associated with the Forrest Street location.

The Local Laws outlines the conditions that may be imposed on an approval, and accordingly, conditions were imposed in accordance with the Officer’s Recommendation and Council’s resolution.

Policy Implications

There are no policy implications associated with this proposal.

Financial Implications

There are no financial implications associated with this proposal.

Strategic Implications

Cunderdin Community Strategic Plan

The Cunderdin Community Strategic Plan aims to manage growth sustainably through governance, leadership, and targeted service and economic growth. The goals to achieve the aim 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 not inconsistent with the goals of the Community Strategic Plan. The approval of the trader's permit would encourage and strengthen a local business.

Resolution 11.2

That Council approve the application for a trader's permit for Glen and Lynne Carpenter, subject to the following conditions:

- 1. The trader's permit is valid for a period of twelve (12) months from the date of issue.**
- 2. Trading shall not commence until payment of the adopted fee of \$1,200 is paid. The fee may be paid monthly, half-yearly or yearly.**
- 3. Trading is permitted on council owned/managed land in Forrest Street, Cunderdin, the Cunderdin Swimming Pool (with the operator's prior consent), and the Cunderdin Recreation Grounds (with the responsible hirer groups prior invitation or consent). Any other locations must be pre-approved by the local government, the property owner, and/or the responsible state/federal government agency.**
- 4. The trader's permit is not transferrable.**
- 5. The applicant is not permitted to use any signage, flashing lights, amplifiers or sound equipment in conjunction with the trading permitted under the trader's permit.**
- 6. The trader must have current public liability insurance to the value of \$20,000,000 at all times whilst trading.**
- 7. Trading under the trader's permit is not permitted within 200 metres of a retail food premises.**
- 8. The trader is responsible for all waste generated as a result of the activity.**
- 9. Trading is only permitted during daylight hours.**
- 10. Council has the right to exclude trading on council property at any time.**
- 11. All food products are to be labelled in accordance with the Australian and New Zealand Food Standards Code.**
- 12. All ready to eat food is to be processed, stored and handled in accordance with the Australian and New Zealand Food Standards Code.**

13. Structures and furniture used as a part of a trading area must be stable and secure under windy conditions and provision made for out of sight storage when not in use.

14. All items or furniture used as a part of a trading area must be of a movable nature and must be kept in a well maintained, free of rubbish and tidy condition at all times.

15. Electrical leads are to be tested and tagged in accordance with AS.3012 and must not be placed so as to cause a trip hazard.

16. The Shire of Cunderdin reserves the right to refuse renewal for a traders permit or to revoke approval at any other time if it considers that the trading area has not or does not fully comply with the Shire of Cunderdin Trading in Thoroughfares and Public Places Local Law.

17. The trader must hold at all times a current Certificate of Registration of a Food Business issued under the provisions of Section 110(6) of the Food Act 2008 to the vehicle Registration No. CM4925.

Moved: Cr Clive Gibsone

Seconded: Cr Norm Jenzen

Vote: Simple majority

Carried: 8/0

12. Urgent Items

13. Matters for which the meeting may be closed

14. Closure of meeting

There being no further business the Shire President declared the meeting closed at 6.01pm.