



## Shire of Cunderdin

### Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 23<sup>rd</sup> August 2012** in the Council Chambers, Lundy Avenue Cunderdin commencing at 5:100 pm.

Peter Naylor  
**Chief Executive Officer**

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## MINUTES

### 1. Declaration of opening

**The President declared the meeting open at 5:10pm**

**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

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Not applicable
<b>Date:</b>	10 August 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	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 Cooper**

**Seconded: Cr Harris**

**Vote – Simple majority**

**Carried: 7/0**

### 3. Public Question Time

**Response to previous public questions taken on notice**

**Declaration of public question time opened at 5:10pm**

**Declaration of public question time closed at 5:10pm**

#### 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 DG (Dianne) Kelly	
Cr DB (Doug) Kelly	
Cr DA (Dennis) Whisson	

##### Apologies

Loren Clifford	Manager Finance & Administration
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##### On Leave of Absence

Cr DT (David) Beard

##### Staff

Peter Naylor	Chief Executive Officer
Mark Burgess	Manager of Works & Services

##### Guests of Council

##### Members of the Public

##### Applications for leave of absence

###### **Resolution: 4.0**

**That Councillors Dianne Kelly and Dennis Whisson be granted Leave of Absence for the Ordinary Meeting of Council scheduled to be held on Thursday 20 September 2012.**

**Moved: Cr Harris**

**Seconded: Cr Gibsone**

**Vote – Simple majority**

**Carried: 7/0**

##### Declaration of Members and Officers Financial Interests

Item 11.1	Cr Clive Gibsone
Item 13.1	Mr Peter Naylor, Chief Executive Officer

#### 5. Petitions, Deputations, Presentations

##### Deputations

Nil

## **Presentations**

2:00pm: Richard Simpson & Ben Reid

3:00pm: Cheryl Shenton, SEAVROC Environment Officer

## **6. Announcements by President without discussion**

Nil

## 7. Confirmation of the Minutes of Previous Meetings

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	10 August 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	N/A
<b>File Reference:</b>	

### **Proposal/Summary**

Council to confirm the minutes of the Ordinary Council meeting held on 19 July 2012.

### **Background**

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

### **Comment**

No business arising.

### **Statutory Environment**

*Local Government Act 1995 Part 5 Division 2 Subdivision 3 - Section 5.22 (2)* Regulations requires minutes of all meetings to be kept and submitted to the next full council meeting for confirmation.

### **Financial Implications**

There are no financial implications in considering this item.

### **Resolution 7.0**

**That the minutes of the;**

**Ordinary Council meeting held on 19 July 2012, be confirmed as a true and correct record.**

**Moved: Cr Whisson**

**Seconded: Cr Gibsone**

**Vote – Simple majority**

**Carried/Lost 7/0**

### **Note to this item:**

The President signed the minute declaration.

## 8. Finance & Administration

### 8.1. Financial Report for July 2012

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Date:</b>	16 <sup>th</sup> August 2012
<b>Author:</b>	Loren Clifford
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	15 Pages

#### **Proposal/Summary**

Due to End of Year processes pending the July financial report will be presented with the August financial report at the ordinary meeting of Council in September.

#### **Appendices – 31<sup>st</sup> July 2012 – Bank Statements & Reconciliations**

- Municipal Bank Account Statement & Reconciliation 036-102 00-0030
- Municipal Business Cash Reserve Statement & Reconciliation 036-107 22-3647
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6303
- Reserves Business Cash Reserve Statement & Reconciliation 036-107 22-3639
- Reserves Term Deposit Statement & Reconciliation 036-107 22-6311
- Licensing Trust Account Statements & Reconciliations 036-102 00-0049
- Working Trust Account Statements & Reconciliations 036-172 12-2981
- REBA Trust Account Statements & Reconciliations 036-172 12-3001

#### **Statutory Environment**

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

#### **Commentary**

Nil

#### **Policy Implications**

Nil

#### **Financial Implications**

All financial implications are contained within the reports

#### **Strategic Implications**

Nil

**Resolution 8.1**

**That council receive the Bank Statements & Reconciliations for the period ending 31<sup>st</sup> July 2012.**

**Moved: Cr Doug Kelly**

**Seconded: Cr Dianne Kelly**

**Vote – Simple majority**

**Carried: 7/0**



## 8.2. Accounts Paid – July 2012

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Author:</b>	Loren Clifford
<b>Report Date:</b>	16 <sup>th</sup> August 2012
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	
<b>Attachment/s:</b>	3 Pages

### **Proposal/Summary**

Council is requested to confirm the payment of Accounts totalling \$ 523, 1253.03 listed in the Warrant of Payments for the period 1<sup>st</sup> July 2012 – 31<sup>st</sup> July 2012.

### **Attachments**

Warrant of Payments for 1<sup>st</sup> July 2012 – 31<sup>st</sup> July 2012.

### **Statutory Environment**

Financial Management Regulations 12 & 13

### **Commentary on Statutory Environment**

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

### **Policy Implications**

Nil

### **Financial Implications**

All financial implications are contained within the reports

### **Strategic Implications**

Nil

The accounts paid and payable are summarised as follows for 1<sup>st</sup> July 2012 – 31<sup>st</sup> July 2012.

1.0 Accounts Already Paid

1.1 Municipal Fund –

CHEQUE NUMBERS	AMOUNT
009737 - 009770	\$ 224,727.10
Electronic Payments – Various	\$ 298,195.93
Internal Transfers	\$ 200.00

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

CHEQUE NUMBERS	AMOUNT \$
2.0 Accounts to be passed for payment	
2.1 Municipal Fund -	
Nil	
<b>TOTAL MUNICIPAL FUNDS</b>	<b>\$ 523,123.03</b>

3. Trust Fund – Accounts Already Paid

DATE	CHEQUE NUMBER	DETAILS	AMOUNT \$
Nil			0.00

**Resolution 8.2**

**(a) That Council's payment of accounts amounting to \$ 523,123.03 for the period of 1<sup>st</sup> July 2012 – 31<sup>st</sup> July 2012 from the Municipal Fund be confirmed and noted.**

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

**Moved: Cr Gibsone**

**Seconded: Cr Whisson**

**Vote – simple majority**

**Carried: 7/0**

Payments List - July 2012			
Date	Reference	Creditor	Amount
2/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 108.74
2/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 90.78
2/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 22.00
2/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 21.60
2/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 16.20
2/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 14.05
2/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 13.00
2/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 13.00
2/07/2012	Funds Tfr	Gym Key Bond Transfer	-\$ 200.00
3/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 20.00
3/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 14.75
3/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 5.50
3/07/2012	Credit Card	Westpac Banking Corporation	-\$ 174.73
4/07/2012	EFT Pays	Staff Salaries & Wages	-\$ 40,586.17
10/07/2012	EFT-612	Cunderdin Co-op - Fuel	-\$ 10,170.00
12/07/2012	Bank Fees	Westpac Banking Corporation	-\$ 50.00
16/07/2012	Bank Fees	Commonwealth Bank Australia	-\$ 29.50
16/07/2012	EFT-614	SG Fleet	-\$ 1,456.75
16/07/2012	Loan 66	Western Australia Treasury Corporation	-\$ 19,628.91
18/07/2012	EFT Pays	Staff Salaries & Wages	-\$ 37,381.30
26/07/2012	EFT-615	Medina Grand Perth	-\$ 7,300.00
30/07/2012	EFT-616	Landgate	-\$ 100.52
30/07/2012	EFT-617	Cunderdin Co-Op Fuel	-\$ 12,392.00
30/07/2012	EFT-618	WA Local Government Association	-\$ 262.28
30/07/2012	EFT-619	Cunderdin Co-op Museum	-\$ 73.90
30/07/2012	EFT-620	Jasol Australia	-\$ 166.61
30/07/2012	EFT-621	Austral Mercantile Collections Pty Ltd	-\$ 28.23
30/07/2012	EFT-622	The Wheeler Superannuation Fund	-\$ 1,400.24
30/07/2012	EFT-623	Mack Cheno Earthmoving	-\$ 53,977.00
30/07/2012	EFT-624	Australia Post	-\$ 243.95
30/07/2012	EFT-625	Cunderdin Historical Society	-\$ 15.00
30/07/2012	EFT-626	Shire of York	-\$ 4,077.10
30/07/2012	EFT-627	Rural Traffic Services	-\$ 33,174.57
30/07/2012	EFT-628	McLeod's Barristers & Solicitors	-\$ 287.29
30/07/2012	EFT-629	Cooper, Cr Graham	-\$ 140.00
30/07/2012	EFT-630	The Cunderdin Mob	-\$ 424.80
30/07/2012	EFT-631	Avdata Australia	-\$ 765.67
30/07/2012	EFT-632	MLC Masterkey	-\$ 363.87
30/07/2012	EFT-633	Onsite Rental Group Operations Pty Ltd	-\$ 12,870.00
30/07/2012	EFT-634	Bandicoot Express	-\$ 60.00
30/07/2012	EFT-635	JR & A Hersey	-\$ 618.20

<b>Payments List -July 2012</b>			
<b>Date</b>	<b>Reference</b>	<b>Creditor</b>	<b>Amount</b>
30/07/2012	EFT-636	Hutton & Northey Sales	-\$ 11,487.35
30/07/2012	EFT-637	Avon Waste	-\$ 4,936.92
30/07/2012	EFT-638	RBE Internet Services	-\$ 20.00
30/07/2012	EFT-639	SAI Global	-\$ 331.20
30/07/2012	EFT-640	Courier Australia	-\$ 102.49
30/07/2012	EFT-641	Mick Walker Transport	-\$ 17,446.00
30/07/2012	EFT-642	Donovan's Engineering	-\$ 165.00
30/07/2012	EFT-643	WA Local Government Superannuation Plan	-\$ 9,320.37
30/07/2012	EFT-644	Hostplus	-\$ 226.36
30/07/2012	EFT-645	Wren Oil	-\$ 447.70
30/07/2012	EFT-646	Air Liquide Pty Ltd	-\$ 123.79
30/07/2012	EFT-647	Country Copiers Northam	-\$ 679.41
30/07/2012	EFT-648	Kelly, cr. Doug	-\$ 140.00
30/07/2012	EFT-649	Av-Sec Security	-\$ 180.20
30/07/2012	EFT-650	Advanced Autologic Pty Ltd	-\$ 360.00
30/07/2012	EFT-651	Whisson, Cr Dennis	-\$ 140.00
30/07/2012	EFT-652	Elders Limited	-\$ 328.90
30/07/2012	EFT-653	Great Eastern Country Zone	-\$ 4,070.00
30/07/2012	EFT-654	Meckering Roadhouse	-\$ 1,271.26
30/07/2012	EFT-655	Cody Express Transport	-\$ 20.60
30/07/2012	EFT-656	Shire of Tammin	-\$ 4,917.75
30/07/2012	EFT-657	Cunderdin Co-op	-\$ 2,184.58
30/07/2012	EFT-658	Beard, Cr. David	-\$ 140.00
31/07/2012	9737	Suncorp WealthSmart	-\$ 318.04
31/07/2012	9738	Pitstop Diner	-\$ 54.90
31/07/2012	9739	Cunderdin Newsagency	-\$ 566.60
31/07/2012	9740	Earthstyle Contracting	-\$ 1,155.00
31/07/2012	9741	Albox Australia Pty Ltd	-\$ 366.40
31/07/2012	9742	Telstra (Bigpond)	-\$ 74.44
31/07/2012	9743	Carter, Cr Rod	-\$ 280.00
31/07/2012	9744	Tom Fullerton Trucking	-\$ 25,839.00
31/07/2012	9745	Country Ford	-\$ 397.10
31/07/2012	9746	Local Government Managers Australia	-\$ 1,330.00
31/07/2012	9747	Petty Cash	-\$ 75.35
31/07/2012	9748	Bunning's Group Limited	-\$ 328.83
31/07/2012	9749	Kelly, cr. Dianne	-\$ 140.00
31/07/2012	9750	Goodfield Quality Meats	-\$ 64.00
31/07/2012	9751	Cunderdin Panel beaters	-\$ 2,010.77
31/07/2012	9752	Synergy	-\$ 3,434.15
31/07/2012	9753	Water Corporation	-\$ 19,032.70
31/07/2012	9755	Combined Tyrepower	-\$ 6,179.00
31/07/2012	9756	Australian Taxation Office (BAS)	-\$ 130,617.00

<b>Payments List - July 2012</b>			
<b>Date</b>	<b>Reference</b>	<b>Creditor</b>	<b>Amount</b>
31/07/2012	9757	Toll Ipec Pty Ltd	-\$ 9.16
31/07/2012	9758	Wayne Davies	-\$ 4,250.00
31/07/2012	9759	Department of Premier and Cabinet	-\$ 247.00
31/07/2012	9760	Baxters Rural Centre	-\$ 11,295.86
31/07/2012	9761	Eliza Rose Cake Design	-\$ 1,155.00
31/07/2012	9762	Regional Concrete & Plumbing	-\$ 2,617.76
31/07/2012	9763	Westnet	-\$ 44.95
31/07/2012	9764	Westscheme Superannuation	-\$ 978.05
31/07/2012	9765	Telstra Corporation Limited	-\$ 1,465.84
31/07/2012	9766	Gibsone, Cr Clive	-\$ 140.00
31/07/2012	9767	Australian Communications and Media Authority	-\$ 40.00
31/07/2012	9768	BT Super for Life	-\$ 22.50
31/07/2012	9769	Shire of Quairading	-\$ 9,697.70
31/07/2012	9770	Skills Strategies International	-\$ 500.00
31/07/2012	Credit Card	Westpac Banking Corporation	-\$ 706.58
		<b>Total</b>	<b>-\$ 523,123.03</b>

### 8.3. Council Investments – At 31<sup>st</sup> July 2012

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Author:</b>	Loren Clifford
<b>Report Date:</b>	16 <sup>th</sup> August 2012
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

#### Proposal/Summary

To inform Council of its investments as at 31<sup>st</sup> July 2012.

#### 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

<b>COUNCIL INVESTMENTS AS AT 31<sup>ST</sup> JULY 2012</b>				
<b>Institution</b>	<b>Amount Invested</b>	<b>Investment type</b>	<b>Municipal Funds</b>	<b>Reserve Funds</b>
Westpac Banking Corporation	\$ 4,700.92	Business Cash Reserve Bonus 22-3639 3.25%	\$0.00	\$ 4,700.92
Westpac Banking Corporation	\$ 2,175,360.00	Reserves Term Deposit 22-6311 4.80%	\$0.00	\$ 2,175,360.00
Westpac Banking Corporation	\$ 2,332.96	Business Cash Reserve Bonus 22-3647 3.50%	\$ 2,332.96	\$0.00
Westpac Banking Corporation	\$ 173,044.00	Muni Term Deposit 22-6303 4.80%	\$ 173,044.00	\$0.00
<b>TOTAL INVESTMENTS</b>	<b>\$ 2,355,437.88</b>		<b>\$ 175,376.96</b>	<b>\$2,180,060.92</b>

#### 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 31<sup>st</sup> July 2012 be received and noted.**

**Moved: Cr Cooper**

**Seconded: Cr Harris**

**Vote – Simple Majority**

**Carried: 7/0**

#### 8.4. Local Government Reform – South East Avon Regional Transition Group

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	10 August 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	45 Pages – See yellow pages at the back of Agenda

#### Proposal/Summary

This report is presented for Council:

- To formally consider the Regional Business Plan – Future State as prepared by the consultants on behalf of the South East Avon Regional Transition Group Councils, featuring the Shires of Beverley, Cunderdin, Quairading, Tammin & York.
- To formally consider the amalgamation of the Shire of Cunderdin with local governments within the SEARTG as proposed and detailed in the Regional Business Plan – Future State.

#### Background

The South East Avon Regional Transition Group (SEARTG), which involves the Shires of Beverley, Cunderdin, Quairading, Tammin & York, was formed in mid-2010 for the purpose of considering the benefits of a local government merger with the member Shires.

The SEARTG Board, made up of elected members from each of the local governments, was formed and tasked with the development of a Regional Business Plan. Dominic Carbone and Associates were subsequently employed to research and prepare the Regional Business Plan. In March 2012 Council adopted the Regional Business Plan – Current State and approved its release for Community Consultation Purposes. The Regional Business Plan Future State was presented at a SEARTG Board meeting on 27<sup>th</sup> July 2012 where it was received and has been referred back to the 5 member Councils for consideration and a determination on whether the Councils support progressing the proposal by forwarding a submission to the Local Government Advisory Board. As part of the Regional Business Plan, 23 Service Delivery Plans were developed to outline how services will be delivered to the community by the new entity should amalgamation proceed.

#### Comments

A copy of the Executive Summary of the SEARTG Regional Business Plan is included in the agenda attachments. The actual Regional Business Plan is well in excess of 1,500 pages. An electronic copy was circulated to members prior to the SEARTG Board meeting held on 27<sup>th</sup> July. A copy of the Regional Business Plan will be tabled at the meeting.

There are a number of documents that make up the Regional Business Plan. They are the Current State Document, Future State Document, Service Delivery Plans, Executive Summary and Appendices.

As the RTG Board has progressed with the development of these documents, a range of initiatives were undertaken to provide community consultation. A website was established [www.securingourfuture.com.au](http://www.securingourfuture.com.au) where residents can access a range of information and submit comment. In addition, the local governments conducted community meetings.



The Shire of Cunderdin has held various community information sessions where the community was briefed on structural reform and the SEARTG Regional Business Plan. In explaining in detail the benefits to be gained through efficiencies, increased levels of service and the ability to qualify for and attract grants as part of a large council all contributed to a better understanding of the Council's motives in participating in the RTG. The political environment is also very important, people can understand why Council is being proactive and seeking to choose its amalgamation partners, manage the change, putting in safeguards rather than have the change imposed on it from above. There is a realisation and acceptance that Council has to be positive and shape its own future.

Every effort has been made to present thorough and accurate detail of the local governments as they are now and how an amalgamated entity could be developed.

It needs to be emphasised that the detail in the Regional Business Plan is a collection of information from different sources and everyone may not agree with all the content. If an amalgamation does eventuate, the final arrangements and structures may not necessarily match what is contained in the documents. This has been recognised by the Board and it is confident that the level of trust and goodwill that has built up within the Board will carry through the transitional period. Sufficient safeguards will be included in the Governor's Orders to protect communities and the level of detail in the Service Delivery Plans provide a blueprint for the new Council to follow and it would be hard to justify departing from these plans. For example the proposed period for transitional councillor representation of two full electoral cycles (8 years) should assist with this and also assist with the protection of local communities against any possibility of diminishing services.

Whilst there are undoubtedly some negatives with proceeding to an amalgamation and there may be some sense of loss of control and identity the Regional Business Plan demonstrates that there will be substantial improvements in service delivery to our community/s which should be of long term benefit to the Shire of Cunderdin. It will be up to the community/s to participate and make sure in the future that those benefits are realised and continue long into the future.

Following today's deliberations, the next steps in the process will most likely be as follows:

1. Once each member local government has made a decision, this will need to be formally communicated to the SEARTG Board by letter.
2. A SEARTG Board meeting will be convened to consider a resolution to accept the Regional Business Plan, consider the letters of indication from the SEARTG member local governments, and consider submitting a formal proposal to the Local Government Advisory Board based on those member local governments that have indicated their willingness to participate in an amalgamation proposal.
3. Those member local governments willing to submit an amalgamation proposal to call a Special Meeting of Council to consider Departmental recommendations to formalise amalgamation proposal.
4. Formal amalgamation proposal submitted to Local Government Advisory Board.

### **Consultation**

Community (various forums)  
Minister for Local Government  
Department of Local Government  
Shires of Beverley, Quairading, Tammin & York  
Dominic Carbone & Associates  
Darren Long Consulting

**Statutory Environment**

*Local Government Act 1995, s. 3.1(1) states that “the general function of a local government is to provide for the good government of persons in its district”.*

Making a decision on the future of the Local Government to ensure that good government is provided into the future is a legitimate means of fulfilling the role of a Council.

*Local Government Act 1995, Schedule 2.1 contains provisions about creating, changing the boundaries of, and abolishing districts.*

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

*Governance: Strengthen Shire Leadership*

- To provide leadership and build a sustainable place through regional and government partnerships
- To be accountable, making decisions for the good of the community
- To engage with the community, building a cohesive community and support community participation

**Recommendation 8.4**

That Council;

1. Adopts the South East Avon Regional Transition Group Regional Business Plan – Future State.
2. Informs the South East Avon Regional Transition Group Board that the Shire of Cunderdin is willing to participate in and progress the amalgamation proposal detailed in the Regional Business Plan – Future State.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple majority

Carried/lost: \_\_\_/\_\_\_

**Resolution 8.4**

**That Council;**

- 1. Adopts the South East Avon Regional Transition Group Regional Business Plan – Future State, in principle but reserves the right to modify the plan in consultation with SEARTG members.**
- 2. Informs the South East Avon Regional Transition Group Board that the Shire of Cunderdin is willing to participate in and progress the amalgamation proposal detailed in the Regional Business Plan – Future State.**

**Moved: Cr Cooper**

**Seconded: Cr Gibsone**

**Vote: Simple majority**

**Carried/lost: 7/0**

## 8.5. Local Government Managers Australia (WA) – Annual State Conference

<b>Location:</b>	Not applicable
<b>Applicant:</b>	Administration
<b>Date:</b>	13 August 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Loren Clifford, Manager Finance & Administration
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 Page

### Proposal/Summary

Council to endorse the Manager Finance & Administration attendance at the annual Local Government Managers Australia (WA) State Conference.

### Background

Local Government Managers Australia Western Australia Division (LGMAWA) hold their annual State Conference at the Esplanade Hotel in Fremantle, in 2012 the conference will be from Wednesday 31 October to Friday 2 November, inclusive.

The LGMAWA Avon Branch, of which the Shire of Cunderdin is a member, provides an annual sponsorship for an officer to attend the state conference.

In 2012 the annual Scholarship has been awarded to the Shire of Cunderdin.

The Scholarship includes:

- Full Registration (provided by LGMAWA)
- Maximum three (3) nights' accommodation and meals
- All other incidental costs are to be borne by the Council

It is proposed that Council accepts the annual sponsorship and the Manager Finance & Administration, Mrs Loren Clifford, be endorsed to attend the conference.

### Comments

The Chief Executive Officer is a member of LGMAWA and attends the State Conference on an annual basis.

The Conference is an excellent forum for staff to meet new colleagues from other local governments throughout the State, open new avenues for networking, and listen to keynote speakers on a range of topics with relevance to local government operations and functions across the whole of Australia.

From a personal and career development perspective this is a very good opportunity for Loren.

Loren has been in the senior position of Manager Finance & Administration with the Shire of Cunderdin for period of three years and this is the first opportunity that has arisen for her to attend such a training and development conference.

**Consultation**

Nil

**Statutory Implications**

Nil

**Policy Implications**

Staff Policy No 7 – Staff Training

**Financial Implications**

Minor incidental costs.

**Strategic Implications**

Developing Workforce Capability

**Resolution 8.5**

**That Council:**

- 1. Accepts the Annual Scholarship awarded by the Local Government Managers Australia (WA) Avon Branch for an officer to attend the Annual LGMAWA State Conference at the Esplanade Hotel in Fremantle from 31 October 2012 to 2 November 2012, inclusive.**
- 2. Awards the Scholarship to Mrs Loren Clifford, Manager Finance and Administration.**

**Moved: Cr Harris**

**Seconded: Cr Whisson**

**Vote – Simple Majority**

**Carried: 7/0**

## 8.6. Purchasing Authority - Cunderdin Early Learning Centre

<b>Location:</b>	Cunderdin Early Learning Centre
<b>Applicant:</b>	Administration
<b>Date:</b>	13 August 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	
<b>Attachment/s:</b>	2 Pages

### Proposal/Summary

For Council consideration to providing Purchasing Authority for a nominal value of \$250 to the Cunderdin Early Learning Centre Supervisory Officer/Educator.

### Background

The Licence for the Cunderdin Early Learning Centre was transferred to the Shire of Cunderdin effective from June 2012.

It is proposed to provide the Supervisory Officer/Educator with minimal purchasing authority to alleviate the need for them to obtain from the Shire office a purchase order on every occasion that they need to purchase minor items for daily or regular use.

This will necessitate amendments to the Shire of Cunderdin Policy Manual and Delegations Register.

### ***Finance Policy No 17 – Ordering of Goods and Services (adopted 21 November 2003)***

- 17.1 *That persons authorised to sign Council Purchase Orders are the Chief Executive Officer, Deputy Chief Executive Officer, Shire Works Supervisor, Mechanic and Manager of Environmental Services.*

### ***Delegations Register No 2***

**No**        2        **Date Amended**    20 November 09    **Date Reviewed**    16 June 2011

**References**        *Local Government Act 1995 (as amended) - S5.42*  
*Local Government Act 1995(as amended) - S3.18(3) and S3.21*

**Subject**            **Provision of Services or Facilities**

### ***Actual Delegation***

*Council delegate authority and power to the Chief Executive Officer to undertake executive functions relating to the provisions of services or facilities.*

### ***Conditions***

*The services and facilities to be included in the forward plans and conform to the requirements of Sections 3.18(3) and 3.21 of the Local Government Act.*

*That restrictions be placed on re-delegating to the following positions;*

<i>Senior Finance Officer – Order authority up to maximum of</i>	<i>\$ 2,000.00</i>
<i>Works Manager – Order authority up to a maximum of</i>	<i>\$10,000.00</i>

### **Comments**

It is proposed that the Delegations Register No 2, Provision of Services or Facilities, be amended as follows:

- To include Cunderdin Early Learning Centre Supervisory Officer/Educator to the monetary value of \$250.
- Change the title of “Senior Finance Officer” to “Manager Finance and Administration”, and increase the monetary value to \$5,000.
- Change the title of “Works Manager” to “Manager of Works and Services”, and increase the monetary value to \$15,000.

The aforementioned changes increase the authority for the Shire Managers to implement works and services to a slightly higher capacity in the absence of the Chief Executive Officer.

The inclusion of the purchasing authority in the delegations register basically supersedes Finance Policy No 17.

Therefore it is also proposed that Finance Policy No 17 – ordering of Goods & Services be repealed.

### **Consultation**

Nil

### **Statutory Implications**

Nil

### **Policy Implications**

Finance Policy No 17 – Ordering of Goods & Services  
Register of Delegations No 2 – Provision of Services or Facilities

### **Financial Implications**

Nil

### **Strategic Implications**

Nil

**Resolution 8.6**

**That Council:**

- 1. Amends Delegations Register No 2, Provision of Services or Facilities, as follows:**
  - **To include Cunderdin Early Learning Centre Supervisory Officer/Educator to the monetary value of \$250.**
  - **Change the title of “Senior Finance Officer” to “Manager Finance and Administration”, and increase the monetary value to \$5,000.**
  - **Change the title of “Works Manager” to “Manager of Works and Services”, and increase the monetary value to \$15,000.**
- 2. Repeals Finance Policy No 17 – ordering of Goods & Services.**

**Moved: Cr Gibsone**

**Seconded: Cr Doug Kelly**

**Vote: Absolute Majority**

**Carried: 7/0**

## 8.7. Civil Aviation Safety Authority – Drug and Alcohol Management Plans

<b>Location:</b>	Cunderdin Airfield
<b>Applicant:</b>	Administration
<b>Date:</b>	13 August 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	
<b>Attachment/s:</b>	8 Pages

### Proposal/Summary

For Council to register certain employees and Councillors as Safety Sensitive Aviation Activity (SSAA) employees and to adopt the standard Civil Aviation Safety Authority (CASA) Drug and Alcohol Management Plan (DAMP) for the Cunderdin Airfield.

### Background

Council has previously adopted a DAMP for the airfield as part of the registration process.

CASA has taken action to simplify and streamline the requirements for drug and alcohol management plans for smaller aviation organisations. An exemption to the standard requirements for DAMP's, mandated in Part 99 of the Civil Aviation Safety Regulations 1998, is available from 18 June 2012 for organisations with seven (7) or fewer employees engaged in safety sensitive aviation activities. This exemption will reduce the administrative burden for smaller aviation organisations, while maintaining high safety standards.

There are a range of eligibility requirements that organisations with 7 or fewer employees must be able to meet to utilise the new exemption. A key requirement is that organisations using the new compliance process must not be engaged in or provide services to regular public transport operations. The exemption will also not apply if there is a reasonable expectation the number of employees will rise above 7 in the foreseeable future.

The central feature of the exemption is the ability for smaller aviation organisations to use a standard DAMP provided by CASA. This means these organisations will not have to develop their own DAMP. The safety outcomes of the CASA standard DAMP will be the same as the plans larger organisations are required to develop. The difference is that larger organisations are more complex and need to develop their own plans to cover all aspects of their operations. A common requirement is the need for all employees to undertake drug and alcohol training as part of the management plan. All organisations can now use a new e-learning course available on the CASA web site, with small organisations working under the exemption required to ensure all employees have completed the course.

CASA will require all organisations using the new drug and alcohol compliance process to continue to report every 6 months and there will be ongoing compliance surveillance. There is comprehensive information on the exemption, guidance material on DAMPs and supporting material on CASA's drug and alcohol management web site. It is important to remember that every aviation organisation is required to have a DAMP, no matter how small. This includes air operators, certificate of approval holders, certified and registered aerodromes and production certificate holders.



## **Comments**

Council has registered Mark Burgess (Manager of Works & Services), Robert Glover (Leading Hand), Cr Clive Gibsone, Cr Graham Cooper, and the former Chief Executive Officer (CEO), Gary Tuffin, as reporting officers for the Cunderdin Airfield. From this perspective the Shire of Cunderdin has fewer than 7 SSAA employees and qualifies for the exempt status and can utilise the CASA standard DAMP.

It will be necessary for Council to register the new CEO, Peter Naylor, to replace Gary Tuffin and this can be done as part of this process as all 5 SSAA employees will need to complete the on-line training.

## **Consultation**

Nil

## **Statutory Implications**

Civil Aviation Safety Regulations 1998

## **Policy Implications**

Nil

## **Financial Implications**

Nil

## **Strategic Implications**

Improved access and safety

### **Resolution 8.7**

#### **That Council:**

- 1. Registers with the Civil Aviation Safety Authority (CASA), Councillors Gibsone & Cooper, Chief Executive Officer, Peter Naylor, Manager of Works & Services, Mark Burgess, and Leading Hand, Robert Glover, as Safety Sensitive Aviation Activity (SSAA) employees.**
- 2. Acknowledges the requirement for the SSAA employees to complete CASA's new e-learning drug and alcohol education program.**
- 3. On completion of steps 1 & 2 above, adopts the standard CASA Drug and Alcohol Management Plan for the Cunderdin Airfield.**

**Moved: Cr Cooper**

**Seconded: Cr Dianne Kelly**

**Vote: Simple Majority**

**Carried: 7/0**

## 8.8 Cunderdin to Tammin Golden Pipeline Run

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Ms Andrea Myers
<b>Date:</b>	August 2012
<b>Author:</b>	Community Development Officer
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Reference:</b>	ADM
<b>Attachment/s:</b>	2 Pages

### **Proposal/Summary**

Ms Andrea Myers of Quairading wishes to host an adventure fun run commencing in Tammin and finishing in Cunderdin at the Main Street Reserve. Ms Myers requests Shire's permission to host the event and for the Shire of Cunderdin to be the Auspicing Body for a Healthways funding submission application.

This report recommends Council support this project proposal.

### **Background**

Ms Myers first contacted Cunderdin Community Development Officer (CDO) by telephone for information and assistance in developing a fun run between Tammin and Cunderdin. CDO advised that as the run was planned for the Great Eastern Highway Ms Myers would need to contact Main Roads for permission and guidelines for safety issues pertaining to using the highway during such an event. CDO also suggested contacting the Water Corporation to determine if the access roads for the pipeline would be suitable and available for the run.

CDO provided Ms Myers with Shire of Cunderdin outdoor event guidelines and advised Ms Myers to contact Tammin to discuss planned event. CDO prepared an expression of interest ad for the Bandicoot Express to assist in determining interest levels of potential volunteers and competitors.

CDO advised Ms Myers to present her proposal to the Chief Executive Officers (CEO) of the Shires of Tammin and Cunderdin to request council support and endorsement of this event.

Ms Myers emailed introductory letter to Peter Naylor, CEO of Shire of Cunderdin and Graham Stanley CEO of Shire of Tammin. *Please see Attachment.*

### **Comment**

#### **Race Particulars**

Tammin to Cunderdin Pipeline Adventure Run

Sunday 30 December 2012

Race start 6-7am in Tammin and finishing by 10am in Cunderdin – potential finishing lines include the Main Street Reserve, or Lundy Avenue by the Swimming Pool.

#### **Safety and Traffic Management**

Ms Myers has requested Neil Manning to compile and submit the traffic management and emergency safety plans to Main Roads and WA Police. Ms Myers will forward a summary to the shire for our records. Mr Manning is authorised to complete these documents

#### **Race route**

Ms Myers has tracked the route and will be providing CDO and the Council with a map outlining the route for the race in the near future.

**Consultation**

Andrea Myers  
Shire of Tammin  
Shire of Quairading  
WA Marathon

**Statutory Implications**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Resolution 8.8**

**That Council resolve;**

- a) to support the hosting of this event**
- b) to provide administrative assistance through the Community Development Officer in preparation for and obtaining suitable clearances and funding applications as needed**
- c) to assist with the supply of signage as and where applicable**
- d) where the pipeline crosses private property the event organiser is to liaise and obtain their permission to access their property**

**Moved: Cr Whisson**

**Seconded: Cr Harris**

**Vote – Simple majority**

**Carried: 7/0**

## 9. Environmental Health & Building Services

### 9.1. WA Local Government Association - Cash for Containers Scheme

<b>Location:</b>	Not applicable
<b>Applicant:</b>	Administration
<b>Date:</b>	13 August 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	
<b>Attachment/s:</b>	4 Pages

#### **Proposal/Summary**

For Council to consider supporting the WA Local Government Association (WALGA) campaign for the introduction of Cash for Containers Scheme in WA.

#### **Background**

WALGA is undertaking an advocacy campaign for the introduction of Cash for Containers Scheme in Western Australia (WA) and is seeking local government engagement and support as part of the process.

Implementation of this type of Scheme on a National level has been discussed for a number of years. Environment Ministers will be meeting in August to decide what future action should occur nationally, however WALGA suggest that it is debatable as to whether an early decision will be made to pursue the introduction of a national Scheme.

#### **Comments**

Container Deposit Legislation has been in place in South Australia for a number of years and whilst there have often been murmurings about other States following suit it hasn't happened to date.

South Australia has one of the lowest litter rates and highest recycling rates in Australia and it could be argued that this is largely attributed to the Container Deposit Legislation.

There are provisions in the *Waste Avoidance and Resource Recovery Act 2007* that can be used to introduce Cash for Containers Scheme in WA.

Whilst the State Government appears hesitant to introduce such a Scheme the Greens (WA) and WA Labor Party have indicated their commitment.

It is being recommended that the Shire of Cunderdin supports the WALGA campaign.

#### **Consultation**

Nil

#### **Statutory Implications**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Maintain and enhance the local environment.

**Resolution 9.1**

**That Council assists the WA Local Government Association (WALGA) advocacy campaign for Cash for Containers Scheme in WA by:**

- 1. Indicating support to WALGA for the implementation of Cash for Containers Scheme in WA.**
- 2. Writing to the local members of State Parliament and/or the Environment Minister, encouraging members to support the implementation of a WA Cash for Containers Scheme.**

**Moved: Cr Cooper**

**Seconded: Cr Whisson**

**Vote: Simple Majority**

**Carried: 7/0**

## 10. Works & Services

### 10.1. Manager of Works & Services Report

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager Works and Services
<b>Date:</b>	15 <sup>th</sup> August 2012
<b>Author:</b>	Mark Burgess
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Attachment/s:</b>	3 Pages

#### Proposal/Summary

Council is to receive the Manager of Works and Services Report for August 2012.

#### Construction

Cunderdin Quairading Rd construction is almost completed, bitumen sealing was carried out on Friday 10 August, some minor asphalt correction works will be done in the month or so.

It is proposed to commence Grain Freight Network works with the Shire of Bruce Rock on Monday 27 August.

Works on Shire of Cunderdin roads will also commence in next 2-3 weeks.

#### Maintenance Grading

Maintenance grading is continuing following recent rain fall. Grading will cease when conditions become too dry.

#### General

Patching and filling in of "bog holes" on various roads is in progress.

Works in progress in cleaning up the Cunderdin and Meckering town sites in readiness for tidy town inspections in late August.

#### Footpath/s Construction

Council makes an annual provision on the Budget to the value of \$20,000 for the construction of footpaths in the Cunderdin and Meckering town sites. The allocation of this funding is generally left to the discretion of the Manager of Works & Services in consultation with the Chief Executive Officer.

Council is in receipt of correspondence from Trevor Fawkes requesting the footpath along the Great Eastern Highway be extended to provide improved pedestrian access to the businesses at the western approach to Cunderdin.

Does Council support this request and for the said footpath works to be included in the 2012/2013 works program?

### **Plant and Equipment**

Council has received offers for the outright purchase of the old MacDonald Roller and the Dynapac VP200 Multi Tyred Roller.

Council can give consideration to disposing of these two machines as they are not used as part of the annual works program (construction or maintenance) and are in general terms surplus to Council requirements. The Manager Works and Services utilises a multi tyred roller from the Shire of Tammin or other sources on a fee for service basis as part of the works program. Councils Plant Replacement program which has been deferred for 12 months does include replacement of the multi tyred roller. Therefore this is an opportunity for Council to dispose of the two surplus plant items.

The Local Government Act 1995, s 3.58 provides for the disposition of property, and the Local Government (Functions and General) Regulations 1996, cl30 also deal with this matter. Regulation 30(3)(a) states that *a disposition of property other than land is an exempt disposition if the market value is less than \$20,000.*

Both of the plant items in question are of lesser value than \$20,000 and the offers provided could be accepted by Council, however to be fair and equitable it would be appropriate for Council to advertise the items for sale to give other members of the public or interested persons/businesses the opportunity for purchase.

### **Statutory Implications**

*Local Government Act 1995, s 3.58 Disposing of Property*

Local Government (Functions and General) Regulations 1996, Cl30 Dispositions of property excluded from Act s. 3.58

### **Financial Implications**

Nil

### **Strategic Implications**

Nil

#### **Recommendation 10.1**

That Council:

1. Receives the Manager of Works and Services Report for August.
2. Includes extending of portion of the footpath along the Great Eastern Highway to the businesses at the western approach to Cunderdin as part of the 2012/2013 footpaths program.
3. Advertises for sale the MacDonald Roller and the Dynapac VP200 Multi Tyred Roller.

Moved : Cr \_\_\_\_\_                      Seconded: Cr \_\_\_\_\_

Vote – Simple majority                      Carried/Lost: \_\_/\_\_

**Resolution 10.1**

**That Council:**

- 1. Receives the Manager of Works and Services Report for August.**
- 2. Requests the Manager of Works and Services to prepare a list of pathways, with costings, to be considered as part of the 2012/2013 footpaths program.**
- 3. Advertises for sale the MacDonald Roller and the Dynapac VP200 Multi Tyred Roller.**

**Moved : Cr Whisson**

**Seconded: Cr Cooper**

**Vote – Simple majority**

**Carried: 7/0**



## 10.2 Shire of Cunderdin 2012/13 Fire Break Notice

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>Date:</b>	20 August 2012
<b>Author:</b>	S McQuistan, Com Emergency Service Manager
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Attachment/s:</b>	2 Pages

### Proposal/Summary

Council are to consider adopting recommended change to the Firebreak Notice to clarify the specific requirements for fire hazard abatement to be undertaken by all residents within the Shire.

### Background

Council staff received correspondence from the Fire and Emergency Services Authority of WA (FESA) on 16 November 2009 requiring feedback on our current method for dealing with Firebreak requirements. This correspondence came to us as a result of the Minister for Emergency Services – The Hon Rob Johnson JP MLA – receiving correspondence from one of our resident/ratepayers requesting clarification on Council’s firebreak requirements and procedures. At this time, Council did not have any firebreak requirements.

In March 2010 Council adopted the 2010/11 Firebreak Order, and this wording continued in 2011/12.

### Comment

Although no changes have been made to the intent of the Firebreak Order, it is recommended to alter the wording of the Notice in response to feedback received last year (2011/12).

As the Notice only requires firebreaks or slashing on property up to 5ha, there was some confusion amongst landholders over 5ha as to whether they were required to undertake works. In order to clarify this point within the Notice, the following additional information is recommended to be included:

***LAND AREA over 5ha***

***NO FIREBREAKS REQUIRED*** - however we ***recommend*** where possible firebreaks are installed and available fuels around houses and sheds are cleared to help protect your property from the threat of fire

In addition to this, the format of the firebreak notice has been amended to reduce cost of production and to make the document more visually appealing. A copy of the proposed 2012/13 Notice is attached.

### Consultation

Nil

## **Statutory Implications**

The *Bush Fires Act 1954* -

*33(5a) A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 —*

- (a) requiring owners and occupiers of land in its district to clear fire-breaks in such manner, at such places, at such times, of such dimensions and to such number, and whether in parallel or otherwise, as are specified in the local laws and to maintain the fire-breaks clear of inflammable matter;*

## **Policy Implications**

Nil

## **Financial Implications**

50% reduction in cost of producing the Firebreak Order (now 1 page instead of 2)

## **Strategic Implications**

Nil

### **Resolution 10.2**

**That:**

- 1. Council approves the attached wording and format for the Shire of Cunderdin 2012/13 Firebreak Order.**
- 2. The approved wording and format be published in the Avon Advocate and Bandicoot News.**

**Moved: Cr Harris**

**Seconded: Cr Whisson**

**Vote - Simple majority**

**Carried: 7/0**

## 11. Planning & Development

### 11.1 Proposed Outbuilding – Lot 23 Mitchell Street, Cunderdin

<b>Location:</b>	Lot 23 Mitchell Street, Cunderdin
<b>Applicant/s:</b>	C Gibsone
<b>Date:</b>	13 August 2012
<b>Author:</b>	Dan Ho, Town Planning Consultant, City of Canning
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Ref:</b>	27895
<b>Attachment/s:</b>	4 Pages

**Cr Clive Gibsone declared a Financial Interest in this item and departed the Council Chamber at 6:08pm**

#### Proposal/Summary

To consider the construction of an outbuilding at Lot 23 Mitchell Street, Cunderdin. The proposed outbuilding has a wall height of 3.0m and a total floor area of 54m<sup>2</sup>.

#### Background

Zoning: Residential R10  
Lot area: 2,526.5m<sup>2</sup>

The following report has been prepared in response to the application for development approval lodged with the Shire of Cunderdin. The site currently has an existing single house and two existing outbuildings.

An assessment of the application in the context of the current statutory planning framework and a final recommendation regarding the general suitability of the proposed development is provided to assist in the decision making process.

#### Comment

The proposal meets the requirements of the Shire of Cunderdin Town Planning Scheme No 3, planning policies and Residential Design Codes with the exception of the following reasons:

#### Outbuilding wall height

Clause 6.10.1 of the Residential Design Codes provides for outbuildings with a wall height of up to 2.4m. The proposal provides for wall heights of up to 3.0m. This alternative wall height can be supported in this instance for the following reasons:

1. The proposed outbuilding is sufficiently setback from the street boundary to not have any adverse impacts on the streetscape; and
2. The proposed outbuilding is sufficiently setback from the side and rear boundaries to not adversely impact upon the adjacent properties.

### Outbuilding area

Clause 6.10.1 of the Residential Design Codes provides for outbuildings with a maximum collective area of 60m<sup>2</sup> or 10 per cent in aggregate of the site area, whichever is the lesser. The proposed outbuilding is 54m<sup>2</sup>, however the site currently has two existing outbuildings with floor areas of 21m<sup>2</sup> and 8.16m<sup>2</sup>, leading to an aggregate area of 83.16m<sup>2</sup>. The proposed outbuilding area can be supported in this instance for the following reasons:

1. The proposed outbuilding is sufficiently setback from the street boundary to not have any adverse impacts on the streetscape;
2. The proposed variation is minor in nature and will not adversely impact the amenity of the adjoining properties; and
3. The proposal complies with open space requirements of the Residential Design Codes.

The application meets all other planning requirements as set out under the Shire's Town Planning Scheme No 3 and the Residential Design Codes.

### Consultation

Nil

### Statutory Implications

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

### Policy Implications

Nil

### Financial Implications

Nil

### Strategic Implications

Shire of Cunderdin Local Planning Strategy (LPS) – The proposed development maintains the aims and objectives of the Local Planning Strategy.

#### **Resolution 11.1**

**That Council approve the application for an outbuilding at Lot 23 Mitchell Street, Cunderdin, subject to the following condition:**

- 1. The proposed development is to comply in all respects with the submitted plans approved on 23 August 2012 and stamped accordingly.**

**Moved: Cr Whisson**

**Seconded: Cr Harris**

**Vote: Simple majority**

**Carried: 6/0**

**Cr Gibsone returned to the Council Chamber at 6:10pm**

**12. Urgent Items**

Nil

**13. Matters for which the meeting may be closed**

**13.1 CONFIDENTIAL REPORT – CEO Probationary Performance Review July 2012**

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Shire President
<b>Date:</b>	4 July 2012
<b>Author:</b>	Cr Rod Carter
<b>Item Approved by:</b>	Shire President
<b>Disclosure of Interest:</b>	Peter Naylor, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment:</b>	10 Pages

The Chief Executive Officer, Peter Naylor, declared a Financial Interest in this matter and departed the Council Chamber at 6:12pm

The Manager Works and Services, Mark Burgess, departed the Council Chambers at 6:12pm

**Resolution 13.1**

**That Council, following the Chief Executive Officer Six (6) Month Probationary Performance Review:**

- 1. Confirms the appointment of the Chief Executive Officer in accordance with the terms and conditions of the CEO Employment Contract between the Shire of Cunderdin and Peter Thomas Naylor, for five year period 2 January 2012 - 2 January 2017.**
- 2. Congratulates the Chief Executive Officer for the period of performance under review.**

**Moved: Cr Cooper**

**Seconded: Cr Dianne Kelly**

**Vote: Absolute majority**

**Carried: 7/0**

The Chief Executive Officer and Manager Works & Services returned to the Council Chamber at 6:15pm

**14. Closure of meeting**

There being no further business the Shire President declared the meeting closed at 6:17pm.