



Shire of Cunderdin

Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 25th July 2013** in the Council Chambers, Lundy Avenue Cunderdin commencing at 5:07 pm.

Peter Naylor
Chief Executive Officer

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AGENDA

1. Declaration of opening

The President will declare the meeting open at 5:07pm.

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:	18 th July 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer

Resolution 2.0:

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

Moved: Cr Clive Gibsone

Seconded: Cr Todd Harris

Vote – Simple majority

Carried: 7/0

3. Public Question Time

Response to previous public questions taken on notice

Declaration of public question time opened at

Declaration of public question time closed at

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

Record of attendances

Councillors

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

Apologies

Ian Bartlett	Manager Works & Services
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On Leave of Absence

Staff

Peter Naylor	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer

Guests of Council

Members of the Public

Applications for leave of absence

Declaration of Members and Officers Financial Interests

5. Petitions, Deputations, Presentations

5.1 Petition - Proposed Cunderdin Primary Health Care Demonstration Site Project

The Chief Executive Officer presented to Council a Petition that was delivered to the Shire Administration Office on Monday 22 July 2013 by Ms Alison Harris and Mr Graham Cummings.

The statement at the head of the Petition reads as follows:

"In response to the Shire newsletter of 3/7/13 re the proposed Primary Healthcare Demonstration Site Pilot Project, we the undersigned

DO NOT SUPPORT

- 1. The LOSS of IN-HOSPITAL PALLIATIVE, RESPITE and IN-PATIENT care.*
- 2. Meals on Wheels being prepared and cooked in a location other than Cunderdin.*
- 3. The progression of discussions by the Shire about a Primary Healthcare Project without an appropriate Aged Care facility being finalised FIRST.*

WE DEMAND FURTHER COMMUNITY INPUT BEFORE ANY DECISION TO PROCEED IS MADE BY THE SHIRE."

Council noted that the Petition has not been presented in the correct format in accordance with the Shire of Cunderdin Standing Orders Local Law 2001, as the petition presented does not contain the signatories addresses and / or the date on which it was signed by each person.

Resolution 5.1

That the Petition be received and comments be considered when Council further deliberates on the proposed Primary Health Care Demonstration Site Pilot Project.

Moved: Cr Dennis Whisson

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 7/0

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 20 June 2013 and Special Meeting of Council held on Thursday 4 July 2013

Location:	Cunderdin
Applicant:	Administration
Date:	18 th July 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	
Attachment/s:	Nil

Proposal/Summary

Council to confirm the minutes of the Ordinary Council meeting held on Thursday 16 May 2013 and Special Meeting of Council held on Thursday 4 July 2013.

Background

The minutes of the meetings 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 20 June 2013, be confirmed as a true and correct record.**
- 2. The minutes of the Special Council meeting held on Thursday 4 July 2013, be confirmed as a true and correct record.**

Moved: Cr Graham Cooper

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 7/0

Note to this item:

The President will sign the minute declaration.

8. Finance & Administration

8.1. Financial Report for June 2013

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	18 th July 2013
Author:	Paul Godfrey/Darren Long
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	

Proposal/Summary

The financial position as at 30th June 2013 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 to 30th June 2013
- Municipal Bank Account Statement & Reconciliation 036-102 00-0030
- Municipal Business Cash Reserve Statement & Reconciliation 036-107 22-3647
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6418
- Municipal Term Deposit Statement & Reconciliation 036-107 22-8704
- Municipal Term Deposit Statement & Reconciliation 036-107 22-8712
- Reserves Business Cash Reserve Statement & Reconciliation 036-107 22-3639
- Reserves Term Deposit Statement & Reconciliation 036-107 22-6311
- Working Trust Account Statements & Reconciliations 036-172 12-2981
- REBA Trust Account Statements & Reconciliations 036-172 12-3001

Statutory Environment

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

Commentary

Nil

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

Resolution 8.1

That council receive the financial reports to 30th June 2013.

Moved: Cr Clive Gibsone

Seconded: Cr Dennis Whisson

Vote – Simple majority

Carried: 7/0

8.2 Accounts Paid – June 2013

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	18th July 2013
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 \$417,878.34 listed in the Warrant of Payments for the period 1st June to 30th June 2013.

Attachments

Warrant of Payments for 1st June – 30th June 2013.

Statutory Environment

Financial Management Regulations 12 & 13

Commentary on Statutory Environment

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

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

Resolution 8.2

(a) That Council's payment of accounts amounting to \$417,878.34 for the period of 1st June – 30th June 2013 from the Municipal Fund be confirmed and noted.

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

Moved: Cr Graham Cooper

Seconded: Cr Todd Harris

Vote – simple majority

Carried: 7/0

8.3 Council Investments – At 30th June 2013

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	18th July 2013
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

To inform Council of its investments as at 30th June 2013.

Background

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

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

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

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

Commentary

COUNCIL INVESTMENTS				
Institution	Amount Invested	Investment type	Municipal Funds	Reserve Funds
Westpac Banking Corporation	\$96.43	Business Cash Reserve Bonus 22-3639 0.01%	\$0.00	\$96.43
Westpac Banking Corporation	\$2,111,145.02	Reserves Term Deposit 22-6311 3.87%	\$0.00	\$2,111,145.02
Westpac Banking Corporation	\$667,775.82	Business Cash Reserve Bonus 22-3647 2.75%	\$667,775.82	\$0.00
Westpac Banking Corporation	\$0.00	Muni Term Deposit 22-6418 3.10%	\$0.00	\$0.00
Westpac Banking Corporation	\$0.00	Muni Term Deposit 22-8704 3.45%	\$0.00	\$0.00
Westpac Banking Corporation	\$512,480.34	Muni Term Deposit 22-8712 3.87%	\$512,480.34	\$0.00
TOTAL INVESTMENTS	\$3,291,497.61		\$1,180,256.16	\$2,111,241.45

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 30th June 2013 be received and noted.

Moved: Cr Todd Harris

Seconded: Cr Dianne Kelly

Vote – Simple Majority

Carried: 7/0

8.4 Shire of Cunderdin Common Seal

Location:	Shire Administration
Applicant:	Chief Executive Officer
Date:	18 th July 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Reference:	
Attachment/s:	Nil

Proposal/Summary

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

Background

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

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

Comment

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

1. 20 June 2013, Sale of Lot 44 Hodgson Street & Lot 49 Togo Street, Cunderdin – Transfer of Land Document – Shire of Cunderdin to WA Land Authority (LandCorp).
 2. 20 June 2013, Sale of Lot 2223 Centenary Place, Cunderdin – Transfer of Land Document – Shire of Cunderdin to WA Land Authority (LandCorp).
 3. 20 June 2013, Transfer of Land, Lot 9000 on DP73290 – WA Land Authority (LandCorp) to Shire of Cunderdin.
 4. 20 June 2013, Transfer of Land, Lot 9000 on DP73292 – WA Land Authority (LandCorp) to Shire of Cunderdin.
- 24 June 2013, Deed of Assignment and Variation of Lease - Portion of Cunderdin Airfield – Bellman Hangar, Shire of Cunderdin – Scott Powell (Taurus Aviation) – Neville Ian Dunn (Dunn Aviation).
 - 2 July 2013, Deed of Variation of Lease – Portion of Cunderdin Airfield, Shire of Cunderdin – Glide West Pty Ltd (Damien O'Reilly).

Consultation

Nil

Statutory Implications

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

Policy Implications

Finance Policy #12.

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.4

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

1. 20 June 2013, Sale of Lot 44 Hodgson Street & Lot 49 Togo Street, Cunderdin – Transfer of Land Document – Shire of Cunderdin to WA Land Authority (LandCorp).
2. 20 June 2013, Sale of Lot 2223 Centenary Place, Cunderdin – Transfer of Land Document – Shire of Cunderdin to WA Land Authority (LandCorp).
3. 20 June 2013, Transfer of Land, Lot 9000 on DP73290 – WA Land Authority (LandCorp) to Shire of Cunderdin.
4. 20 June 2013, Transfer of Land, Lot 9000 on DP73292 – WA Land Authority (LandCorp) to Shire of Cunderdin.
5. 24 June 2013, Deed of Assignment and Variation of Lease - Portion of Cunderdin Airfield – Bellman Hangar, Shire of Cunderdin – Scott Powell (Taurus Aviation) – Neville Ian Dunn (Dunn Aviation).
6. 2 July 2013, Deed of Variation of Lease – Portion of Cunderdin Airfield, Shire of Cunderdin – Glide West Pty Ltd (Damien O’Reilly).

Moved: Cr Clive Gibsone

Seconded: Cr Doug Kelly

Vote: Simple majority

Carried: 7/0

8.5 Shire of Cunderdin Annual Budget 2013/2014

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	18 th July 2013
Author:	Peter Naylor / Paul Godfrey
Item Approved by:	Chief Executive Officer
Disclosures of Interest:	Nil
File Reference:	Nil
Attachment/s:	

Proposal/Summary

For Council to consider and adopt the annual Budget for the 2013/2014 financial year.

Background

Budget workshops have been held on 28 March, 13 June, 21 June & 5 July 2013.

Comments

The Shire of Cunderdin Budget for the 2013/2014 financial year has been prepared in the required Australian Accounting Standard format (in accordance with the provisions of the Local Government Act 1995, and the Local Government (Financial Management) Regulations 1996), and is presented for Council adoption. A copy of the budget has been circulated to all Councillors prior to the Council Meeting.

The various amendments have been made to the draft Budget document in accordance with discussions at Council Budget workshops, and the document has been prepared based on a 5% rate increase as per Council direction.

Consultation

Darren Long

Statutory Environment

Local Government Act 1995, s.6.2(1) requires that by 31 August in each year each local government is to adopt a budget for the Shire's Municipal Fund for the financial year ending on the next 30 June.

Local Government Act 1995, s.6.2(2) requires that in preparation of the annual budget the local government is to have regard to the contents of the Plan for the Future of the District.

Local Government (Financial Management) Regulations 1996, Part 3, regulations 22-32 prescribe the form in which the Budget is to be prepared and the information which is to be included.

Local Government (Financial Management) Regulations 1996, r.33 requires that a copy of the Budget is to be submitted to the Department of Local Government within 30 days of being adopted by Council.

Policy Implications

Nil

Financial Implications

The Shires operations and functions for the 2013/2014 financial year will be directed by the revenues and expenditures itemised in the Budget.

Strategic Implications

The Budget is the strategic direction for the 2013/2014 financial year. The Budget has been prepared after taking into account those matters in the Shires Plan for the Future.

Resolution 8.5

That Council adopts the Shire of Cunderdin Budget, as presented and showing rates to be levied of \$1,596,620 to be applied for the 2013/2014 Financial Year.

Adoption of Rates

That the rates and minimum rates to be levied on all rateable property within the Shire of Cunderdin for the financial year ending 30 June 2014 be as follows:

Gross Rental Value	\$0.085624 cents in the dollar
Gross Rental Value Minimum	\$552.00
Unimproved Value	\$0.008234 cents in the dollar
Unimproved Value Commercial	\$0.008234 cents in the dollar
Unimproved Value Mining	\$0.008234 cents in the dollar
Unimproved Value Minimum	\$552.00
Unimproved Value Commercial Minimum	\$552.00
Unimproved Value Mining Minimum	\$552.00

Discounts/Penalties/Administration Fee for Instalments

That in accordance with s.6.51 of the *Local Government Act 1995*, an 11% interest charge be levied on all overdue rate instalments and on rates outstanding whether subject to either a formal or informal instalment program or not (deferred pensioner's rates excluded).

That in accordance with s.6.45 of the *Local Government Act 1995*, an administration charge of \$7.50 for the second and each of the subsequent rates instalment be levied in connection with each formal rate instalment program.

That in accordance with s.6.50 of the *Local Government Act 1995*, the due dates of instalments under the formal rate instalment program be:

Four Instalments:

1 st instalment	13th September 2013
2 nd instalment	13th November 2013
3 rd instalment	13th January 2014
4 th instalment	13th March 2014

Adoption of Schedule of Fees and Charges

That the attached Schedule of Fees and Charges be adopted for the 2013/2014 financial year.

Adoption of the 2013/2014 Annual Budget

That the operating and capital revenues and expenditures as detailed in the Budget by Program report as attached be adopted as the Budget revenues and expenditures for the 2013/2014 financial year.

Adoption of Change of Name of Shire of Cunderdin Reserve Accounts

That the change in name of the following Shire of Cunderdin Reserve Accounts, as per Note 8 on pages 32 & 33 of the Draft Budget document, be adopted:

Building Reserve to Cunderdin Building Reserve

Airfield Reserve to Cunderdin Airfield Reserve

Asset Replacement, Acquisition/Development Reserve to Cunderdin Asset Replacement, Acquisition/Development Reserve

Adoption of New Shire of Cunderdin Reserve Account

Name: Cunderdin Early Learning Centre Reserve

Purpose: To fund operational, maintenance and capital costs associated with the Cunderdin Early Learning Centre.

Transfer from Reserve Accounts

That in accordance with s.6.11(3) of the *Local Government Act 1995*, the amount of \$1,389,393 be transferred from the following Reserve Accounts:

Community Bus Reserve	\$ 26,000
Cunderdin Building Reserve	\$1,341,633
Cunderdin Airfield Reserve	\$ 21,760

Moved: Cr Clive Gibsone

Seconded: Cr Dianne Kelly

Vote - Absolute majority

Carried: 7/0

8.6 Integrated Workforce Plan

Location:	Shire of Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	18 th July 2013
Author:	Paul Godfrey/ Alchemy Corp Consulting
Item Approved by:	Chief Executive Officer
Disclosures of Interest:	Nil
File Reference:	Nil
Attachment/s:	33 Pages (Circulated with Agenda as separate document)

Proposal/Summary

Council to review and adopt the Integrated Workforce Plan

Background

The Integrated Workforce Plan has been developed by consultants Alchemy Corporate Consulting, they reviewed the current shire's workforce to determine their overall skill levels, this then allows management to provide the right training to fill any weak areas and fully utilise the workforce. This will also enable the shire to hire new staff with skills that are required and to plan for any future training to meet any skill shortages.

Comments

The Integrated Workforce Plan is an integral part of the Shire of Cunderdin's Corporate Business Plan, and will be utilised when applying for future grant funding and developing future budgets.

Consultation

Alchemy Corporate Consulting

Statutory Implications

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Funding supplied by a grant from Department of Local Government and Communities for the development of the plan and to provide some activities recommended in the plan.

Strategic Implications

Required as part of the Corporate Business Plan.

Resolution 8.6

That Council:

- 1. Endorses the Draft Integrated Workforce Plan.**
- 2. Endorses Strategies and Recommendations within the draft Plan to be submitted for consideration in the annual budget process.**

Moved: Cr Graham Cooper

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 7/0

8.7 Long Term Financial Plan

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	22 July 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosures of Interest:	Nil
File Reference:	Nil
Attachment/s:	** Pages

Proposal/Summary

The Long Term Financial Plan (LTFP) is part of the new Integrated Planning requirements for all local governments in Western Australia.

The LTFP for the Shire of Cunderdin is still being finalised in draft format and will be presented to the OCM as a late agenda item.

Note: Due to final draft Long Term Financial Plan not being prepared in time for presentation to the Council meeting this matter has been deferred until a later meeting

9 Environmental Health & Building Services

No Reports

10 Works & Services

10.1 Works & Services Report

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	23 rd July 2013
Author:	Leading Hand
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

Coleman Road: re-sheeting works completed.

Meckering Dowerin Road: preparation works commenced for 2013/14 construction program.

General

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

Meckering Primary School Car Park resealed.

Winter Grading proceeding with preference to school bus routes, the following roads completed: Donovan, McWaters, Rabbit Proof Fence North, Harris, Pearse, Shorter, Scaddan, Three Mile Gate, Fuller & Cousins.

Roadside spraying program has commenced.

Parks and Gardens Cunderdin & Meckering

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

Planting of gardens as part of the landscaping of Cunderdin Main Street upgrade continuing.

Building and other Maintenance

General upkeep and odd jobs carried out.

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.

Works and Services Staff

The Manager Works & Services, Ian Bartlett, is currently away on personal leave. Ian suffered sudden and serious medical difficulty and has undergone heart surgery. All being well Ian should resume duties around mid to late August 2013.

Other Matters

- Waiting on response and advice from Main Roads WA, Northam, in relation to storm water run-off into Great Eastern Highway road reserve.
- Main Roads WA requested to carry out safety audit on the Burges and Leeming cross roads to ascertain which road requires 'Give Way' signage to be installed.

Statutory Implications

Local Government Act 1995

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.1

That Council receives the Works and Services Report.

Moved: Cr Dennis Whisson

Seconded: Cr Clive Gibsone

Vote – Simple majority

Carried: 7/0

11 Planning & Development

11.1 Proposed Shade Structure for existing portable buildings – Cunderdin Airfield: Lot 3 (82) Aerodrome Road, Cunderdin

Location:	Lot 3 (82) Aerodrome Road, Cunderdin
Applicant:	Damien O'Reilly
Date:	19 th July 2013
Author:	Jacky Jurmann, Manager Planning Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	30243
Attachment/s:	7 Pages

Proposal/Summary

The Shire of Cunderdin has received an application for planning approval for the construction of a shaded structure for existing portable ablution buildings at the Cunderdin Airfield at Lot 3 Aerodrome Road, Cunderdin.

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

Background

The subject property is located at Lot 3 Aerodrome Road in Cunderdin, north of the townsite and just east of the local Agriculture College. The airfield is reserved under the Shire of Cunderdin Town Planning Scheme No 3 for 'Public Purposes' as the 'Aerial Landing Ground'.

The airfield is under a current lease with the applicant, from the owners; the Shire of Cunderdin.

The site is 136 hectares and consists of a sealed and fully lit runway as well as a number of existing associated buildings. The shade structure has a total of 234m² and will cover three (3) existing portable ablution buildings.

Comment

The proposed development is a shade structure for the purposes of providing a roof over three (3) existing portable ablution buildings, which will provide weather protection to the buildings and users, and improve the aesthetic appearance of the area.

The provision of improved facilities at the airfield will enable better operation of the airfield to strengthen local business and support economic growth. There are no negative economic implications associated with this proposal.

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

Consultation

There are no consultation requirements for reserved land under the provisions of the Cunderdin Local Planning Scheme No. 3. However it is recommended that the proponent consult with CASA prior to commencement of works.

Statutory Implications

The Cunderdin Local Planning Scheme No 3.

The subject property is reserved for Public Purposes under the Scheme for the use as an Aerial Landing Ground. In accordance with Clause 3.4 of the Scheme, "a person must not commence or carry out development on a Local Reserve without first having obtained planning approval under Part 9 of the Scheme".

In determining an application for planning approval the local government is to have due regard to the matters set out in clause 10.2 as well as the ultimate purpose intended for the Reserve.

Clause 10.2 of the Scheme outlines the matters for consideration that must be considered by the local government. These matters have been considered as follows:

- (a) The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area. Comment: Cunderdin Local Planning Scheme No. 3 applies to the site. The provisions have been considered in this report and it has been determined that the application is consistent with the aims and provisions of the Scheme.
- (b) The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought. Comment: There are no new schemes or amendments applicable to the proposal or site.
- (c) Any approved statement of planning policy of the Commission. Comment: There are no approved statements applicable to the proposal or site.
- (d) Any approved environmental protection policy under the *Environmental Protection Act 1986*. Comment: There are no policies applicable.
- (e) Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State. Comment: There are no policies applicable.
- (f) Any Planning Policy adopted by the local government under clause 8.8, any policy for a designated heritage precinct adopted under clause 5.1.3, and any other plan or guideline adopted by the local government under the Scheme. Comment: There are no policies applicable.
- (g) In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve. Comment: The land is reserved for airfield purposes. The proposal is associated with the use of the land as an airfield and is therefore consistent with its ultimate purpose.
- (h) The conservation of any place that has been entered in the Register within the meaning of the *Heritage of Western Australia Act 1990*, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage precinct. Comment: The airfield is not heritage listed.
- (i) The compatibility or a use or development with its setting. Comment: The proposed structure will provide shelter to existing ablution facilities associated with the airfield use and is therefore compatible. The design is consistent with similar airfield structures.

- (j) Any social issues that have an effect on the amenity of the locality. Comment: There are no social issues associated with the proposal.
- (k) The cultural significance of any place or area affected by the development. Comment: The structure will enhance any cultural significance of the place.
- (l) The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment. Comment: No environmental impacts have been identified.
- (m) Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk. Comment: There are no natural constraints that will affect the proposal.
- (n) The preservation of the amenity of the locality. Comment: The proposal will enhance the amenity of the airfield through its design and use.
- (o) The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal. Comment: The structure has been designed to complement other structures and is in context with the size and scale of other airfield structures.
- (p) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles. Comment: Not applicable. The proposal does not impact on access, egress or manoeuvring on site.
- (q) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety. Comment: The proposal will not generate additional traffic.
- (r) Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal. Comment: Not applicable.
- (s) Whether public utility services are available and adequate for the proposal. Comment: The proposal will not generate the need for additional public utility services.
- (t) Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities). Comment: Provision, where applicable, has been made.
- (u) Whether adequate provision has been made for access by disabled persons. Comment: Not applicable. This proposal relates to the roofing of existing facilities only.
- (v) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved. Comment: The plans indicate landscaping in the immediate area of the development, which should be considered by the proponent where applicable and in conjunction with Shire requirements.
- (w) Whether the proposal is likely to cause soil erosion and degradation. Comment: The proposal is unlikely to cause erosion or degradation of soils.

- (x) The potential loss of any community service or benefit resulting from the planning consent. Comment: Not applicable. The proposal does not relate to or affect any community service.
- (y) Any relevant submissions received on the application. Comment: No public consultation is required by the Cunderdin Local Planning Scheme No. 3.
- (z) The comments or submissions received from any authority consulted under clause 10.1.1. Comment: It is recommended that the proponent consult with CASA with regards to materials, to ensure that the proposed structure does not result in unacceptable reflectivity or glare. A condition has been recommended.
- (za) Any other planning consideration the local government considers relevant. Comment: Nil.

It is considered that the proposal is in line with the ultimate purpose of the reserved land.

Cunderdin Local Planning Strategy

The Shire of Cunderdin's Local Planning Strategy states that public purpose areas have been identified through the Cunderdin Town Planning Scheme. As an immediate action of the Strategy, all land comprising of the Cunderdin Airfield shall be classified as 'Public Purpose' Reserve with the designated purpose 'Aerial Landing Ground' in Local Planning Scheme No 3.

The Strategy identifies the airfield as *"a large airfield comprising of a sealed and fully lit runway which has historically been used as an alternative to Perth Airport and caters for irregular light aircraft movements. The airfield, which is owned by the local government, is considered to be an important part of the Shire's transport network, particularly in terms of emergency services"*.

The proposal will be in line with the provisions and intentions of the Shire of Cunderdin's Local Planning Strategy.

AC 139-20(0) Safe Planning and Conduct of Aerodrome Works

The Civil Aviation Safety Authority (CASA) is an independent statutory authority whose function is to conduct the safety regulation of civil air operations in Australia. The Safe Planning and Conduct of Aerodrome Works is an Advisory Circular (AC) document initiated by CASA in 2007 which is applicable in this case.

The Advisory Circular applies to:

- *Operators of certified and registered aerodromes;*
- *Aerodrome staff involved in the planning and execution of aerodrome works;*
- *Construction companies engaged in aerodrome works; and*
- *Consultants engaged in the planning and/or supervision of aerodrome works.*

The subject airfield is an aerodrome registered by CASA to the Shire of Cunderdin in 2010 with registration number R153.

Section 7, Planning of Aerodrome Works, indicates that where aerodrome works are to be carried out with the aerodrome still servicing aircraft operations, it will be necessary to plan the operations in such a way that does not cause hazard to aircraft or confusion to pilots. In accordance with 7.5 of the AC it should be noted that the responsibility for ensuring aerodrome safety during aerodrome works rests with the aerodrome operator.

Whilst the proposed development is not specifically for works to the aerodrome operations, the provisions of the Advisory Circular should be taken into consideration for this proposal in terms of construction works and materials used.

Manual of Standards Part 139 - Aerodromes

In accordance with 11.1.4.3 of the Manual of Standards (MOS) Part 139, *the responsibilities of the aerodrome operator in complying with the requirements of this standard include:*

- (a) the controls on the erection of structures, e.g. buildings, hangars, fences, roads within specified distances and height limitations, of existing or planned airways facilities;*
- (b) control on vehicles or aircraft entering, traversing or parking within specified clearance areas; and*
- (c) ensuring that Air Services Australia is consulted on the effect of the proposed aerodrome works or developments on the airway facilities. Even temporary construction works such as stockpiling of materials may have an effect, particularly on precision approach aids.*

It is important to consider any impacts the proposal will have on the flight operations of the aerodrome, particularly during the construction stage as well as choice of materials used. It has been recommended that a condition be imposed requiring the applicant consult with the Civil Aviation Services Authority to ensure that the materials used will not have any adverse impact on the operation of aircraft.

Policy Implications

Nil

Financial Implications

Nil, 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.

The provision of better facilities at the Cunderdin airfield is consistent with the aims and goals of the Plan and will strengthen local business and support economic growth.

Resolution 11.1

That Council:

APPROVE the construction of a shade structure at the Cunderdin Airfield on Lot 3 (82) Aerodrome Road, Cunderdin 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. Prior to the commencement of works the applicant shall consult with the Civil Aviation Safety Authority to ensure materials and finishes used will not have an adverse effect on surrounding aircraft operations, particularly in regards to reflectivity and glare.**

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 Graham Cooper

Seconded: Cr Dennis Whisson

Vote – Simple majority

Carried: 7/0

11.2 Primary Health Care Demonstration Site Pilot Project – Memorandum of Understanding

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	22 nd July 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	7 Pages (plus copy of Petition circulated with Agenda)

Proposal/Summary

At a meeting with representatives of the Southern Inland Health Initiative (SIHI) and the WA Country Health Service (WACHS) on Friday 28 June 2013, it was agreed to enter into a Memorandum of Understanding (MOU) to formalise the various transitional arrangements for the proposed Primary Health Demonstration Site.

Following the meeting a letter was forwarded to SIHI outlining Councils wishes for inclusion in the MOU.

These details were also circulated to the local communities of Cunderdin, Meckering and Tammin in a newsletter dated 3 July 2013. The newsletter also called for submission on the proposed project to be submitted to Council by close of business on Monday 22 July 2013.

The draft MOU is still in process of being finalised by SIHI, WACHS and the Shire of Cunderdin prior to formal presentation to Council.

It is expected this process will be completed in time to enable the matter to be presented to the OCM as a late agenda item.

Following the closure of the submission period, three letter submissions were received and a Petition containing 190 signatures. The three letters are included as attachments to the agenda item and the petition is circulated with the agenda document.

Note: Due to final draft Memorandum of Understanding not being prepared in time for presentation to the Council meeting this matter has been deferred until a later meeting.

11.3 Proposed Solar Farm, Cunderdin

Location:	Lot 2195 Fiegert Road, Cunderdin
Applicant:	Solar Farm Cunderdin Pty Ltd
Date:	24 th July 2013
Author:	Jacky Jurmann, Manager Planning Services
Item Approved by:	Chief Executive Officer
Disclosures of Interest:	Nil
File Reference:	30274
Attachment/s:	35 Pages (3 documents)

Proposal/Summary

The Shire of Cunderdin has received an application for planning approval for the development of a solar farm at Lot 2195 Fiegert Road, Cunderdin.

Under the provisions of the Cunderdin Local Planning Scheme No. 3, the property is zoned General Agriculture. The proposed use is not listed in the Zoning Table and is therefore a 'use not listed', which requires public advertising.

This report provides a preliminary assessment of the application and recommends that the determination of the application is delegated to the Chief Executive Officer following advertising in accordance with the Cunderdin Local Planning Scheme No 3.

Background

The subject property is located at Lot 2195 Fiegert Road, Cunderdin, south-east of the town site. The property is zoned General Agriculture under the Shire of Cunderdin Local Planning Scheme No 3, which is mainly cleared and used for agricultural purposes.

The owner of the site, Glenroe Pty Ltd, has consented to the application and to lease 10-12 hectares of the property to the applicant, Solar Farm Cunderdin Pty Ltd that is a joint venture between EMC (Energy Made Clean) Solar Construction Pty Ltd and Group-T Solar Pty Ltd.

It is proposed to establish a 5 megawatt solar installation, consisting of 85 solar blocks, each containing eight (8), 4m x 4m x 4m solar panels, together with associated infrastructure, including six (6) substations dispersed throughout the solar blocks. The solar panels are mounted on a steel frame with concrete foundations that are pile driven into the ground. A solar tracker will orient various panels toward the sun. Further technical information and photographic examples of the infrastructure are attached in the Appendices of this report.

The solar farm is a broader roll-out of solar farms across the Wheatbelt region by the applicant and it is estimated that the Cunderdin solar farm will generate 8.76 gigawatt hours per annum, offsetting 6,570 tonnes of carbon and will be sufficient to power approximately 1,500 homes annually.

Comment

The provision of solar power within the Shire of Cunderdin could result in the provision of clean energy and increased energy capacity. There are no negative economic implications associated with this proposal.

The provision of energy to rural towns is important for growth and sustainability. If it is determined that the proposal will benefit Cunderdin, and is therefore consistent with the zone objectives, then the development will have positive social implications.

The applicant has indicated that there may be areas environmental sensitivity that may require exclusion within the solar farm lease area. The environmental impacts will be considered as part of the full assessment.

It is appropriate for Council to consider this application on the broad merits of the proposal and then to delegate the determination to the Chief Executive Officer. This approach will enable the advertising and assessment requirements of the Cunderdin Local Planning Scheme to be followed. However, if any valid objections from the community are received, then it would be appropriate for the application to be determined by Council.

Consultation

As the land use is not listed in the Zoning Table, the application must be advertised in accordance with the provisions of the Cunderdin Local Planning Scheme No. 3, which involves a notification in a locally circulated newspaper and letters to neighbouring landowners.

Government agencies, such as Main Roads and Department of Agriculture, may also be consulted during the assessment process.

Statutory Implications

Cunderdin Local Planning Scheme No 3.

The subject property is zoned as General Agriculture under the Scheme.

In accordance with clause 4.4 of the Scheme, the proposed use is classified as a 'use not listed' under the zoning table which gives the local government discretion to:

- (a) *determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- (b) *determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or*
- (c) *determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.*

The objectives of the General Agriculture zone generally encourage and protect agricultural land from fragmentation. With specific interest to this application is objective 5 "to consider non-rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment".

A preliminary assessment of the proposal indicates that the application may be consistent with the objectives of the zone, and in particular objective 5, and therefore it is recommended that the application be considered in accordance with the provisions of clause 4.4(b).

Policy Implications

There are no policy implications for the Shire of Cunderdin. The Shire will exercise its right to discretion in considering this proposal.

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.

The proposal may be consistent with the objectives of the Plan, in that it may benefit the community through the provision of clean energy, enable population growth and support local business and employment capacity.

Resolution 11.3

That Council:

- 1. Delegate determination of the planning application to establish a solar farm on a portion of Lot 2195 Fiegert Road, Cunderdin, subject to the application being advertised and assessed in accordance with the provisions of the Cunderdin Local Planning Scheme No. 3.**
- 2. If any valid objections are received in response to the advertising of the application, then the delegation granted above, is withdrawn and the application will be determined by Council.**

Moved: Cr Graham Cooper

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 7/0

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 6:00pm.