



Shire of Cunderdin

UNCONFIRMED Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 25th October 2012** in the Council Chambers, Lundy Avenue Cunderdin commencing at 5:00 pm.

Peter Naylor
Chief Executive Officer

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MINUTES

1. Declaration of opening

The President declared the meeting open at 5:02pm

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:	6 th September 2012
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 Todd Harris

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 7/0

3. Public Question Time

No questions were taken on notice from the previous meeting.

Declaration of public question time opened at 5:02pm

Declaration of public question time closed at 5:02pm

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

On Leave of Absence

Staff

Peter Naylor	Chief Executive Officer
Loren Clifford	Manager of Finance & Administration
Mark Burgess	Manager of Works & Services

Guests of Council

Members of the Public

Applications for leave of absence

Declaration of Members and Officers Financial Interests

- Item 9.1 – Peter Naylor
- Item 10.2 – Cr Dennis Whisson
- Item 11.2 – Cr Dennis Whisson
- Item 11.4 – Cr Graham Cooper

5. Petitions, Deputations, Presentations

Deputations

Presentations

6. Announcements by President without discussion

7. Confirmation of the Minutes of Previous Meetings

7.1 Ordinary Meeting of Council held on Thursday 20 September 2012

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

Proposal/Summary

Council to confirm the minutes of the Ordinary Council meeting held on 20 September 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)

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

Financial Implications

There are no financial implications in considering this item.

Resolution 7.1

That the minutes of the Ordinary Council meeting held on 20 September 2012, be confirmed as a true and correct record with the following amendment to be made to Resolution 12.1

“That Council provides a rates discount of 50% 100% to Clovelly Nominees Pty Ltd for Lot 73 on Deposited Plan 32117 Cunderdin- Quairading Road”.

Moved: Cr Clive Gibsone

Seconded: Cr Dennis Whisson

Vote – Simple majority

Carried: 7/0

Note to this item:

The President signed the minute declaration.

7.2 Shire of Cunderdin Audit Committee Meeting held on Wednesday 10 October 2012

Location:	Cunderdin
Applicant:	Administration
Date:	16 October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	
Attachments:	13 Pages

Proposal/Summary

Council to receive the minutes of the Shire of Cunderdin Audit Committee Meeting held on 10 October 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)

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

Financial Implications

There are no financial implications in considering this item.

Resolution 7.2

That the minutes of the Shire of Cunderdin Audit Committee meeting held on 10 October 2012, be received.

Moved: Cr Todd Harris

Seconded: Cr Graham Cooper

Vote – Simple majority

Carried: 7/0

8. Finance & Administration

8.1. Financial Report for July 2012

Location:	Cunderdin
Applicant:	Manager of Finance & Administration
Date:	18 th October 2012
Author:	Loren Clifford/Darren Long
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	

Proposal/Summary

The financial position as at 31st July 2012 is presented for consideration.

Appendices – 31st July 2012 - Financial Statements

- Statement of Financial Activity
- Councillor EOY Estimate
- Operating Statement
- Statement of Surplus or Deficit
- Statement of Financial Position
- Statement of Cash Flows
- Details by Function & Activity
- Reserves Account Summary
- Loan Repayment Schedule
- Financial Activity Statement projected to 31st July 2012
- Municipal Bank Account Statement & Reconciliation 036-102 00-0030
- Municipal Business Cash Reserve Statement & Reconciliation 036-107 22-3647
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6303
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6418
- Reserves Business Cash Reserve Statement & Reconciliation 036-107 22-3639
- Reserves Term Deposit Statement & Reconciliation 036-107 22-6311
- Licensing Trust Account Statements & Reconciliations 036-102 00-0049
- Working Trust Account Statements & Reconciliations 036-172 12-2981
- REBA Trust Account Statements & Reconciliations 036-172 12-3001

Statutory Environment

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

Commentary

Nil

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

Resolution 8.1

That Council receive the financial report to 31st July 2012.

Moved: Cr: Clive Gibsone

Seconded: Cr Dennis Whisson

Vote – Simple majority

Carried: 7/0

8.2. Financial Report for August 2012

Location:	Cunderdin
Applicant:	Manager of Finance & Administration
Date:	18 th October 2012
Author:	Loren Clifford/Darren Long
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	

Proposal/Summary

The financial position as at 31st August 2012 is presented for consideration.

Appendices – 31st August 2012 - Financial Statements

- Statement of Financial Activity
- Councillor EOY Estimate
- Operating Statement
- Statement of Surplus or Deficit
- Statement of Financial Position
- Statement of Cash Flows
- Details by Function & Activity
- Reserves Account Summary
- Loan Repayment Schedule
- Financial Activity Statement projected to 31st August 2012
- Municipal Bank Account Statement & Reconciliation 036-102 00-0030
- Municipal Business Cash Reserve Statement & Reconciliation 036-107 22-3647
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6303
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6418
- 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 8.2

That Council receive the financial report to 31st August 2012.

Moved: Cr Dennis Whisson

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 7/0

8.3. Financial Report for September 2012

Location:	Cunderdin
Applicant:	Manager of Finance & Administration
Date:	18 th October 2012
Author:	Loren Clifford/Darren Long
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	

Proposal/Summary

The financial position as at 30th September 2012 is presented for consideration.

Appendices – 30th September 2012 - Financial Statements

- Statement of Financial Activity
- Councillor EOY Estimate
- Operating Statement
- Statement of Surplus or Deficit
- Statement of Financial Position
- Statement of Cash Flows
- Details by Function & Activity
- Reserves Account Summary
- Loan Repayment Schedule
- Financial Activity Statement projected to 30th September 2012
- Municipal Bank Account Statement & Reconciliation 036-102 00-0030
- Municipal Business Cash Reserve Statement & Reconciliation 036-107 22-3647
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6303
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6418
- 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 8.3

That council receive the financial report to 30th September 2012.

Moved: Cr Graham Cooper

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 7/0

8.4. Accounts Paid – September 2012

Location:	Cunderdin
Applicant:	Manager of Finance & Administration
Author:	Loren Clifford
Report Date:	9 th October 2012
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling \$ 617,762.64 listed in the Warrant of Payments for the period 1st September 2012 – 30th September 2012.

Attachments

Warrant of Payments for 1st September 2012 – 30th September 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 1st September 2012 – 30th September 2012.

1.0 Accounts Already Paid

1.1 Municipal Fund –

CHEQUE NUMBERS	AMOUNT
009823 - 009845	\$ 35,030.97
Electronic Payments – Various	\$ 582,731.67

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

CHEQUE NUMBERS	AMOUNT \$
2.0 Accounts to be passed for payment	
2.1 Municipal Fund -	
Nil	
TOTAL MUNICIPAL FUNDS	\$ 617,762.64

3. Trust Fund – Accounts Already Paid

DATE	CHEQUE NUMBER	DETAILS	AMOUNT \$
Nil			0.00

Resolution 8.4

(a) That Council's payment of accounts amounting to \$ 617,762.64 for the period of 1st September 2012 – 30th September 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 Dennis Whisson

Seconded: Cr Clive Gibsone

Vote – simple majority

Carried: 7/0

Payments List -September 2012			
Date	Reference	Creditor	Amount
3/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 380.76
3/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 90.19
3/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 89.88
3/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 86.40
3/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 22.00
3/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 20.00
3/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 19.20
3/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 13.00
3/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 13.00
4/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 24.50
4/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 5.50
4/09/2012	EFT-737	Cunderdin Co-Op Fuel	-\$ 6,690.00
12/09/2012	9823	Water Corporation	-\$ 2,035.00
12/09/2012	EFT Pays	Staff Salaries & Wages	-\$ 44,573.25
17/09/2012	Bank Fees	Westpac Banking Corporation	-\$ 29.86
17/09/2012	EFT-738	SGFleet	-\$ 1,700.98
17/09/2012	Loan 67	West Australian Treasury Corporation	-\$ 20,632.57
17/09/2012	Loan 68	West Australian Treasury Corporation	-\$ 41,538.54
19/09/2012	EFT-741	Cunderdin Co-Op Fuel	-\$ 14,125.00
19/09/2012	EFT-742	Mack Cheno Earthmoving	-\$ 54,788.25
19/09/2012	EFT-743	Bruce Rock Roadhouse and Motel	-\$ 17,974.16
19/09/2012	EFT-744	Sunwise Outdoor Living	-\$ 5,042.50
26/09/2012	EFT Pays	Staff Salaries & Wages	-\$ 41,059.67
27/09/2012	9824	Synergy	-\$ 3,283.45
27/09/2012	9825	Carter, Cr Rod	-\$ 280.00
27/09/2012	9826	Josco	-\$ 676.56
27/09/2012	9827	Gray, Dr. Ken	-\$ 220.00
27/09/2012	9828	Telstra Corporation Limited	-\$ 1,686.84
27/09/2012	9829	Goodfield Quality Meats	-\$ 108.50
27/09/2012	9830	Westscheme Superannuation	-\$ 598.39
27/09/2012	9831	Lowes Churchill & Associates Pty Ltd	-\$ 15,051.92
27/09/2012	9832	Westnet	-\$ 44.95
27/09/2012	9833	The National Trust of Australia (WA)	-\$ 171.70
27/09/2012	9834	Wayne Davies	-\$ 4,300.00
27/09/2012	9835	Gibsone, Cr Clive	-\$ 140.00
27/09/2012	9836	BT Super for Life	-\$ 152.37
27/09/2012	9837	Child Care Super	-\$ 200.88
27/09/2012	9838	Water Corporation	-\$ 2,760.80
27/09/2012	9839	Cunderdin Seniors Group	-\$ 1,000.00
27/09/2012	9840	Signs Plus	-\$ 18.00
27/09/2012	9841	Cunderdin Newsagency	-\$ 1,232.90
27/09/2012	9842	Meckering Action Group	-\$ 28.30
27/09/2012	9843	OnePath Superannuation	-\$ 318.06
27/09/2012	9844	Combined Tyrepower	-\$ 702.40

Payments List -September 2012			
Date	Reference	Creditor	Amount
27/09/2012	9845	Telstra (Bigpond)	-\$ 19.95
27/09/2012	EFT-745	McLeods Barristers & Solicitors	-\$ 1,845.60
27/09/2012	EFT-746	Hostplus	-\$ 279.35
27/09/2012	EFT-747	Courier Australia	-\$ 660.75
27/09/2012	EFT-748	Wattleup Tractors	-\$ 668.35
27/09/2012	EFT-749	Air Liquid Pty Ltd	-\$ 128.73
27/09/2012	EFT-750	Stuart Willis	-\$ 192.50
27/09/2012	EFT-751	Snap Printing	-\$ 505.00
27/09/2012	EFT-752	Kelly, Cr. Doug	-\$ 140.00
27/09/2012	EFT-753	Mick Walker Transport	-\$ 10,219.00
27/09/2012	EFT-754	Beard, Cr. David	-\$ 140.00
27/09/2012	EFT-755	Western Stabilisers Pty Ltd	-\$ 47,103.38
27/09/2012	EFT-756	Cunderdin Co-op	-\$ 4,600.42
27/09/2012	EFT-757	Local Government Insurance Broking	-\$ 42,760.46
27/09/2012	EFT-758	Thornton, Mellita Shirleen	-\$ 115.75
27/09/2012	EFT-759	Oteyza, Charito	-\$ 53.00
27/09/2012	EFT-760	Australia Post	-\$ 1,454.20
27/09/2012	EFT-761	Avon Waste	-\$ 5,030.72
27/09/2012	EFT-762	S & S Mobile Car Detailing	-\$ 385.00
27/09/2012	EFT-763	Whisson, Cr Dennis	-\$ 140.00
27/09/2012	EFT-764	Local Government Insurance Services WA	-\$ 38,852.35
27/09/2012	EFT-765	Cunderdin Community Resource Centre	-\$ 4,442.00
27/09/2012	EFT-766	Austral Mercantile Collections Pty Ltd	-\$ 54.45
27/09/2012	EFT-767	Meckering Roadhouse	-\$ 900.00
27/09/2012	EFT-768	Shire of York	-\$ 21,369.50
27/09/2012	EFT-769	Onsite Rental Group Operations Pty Ltd	-\$ 10,868.00
27/09/2012	EFT-770	Hutton & Northey Sales	-\$ 1,181.40
27/09/2012	EFT-771	Frear, Dianne	-\$ 220.00
27/09/2012	EFT-772	Cooper, Cr Graham	-\$ 140.00
27/09/2012	EFT-773	CJD Equipment Pty Ltd	-\$ 100.72
27/09/2012	EFT-774	Rural Traffic Services	-\$ 15,336.75
27/09/2012	EFT-775	AWP Group	-\$ 330.00
27/09/2012	EFT-776	Avon Community Development Foundation (Inc.)	-\$ 550.00
27/09/2012	EFT-777	Harris, Cr Todd	-\$ 140.00
27/09/2012	EFT-778	Metro Count	-\$ 192.50
27/09/2012	EFT-779	Avdata Australia	-\$ 582.01
27/09/2012	EFT-780	Elders Limited	-\$ 440.00
27/09/2012	EFT-781	Kleenheat Gas	-\$ 224.00
27/09/2012	EFT-782	Valley Ford Northam	-\$ 351.70
27/09/2012	EFT-783	Cunderdin Historical Society	-\$ 30.00
27/09/2012	EFT-784	Takacs, Adam	-\$ 74.70
27/09/2012	EFT-785	Tom Fullerton Trucking	-\$ 69,784.00
27/09/2012	EFT-786	Rapid Plastics (WA)	-\$ 7,301.80
27/09/2012	EFT-787	Cunderdin Co-op Museum	-\$ 103.88

Payments List -September 2012			
Date	Reference	Creditor	Amount
27/09/2012	EFT-788	Western Australian Local Government Association	-\$ 33,157.87
27/09/2012	EFT-789	Fulton Hogan Industries Pty Ltd	-\$ 4,012.80
27/09/2012	EFT-790	Shire of Tammin	-\$ 654.50
27/09/2012	EFT-791	Cunderdin Masonic Lodge	-\$ 290.62
27/09/2012	EFT-792	Cutting Edges	-\$ 4,026.00
27/09/2012	EFT-793	Landgate	-\$ 58.95
27/09/2012	EFT-794	Eastway Food Supplies	-\$ 1,619.75
		TOTAL	-\$ 617,762.64

8.5. Council Investments – At 30th September 2012

Location:	Cunderdin
Applicant:	Manager of Finance & Administration
Author:	Loren Clifford
Report Date:	9 th October 2012
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 September 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

COUNCIL INVESTMENTS AS AT 30TH SEPTEMBER 2012				
Institution	Amount Invested	Investment type	Municipal Funds	Reserve Funds
Westpac Banking Corporation	\$ 4,696.40	Business Cash Reserve Bonus 22-3639 0.01%	\$0.00	\$ 4,696.40
Westpac Banking Corporation	\$ 2,175,360.00	Reserves Term Deposit 22-6311 4.80%	\$0.00	\$ 2,175,360.00
Westpac Banking Corporation	\$ 2,323.19	Business Cash Reserve Bonus 22-3647 0.01%	\$ 2,323.19	\$0.00
Westpac Banking Corporation	\$ 173,044.00	Muni Term Deposit 22-6303 4.80%	\$ 173,044.00	\$0.00
Westpac Banking Corporation	\$300,000.00	Muni Term Deposit 22-6418 4.80%	\$300,000.00	\$0.00
TOTAL INVESTMENTS	\$ 2,655,423.59		\$ 475,367.19	\$2,180,156.40

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 8.5

That the report on Council investments as at 30th September 2012 be received and noted.

Moved: Cr Dianne Kelly

Seconded: Cr Clive Gibsone

Vote – Simple Majority

Carried: 7/0

8.6. Chief Executive Officer Support Program – Local Government Managers Australia Representative

Location:	Nil
Applicant:	Chief Executive Officer
Date:	12 October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	
File Reference:	
Attachment/s:	

Proposal/Summary

Seeking Council endorsement for the Chief Executive Officer (CEO) to participate in the CEO Support Program as the Local Government Managers Australia (LGMA) representative for the newly appointed Shire of Perenjori CEO Ms Alison Mills.

Background

The Chief Executive Officer (CEO), Peter Naylor, has been appointed as the LGMA representative for the CEO Support program for Ms Alison Mills the newly appointed CEO at the Shire of Perenjori.

The CEO Support Program is a joint initiative of LGMA (WA Division) and the Department of Local Government (DLG) to provide mentoring and general support to those appointed to the position of CEO in a Local Government for the first time.

LGMA and DLG work with the newly appointed CEO to identify a mentor that best meets the needs of the CEO.

The CEO has previously undertaken a similar role in September 2008 whilst employed at the Shire of Cuballing and appointed as the LGMA Representative for the then newly appointed CEO at the Shire of Dalwallinu.

Comments

The program extends over a period of six to nine months from the time of appointment and aims to provide participants with the opportunity to discuss a wide range of issues with the LGMA Mentor and Departmental Officer.

Generally the program involves a preliminary meeting between the new CEO, Mentor and DLG Liaison Officer at a mutually convenient time and place, most probably in the offices of the DLG. Then in the 6 – 9 month period after the new CEO has taken up the role, the Mentor and DLG representative visit the CEO's Local Government. This meeting, which will be one day or more, if required, is an opportunity to consolidate the relationship with the Mentor CEO and Departmental Officer and discuss issues identified as areas of concern.

Each program is aimed at addressing the individual needs of the participating CEO using the following as a guide:

- Role of the CEO
- Governance
- Strategic and Long Term Planning

- Legislative Framework
- Relationships/Local Politics
- Risk Management
- Resource Management
- Managing the Business of Council
- Family Considerations

There may be some minor expenses to cover for the LGMA Mentor, however most if not all expenses are usually and should be met by the new CEO's Local Government as it is that organisation that gains a benefit from the program.

It is anticipated that the CEO will be absence from Councils operations and functions for a total period of 4 – 5 days during the support program and will receive some telephone calls from the new CEO at various stages.

It is also expected that the CEO will receive benefit from participating in the program by having the opportunity to see how another Council functions by communicating at a close level with a senior departmental officer and a senior officer and Councillors from the Shire.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.6

That Council supports and endorses the Chief Executive Officers involvement in the CEO Support program and being appointed Mentor (LGMA Representative) to the new CEO at the Shire of Perenjori.

Moved: Cr Todd Harris

Seconded: Cr Dianne Kelly

Vote – Simple Majority

Carried: 7/0

8.7. Shire of Cunderdin Administration Officer Closure over the Christmas / New Year Period

Location:	Shire of Cunderdin
Applicant:	Administration
Date:	15 October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	
Attachment/s:	

Proposal/Summary

For Council to consider closing the Shire Administration Offices over the Christmas / New Year Period.

Background

In the last two years Council has authorised the closing of the Administration Offices as flows:

2010/11	23 December 2010, returning on Tuesday 4 January 2011
2011/12	24 December 2011, returning on Tuesday 3 January 2012

No complaints have been received in relation to the office closure over the periods mentioned.

Comments

As a general rule no significant business is conducted between the Christmas and New Year period, therefore this would be considered a suitable time to close the office and allow staff to clear some of their accrued leave entitlements.

Transport Licencing should not be an issue in Council deliberation on this matter as the transfer of the service to the Cunderdin Community Resource Centre should be finalised by this time.

It is proposed the office will be closed from close of business on Friday 21 December 2012 to Tuesday 1 January 2013, inclusive, reopening on Wednesday 2 January 2013.

During the proposed seven business day closure period staff time will be allocated to public holidays 4 days and 3 days of leave entitlements.

Notification of the office closure will be displayed on local notice boards and in the Avon Advocate and Bandicoot.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.7

That Council resolves to:

- 1. Close the Shire of Cunderdin Administration Office during the Christmas / New Year period from close of business on Friday 21 December to Tuesday 1 January 2013, inclusive, reopening on Wednesday 2 January 2013.**
- 2. Advertise the Administration Office closure on local notice boards and in the Avon Advocate and the Bandicoot.**

Moved: Cr Dennis Whisson

Seconded: Cr Doug Kelly

Vote: Simple Majority

Carried: 7/0

8.8. Shire of Cunderdin Councillor Representation

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	15 October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Reference:	
Attachments:	

Proposal/Summary

For Council to consider future Councillor representation following the resignation of Cr David Beard.

Background

Cr David Beard resigned as Councillor for the Shire of Cunderdin effective immediately from the closure of the Ordinary Meeting of Council held on Thursday 20 September 2012.

In relation to this matter Council has three (3) options to consider:

1. Conducting an extraordinary election to fill the vacancy created by the resignation.
2. Apply to the Electoral Commissioner for approval under Section 4.17 (3) & (4A) of the Local Government Act 1995 (following an absolute majority by Council) to reduce the number of offices of Council to seven (7) members and filling the vacancy at the next Local Government Elections in October 2013.
3. Submit a proposal to the Local Government Advisory Board (LGAB) for the number of members to be reduced in a permanent capacity from eight to seven, in accordance with the provisions of Schedule 2.2 of the Local Government Act 1995.

For option 3 to be considered it is recommended that option 2 be carried out in the first instance.

Option 2 is a distinct possibility as the Shire does not have wards and at least 80% of the offices of member of Council are still filled.

Under Schedule 2.2 Council can decide to carry out a review to reduce in a permanent capacity the number of members or however can propose to the LGAB that this be treated as a minor matter (absolute majority required), in which case a review is not necessary. Also the Shire of Cunderdin discontinued the Ward system in 2002.

The reduction can then be implemented as soon as possible or at the time of the 2013 elections.

Comment

Council is part of the South East Avon Regional Transition Group which is working towards amalgamation on 1 July 2013, possibly 1 July 2014.

Minister for Local Government preference for Councillor representation is a reduction in member numbers to increase ratio of members per elector.

The current ratio for the Shire of Cunderdin is one (1) Councillor to 112 electors, a reduction in members to seven (7) would increase the ratio to 1:128. Not a huge change but probably more in accordance with Ministers wishes.

Without trying to pre-empt Council or the communities views or final decision on the future amalgamation of the Shire it does seem feasible that Council can consider a permanent reduction in the number of members from eight to seven without a severe reduction of councillor/elector representation.

Consultation

Department of Local Government.

Statutory Implications

Local Government Act 1995

2.32. How extraordinary vacancies occur in offices elected by electors

The office of a member of a council as an elector mayor or president or as a councillor becomes vacant if the member —

- (a) dies; or*
- (b) resigns from the office; or*
- (c) does not make the declaration required by section 2.29(1) within 2 months after being declared elected to the office; or*
- (d) advises or accepts under section 2.27 that he or she is disqualified, or is declared to be disqualified by the State Administrative Tribunal acting on an application under section 2.27; or*
- (da) is disqualified by an order under section 5.113, 5.117 or 5.119 from holding office as a member of a council; or*
- (e) becomes the holder of any office or position in the employment of the local government; or*
- (f) having been elected to an office of councillor, is elected by the electors to the office of mayor or president of the council.*

[Section 2.32 amended by No. 55 of 2004 s. 686; No. 24 of 2005 s. 58; No. 1 of 2007 s. 5.]

4.17. Cases in which vacant offices can remain unfilled

- (1) If a member's office becomes vacant under section 2.32 on or after the third Saturday in July in the election year in which the term of the office would have ended under the Table to section 2.28, the vacancy is to remain unfilled and the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.*
- (2) If a member's office becomes vacant under section 2.32 —*
 - (a) after the third Saturday in January in the election year in which the term of the office would have ended under the Table to section 2.28; but*
 - (b) before the third Saturday in July in that election year, the council may, with the approval of the Electoral Commissioner, allow the vacancy to remain unfilled and, in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.*
- (3) If a councillor's office becomes vacant under section 2.32 and under subsection (4A) this subsection applies, the council may, with the approval of the Electoral Commissioner, allow* the vacancy to remain unfilled and, subject to subsection (4), in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.*

** Absolute majority required.*

(4A) Subsection (3) applies —

- (a) if —*
 - (i) the office is for a district that has no wards; and*

(ii) at least 80% of the number of offices of member of the council in the district are still filled;

or

(b) if —

(i) the office is for a ward for which there are 5 or more offices of councillor; and

(ii) at least 80% of the number of offices of councillor for the ward are still filled.

(4) If an ordinary or an extraordinary election is to be held in a district then an election to fill any vacancy in the office of councillor in that district that was allowed to remain unfilled under subsection (3) is to be held on the same election day and Division 9 applies to those elections as if they were one election to fill all the offices of councillor for the district or ward that need to be filled.

[Section 4.17 amended by No. 49 of 2004 s. 31; No. 66 of 2006 s. 8; No. 17 of 2009 s. 12.]

Schedule 2.2 - Clause 5. Local government may propose ward changes or make minor proposals

A local government may, whether or not it has received a submission —

(a) carry out a review of whether or not an order under section 2.2, 2.3(3) or 2.18 should, in the council's opinion, be made; or

(b) propose* to the Advisory Board the making of an order under section 2.2(1), 2.3(3) or 2.18(3) if, in the opinion of the council, the proposal is —

(i) one of a minor nature; and

(ii) not one about which public submissions need be invited;

or

(c) propose* to the Minister the making of an order changing the name of the district or a ward.

* Absolute majority required.

Policy Implications

Nil

Financial Implications

Minor financial savings.

Strategic Implications

Nil

Recommendation 8.8

That Council:

1. Proposes to permanently reduce the number of offices of Councillor for the Shire of Cunderdin from eight to seven.
2. Requests the Electoral Commissioner to approve the reduction of the Shire of Cunderdin number of offices of Council to seven members with one vacancy being held over until the October 2013 Local Government Elections.
3. Presents a submission to the Local Government Advisory Board requesting that the proposal to permanently reduce the number of offices of Council from eight to seven is one of a minor nature and not one about which public submissions need to be invited.

Moved: Cr _____

Seconded: Cr _____

Vote: **Absolute** majority

Carried/Lost: ___/___

Resolution 8.8

That Council:

Requests the Electoral Commissioner to approve the reduction of the Shire of Cunderdin number of offices of Council to seven members with one vacancy being held over until the October 2013 Local Government Elections.

Moved: Cr Graham Cooper

Seconded: Cr Doug Kelly

Vote: Absolute majority

Carried: 5/2

8.9. Change of Council Meeting Date – December 2012

Location:	Shire of Cunderdin
Applicant:	Administration
Date:	15 October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	
Attachment/s:	

Proposal/Summary

For Council to consider changing the date of the December 2012 Council Meeting.

This report recommends that the meeting be brought forward by one week to Thursday 13 December 2012.

Background

The December 2012 Ordinary Meeting of Council is scheduled to be held on Thursday 20 December, commencing at 5:00pm.

It is proposed for Council to consider changing the meeting date to Thursday 13 December 2012.

Comments

The proposed change in meeting date will provide staff with the opportunity to follow up and action matters from the Council meeting in advance of the Christmas / New Year Period, whereas the scheduled meeting date of 20 December is very restrictive in this regard and virtually means that most of the actions won't be effected until return from work after the Christmas / New Year break.

Consultation

Nil

Statutory Implications

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.9

That Council resolves to:

- 1. Change the date of the December 2012 Ordinary Council Meeting to Thursday 13 December 2012.**
- 2. Advertise the change of meeting date in accordance with the legislative requirements.**

Moved: Cr Dennis Whisson

Seconded: Cr Dianne Kelly

Vote: Simple Majority

Carried: 7/0

9. Environmental Health & Building Services

9.1. Installation of Gazebo – 2 Togo Street, Cunderdin

Location:	2 Togo Street, Cunderdin
Applicant:	Chief Executive Officer
Date:	15 October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Peter Naylor, CEO
File Reference:	
Attachment/s:	

Disclosure of Interest

Mr Naylor disclosed an interest in the item as he is the tenant of the property.

Council resolved for Mr Naylor remain in the meeting whilst the matter is discussed and determined.

Proposal/Summary

For Council consideration for the installation of a Gazebo at Council owned property located at 2 Togo Street, Cunderdin. The property is occupied by the Chief Executive Officer.

Background

The Chief Executive Officer is requesting Council consideration for approval to install a gazebo at the aforementioned property.

Mr Naylor recently attended an Outdoor Expo in Perth and selected preferred type of gazebo, being 6.5m x 4.5m rectangular with African Thatch roof.

The price for the gazebo is \$20,170 (GST Inc.), which includes supply and installation by the manufacturer Sunwise Outdoor Living of Clarkson.

The gazebo will value add to the Council owned property.

Comments

The installation of the gazebo will enable the CEO and his family to make use of the excellent climate conditions in Cunderdin, especially during the spring, summer and autumn seasons.

The house has existing 3m wide verandas but these are not amenable to outdoor dining or entertaining.

Mr Naylor is prepared to make financial contribution towards the costs of the gazebo.

No planning approval is required as the proposed structure meets all of the requirements of Shire of Cunderdin Building and Planning Policies and the Shire of Cunderdin Town Planning Scheme No 3.

A Building Application is currently with Council's Building Surveyor for assessment and approval.

Consultation

Sunwise Outdoor Living.

Statutory Implications

Building Act 2011.

Policy Implications

Shire of Cunderdin Town Planning Scheme No 3.
Shire of Cunderdin Building Policy 2 - Council Buildings
Shire of Cunderdin Planning Policy 2 - Houses and Sheds

Financial Implications

Budgeted allocation of \$20,000 has been provided for in the 2012/13 financial year to provide for maintenance to Council owned housing.

Council approval to this application will require a budget amendment when the budget review is undertaken at finalisation of Audit process.

Strategic Implications

Nil

Resolution 9.1

That Council;

- 1. Install the gazebo at 2 Togo St, Cunderdin as per the aforementioned officer's report, at cost of \$20,170 (GST Inc.) for supply and installation.**
- 2. Fund the gazebo costs by way of budget amendment during the midyear budget review process.**

Moved: Cr Graham Cooper

Seconded: Cr Doug Kelly

Vote: Simple Majority

Carried: 7/0

10. Works & Services

10.1. Manager of Works & Services Report

Location:	Cunderdin
Applicant:	Manager Works and Services
Date:	17 th October 2012
Author:	Mark Burgess
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	

Proposal/Summary

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

Construction

The programmed construction works for the Cunderdin Quairading Rd is completed. The 3.5km section of the road which joins the Cunderdin town boundary is to be revisited with a view to sealing the gravel shoulders. This will be actioned following the Cunderdin District High School Car Park and Cubbine Street projects.

The Grain Freight Network works within the Shire of Bruce Rock are proceeding on schedule and within budget provisions, estimated completion end of November 2012.

Regional Road Group works has commenced on the Cunderdin Wyalkatchem Road with the widening of the shoulders north of the Matthews Road intersection.

The Cunderdin Main Street project Stage 2, has commenced and it is anticipated will be completed early November.

General

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

Footpath/s Construction

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

Manager Works & Services Position

The Manager Works & Services position has been advertised and closed at 4:00pm on Wednesday 17 October 2012.

Statutory Implications

Local Government Act 1995

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.1

That Council receives the Manager of Works and Services Report for October 2012.

Moved : Cr Doug Kelly

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 7/0

10.2 The Rotary Club of Cunderdin Inc. – Permission for part closure of Main Street

Location:	Main Street, Cunderdin
Applicant:	Rotary Club of Cunderdin
Date:	12 October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Attachment/s:	

Disclosure of Interest

Cr Dennis Whisson declared an interest in the item as he is a member of the Rotary Club of Cunderdin inc.

Resolution 10.2.1

That Cr Whisson be allowed to participate in discussions relating to this matter as his Interest is so trivial or insignificant as to be unlikely to influence his conduct in relation to the matter.

Moved: Cr Gibsone

Seconded: Cr Cooper

Vote – Simple majority

Carried: 6/0

Proposal/Summary

For Council to consider the part closure of Main Street, Cunderdin, on Saturday 10 November 2012.

Background

The Rotary Club of Cunderdin will be conducting their annual fair in the Cunderdin Town Hall on Saturday 10 November 2012.

This year they have plans to extend the fair to include street stalls and the Lions Train.

The Rotary Club is seeking Council approval for part of Main Street from the western entrance to the business precinct to the town hall, section of about 120 meters, to be closed to traffic from 9:00am to 12:00 noon.

Traffic will still be able to access the business precinct from the eastern entrance and also have use of the slip road.

Comment

The annual fair is an integral part of the local festivities leading up to the Christmas / New Year period.

Council has the capacity in accordance with the provisions of S3.50 of the *Local Government Act 1995* to support the application.

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

Consultation

The Rotary Club of Cunderdin Inc.

Local community and business and property owners/occupiers, via local public notice.

Statutory Implications

Local Government Act 1995

3.50. Closing certain thoroughfares to vehicles

- (1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.
- (1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.
- (2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.
- [(3) deleted]
- (4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —
- (a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and
- (b) give written notice to each person who —
- (i) is prescribed for the purposes of this section; or
- (ii) owns land that is prescribed for the purposes of this section;
- and
- (c) allow a reasonable time for submissions to be made and consider any submissions made.
- (5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).
- (6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.
- [(7) deleted]
- (8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.
- (9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.
- [Section 3.50 amended by No. 1 of 1998 s. 11; No. 64 of 1998 s. 15; No. 49 of 2004 s. 26.]

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.2.2

That Council:

- 1. Supports the application from The Rotary Club of Cunderdin Inc. for the part closure of Main Street, Cunderdin, as defined in the letter of application, on Saturday 10 November 2012, from 9:00am to 12:00 noon.**
- 2. Informs the local community and effected business and property owners/occupiers of the part road closure by Local Public Notice to be provided in accordance with the provisions of S3.50 of the Local Government Act 1995.**

Moved: Cr Todd Harris

Seconded: Cr Clive Gibsone

Vote: Simple majority

Carried: 6/0

10.3 Tender 01 – 12/13

Location:	Cunderdin
Applicant:	Administration
Date:	15 October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	
Attachment/s:	

Proposal/Summary

For Council to consider tenders received for the disposal of Council Plant; MacDonald Roller and Dynapac VP200 Multi-Tyred Roller.

Background

In August 2012 Council received two written offers for the outright purchase of the MacDonald Roller and the Dynapac VP200 Multi-Tyred Roller.

At the Ordinary Council Meeting held on 23 August 2012, Council resolved to call for tenders to dispose of the two plant items in accordance with the provisions of the *Local Government Act 1995* and Local Government (Functions and General) Regulations 1996.

A tender notice was placed in the Avon Advocate on Wednesday 12 September 2012 with tenders closing at 4:00pm on Friday 5 October 2012.

At the close of the tender period two tenders were received, one for each plant item, in accordance with the confidential attachment.

Comment

It is recommended that Council accepts the two tenders received and attached as confidential information.

Consultation

Nil

Statutory Implications

Local Government Act 1995, s3.58 Disposing of Property.

Local Government (Functions and General) Regulations 1996, Cl30 Dispositions of property excluded from Act s3.58.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.3

That Council resolves to:

- 1. Accept the tenders received for the outright purchase of the MacDonald Roller and the Dynapac VP200 Multi-Tyred Roller on a 'as is, where is' basis.**
- 2. Monies payable to Council for sale of the two machines be paid directly into the Shire of Cunderdin Plant Replacement Reserve Account.**

Moved: Cr Graham Cooper

Seconded: Cr Clive Gibsone

Vote: Simple majority

Carried: 7/0

11. Planning & Development
11.1. Application for Boundary Realignment

Location:	Location 22813
Applicant/s:	Wilberforce Pastoral Company Pty Ltd
Date:	15 October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	

Proposal/Summary

Application from Wilberforce Pastoral Company Pty Ltd for Council to consider boundary realignment with the Shire of Quairading.

This report recommends that Council support the application.

Background

Wilberforce Pastoral Company Pty Ltd recently purchased a number of properties/locations within southern sector of the Shire of Cunderdin.

The boundary of the Shires of Cunderdin and Quairading dissects one of the locations, being location 22813, with 36.4 hectares being located within the Shire of Quairading.

This results in rates being levied by both Shires for the portion of land within each local government.

Correspondence has been received from Mr Walter H Johnson, Director of Wilberforce Pastoral Company Pty Ltd requesting Council consideration to boundary realignment with the Shire of Quairading to include the whole of Location 22813 within the Shire of Cunderdin.

Comment

The application does not seem unreasonable and can be supported by the Shire of Cunderdin.

The matter is also being presented to the next Ordinary Council Meeting of the Shire of Quairading. The Shire of Quairading Chief Executive Officer advises that the Council has supported similar boundary adjustments with other neighbouring Shires in the past and that this application will most probably be supported.

The process is to seek consent and support from the Shire of Quairading and then submit a proposal to the Local Government Advisory Board (LGAB).

Given the minor nature of the proposal it is likely to be supported by the LGAB and is unlikely to require a public submission period.

Consultation

Shire of Quairading Chief Executive Officer

Statutory Implications

Local Government Act 1995 - Schedule 2.1—Provisions about creating, changing the boundaries of, and abolishing districts.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 11.1

That Council:

- 1. Supports the application presented by Wilberforce Pastoral Company Pty Ltd for boundary realignment with the Shire of Quairading for the whole of Location 22813 to be included within the Shire of Cunderdin.**
- 2. Refers the matter to the Shire of Quairading for their consideration.**
- 3. On receipt of response from the Shire of Quairading prepares a submission to the Local Government Advisory Board in accordance with Schedule 2.1 of the Local Government Act 1995.**

Moved: Cr Dennis Whisson

Seconded: Cr Doug Kelly

Vote: Absolute majority

Carried: 7/0

11.2. Rotary Club of Cunderdin Inc. – Signage and Entry statements on Great Eastern Highway

Location:	Cunderdin
Applicant:	Rebecca Marsh – Secretary Rotary Club of Cunderdin Inc.
Date:	16 October 2012
Author:	Community Development Officer
Item Approved by:	Chief Executive Officer
File Reference:	
Attachments:	

Disclosure of Interest

Cr Dennis Whisson declared an interest in the item as he is a member of the Rotary Club of Cunderdin Inc.

Council resolved that Cr Whisson be allowed to participate in discussions a relating to this matter as his Interest is so trivial or insignificant as to be unlikely to influence his conduct in relation to the matter.

Proposal/Summary

The Rotary Club of Cunderdin Inc. is requesting permission to place a promotional sign for their club on the Great Eastern Highway.

This report recommends that the application be supported.

Background

The Rotary Club of Cunderdin was established in 1965 and plays an integral role in the local and greater community. The club is involved in many community events including annual Australia Day celebrations.

The Rotary Wheel Sign has been stolen from the western approach to Cunderdin and Rotary would like to install new signage where the 'Cunderdin Air show' sign is currently located. The Rotary Club has indicated they will provide and erect the new sign.

Comment

The western approach to town (Cunderdin) has signage that is in need of a 'revamp' and the Rotary sign as suggested will remove a sign that does not serve any purpose to the community.

Future plans to establish a sign/statement which identifies service groups active in the community and provides information on meeting times and locations has been identified by the Cunderdin Rotarians as

Consultation

Nil – The sign effectively will cover the current sign there is no need to consult with Main Roads

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Recommendation 11.2

That Council resolves to:

- a) Endorse the placement of the proposed Rotary Club of Cunderdin Inc. Promotional signage on the approaches to Cunderdin on the Great Eastern Highway over the two 'Cunderdin Air show' signs.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost ___/___

Resolution 11.2

That Council resolves to:

- a) **Endorse the placement of the proposed Rotary Club of Cunderdin Inc. Promotional signage on the approaches to Cunderdin on the Great Eastern Highway over the two 'Cunderdin Air show' signs.**
- b) **Encourage the Rotary Club to approach other service / community groups within the Shire of Cunderdin with a view for their inclusion on the proposed signage.**

Moved: Cr Clive Gibsone

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 6/0

11.3. Retrospective Approval for Four (4) Sea Containers – Lot 32 Throssell Street, Meckering

Location:	Lot 32 Throssell Street, Meckering
Applicant/s:	Mr Bryan Martin
Date:	23 rd October 2012
Author:	Dan Ho, Town Planning Consultant, City of Canning
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	

Proposal/Summary

To consider the retrospective approval of four (4) sea containers at Lot 32 Throssell Street, Meckering. The proposal is assessed against the Shire's Local Planning Policy 9.1 – Sea Containers (the Policy).

Background

Zoning: General Agriculture
Lot area: 44,000m²

The following report has been prepared in response to the application for a retrospective development approval lodged with the Shire of Cunderdin. The site currently has four (4) existing sea containers. The sea containers provide a minimum front setback of 78.25m (to Throssell Street) with a side setback (to Brockman Street) of 50m and a rear setback to (Morrell Street) of 30m. Each container has their own individual purpose, these purposes include the following:

1. Workshop;
2. Storage;
3. Accommodation; and
4. Ablution.

The Applicant has advised that the sea containers will be onsite at any time they are not required at different job locations.

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 subject site is zoned General Agriculture under the Shire of Cunderdin Town Planning Scheme No. 3 (the Scheme). The submitted plans provide the following variations to the requirements outlined in the Shire's Local Planning Policy 9.1.

Function of the Sea Containers:

Three of the four sea containers vary in uses between workshop, ablution and storage functions however one of the sea containers on site is strictly used for accommodation purposes only. Clause 5.2 (c) of the Policy requires all sea containers to not be used for habitable purposes.

Location:

The subject sea containers are located on Lot 32 Throssell Street, Meckering, which falls within the town site boundary of Meckering. Clause 5.2 (a)(ii) of the Policy does not permit sea containers to be located within a town site boundary. It is considered that the proposal does not comply with the provisions outlined in the Shire's Local Planning Policy 9.1 – Sea Containers. It is therefore recommended that the retrospective development proposal be refused given these circumstances.

Consultation

Nil

Statutory Implications

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

Policy Implications

Shire of Cunderdin Local Planning Policy 9.1 – Sea Containers

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 11.3

That Council refuse the retrospective application for four (4) sea containers at Lot 32 Throssell Street, Meckering, due to the following reasons:

- 1. Sea containers are not permissible within a town site boundary.**
- 2. Sea containers are not to be used for habitable purposes.**

Moved: Cr Graham Cooper

Seconded: Cr Clive Gibsone

Vote: Simple majority

Carried: 7/0

11.4. Proposed Outbuilding – Lot 176 Coronation Street, Cunderdin

Location:	Lot 176 Coronation Street, Cunderdin
Applicant/s:	K & G Cooper
Date:	23 rd October 2012
Author:	Dan Ho, Town Planning Consultant, City of Canning
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	5 Pages

Disclosure of Interest

Cr Graham Cooper disclosed an interest in the item, and left the chambers at 5:52pm.

Proposal/Summary

To consider the construction of an outbuilding at Lot 176 Coronation Street, Cunderdin. The proposed outbuilding has a wall height of 3.0m and a total floor area of 72m².

Background

Zoning: Residential R10
Lot area: 3,377m²

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.

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 60m² or 10 per cent in aggregate of the site area, whichever is the lesser. The proposed outbuilding

has a floor area of 72m². 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 11.4

That Council approve the application for an outbuilding at Lot 176 Coronation Street, Cunderdin, subject to the following condition:

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

Moved: Cr Dennis Whisson

Seconded: Cr Todd Harris

Vote: Simple majority

Carried: 6/0

Cr Graham Cooper returned to the Council Chambers at 5:55pm

11.5. Proposed Outbuilding – Lot 116 Margaret Street, Cunderdin

Location:	Lot 116 Margaret Street, Cunderdin
Applicant/s:	A Argent
Date:	23 rd October 2012
Author:	Dan Ho, Town Planning Consultant, City of Canning
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	7 Pages

Proposal/Summary

To consider the construction of an outbuilding at Lot 116 Margaret Street, Cunderdin. The proposed outbuilding has a wall height of 2.7m and a total floor area of 54m².

Background

Zoning: Residential R5
Lot area: 4,000.5m²

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.

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 2.7m. 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.

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

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 11.5

That Council approve the application for an outbuilding at Lot 116 Margaret Street, Cunderdin, subject to the following condition:

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

Moved: Cr Clive Gibsone

Seconded: Cr Todd Harris

Vote: Simple majority

Carried: 7/0

12. Urgent Items

13. Matters for which the meeting may be closed

Resolution 13.0

In accordance with section 5.23 (2) of the Local Government Act 1995, the meeting be moved behind closed doors at 5:57pm.

Moved: Cr Todd Harris

Seconded: Cr Clive Gibsone

Vote – Simple majority

Carried: 7/0

13.1. Cunderdin Airfield – CONFIDENTIAL ITEM

Location:	Cunderdin Airfield
Applicant/s:	Ascent Business Solutions Pty Ltd
Date:	15 th October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	9 Pages - Confidential

Resolution 13.1

That Council:

- 1. Endorses the Memorandum of Understanding (MoU) between the Shire of Cunderdin and Ascent Business Solutions Pty Ltd for the Cunderdin Airfield, as presented.**
- 2. Agrees to enter into a twelve (12) month MoU with Ascent Business Solutions Pty Ltd to facilitate the Developer undertaking a Feasibility Study for the future development and operation of the Cunderdin Airfield in accordance with the terms and conditions of the MoU.**
- 3. The MoU to commence on the date the document is executed by both parties.**
- 4. Authorises the Shire President and the Chief Executive Officer to engross the MoU on behalf of the Shire of Cunderdin.**

Moved: Cr Graham Cooper

Seconded: Cr Dennis Whisson

Vote: Simple majority

Carried: 7/0

13.2. Appointment Manager Works and Services – CONFIDENTIAL ITEM

Location:	Shire of Cunderdin
Applicant/s:	Peter Naylor, Chief Executive Officer
Date:	23 rd October 2012
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
File Ref:	
Attachment/s:	

Mark Burgess and Loren Clifford left the Council Chambers at 5:59pm.

Resolution 13.2

That Council:

- 1. Accepts the Chief Executive Officers recommendation for appointment of Mr Doug Davey to the Position of Manager Works and Services with the Shire of Cunderdin for a three year contractual period with six month probationary period.**
- 2. Endorses the appointment being in accordance with the salary package advertised to a maximum value of \$130,000, with cash component of \$92,000.**

Moved: Cr Doug Kelly

Seconded: Cr Graham Cooper

Vote: Simple majority

Carried: 7/0

Resolution 13.3

That the meeting move from behind closed doors

Moved: Cr Todd Harris

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 7/0

Mark Burgess and Loren Clifford re-enter the Council Chambers.

14. Closure of meeting

Prior to closing the meeting the Shire President acknowledged this as the final meeting for departing Manager Works & Services, Mark Burgess. The President and Councillors thanked Mark for his contribution to the Shires works and services over the past 2 ½ years and wish him all the best for the future.

The President declared the meeting closed at 6:15pm.