



## **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 13<sup>th</sup> December 2012** in the Council Chambers, Lundy Avenue Cunderdin commencing at 1:08 pm.

Peter Naylor  
**Chief Executive Officer**

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## MINUTES

### 1. Declaration of opening

**The President declared the meeting open at 1:08pm**

**The Shire of Cunderdin disclaimer was read aloud.**

The Local Government Act 1995 Part 5 Division 2 Section 5.25 and Local Government (Administration) Regulations 1996 Regulation 13

“No responsibility whatsoever is implied or accepted by the Shire of Cunderdin for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of Council’s decisions, which will be provided within ten working days of this meeting”.

### 2. Suspension of Clause 3.2 - Standing Orders

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Not applicable
<b>Date:</b>	4 <sup>th</sup> December 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer

#### **Resolution 2.0:**

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

**Moved: Cr Dianne Kelly**

**Seconded: Cr Doug Kelly**

**Vote – Simple majority**

**Carried: 6/0**

### 3. Public Question Time

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

**Declaration of public question time opened at 1:10pm**

**Declaration of public question time closed at 1:10pm**

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

##### Record of attendances

###### Councillors

Cr RL (Rod) Carter	Shire President
Cr RC (Clive) Gibsone	Deputy Shire President
Cr TE (Todd) Harris	
Cr DG (Dianne) Kelly	
Cr DB (Doug) Kelly (1:08pm – 1:36pm)	
Cr DA (Dennis) Whisson	

##### Apologies

##### On Leave of Absence

Cr GJ (Graham) Cooper

##### Staff

Peter Naylor	Chief Executive Officer
Loren Clifford	Manager of Finance & Administration
Alan Haslett	Acting Manager Works & Services (1:08pm – 1:36pm)

##### Guests of Council

##### Members of the Public

##### Applications for leave of absence

###### Resolution 4.0

That Councillor Rod Carter be granted Leave of Absence for the Ordinary Meeting of Council scheduled to be held on Thursday 21<sup>st</sup> February 2013 and any special meetings that may be held in January or February 2013.

Moved: Cr Clive Gibsone                      Seconded: Cr Dianne Kelly

Vote – Simple majority                      Carried: 5/0

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

#### 5. Petitions, Deputations, Presentations

##### Deputations

##### Presentations

#### 6. Announcements by President without discussion

Manager of Works and Services report was brought forward for discussion to allow the Manager of Works and Services to leave early.

### 10.1 Works & Services Report

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Acting Manager Works & Services
<b>Date:</b>	11 December 2012
<b>Author:</b>	Acting Manager Works & Services
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Attachment/s:</b>	Nil

Cr Doug Kelly left the Council chambers at 1:30pm.

#### **Proposal/Summary**

Council is to receive the Works and Services Report for December 2012.

#### **Construction**

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. It is proposed that this will be actioned following the Cunderdin District High School Car Park and Cubbine Street projects. MRWA are currently doing design plans and cost estimates for the upgrades.

The Grain Freight Network works within the Shire of Bruce Rock have been completed.

#### *Regional Road Group*

Shoulder reconstruction and pavement correction north of Matthews Road has been completed on the Cunderdin-Wyalkatchem Road. Reseals are to be done on two sections between Minnivale and Matthews Roads in the New Year.

#### *Quelagetting Road*

Shoulder reconstruction over a four kilometre section from Minnivale road is in progress with approximately 10% completed.

#### **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**

Mr Alan Haslett has been appointed Acting Works and Services Manager for three months. The CEO is endeavouring to appoint someone permanent to the position in February of next year.

#### **Statutory Implications**

*Local Government Act 1995*

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Resolution 10.1**

**That Council receives the Works and Services Report for December 2012.**

**Moved : Cr Todd Harris**

**Seconded: Cr Dianne Kelly**

**Vote – Simple majority**

**Carried: 5/0**

Mr Alan Haslett left the Council chambers at 1:34pm and did not return.  
Cr Doug Kelly returned to the Council chambers at 1:34pm  
Cr Doug Kelly left the Council chambers at 1:36pm and did not return.

## 7. Confirmation of the Minutes of Previous Meetings

### 7.1 Ordinary Meeting of Council held on Thursday 15 November 2012, and Special Meetings of Council held on Friday 23 November 2012

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	4 December 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	N/A
<b>File Reference:</b>	
<b>Attachment/s:</b>	Nil

#### **Proposal/Summary**

Council to confirm the minutes of the Ordinary Council meeting held on 15 November 2012, and the Special Meetings of Council (2) held on Friday 23 November 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:**

- 1. The minutes of the Ordinary Council meeting held on 15 November 2012, be confirmed as a true and correct record.**
- 2. The minutes of the two Special Meetings of Council held on Friday 23 November 2012, be confirmed as a true and correct record.**

**Moved: Cr Dennis Whisson**

**Seconded: Cr Dianne Kelly**

**Vote – Simple majority**

**Carried: 5/0**

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

The President signed the minute declaration.

## 8. Finance & Administration

### 8.1. Financial Report for November 2012

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Date:</b>	10 <sup>th</sup> December 2012
<b>Author:</b>	Loren Clifford/Darren Long
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	

#### Proposal/Summary

The financial position as at 30<sup>th</sup> November 2012 is presented for consideration.

#### Appendices – 30<sup>th</sup> November 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 30<sup>th</sup> November 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
- 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
- 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 30<sup>th</sup> November 2012.**

**Moved: Cr Clive Gibsone**

**Seconded: Cr Todd Harris**

**Vote – Simple majority**

**Carried: 5/0**

## 8.2 Accounts Paid – November 2012

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Author:</b>	Loren Clifford
<b>Report Date:</b>	10 <sup>th</sup> December 2012
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

### **Proposal/Summary**

Council is requested to confirm the payment of Accounts totalling \$ 2,115,085.35 listed in the Warrant of Payments for the period 1<sup>st</sup> November 2012 – 30<sup>th</sup> November 2012.

### **Attachments**

Warrant of Payments for 1<sup>st</sup> November 2012 – 30<sup>th</sup> November 2012.

### **Statutory Environment**

Financial Management Regulations 12 & 13

### **Commentary on Statutory Environment**

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

### **Policy Implications**

Nil

### **Financial Implications**

All financial implications are contained within the reports

### **Strategic Implications**

Nil

The accounts paid and payable are summarised as follows for 1<sup>st</sup> November 2012 – 30<sup>th</sup> November 2012.

1.0 Accounts Already Paid

1.1 Municipal Fund –

CHEQUE NUMBERS	AMOUNT
009872 – 009923	\$ 151,203.07
Funds Transfers	\$ 1,000,500.00
Electronic Payments – Various	\$ 963,382.28

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

CHEQUE NUMBERS	AMOUNT
	\$
2.0 Accounts to be passed for payment	
2.1 Municipal Fund -	
Nil	
<b>TOTAL MUNICIPAL FUNDS</b>	<b>\$ 2,115,085.35</b>

3. Trust Fund – Accounts Already Paid

DATE	CHEQUE NUMBER	DETAILS	AMOUNT
			\$
Nil			0.00

**Resolution 8.2**

**(a) That Council's payment of accounts amounting to \$ 2,115,085.35 for the period of 1<sup>st</sup> November 2012 – 30<sup>th</sup> November 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 Dianne Kelly**

**Vote – simple majority**

**Carried: 5/0**

Payments List - November 2012				
Date	Reference	Creditor		Amount
1/11/2012	Bank Fees	Westpac Banking Corporation	-\$	120.41
1/11/2012	Bank Fees	Westpac Banking Corporation	-\$	84.88
1/11/2012	Bank Fees	Westpac Banking Corporation	-\$	61.80
1/11/2012	Bank Fees	Westpac Banking Corporation	-\$	61.66
1/11/2012	Bank Fees	Westpac Banking Corporation	-\$	22.00
1/11/2012	Bank Fees	Westpac Banking Corporation	-\$	20.00
1/11/2012	Bank Fees	Westpac Banking Corporation	-\$	13.00
1/11/2012	Bank Fees	Westpac Banking Corporation	-\$	13.00
2/11/2012	9872	Westnet	-\$	44.95
2/11/2012	Bank Fees	Westpac Banking Corporation	-\$	16.00
2/11/2012	Bank Fees	Westpac Banking Corporation	-\$	5.50
2/11/2012	EFT-848	G & J Plumbing	-\$	176.00
2/11/2012	EFT-849	McLeods Barristers & Solicitors	-\$	3,574.52
2/11/2012	EFT-850	R & R Tape Supplies	-\$	462.00
2/11/2012	EFT-851	Hostplus	-\$	125.55
2/11/2012	EFT-852	The Cunderdin Mob	-\$	323.20
2/11/2012	EFT-853	WA Local Government Superannuation Plan	-\$	4,389.56
2/11/2012	EFT-854	Courier Australia	-\$	146.42
2/11/2012	EFT-855	Kelly, cr. Doug	-\$	140.00
2/11/2012	EFT-856	Integrated Records & Info Solutions	-\$	1,562.00
2/11/2012	EFT-857	Western Stabilisers Pty Ltd	-\$	86,796.60
2/11/2012	EFT-858	Darren Long Consulting	-\$	888.25
2/11/2012	EFT-859	Rileys Earthworks Pty Ltd	-\$	9,240.00
2/11/2012	EFT-860	Avon Waste	-\$	5,248.52
2/11/2012	EFT-861	Whisson, Cr Dennis	-\$	140.00
2/11/2012	EFT-862	Cunderdin Community Resource Centre	-\$	100.80
2/11/2012	EFT-863	Austral Mercantile Collections Pty Ltd	-\$	142.41
2/11/2012	EFT-864	Meckering Roadhouse	-\$	1,350.00
2/11/2012	EFT-865	Shire of York	-\$	2,052.31
2/11/2012	EFT-866	RBE Internet Services	-\$	20.00
2/11/2012	EFT-867	Sandco Hire & Contracting	-\$	175.00
2/11/2012	EFT-868	Donovans Engineering	-\$	847.00
2/11/2012	EFT-869	Frear, Dianne	-\$	61.65
2/11/2012	EFT-870	Cooper, Cr Graham	-\$	140.00
2/11/2012	EFT-871	The Australian Local Government Job Directory	-\$	1,089.00
2/11/2012	EFT-872	Davey, Wendy	-\$	549.00
2/11/2012	EFT-873	Av-Sec Security	-\$	180.20
2/11/2012	EFT-874	Harris, Cr Todd	-\$	140.00
2/11/2012	EFT-875	Mack Cheno Earthmoving	-\$	128,191.25
2/11/2012	EFT-876	C & S Hoddy	-\$	9,240.00
2/11/2012	EFT-877	WA Local Government Association	-\$	3,125.96
2/11/2012	EFT-878	Shire of Tammin	-\$	1,116.15
2/11/2012	EFT-879	Orica Australia Pty Ltd	-\$	731.24
2/11/2012	EFT-880	Cutting Edges	-\$	1,567.06

Payments List - November 2012				
Date	Reference	Creditor		Amount
2/11/2012	EFT-881	Local Health Authorities Analytical Committee	-\$	441.39
2/11/2012	EFT-882	Macs Agencies	-\$	180.00
2/11/2012	EFT-883	JR & A Hersey	-\$	481.80
5/11/2012	9873	Regional Concrete & Plumbing	-\$	1,470.01
5/11/2012	9874	Rylan Pty Ltd	-\$	13,750.00
5/11/2012	9875	Carter, Cr Rod	-\$	280.00
5/11/2012	9876	Cunderdin Panelbeaters	-\$	1,421.75
5/11/2012	9877	Gray, Dr. Ken	-\$	110.00
5/11/2012	9878	Corrigin Hotel	-\$	12,089.79
5/11/2012	9879	Dy Mark	-\$	735.77
5/11/2012	9880	MLC Nominees Pty Ltd	-\$	195.68
5/11/2012	9881	Pitstop Diner	-\$	94.90
5/11/2012	9882	St John Ambulance Australia (Western Australia) Inc.	-\$	796.00
5/11/2012	9883	Telstra Corporation Limited	-\$	268.01
5/11/2012	9884	Suncorp WealthSmart	-\$	166.27
5/11/2012	9885	City of Bunbury	-\$	242.00
5/11/2012	9886	Westscheme Superannuation	-\$	293.49
5/11/2012	9887	Shire of Moora	-\$	370.32
5/11/2012	9888	Wayne Davies	-\$	13,350.00
5/11/2012	9889	Gibson, Cr Clive	-\$	140.00
5/11/2012	9890	BT Super for Life	-\$	90.25
5/11/2012	9891	Child Care Super	-\$	104.62
5/11/2012	9892	Kelly, cr. Dianne	-\$	140.00
5/11/2012	9893	Signs Plus	-\$	18.00
5/11/2012	9894	Cunderdin Newsagency	-\$	306.05
5/11/2012	9895	OnePath Superannuation	-\$	159.03
5/11/2012	9896	Telstra (Bigpond)	-\$	19.95
5/11/2012	9897	Rj & Ma Smith Pty Ltd	-\$	2,746.59
7/11/2012	EFT Pays	Staff Salaries & Wages	-\$	44,909.15
14/11/2012	EFT-884	Contract Aquatic Services	-\$	14,696.92
15/11/2012	Bank Fees	Westpac Banking Corporation	-\$	29.74
15/11/2012	EFT-885	Cunderdin Co-Op Fuel	-\$	7,803.00
15/11/2012	EFT-886	SG Fleet	-\$	1,450.27
21/11/2012	EFT Pays	Staff Salaries & Wages	-\$	35,256.93
23/11/2012	9898	Synergy	-\$	6,460.98
23/11/2012	9899	Rural Press Regional Media WA	-\$	55.00
23/11/2012	9900	Australias Golden Outback	-\$	1,675.00
23/11/2012	9901	Carter, Cr Rod	-\$	280.00
23/11/2012	9902	Corrigin Hotel	-\$	12,999.86
23/11/2012	9903	Thomson, Sandra	-\$	30.00
23/11/2012	9904	Telstra Corporation Limited	-\$	2,087.62
23/11/2012	9905	Goodfield Quality Meats	-\$	345.50
23/11/2012	9906	Lowes Churchill & Associates Pty Ltd	-\$	5,513.44
23/11/2012	9907	Major Motors Pty Ltd	-\$	203.35

Payments List - November 2012				
Date	Reference	Creditor		Amount
23/11/2012	9908	Westnet	-\$	44.95
23/11/2012	9909	Gibsons, Cr Clive	-\$	140.00
23/11/2012	9910	BT Super for Life	-\$	223.65
23/11/2012	9911	Country Ford	-\$	496.15
23/11/2012	9912	Bruce Rock Hotel	-\$	2,250.00
23/11/2012	9913	Child Care Super	-\$	200.88
23/11/2012	9914	Commissioner of Police	-\$	45.70
23/11/2012	9915	Kelly, cr. Dianne	-\$	140.00
23/11/2012	9916	Clovelly Nominees Pty Ltd	-\$	525.00
23/11/2012	9917	Cunderdin Newsagency	-\$	72.55
23/11/2012	9918	Baxters Rural Centre	-\$	267.53
23/11/2012	9919	Metal Artwork Creations	-\$	29.70
23/11/2012	9920	OnePath Superannuation	-\$	311.78
23/11/2012	9921	Combined Tyrepower	-\$	69.00
23/11/2012	9922	Telstra (Bigpond)	-\$	19.95
23/11/2012	9923	Australian Taxation Office (Bas)	-\$	67,357.00
23/11/2012	EFT-887	Ward-Large, Ms. Alicia	-\$	178.93
23/11/2012	EFT-888	McLeods Barristers & Solicitors	-\$	207.35
23/11/2012	EFT-889	Australian Institute of Management	-\$	1,870.00
23/11/2012	EFT-890	Hostplus	-\$	282.49
23/11/2012	EFT-891	Glowstix Australia Pty Ltd	-\$	385.20
23/11/2012	EFT-892	The Cunderdin Mob	-\$	362.40
23/11/2012	EFT-893	Courier Australia	-\$	77.34
23/11/2012	EFT-894	Wattleup Tractors	-\$	340.55
23/11/2012	EFT-895	Air Liquid Pty Ltd	-\$	128.73
23/11/2012	EFT-896	Kangaroo Educational Pty Ltd	-\$	205.04
23/11/2012	EFT-897	Kelly, cr. Doug	-\$	140.00
23/11/2012	EFT-898	Mick Walker Transport	-\$	8,437.00
23/11/2012	EFT-899	Western Stabilisers Pty Ltd	-\$	170,496.48
23/11/2012	EFT-900	Cunderdin Co-op	-\$	2,412.03
23/11/2012	EFT-901	American Asset Pty Ltd	-\$	2,024.00
23/11/2012	EFT-902	Peak Transport	-\$	113.63
23/11/2012	EFT-903	Australia Post	-\$	500.60
23/11/2012	EFT-904	Rileys Earthworks Pty Ltd	-\$	17,864.00
23/11/2012	EFT-905	Avon Waste	-\$	6,159.58
23/11/2012	EFT-906	Chatfield's Tree Nursery	-\$	997.59
23/11/2012	EFT-907	Whisson, Cr Dennis	-\$	140.00
23/11/2012	EFT-908	LGISWA	-\$	85,141.34
23/11/2012	EFT-909	Argent Electrical	-\$	396.88
23/11/2012	EFT-910	Shire of York	-\$	1,501.72
23/11/2012	EFT-911	Onsite Rental Group Operations Pty Ltd	-\$	7,084.00
23/11/2012	EFT-912	Eastern Hill Saws & Mowers	-\$	607.95
23/11/2012	EFT-913	Donovans Engineering	-\$	264.00
23/11/2012	EFT-914	Frear, Dianne	-\$	33.58

<b>Payments List - November 2012</b>			
<b>Date</b>	<b>Reference</b>	<b>Creditor</b>	<b>Amount</b>
23/11/2012	EFT-915	Cooper, Cr Graham	-\$ 140.00
23/11/2012	EFT-916	CJD Equipment Pty Ltd	-\$ 213.84
23/11/2012	EFT-917	Rural Traffic Services	-\$ 40,091.70
23/11/2012	EFT-918	Lancelin Sands	-\$ 12,886.50
23/11/2012	EFT-919	Harris, Cr Todd	-\$ 140.00
23/11/2012	EFT-920	Startrack Express	-\$ 51.48
23/11/2012	EFT-921	Information Services & Technology	-\$ 396.00
23/11/2012	EFT-922	Local Government Managers Australia (WA DIV)	-\$ 1,560.00
23/11/2012	EFT-923	Avdata Australia	-\$ 634.02
23/11/2012	EFT-924	Judius Pty Ltd	-\$ 155.98
23/11/2012	EFT-925	Roads 2000	-\$ 147,558.94
23/11/2012	EFT-926	Elders Limited	-\$ 1,529.00
23/11/2012	EFT-927	Cunderdin Historical Society	-\$ 36.00
23/11/2012	EFT-928	Tom Fullerton Trucking	-\$ 59,048.00
23/11/2012	EFT-929	Cunderdin Co-op Museum	-\$ 43.66
23/11/2012	EFT-930	Sunny Sign Company Pty Ltd	-\$ 22.00
23/11/2012	EFT-931	Northam Garden Centre	-\$ 230.60
23/11/2012	EFT-932	WA Local Government Association	-\$ 6,324.50
23/11/2012	EFT-933	Cannon Hygiene	-\$ 43.52
23/11/2012	EFT-934	Shire of Tammin	-\$ 2,612.40
23/11/2012	EFT-935	Orica Australia Pty Ltd	-\$ 37.62
23/11/2012	EFT-936	Landgate	-\$ 78.70
23/11/2012	EFT-937	JR & A Hersey	-\$ 10,324.75
23/11/2012	EFT-938	Eastway Food Supplies	-\$ 518.70
23/11/2012	EFT-939	Country Copiers Northam	-\$ 607.91
23/11/2012	Funds Tfr	TFR of Funds for new term deposit	-\$ 500,000.00
23/11/2012	Funds Tfr	TFR of Funds for new term deposit	-\$ 500,000.00
27/11/2012	Funds Tfr	Gym Bonds Transfers	-\$ 500.00
			<b>-\$ 2,115,085.35</b>

### 8.3 Council Investments – At 30<sup>th</sup> November 2012

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Author:</b>	Loren Clifford
<b>Report Date:</b>	10 <sup>th</sup> December 2012
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

#### Proposal/Summary

To inform Council of its investments as at 30<sup>th</sup> November 2012.

#### Background

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

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

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

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

#### Commentary

<b>COUNCIL INVESTMENTS AS AT 30<sup>th</sup> NOVEMBER 2012</b>				
<b>Institution</b>	<b>Amount Invested</b>	<b>Investment type</b>	<b>Municipal Funds</b>	<b>Reserve Funds</b>
Westpac Banking Corporation	\$ 96.43	Business Cash Reserve Bonus 22-3639 0.01%	\$0.00	\$ 96.43
Westpac Banking Corporation	\$ 2,206,278.88	Reserves Term Deposit 22-6311 4.50%	\$0.00	\$ 2,206,278.88
Westpac Banking Corporation	\$ 23.20	Business Cash Reserve Bonus 22-3647 0.01%	\$ 23.20	\$0.00
Westpac Banking Corporation	\$ 377,437.60	Muni Term Deposit 22-6303 4.50%	\$ 377,437.60	\$0.00
Westpac Banking Corporation	\$303,629.59	Muni Term Deposit 22-6418 4.80%	\$ 303,629.59	\$0.00
Westpac Banking Corporation	\$500,000.00	Muni Term Deposit 22-8704 4.45%	\$ 500,000.00	\$0.00
Westpac Banking Corporation	\$500,000.00	Muni Term Deposit 22-8712 4.45%	\$ 500,000.00	\$0.00
<b>TOTAL INVESTMENTS</b>	<b>\$ 3,887,465.70</b>		<b>\$1,681,090.39</b>	<b>\$2,206,375.31</b>



**Statutory Implications**

Financial Management Regulation 19.

**Policy Implications**

Delegation #18 – Investments.

**Financial Implications**

There are no financial implications in considering this item.

**Strategic Implications**

There are no strategic implications in considering this item.

**Resolution 8.3**

**That the report on Council investments as at 30<sup>th</sup> November 2012 be received and noted.**

**Moved Cr Todd Harris**

**Seconded Cr Clive Gibsone**

**Vote – Simple Majority**

**Carried: 5/0**

**9 Environmental Health & Building Services**

No Reports

UNCONFIRMED

**10 Works & Services**

Works & Services Report was discussed as the first item - See item 10.1 Page 5

UNCONFIRMED

## 10.2 Cunderdin Airfield Pavement Assessment

<b>Location:</b>	Cunderdin Airfield
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	7 December 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Attachment/s:</b>	19 Pages CONFIDENTIAL

### **Proposal/Summary**

For Council to consider the Expressions of Interests received (4) to undertake the Pavement Assessment at the Cunderdin Airfield.

### **Background**

Council has received grant funding through the Regional Airports Development Scheme to carry out various works at the Cunderdin Airfield.

One of the identified tasks is to carry out an assessment of the existing pavement at the Airfield, and to also assess the neighboring green-field sites in view of future extension of the runway/s should that be necessary.

An advertisement calling for Expressions of Interest (EOI) was placed in the West Australia Newspaper on Saturday 8 September 2012.

At the close of the EOI period four proposals were received.

The Chief Executive Officer (CEO) engaged the services of Mr Ken Flecknell of Strategic Safety Alliance to assist with analysing the EOI's. Mr Flecknell has a lot of experience in the aviation industry and knowledge of the Cunderdin Airfield having been involved with previous works at the site.

Unfortunately it was difficult to accurately assess the proposals and select a suitable consultant due to the submissions not being easy to compare due to varying alternatives being included.

The CEO and Mr Flecknell prepared a format to be forwarded to each of the proponents requesting information to be provided in a more easily identifiable way for ease of comparison.

The revised formats have now been received from each of the four proponents and analysis carried out by Mr Flecknell.

### **Comment**

Mr Flecknell's cost comparison report, along with the four proposals submitted, is included as an attachment to this report.

Mr Flecknell is recommending that Council consider awarding the Cunderdin Airfield Pavement Assessment to AURECON. AURECON seem to offer the best value for service and coincidentally they provided the lowest priced Expression of Interest.

**Consultation**

Mr Ken Flecknell, Strategic Safety Alliance.

**Statutory Implications**

Nil

**Policy Implications**

Nil

**Financial Implications**

Provision included in the Shire Budget for 2012/2013.

**Strategic Implications**

Nil

**Resolution 10.2**

**That Council awards the Expression of Interest for Pavement Assessment at the Cunderdin Airfield to AURECON for amount of \$77,482.92 (excluding GST).**

**Moved: Cr Dennis Whisson**

**Seconded: Cr Dianne Kelly**

**Vote: Simple majority**

**Carried: 5/0**

### 10.3 Tammin 2 Cunderdin Adventure Run - Road Closure Application

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Andrea Myers
<b>Date:</b>	7 <sup>th</sup> December 2012
<b>Author:</b>	Community Development Officer
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	
<b>File Reference:</b>	
<b>Attachment/s:</b>	14 Pages

#### **Proposal/Summary**

For Council to consider the part closure of Lundy Avenue from Memorial Drive turn off to Carter Road/ Cubbine Street, Cubbine Street between Main Street East and Lundy Avenue and Main Street East for approximately 300m east of the Intersection of Main Street East and Cubbine Street, Cunderdin, on Sunday 30<sup>th</sup> December 2012.

#### **Background**

Ms Andrea Myers has organised the first Tammin 2 Cunderdin Adventure Run to be held on Sunday 30<sup>th</sup> December 2012. Ms Myers successfully organised the Quairading Marathon recently with 45 people participating in the event. It is anticipated that more will register for the Tammin Run.

The Shire of Cunderdin is the Auspicing Organisation on behalf of Andrea Myers for the purposes of a funding submission made to Healthways for \$5,000. Confirmation of funding has been received with funding to the value \$2,500. Local business sponsorship to the value of \$700 has been received up to the date of this report. Sponsorship from One Life Suicide Prevention for media and promotion has increased the public awareness of the race as a recent 2 hour radio broadcast across the Wheatbelt has resulted in more expressions of interest in the Run.

Ms Myers is seeking Council approval for part closure of Lundy Avenue from Memorial Drive turn off to Carter Road/ Cubbine Street, Cubbine Street between Main Street East and Lundy Avenue and Main Street East for approximately 300m east of the Intersection of Main Street East and Cubbine Street, Cunderdin, on Sunday December 30<sup>th</sup> 2012 from 9.00am to 10.30am whilst the runners/walkers are actively on the road during the race.

Traffic will still be able to access Lundy Avenue from the Western approach and via Memorial Avenue during the closure time.

#### **Comment**

This is the first race of what is hoped to be a yearly event and drawcard to attract visitors to the Shire.

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**

Andrea Myers

Neil Manning - Principal Consultant, Cycle Sense – Traffic Event Management

Cunderdin Police

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

## **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**

Invoice of \$74.50 to paid from funds held in trust for Race Administration

## **Strategic Implications**

Nil

**Resolution 10.3**

**That Council:**

- 1. Supports the application from Ms Andrea Myers for partial road closures, as defined in the Road Closure Application, on Sunday 30<sup>th</sup> December 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 Clive Gibsone**

**Seconded Cr Dianne Kelly**

**Vote – Simple majority**

**Carried: 5/0**



## 11 Planning & Development

### 11.1 Proposed Water Pipeline Upgrade - Meckering

<b>Location:</b>	Pert-Kalgoorlie Railway Reserve & Stewart Rd, Meckering
<b>Applicant/s:</b>	Water Corporation
<b>Date:</b>	5 December 2012
<b>Author:</b>	Dan Ho, Town Planning Consultant, City of Canning
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Ref:</b>	
<b>Attachment/s:</b>	5 Pages

#### **Proposal/Summary**

To consider the construction of a new pipeline located parallel to existing pipes, approximately 15m to the north of the existing pipes current alignment. The majority of works are to be within the Shire of Cunderdin and located predominantly in the Perth – Kalgoorlie Railway Reserve. The proposed pipeline will also cross a portion of Stewart Road.

#### **Background**

Zoning: Local Scheme Reserve 'Railways'.

The Water Corporation is intending to replace a 5.4 km section of the Kalgoorlie main conduit west of Meckering as part of its ongoing refurbishment works. The conduit is part of the Goldfields and Agricultural Water Supply Scheme.

The following report has been prepared in response to the application for a single 1,000mm diameter underground pipeline. The proposed pipe is to replace the existing above ground pipes (two x 675mm diameter). The two existing above ground pipes are to be retained as it is part of the National Heritage List and protected under the *Environmental Protection and Biodiversity Conservation Act 1999*.

#### **Comment**

The land associated with the proposed development is predominantly reserved for 'Railways' purposes under the Shire's Local Planning Scheme No 3. The proposed pipeline will also cross a portion of Stewart Road.

Clause 3.4.3 of the Scheme requires planning approval from the Shire for all developments within a local reserve, the Shire will have regard to the ultimate purpose of the reserve and matters set out in clause 10.2 of the Scheme.

The ultimate intent of the reserve is for railway orientated functions. The applicant has referred this proposal to the responsible agency for the railway reserve The Public Transport Authority for consultation. The Transport Authority responded with a letter of authorisation dated 14 September 2012 supporting the proposed development.

As stated the proposed pipeline will cross Stewart Road. The subject road is an unsealed road under the control of the Shire of Cunderdin. The Applicant has provided written confirmation that the crossing of Stewart Road will be undertaken via Horizontal Thrust Boring and therefore will not have a significant impact on the road surface. The Department of Regional Development and Lands has provided their authorisation supporting the proposed development.

The proposed development does not facilitate to the ultimate purpose of the reserve however given the nature of the development and the support of the Public Transport Authority it is considered that the development is supportable given these circumstances.

**Consultation**

Nil

**Statutory Implications**

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

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

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

**Resolution 11.1**

**That Council approve the application, subject to the following conditions:**

- 1. The proposed development is to generally comply with the submitted plans received on 15 October 2012, and approved and stamped accordingly.**
- 2. Any damage to Stewart Road to be rectified to its previous condition/standard as a minimum, at the cost of the Water Corporation.**

**Moved: Cr Dennis Whisson**

**Seconded: Cr Todd Harris**

**Vote: Simple majority**

**Carried: 5/0**

## 11.2 Yilgarn Street Residential Subdivision – Street Names

<b>Location:</b>	Yilgarn Street, Cunderdin
<b>Applicant/s:</b>	LandCorp
<b>Date:</b>	5 December 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Ref:</b>	
<b>Attachment/s:</b>	6 Pages

### Proposal/Summary

For Council to consider the naming of the streets (two or four) within the Yilgarn Street, Cunderdin, Residential Subdivision.

### Background

This matter was previously presented to the Ordinary Meeting of Council held on Thursday 15 November 2012. At the meeting Council resolved:

*“To get a list of street names off John and Faye Harris from their designs for the Cunderdin Crest Estate for Council to consider at the special meeting 23 November 2012”.*

The information was obtained from Mr & Mrs Harris and circulated to Councillors for comment and also forwarded to the Geographical Names Information Officer at Landgate for advice prior to formally presenting to Council.

Unfortunately this information wasn't available for presentation to the Special Meeting of Council on 23 November.

### Comment

Mr & Mrs Harris provided the following proposed names for consideration ( a map indicating the streets to be named is included as an attachment to this item):

*JENZEN LINK: The first name on the original title.*

*DAIRY LANE: Dairy cows were first to graze this land.*

*BILL BARRY RESERVE OR BARRY RESERVE: The second name on title, Lived in a tin hut near those gum trees and fig tree. I think the fig tree has been scraped away.*

*HARFIELD DRIVE: Harfield is a combination of Harris and Bunfield early farming partners north cunderdin. The farm is still in the Harris Name.*

In relation to the proposed names, the Geographical Names Information Officer provides the following comments:

*With reference to your email below and the information contained in the email from the Harris family I can advise that:-*

- *Bill Barry Reserve is not suitable for a road name as this is a double barrel name and Reserve is not a road type. However assuming this is a deceased person, the name Barry could be used as a road name with a compliant road type i.e. Barry Road, Barry Way, Barry Street etc. Additional details on the origin would be necessary (approximate date lived on the site/ background to the person i.e. farmhand etc)*
- *Combining names for road names are not acceptable therefore Harfield Drive is not be supported, the road type Drive is also not supported given the extent of the road. The name Harris is already used for a road in the Shire, as such the name could not be duplicated, however the name Bunfield could be used if after a deceased person – i.e. Bunfield Street or Parkway, Road etc. The name Harris could be applied as the park name for the public open space (Harris Park) if the origin recognises a deceased person (i.e. early pioneer). The site is over 1 hectare therefore it could not be named after a living person. Relevant origin information would be required (full name or initials etc. – background dates, occupation etc).*
- *Jenzen Link – assuming this is a deceased person, the name Jenzen is suitable however the road type Link is no longer permitted therefore an alternative road type would be required i.e. Terrace, View, Vista, Road, Way etc. Further origin details would also be required (year / full name – initials etc).*
- *Dairy Lane is suitable.*

*Should the Shire wish to proceed with a formal approval of the road names and park name, please forward your advice on the final selected names together with some more origin details (full name, dates etc) relevant to proposed names. Please refer to the attachment to assist with choosing replacement road types.*

The response and advice from Landgate has been referred to Mr & Mrs Harris for their consideration, and the Chief Executive Officer has had follow up contact with them to try and address the issues raised by Landgate and reach an amicable solution.

Mr & Mrs Harris understand the framework within which Landgate needs to work and through discussions have arrived at a compromise situation whereby a suitable Resolution can be submitted. It is being recommended that the following names be submitted to Geographical Names Committee at Landgate for consideration.

- Barry Street
- Bunfield Street
- Jenzen Terrace
- Dairy Lane
- Harris Park

Should Council support the Resolution the Chief Executive Officer will continue to work with Mr & Mrs Harris to gather the historical information required to present to Landgate.

### **Consultation**

Mr John & Mrs Faye Harris  
Jan Lonsdale, Geographical Names Information Officer, Landgate

### **Statutory Implications**

Land Administration Act 1997 – section 26A Names of roads and areas in new subdivisions.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Recommendation 11.2**

That Council:

1. Adopts the following street and park names for the Yilgarn Street, Cunderdin, Residential Subdivision and they be submitted to the Geographical Names Committee at Landgate for formal approval:
  - Barry Street
  - Bunfield Street
  - Jenzen Terrace
  - Dairy Lane
  - Harris Park
  
2. Authorises the Chief Executive Officer to work with Mr John & Mrs Faye Harris to gather the historical information required by Landgate to support the recommended names.

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

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

Vote: **Absolute** majority

Carried/Lost: \_\_\_/\_\_\_

**Resolution 11.2**

**That Council:**

1. **Adopts the following street and park names for the Yilgarn Street, Cunderdin, Residential Subdivision and they be submitted to the Geographical Names Committee at Landgate for formal approval:**
  - **Barry Street**
  - **Harfield Street**
  - **Jenzen Terrace**
  - **Dairy Lane**
  - **Harris Park**
  
2. **Authorises the Chief Executive Officer to work with Mr John & Mrs Faye Harris to gather the historical information required by Landgate to support the recommended names.**

**Moved: Cr Dennis Whisson**

**Seconded: Cr Clive Gibsone**

**Vote: Absolute majority**

**Carried: 5/0**

**Note:** Council replaced the name “Bunfield” Street (as per the Recommendation) with “Harfield” Street due to the historical significance of the name (Harfield) to the local area. The name “Harfield” continues to be the name of a local farming property.

### 11.3 Proposed Extension to Existing Workshop at Lot 2 Great Eastern Highway, Cunderdin

<b>Location:</b>	Lot 2 Great Eastern Highway, Cunderdin
<b>Applicant/s:</b>	Giuliana Nicoletti
<b>Date:</b>	5 December 2012
<b>Author:</b>	Dan Ho, Town Planning Consultant, City of Canning
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Ref:</b>	
<b>Attachment/s:</b>	5 Pages

Cr Todd Harris left the Council chambers at 1:54pm

#### **Proposal/Summary**

To consider the construction of a lean-to at Lot 2 Great Eastern Highway, Cunderdin. The proposed extension will cover a total area of 360m<sup>2</sup> and will have a maximum roof height of 6.07m.

#### **Background**

Zoning: Town Centre  
Lot area: 10,000m<sup>2</sup>

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

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

#### **Comment**

The proposal provides for an extension to an existing general industry use at Lot 2 Great Eastern Highway, Cunderdin. Under the Shire's Local Planning Scheme No 3 (LPS3) a general industry use class is a non-permitted use within a site zoned Town Centre.

The existing workshop has been operating on site for a number of years, prior to the Gazettal date of the Scheme. As such the use is considered to be a non-conforming use and as provided in clause 4.8(a) of the LPS3, no provision of the Scheme is to be taken to prevent the continued use of any land for the purpose for which it was being lawfully used immediately prior to the Gazettal date.

Clause 4.9.1 of the Shire's LPS3 requires a person must not, alter or extend a non-conforming use, without first having applied for and obtained planning approval under the Scheme.

The proposed extension 'lean-to' will cover a total area of 360m<sup>2</sup> and will have a maximum roof height of 6.07m. The extension provides setbacks of 35m or greater to the rear and side boundaries.

The application meets all other planning requirements as set out under the Shire's Town Planning Scheme No 3. Conditional approval is therefore recommended.

## Consultation

In accordance with clause 4.9.2 of the Shire's LPS3, the proposed extension was referred by letter to three (3) adjoining landowners for a 14 day advertising period between 21 November 2012 to 5 December 2012. On closure of the referral period one (1) no objection was received with two (2) no submissions.

The following table summarises the response:

<b>Submission No and Address</b>	<b>Summary of Submission</b>	<b>Officer Comment and Resolution</b>
1. Lot 6 Great Eastern Highway, Cunderdin	No objection	Noted

## 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 11.3

**That Council approve the application, subject to the following conditions:**

- 1. The proposed development is to generally comply with the submitted plans approved on 13 December 2012 and stamped accordingly.**

#### ***Advice Notes***

- a. This approval does not authorise the commencement of any building works. The applicant is advised that a building permit must be obtained prior to the commencement of any works. To obtain a building permit it will be necessary to submit documentation in compliance with the Building Regulations, including plans incorporating all conditions of this approval, specifications and structural drawings.**

**Moved: Cr Clive Gibsone**

**Seconded: Cr Dennis Whisson**

**Vote: Simple majority**

**Carried: 4/0**



## 11.4 Proposed Mobile Food Van - Forrest St, CUNDERDIN

<b>Location:</b>	Forrest St, CUNDERDIN
<b>Applicant/s:</b>	Mr & Mrs Carpenter
<b>Date:</b>	10 <sup>th</sup> December 2012
<b>Author:</b>	J Jurmann (Shire of York, Manager Planning Services)
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Ref:</b>	
<b>Attachment/s:</b>	4 Pages

Cr Todd Harris returned to the Council chambers at 2:00pm  
Cr Todd Harris left the Council chambers at 2:05pm  
Cr Todd Harris returned to the Council chambers at 2:07pm

### **Proposal/Summary**

The Shire of Cunderdin has received a request from Mr and Mrs Carpenter who currently operate the Pit Stop Café to set up a mobile food van opposite the Museum on Great Eastern Highway/Forrest Street, Cunderdin.

This report outlines the planning considerations of the request and outcomes of initial consultation with Main Roads WA.

It is recommended that the Shire grant temporary approval for a trial period and that a formal planning application be received prior to the expiry of the trial for consideration of Council.

### **Background**

The applicants have operated the Pit Stop Café at 89A Main Street, Cunderdin for a period of four years. They have recently been given notice to vacate to enable a pharmacy to be established on the premises. Unfortunately they have been unable to find suitable replacement premises and have purchased a mobile food van from New South Wales to continue their business.

They are requesting Shire approval to locate the van on land adjacent to the Museum and advise that the van will be removed each day following the close of trading. Refer to Appendix 1 for a map of the proposed location.

### **Consultation**

Initial consultation has been conducted with Main Roads who have advised that they will not provide owner's consent or approval on traffic grounds for the proposed location.

### **Statutory Environment**

#### **Cunderdin Town Planning Scheme No. 3**

The subject land is reserved for road purposes and in accordance with Clause 3.4 of the Scheme, a person must not commence or carry out development on a reserve without the prior obtaining planning approval from the local government in accordance with Part 9 of the Scheme. Where land is reserved for the purposes of a public authority, the local government must consult with a public authority before determining a planning application. The ultimate purpose of the reserve and matters set out in Clause 10.2 must also be considered.

Part 8 of the Scheme sets out the requirements for Development of Land and Clause 8.2 enables Council to permit development (i.e. not require a planning application) for any works which are temporary and in existence for less than 48 hours or such longer time as the local government agrees.

Part 9 of the Scheme sets out the requirements for applications for planning consent, which must be made on the application form contained in Schedule 6. It is stipulated that the form must be signed by the owner in Clause 9.1.1. In this instance, as proposed, the form must then be signed by Main Roads as owner of the land. However, Main Roads have indicated that they will not approve or provide owner's consent for the operation of the van in the location identified by the applicant.

A planning application received by the Shire for use of a reserve must be considered in accordance with Part 9. Clause 9.4 sets out the requirements for advertising of applications and therefore any planning application received for the use or development of a reserve must be advertised in accordance with the provisions of the Scheme.

In summary, under the provisions of the Cunderdin Town Planning Scheme No. 3:

1. Main Roads have indicated that they will not give owner's consent, and therefore the proposed location is considered unacceptable.
2. Council can grant approval under the provisions of Clause 8.2 for the operation of the mobile food van on Shire owned/controlled land for a temporary period (say 3 months), which could also act as a trial to enable full assessment of the proposal.
3. Council can then require the submission of a planning application prior to the expiration of the temporary period.

### **Policy Implications**

Any planning application will be assessed in accordance with the provisions of the Cunderdin Town Planning Scheme No. 3. The construction and operation of the mobile food van must also meet all relevant health requirements, such as solid and liquid waste disposal, toilet facilities and supply of potable water. Toilet facilities are available at the Museum.

### **Financial Implications**

Granting of temporary approval to operate a mobile food van in one location will provide a suitable interim arrangement to enable the business to continue.

The applicant is responsible for the planning application fees and advertising costs.

### **Strategic Implications**

The Cunderdin Community Strategic plan identifies the following goals:

#### **Social**

- Grow and build the population base.
- Improve community spirit, collectively caring for each other.
- Build an active community, increasing participation and ownership.

#### **Environmental**

- Maintain and enhance the natural environment and resources.
- Maintain and enhance the area's infrastructure.

### Economic

- Strengthen local business and employment capacity.
- Support and encourage sustainable business growth.
- Position the area as a regional strategic location and transport hub.

This proposal identifies the need for suitable commercial premises in the town centre of Cunderdin. By granting temporary approval Council is supporting local business. However, a long-term sustainable solution is needed to enable the business to grow.

### **Site Inspection:**

**Site Inspection Undertaken: Not applicable**

### **Triple bottom Line Assessment:**

#### **Economic Implications:**

The proposed location of the food van near the Museum may attract new visitors to the Museum and the nearby park.

#### **Social Implications**

The advertising of a planning application may result in concerns of inequity (ie. paying rates or other overheads) being raised by shop owners and occupiers.

#### **Environmental Implications**

As mentioned earlier in this report, suitable arrangements must be made for the disposal of liquid and solid wastes from the operation of the food van in an unserviced location.

#### **Comment**

It is unfortunate that a suitable replacement premises cannot be located by the applicant. However, Council needs to be cautious of not creating an undesirable precedent in permitting mobile food vans and the like to operate on road reserves, parks and car parking areas.

Permanent premises that contribute to the town's economy are more preferable than temporary vans on public land. In this instance, it is recommended that this proposal be considered as an interim measure to support this local business whilst locating permanent premises.

**Resolution 11.4**

**That Council;**

- 1. APPROVE the operation of the mobile food van by Glen and Lynne Carpenter in Forrest Street, Cunderdin on Shire controlled/owned land for a temporary period of 3 months from the date of determination, subject to the following conditions:**
  - a. The mobile food van must be removed at the close of business each day.**
  - b. No signage may be erected or displayed without the prior approval of Council, and the landowner (e.g. Main Roads). No illuminated or flashing signage is permitted.**
  - c. The applicant is responsible for the removal of all wastes generated from the operation of the food van.**
  - d. All required health approvals must be obtained prior to the commencement of trading.**
  - e. Approval is required from the responsible agency authority, if it is proposed to operate the mobile food van on any land other than land under the control/ownership of the Shire of Cunderdin. Evidence of such an approval must be available upon request.**
  
- 2. Advise the applicant that a planning application must be submitted to Council in accordance with the provisions of the Cunderdin Town Planning Scheme No. 2 prior to the expiration of the temporary period to continue to operate the mobile food van within the Shire of Cunderdin."**

**Moved: Cr Clive Gibsone**

**Seconded: Cr Dianne Kelly**

**Vote: Simple majority**

**Carried: 5/0**

**12 Urgent Items**

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

Loren Clifford left the Council Chambers at 2:12pm

**Resolution 13.0**

In accordance with section 5.23 (2) of the Local Government Act 1995, the meeting be moved behind closed doors at 2:13pm.

Moved: Cr Dennis Whisson

Seconded: Cr Clive Gibsone

Vote – Simple majority

Carried: 5/0

**13.1 Staff Christmas Bonus – CONFIDENTIAL, MEMBERS ONLY**

<b>Location:</b>	Shire of Cunderdin
<b>Applicant/s:</b>	Chief Executive Officer
<b>Date:</b>	7 December 2012
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Ref:</b>	
<b>Attachment/s:</b>	3 Pages

**Resolution 13.1**

**That Council:**

- 1. Approves payment of the Staff Christmas Bonus for 2012, totalling \$5,550, in accordance with Confidential Attachment A.**
- 2. In lieu of payment of the Staff Christmas Bonuses in future years authorises the Chief Executive Officer to proceed with the preparation of an Employee Retention Policy, in line with Confidential Attachment B, to be presented to the February 2013 Ordinary Meeting of Council for consideration.**

Moved: Cr Todd Harris

Seconded: Cr Dennis Whisson

Vote: Simple majority

Carried: 5/0

**Resolution 13.2**

**The meeting moved from behind closed doors at 2:21pm.**

**Moved: Cr Todd Harris**

**Seconded: Cr Dennis Whisson**

**Vote – Simple majority**

**Carried: 5/0**

Loren Clifford returned to the Council chambers at 2:22pm

**14 Closure of meeting**

There being no further business the Shire President declared the meeting closed at 2:25pm.

Prior to closing the meeting the Shire President acknowledged this as the final meeting for Mrs Loren Clifford, Manager Finance & Administration, who has resigned from Council's employment. The President thanked Loren for her loyal and committed service to the Shire, communities and ratepayers over the past seven (7) years and wished her and family best wishes for the future. Other Councillors concurred with the President's comments.