



Shire of Cunderdin

Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 19th December 2013** in the Council Chambers, Lundy Avenue Cunderdin commencing at **12:06pm**.

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

Peter Naylor
Chief Executive Officer

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AGENDA

1. Declaration of opening

The President declared the meeting open at 12.06pm

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:	12 th December 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer

Resolution 2.0:

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

Moved: Cr Todd Harris

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 7/0

3. Public Question Time

Response to previous public questions taken on notice

Declaration of public question time opened at

Declaration of public question time closed at

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

Record of attendances

Councillors

Cr RL (Rod) Carter
Cr RC (Clive) Gibsone (from 2:01pm)
Cr TE (Todd) Harris
Cr TA (Terri) Jasper
Cr NW (Norm) Jenzen
Cr DG (Dianne) Kelly
Cr DB (Doug) Kelly
Cr DA (Dennis) Whisson

Apologies

On Leave of Absence

Staff

Peter Naylor	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer
Ian Bartlett	Manager Works & Services (from 1:30pm to 1:53pm)

Guests of Council

Members of the Public

Applications for leave of absence

Resolution 4.1

That Cr Rod Carter be granted Leave of Absence for the Ordinary Meeting of Council to be held on Thursday 20th February 2014.

Moved: Cr Todd Harris

Seconded: Cr Dianne Kelly

Vote: Simple Majority

Carried: 6/0

Declaration of Members and Officers Financial Interests

Item 13.1: Peter Naylor, Chief Executive Officer, declared a Financial Interest

5. Petitions, Deputations, Presentations

Deputations

Presentations

6. Announcements by President without discussion

7. Confirmation of the Minutes of Previous Meetings

7.1 Special and Ordinary Meetings of Council held on Thursday 21st November 2013

Location:	Cunderdin
Applicant:	Administration
Date:	12 th December 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	
Attachment/s:	Nil

Proposal/Summary

Council to confirm the minutes of the Special and Ordinary Council meetings held on Thursday 21st November 2013.

Background

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

Comment

No business arising.

Consultation

Nil

Statutory Environment

Local Government Act 1995 Part 5 Division 2 Subdivision 3 - Section 5.22 (2)

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

Policy Implications

Nil

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

Nil

Resolution 7.1

That:

- 1. The minutes of the Special Council Meeting held on Thursday 21st November 2013, be confirmed as a true and correct record; and**
- 2. The minutes of the Ordinary Council meeting held on Thursday 21st November 2013, be confirmed as a true and correct record.**

Moved: Cr Dennis Whisson

Seconded: Cr Terri Jasper

Vote – Simple majority

Carried: 7/0

Note to this item:

The President will sign the minute declaration.

8. Finance & Administration

8.1. Financial Report for November 2013

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	12 th December 2013
Author:	Paul Godfrey/Darren Long
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	

Proposal/Summary

The financial position as at 30th November 2013 is presented for consideration.

Appendices - Financial Statements

- Statement of Financial Activity
- Councillor EOY Estimate
- Operating Statement
- Statement of Surplus or Deficit
- Statement of Financial Position
- Statement of Cash Flows
- Details by Function & Activity
- Reserves Account Summary
- Loan Repayment Schedule
- Financial Activity Statement to 30th November 2013
- Municipal Bank Account Statement & Reconciliation 036-102 00-0030
- Municipal Business Cash Reserve Statement & Reconciliation 036-107 22-3647
- Municipal Term Deposit Statement & Reconciliation 036-107 22-6418
- Municipal Term Deposit Statement & Reconciliation 036-107 22-8704
- Municipal Term Deposit Statement & Reconciliation 036-107 22-8712
- Reserves Business Cash Reserve Statement & Reconciliation 036-107 22-3639
- Reserves Term Deposit Statement & Reconciliation 036-107 22-6311
- Working Trust Account Statements & Reconciliations 036-172 12-2981
- REBA Trust Account Statements & Reconciliations 036-172 12-3001

Statutory Environment

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

Commentary

Nil

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

Resolution 8.1

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

Moved: Cr Norm Jenzen

Seconded: Cr Dennis Whisson

Vote – Simple majority

Carried: 7/0

8.2 Accounts Paid – November 2013

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	12 th December 2013
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	3 Pages

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling \$890,579.79 listed in the Warrant of Payments for the period 1st November to 30th November 2013.

Attachments

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

Statutory Environment

Financial Management Regulations 12 & 13

Commentary on Statutory Environment

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

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

Resolution 8.2

(a) That Council's payment of accounts amounting to \$890,579.79, for the period of 1st November – 30th November 2013 from the Municipal Fund be confirmed and noted.

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

Moved: Cr Doug Kelly

Seconded: Cr Dianne Kelly

Vote – simple majority

Carried: 7/0

Creditor Payment Listing November 2013

Date	Reference	Narration	Amount
1/11/2013	Bank Fees	Westpac Banking Corporation	-\$ 310.80
4/11/2013	Bank Fees	Westpac Banking Corporation	-\$ 27.25
6/11/2013	Staff Pays	Staff Payroll	-\$ 38,583.61
8/11/2013	10291	BT Super for Life	-\$ 530.87
8/11/2013	10292	Westscheme Superannuation	-\$ 560.96
8/11/2013	10293	Gibsone, Cr Clive	-\$ 225.00
8/11/2013	10294	State Law Publisher	-\$ 163.20
8/11/2013	10295	JASON SIGNMAKERS	-\$ 88.00
8/11/2013	10296	MLC Nominees Pty Ltd	-\$ 404.94
8/11/2013	10297	OnePath Superannuation	-\$ 348.48
8/11/2013	10298	Barker, Michael John	-\$ 92.50
8/11/2013	10299	Skinner, Daphne	-\$ 70.00
8/11/2013	EFT-1668	Filters Plus	-\$ 35.53
8/11/2013	EFT-1669	Hills Concrete Products	-\$ 750.00
8/11/2013	EFT-1670	Hostplus	-\$ 21.86
8/11/2013	EFT-1671	Dougie's Roadhouse	-\$ 97.90
8/11/2013	EFT-1672	The Cunderdin Mob	-\$ 406.50
8/11/2013	EFT-1673	WA Local Government Superannuation Plan	-\$ 11,078.84
8/11/2013	EFT-1674	Courier Australia	-\$ 733.82
8/11/2013	EFT-1675	Carter, Cr Rod	-\$ 463.00
8/11/2013	EFT-1676	Wattleup Tractors	-\$ 401.80
8/11/2013	EFT-1677	Horsfield, Garry	-\$ 300.00
8/11/2013	EFT-1678	Solum Wheatbelt Business Solutions	-\$ 1,600.00
8/11/2013	EFT-1679	Godfrey, Paul	-\$ 80.01
8/11/2013	EFT-1680	Kelly, cr. Doug	-\$ 225.00
8/11/2013	EFT-1681	Peter Hunt Architect	-\$ 38,489.00
8/11/2013	EFT-1682	Good Design Management	-\$ 390.00
8/11/2013	EFT-1683	Australia Post	-\$ 374.98
8/11/2013	EFT-1684	Boral Construction Materials Group	-\$ 924.00
8/11/2013	EFT-1685	Byrnes, Hayley Kristin	-\$ 74.78
8/11/2013	EFT-1686	Whisson, Cr Dennis	-\$ 225.00
8/11/2013	EFT-1687	Argent Electrical	-\$ 2,709.30
8/11/2013	EFT-1688	Thompson Signs	-\$ 55.00
8/11/2013	EFT-1689	Cooper, Cr Graham	-\$ 225.00

8/11/2013	EFT-1690	Harris, Cr Todd	-\$	225.00
8/11/2013	EFT-1691	Bob Davey Real Estate	-\$	29.00
8/11/2013	EFT-1692	Kleenheat Gas	-\$	60.50
8/11/2013	EFT-1693	Luptons Liquid Waste	-\$	880.00
8/11/2013	EFT-1694	Shire of Tammin	-\$	2,214.80
8/11/2013	EFT-1695	Combined Tyrepower	-\$	5,730.80
15/11/2013	Bank Fees	Commonwealth Bank of Australia	-\$	29.74
15/11/2013	10300	Synergy	-\$	3,546.25
15/11/2013	10301	Telstra Corporation Limited	-\$	1,646.82
15/11/2013	10302	Water Corporation	-\$	6,316.19
15/11/2013	10304	JASON SIGNMAKERS	-\$	158.40
15/11/2013	EFT-1696	Debken Pty Ltd	-\$	16,940.00
15/11/2013	EFT-1697	Courier Australia	-\$	47.99
15/11/2013	EFT-1698	Snap Printing	-\$	327.00
15/11/2013	EFT-1699	LGISWA	-\$	65,114.91
15/11/2013	EFT-1700	Goodfield Quality Meats	-\$	266.46
15/11/2013	EFT-1701	Shire of York	-\$	560.50
15/11/2013	EFT-1702	Contract Aquatic Services	-\$	19,877.00
15/11/2013	EFT-1703	CJD Equipment Pty Ltd	-\$	25.28
15/11/2013	EFT-1704	Shire of Tammin	-\$	555.20
15/11/2013	EFT-1705	Combined Tyrepower	-\$	442.50
15/11/2013	EFT-1728	sgfleet	-\$	1,594.28
20/11/2013	Staff Pays	Staff Payroll	-\$	40,493.82
20/11/2013	EFT-1706	Air Liquide Pty Ltd	-\$	131.31
20/11/2013	EFT-1707	Cunderdin Co-op	-\$	1,710.56
20/11/2013	EFT-1708	Avon Waste	-\$	5,235.92
20/11/2013	EFT-1709	Cunderdin Community Resource Centre	-\$	75.00
20/11/2013	EFT-1710	Austral Mercantile Collections Pty Ltd	-\$	120.80
20/11/2013	EFT-1711	Shire of York	-\$	2,085.37
20/11/2013	EFT-1712	Freelance Handyman	-\$	80.00
20/11/2013	EFT-1713	Eastern Hill Saws & Mowers	-\$	135.00
20/11/2013	EFT-1714	Fire & Emergency Services Authority	-\$	817.74
20/11/2013	EFT-1715	Farmways Cunderdin	-\$	104.50
20/11/2013	EFT-1716	Country Ford	-\$	806.37
20/11/2013	EFT-1717	Alloy & Stainless Products Pty Ltd	-\$	1,149.30
20/11/2013	EFT-1718	Albox Australia Pty Ltd	-\$	150.28
20/11/2013	EFT-1719	Avdata Australia	-\$	583.49
20/11/2013	EFT-1720	Kleenheat Gas	-\$	75.50
20/11/2013	EFT-1721	Cunderdin Co-op Museum	-\$	141.24
20/11/2013	EFT-1722	WA Local Government Association	-\$	816.07

20/11/2013	EFT-1723	Dunnings Investments Pty Ltd	-\$ 22,270.67
20/11/2013	EFT-1724	J Tagz Pty Ltd	-\$ 258.50
20/11/2013	EFT-1725	Shire of Quairading	-\$ 3,415.42
20/11/2013	EFT-1726	Combined Tyrepower	-\$ 1,892.10
20/11/2013	EFT-1727	Eastway Food Supplies	-\$ 780.45
21/11/2013	10305	COVs Parts	-\$ 60.63
21/11/2013	10306	Andy's Plumbing Service	-\$ 4,416.50
21/11/2013	10307	Petty Cash	-\$ 109.65
21/11/2013	10308	Stewart & Heaton Clothing Co Pty Ltd	-\$ 556.12
21/11/2013	10309	Cunderdin Newsagency	-\$ 610.20
21/11/2013	10310	Metal Artwork Creations	-\$ 161.15
27/11/2013	EFT-1729	Robinson Build-Tech	-\$ 527,846.29
29/11/2013	10311	Synergy	-\$ 345.80
29/11/2013	10312	Australias Golden Outback	-\$ 1,675.00
29/11/2013	10313	COVs parts	-\$ 283.98
29/11/2013	10314	HESTA Super Fund	-\$ 63.88
29/11/2013	10315	MLC Nominees Pty Ltd	-\$ 202.47
29/11/2013	10316	Jasper, Ms. Terri Anne	-\$ 225.00
29/11/2013	10317	Westscheme Superannuation	-\$ 276.07
29/11/2013	10318	The National Trust of Australia (WA)	-\$ 165.00
29/11/2013	10319	Gibson, Cr Clive	-\$ 225.00
29/11/2013	10320	BT Super for Life	-\$ 264.04
29/11/2013	10321	Bunnings Group Limited	-\$ 165.97
29/11/2013	10322	Department of Commerce	-\$ 2,419.80
29/11/2013	10323	Kelly, cr. Dianne	-\$ 225.00
29/11/2013	10324	Water Corporation	-\$ 1,389.06
29/11/2013	10325	Cunderdin Seniors Group	-\$ 1,000.00
29/11/2013	10326	OnePath Superannuation	-\$ 174.24
29/11/2013	10327	Telstra (Bigpond)	-\$ 19.95
29/11/2013	10328	Jenzen, Norm	-\$ 225.00
29/11/2013	10329	JASON SIGNMAKERS	-\$ 198.00
29/11/2013	EFT-1730	Globe Growing Solutions	-\$ 165.00
29/11/2013	EFT-1731	Shire of Cunderdin	-\$ 670.00
29/11/2013	EFT-1732	Hostplus	-\$ 9.72
29/11/2013	EFT-1733	Glowstix Australia Pty Ltd	-\$ 386.30
29/11/2013	EFT-1734	The Cunderdin Mob	-\$ 260.00
29/11/2013	EFT-1735	Clarke, Alicia Irene	-\$ 276.20
29/11/2013	EFT-1736	WA Local Government Superannuation Plan	-\$ 5,457.44
29/11/2013	EFT-1737	Courier Australia	-\$ 19.06
29/11/2013	EFT-1738	Carter, Cr Rod	-\$ 463.00

29/11/2013	EFT-1739	Kelly, cr. Doug	-\$ 225.00
29/11/2013	EFT-1740	Department of Premier and Cabinet	-\$ 163.20
29/11/2013	EFT-1741	Whisson, Cr Dennis	-\$ 225.00
29/11/2013	EFT-1742	Argent Electrical	-\$ 97.35
29/11/2013	EFT-1743	Shire of York	-\$ 1,545.07
29/11/2013	EFT-1744	Thompson Signs	-\$ 77.00
29/11/2013	EFT-1745	Andy's Plumbing Service	-\$ 572.00
29/11/2013	EFT-1746	Fire & Emergency Services Authority	-\$ 14,001.90
29/11/2013	EFT-1747	CJD Equipment Pty Ltd	-\$ 195.78
29/11/2013	EFT-1748	Fire & Safety Australia	-\$ 482.10
29/11/2013	EFT-1749	Harris, Cr Todd	-\$ 225.00
29/11/2013	EFT-1750	Specialised Tree Service	-\$ 900.00
29/11/2013	EFT-1751	Metro Count	-\$ 168.30
29/11/2013	EFT-1752	Elders Limited	-\$ 198.00
29/11/2013	EFT-1753	Luptons Liquid Waste	-\$ 440.00
29/11/2013	EFT-1754	WA Local Government Association	-\$ 2,186.57
29/11/2013	EFT-1755	Shire of Tammin	-\$ 1,018.80
29/11/2013	EFT-1756	Orica Australia Pty Ltd	-\$ 754.60
29/11/2013	EFT-1757	Truck Centre WA Pty Ltd	-\$ 310.07
29/11/2013	EFT-1758	Monsterball Amusements & Hire	-\$ 2,790.00
29/11/2013	EFT-1759	Country Copiers Northam	-\$ 464.32
29/11/2013	EFT-1760	CDA Air Conditioning & Refrigeration	-\$ 244.25
29/11/2013	EFT-1761	Bob Davey Real Estate	-\$ 1,300.00
		Total Amount:	-\$890,579.79

8.3 Council Investments – At 30th November 2013

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	12 th December 2013
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

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

Background

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

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

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

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

Commentary

COUNCIL INVESTMENTS				
Institution	Amount Invested	Investment type	Municipal Funds	Reserve Funds
Westpac Banking Corporation	\$96.43	Business Cash Reserve Bonus 22-3639 0.01%	\$0.00	\$96.43
Westpac Banking Corporation	\$2,131,738.23	Reserves Term Deposit 22-6311 3.7%	\$0.00	\$2,131,738.23
Westpac Banking Corporation	\$506,121.22	Business Cash Reserve Bonus 22-3647 2.5%	\$506,121.22	\$0.00
Westpac Banking Corporation	\$517,479.34	Muni Term Deposit 22-8712 3.7%	\$517,479.34	\$0.00
TOTAL INVESTMENTS	\$3,155,435.22		\$1,023,600.56	\$2,131,834.66

Statutory Implications

Financial Management Regulation 19.

Policy Implications

Delegation #18 – Investments.

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

There are no strategic implications in considering this item.

Resolution 8.3

That the report on Council investments as at 30th November 2013 be received and noted.

Moved: Cr Dennis Whisson

Seconded: Cr Todd Harris

Vote – Simple Majority

Carried: 7/0

8.4 Shire of Cunderdin Common Seal

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	11 th December 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

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

Background

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

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

Comment

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

1. 18th September 2013 – Memorandum of Understanding for Provision of Library Services – Shire of Cunderdin and Cunderdin Community Resource Centre.

Consultation

Nil

Statutory Implications

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

Policy Implications

Finance Policy #12.

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.4

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

1. 18th September 2013 – Memorandum of Understanding for Provision of Library Services – Shire of Cunderdin and Cunderdin Community Resource Centre.

Moved: Cr Terri Jasper

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried: 7/0

8.5 Shire of Cunderdin Delegations

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	12 th December 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	20 Pages

Proposal/Summary

Council to review and adopt delegations to the Chief Executive Officer.

Background

Local Government Act 1995, section 5.42 provides for a local government to delegate some of its powers and duties to the Chief Executive Officer, section 5.46(2) states “that at least once in every financial year, delegations made under this Division are to be reviewed by the delegator”.

Comment

Whilst minor review of the delegations, pertaining to the issue of building licences following the introduction of the Building Act 2011, was carried out by Council on 19th April 2012, the last overall review of the delegations were undertaken at the Ordinary Meeting of Council held on 16th June 2011.

The Chief Executive Officers of the South East Avon Regional Transition Group are working on a unified set of delegations for ease of merging together should the amalgamation proposal eventuate. This unified approach will also assist with the local governments working together in a regional capacity should the amalgamation fail. Unfortunately this process has been delayed due to the need to address more pressing legislative compliance work such as the Integrated Planning requirements and is still a work in progress.

Consultation

Nil

Statutory Implications

Local Government Act 1995 – sections 5.42–5.46.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.5

That Council resolves that:

- 1. Pursuant to S5.42 of the *Local Government Act 1995* and other enabling legislation, Council by Absolute Majority delegates to the Chief Executive Officer the exercise of its powers and discharge of its duties in respect of the items listed in the Register of Delegations.**

- 2. Pursuant to S5.42 of the *Local Government Act 1995* and other enabling legislation, Council by Absolute Majority delegates to the**
 - Audit Committee**
 - Cunderdin Museum Management Committee****the exercise of its powers and discharge of its duties in respect of the items listed in the Register of Delegations.**

Moved: Cr Dianne Kelly

Seconded: Cr Terri Jasper

Vote – Absolute majority

Carried: 7/0

8.6 Shire of Cunderdin Corporate Business Plan

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	12 th December 2013
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	65 Pages

Proposal/Summary

For Council to adopt the draft Shire of Cunderdin Corporate Business Plan 2014 – 2017.

Background

The draft Corporate Business Plan is the final part of the suite of integrated planning and reporting documents required in accordance with the provisions of the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.

The other integrated planning documents have previously been adopted by Council as follows:

- Asset Management Plan – 6th March 2012
- Strategic Community Plan – 8th May 2013
- Workforce Plan – 18th July 2013
- Long Term Financial Plan – 18th September 2013

Comment

The Shire of Cunderdin Strategic Community Plan drives the development of the Corporate Business Plan and is integrated with the Asset Management, Workforce and Long Term Financial Plans. The integration of asset, service and financial plans means the Shire's resource capabilities are matched to the community's needs.

Implementation of the Strategic Plan is achieved through the development of priority actions and projects as part of the Corporate Business Planning process.

Community priorities have been identified and linked with appropriate actions and financial resources in an attempt to deliver the various services, actions and projects listed in the Strategic Plan.

Staff have prepared the draft Corporate Business Plan with assistance from Darren Long Consulting. It reflects the contents of the Community Strategic Plan and a number of strategies and supporting plans.

Consultation

Nil

Statutory Implications

Local Government Act 1995 – section 5.56.

Local Government (Administration) Regulations 1996

Policy Implications

Nil

Financial Implications

There will be ongoing financial implications to Council in relation to this item as the Corporate Business Plan outlines actions to be funded. To achieve these outcomes necessary resources will be identified in the Shire's Long Term Financial Plan and as determined during annual budget deliberations.

Strategic Implications

Implementation of the Strategic Community Plan is achieved through the development of priority actions and projects as part of the Corporate Business Planning process. Key performance indicators at the strategic and operational levels provide valuable information on how efficiently the Shire is delivering its services, actions and projects and how successful it is in achieving its outcomes and goals set out in the Strategic Community Plan.

Resolution 8.6

That Council:

- 1. Adopts the draft Shire of Cunderdin Corporate Business Plan 2017 – 2017, as presented.**
- 2. Advertises the adoption of the Draft Corporate Business Plan for community information in accordance with the legislative requirements.**

Moved: Cr Norm Jenzen

Seconded: Cr Dennis Whisson

Vote – Absolute majority

Carried: 7/0

8.7 Shire of Cunderdin Audit Report 2012/2013 Financial Year

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	13 th December 2013
Author:	Peter Naylor / Paul Godfrey
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Refer to Annual Report (separate attachment)

Proposal/Summary

For Council to consider the Independent Audit Report for 2012/2013 Financial Year.

Background

Macri Partners completed their on-site audit of Council's operations and functions for the 2012/2013 Financial Year on Tuesday 12th November 2013.

Whilst on-site the Auditors met with the Shire President and Deputy Shire President at 2.00pm on Tuesday 12th November.

Comment

The Audit has been conducted in accordance with the Australian Audit Standards to ensure that during the reporting period the Shire of Cunderdin complied with all statutory requirements, including the *Local Government Act 1995* and associated Regulations.

The Independent Audit Report was received via email transmission on Friday 13th December 2013.

No matters of non-compliance have been reported.

Consultation

Nil

Statutory

Local Government Act 1995

7.12A. Duties of local government with respect to audits

- (1) *A local government is to do everything in its power to —*
 - (a) *assist the auditor of the local government to conduct an audit and carry out his or her other duties under this Act in respect of the local government; and*
 - (b) *ensure that audits are conducted successfully and expeditiously.*
- (2) *Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.*
- (3) *A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —*

- (a) *determine if any matters raised by the report, or reports, require action to be taken by the local government; and*
 - (b) *ensure that appropriate action is taken in respect of those matters.*
- (4) *A local government is to —*
- (a) *prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and*
 - (b) *forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.*

Local Government (Audit) Regulations 1996

Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.7

That council receive the Audit Report for the 2012/2013 Financial Year.

Moved: Cr Dennis Whisson

Seconded: Cr Terri Jasper

Vote – Simple majority

Carried: 7/0

Note: Copy of the Audit Report to be forwarded to the Department of Local Government.

8.8 Shire of Cunderdin Annual Report 2012/2013 Financial Year

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	13 th December 2013
Author:	Peter Naylor / Paul Godfrey
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Refer to separate attachment

Proposal/Summary

For Council to accept the Annual Report for the 2012/2013 Financial Year.

Background

The *Local Government Act 1995*, sections 5.53 & 5.54 provides for a local government to prepare an Annual Report in each financial year.

The Report is to be received by the local government by the 31 December.

The Report is to be prepared in accordance with the provisions of the *Act* and the Local Government (Financial Management) Regulations 1996.

Comment

A copy of the draft Annual Report for 2012/2013 has been circulated to Councillors via electronic means and a hard copy is available at today's Meeting.

The *Local Government Act 1995*, section 5.26 provides that Council holds a General Meeting of Electors within 56 days of receiving the Annual Report.

In previous years Council has held an informal meeting in Meckering prior to the general meeting in Cunderdin.

It is proposed that this continue, however the dates / times for both meetings need to be determined.

Consultation

Nil

Statutory

Local Government Act 1995

5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.*
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.*

5.53. Annual reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain —*
 - (a) *a report from the mayor or president; and*
 - (b) *a report from the CEO; and*
 - [(c), (d) deleted]*
 - (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
 - (f) *the financial report for the financial year; and*
 - (g) *such information as may be prescribed in relation to the payments made to employees; and*
 - (h) *the auditor's report for the financial year; and*
 - (ha) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - (hb) *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) *the number of complaints recorded in the register of complaints; and*
 - (ii) *how the recorded complaints were dealt with; and*
 - (iii) *any other details that the regulations may require; and*
 - (i) *such other information as may be prescribed.*

5.54. Acceptance of annual reports

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*
- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 8.8

That Council:

- 1. Pursuant to section 5.54 of the Local Government Act 1995, accepts the Annual Report for the 2012/2013 Financial Year.**
- 2. Schedules a general public meeting at the Meckering Sporting Club on Wednesday 5th February 2014, commencing at 4:00pm.**
- 3. Pursuant to section 5.27 of the Local Government Act 1995, schedules the Annual General Meeting of Electors at the Cunderdin Community Resource Centre on Wednesday 5th February 2014, commencing at 6:30pm.**

Moved: Cr Norm Jenzen

Seconded: Cr Todd Harris

Vote – Absolute majority

Carried: 7/0

Note: Copy of the Annual Report to be forwarded to the Department of Local Government.

9. Environmental Health & Building Services

No Reports.



10. Works & Services

10.1 Works & Services Report

Location:	Cunderdin
Applicant:	Manager Works & Services
Date:	12 th December 2013
Author:	Ian Bartlett
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Item deferred until later in meeting.

11 Planning & Development

11.1 Proposed Nature Conservation Covenant

Location:	Lots 1 & 3 Woonwooring Road, Cunderdin
Applicant:	S J Donovan
Date:	11 th December 2013
Author:	Jacky Jurmann, Manager Planning Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	30980
Attachment/s:	8 Pages

Proposal/Summary

Correspondence has been received from the Department of Parks and Wildlife requesting comments from the Shire of Cunderdin on the proposed Nature Conservation Covenant on portions of Lots 1 and 3 Woonwooring Road, Cunderdin.

It is recommended that Council raises no objection to the covenant. However, it is recommended that Council obtain, in writing, confirmation that Council is not a party to the covenant and has no role in enforcement for the reasons outlined in this report.

Background

Subdivision approval was granted by the Western Australian Planning Commission for the rationalisation of the boundaries and creation of a conservation lot. As a condition of subdivision approval, a conservation covenant was to be entered into with the Department of Parks and Wildlife.

The draft Nature Conservation Covenant has been referred to by the Department of Parks and Wildlife requesting comments from the Shire in respect to the Town Planning Scheme, and any proposed amendments to the Scheme.

The proposed conditions on the Owner of the Land outlined in the draft Covenant include not subdividing or permitting subdivision; not constructing or permitted construction of a dwelling or any structure on the land; not destroying or permitting the destruction or removal of local indigenous flora or fauna (some exemptions apply, including compliance with bush fire prevention regulations); and other conditions relating to the use of the land. Refer to Appendix 1 for a full copy of the draft Covenant.

Comment

The use of the land subject to the covenant will be highly constrained and restricted by the covenant, which may have economic implications for the landowner.

There are no social implications associated with this proposal.

The environmental implications of this proposal are positive. The covenant will result in the protection of land with high environmental values.

As indicated in the Statutory Environment section of this Report, clarification should be sought on Council's role in the enforcement of the covenant. Notwithstanding this, Council should to their best of

their ability ensure that no actions are undertaken that would contradict the conditions of the covenant in the best interests of the community.

Consultation

The referral from the Department of Parks and Wildlife is part of their consultation process. There is no requirement for the Shire to undertake separate consultation.

Statutory Implications

Cunderdin Local Planning Scheme No. 3

The land is zoned General Agriculture and has been granted subdivision approval from the Western Australian Planning Commission. The proposed covenant is a condition of subdivision approval and the Department of Parks and Wildlife is the clearance authority.

The referral requests that the Shire assess the draft covenant in view of the town planning scheme, and any proposed scheme amendments that may affect the land. An assessment has been carried out as requested and the following comments are offered:

- The proposed covenant is consistent with the objectives of the zone.
- There are no scheme amendments proposed or initiated applicable to the land.
- Single houses and ancillary structures are permitted development in the zone, which means that a planning approval is not required. Concerns are raised regarding the enforcement of the owner's covenant 1(b) which states "the Owner shall not place or permit to be placed any structure or dwelling on the Land". Clarification should be sought from the Department of Parks and Wildlife on Council's liability if a Building Permit was issued on the Land the subject of the covenant. (Although, it should be noted that Council is not a party to the covenant.)

Policy Implications

There are no policy implications associated with this proposal, other than as described above.

Financial Implications

There are no financial implications associated with this proposal. As stated, Council is not a party to the covenant.

Strategic Implications

Cunderdin Community Strategic Plan

The Cunderdin Community Strategic Plan aims to manage growth sustainably through governance, leadership, and targeted service and economic growth. The goals to achieve the aim are:

Social

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

Environmental

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

Economic

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

The covenant will result in the protection of a high value environment and is therefore consistent with the environmental goals of the Plan.

Resolution 11.1

That Council resolve to advise the Department of Parks and Wildlife that the Shire of Cunderdin has no objections to the proposed covenant subject to:

- 1. Receiving in writing from the Department of Parks and Wildlife that the Shire of Cunderdin has no role, liability or responsibility with regards to the enforcement of the covenant and that it is the current and future landowner's responsibility to ensure that all conditions of the covenant are adhered to and enforced.**

Moved: Cr Todd Harris

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried: 7/0

11.2 Proposed Construction of Oversized Shed – Lot 42 (42) Yilgarn Street, Cunderdin

Location:	Lot 42 (42) Yilgarn Street, Cunderdin
Applicant:	Mark Hitch
Date:	11 th December 2013
Author:	Kira Strange, Planning Officer Shire of York
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	31020
Attachment/s:	3 Pages

Proposal/Summary

The Shire of Cunderdin has received an application for planning approval for the construction of a shed at Lot 42 Yilgarn Street, Cunderdin.

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

Background

The subject property is located at Lot 42 Yilgarn Street Cunderdin, within the townsite on the corner of Hodgson and Yilgarn Streets, just south of Great Eastern Highway.

The property is zoned Residential R10 under the Shire of Cunderdin Town Planning Scheme No 3 and in accordance with the Residential Design Codes.

The site is 1.3265 hectares and consists of one residential dwelling and two (2) sheds, one of which will be demolished and replaced by this proposed shed. The proposed shed has a total floor area of 135m² and will be used as a garage and for the purposes of storage.

Comment

There are no economic implications associated with this proposal.

There are no social implications associated with this proposal. Oversize sheds are common in rural areas and represent the needs of the lifestyle of the community.

There are no environmental implications associated with the proposal.

The proposed development is for the construction of a shed with variation to the design requirements of the Residential Design Codes. The shed is to be used as a garage and for the purposes of storage. It will not significantly impact the amenity of the locality.

Consultation

Under clause 5.5 of the Cunderdin Town Planning Scheme No 3, where development that requires variation to the Residential Design Codes is considered to affect any owners or occupiers in the general locality or adjoining the site, the Local Government is to -

- (a) Consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and
- (b) Have regard to any expressed views prior to making is determination to grant the variation.

It is considered that this proposal will not impact any owners or occupiers in the general locality and therefore does not require notice or further consultation.

Statutory Implications

State Planning Policy 3.1. The Residential Design Codes

The property is zoned Residential with a coding of R10 in accordance with the Residential Design Codes (R-Codes). Development requirements are as follows;

Table 1 Provision	Requirement	Actual	Variation	Comments
Street Setbacks <ul style="list-style-type: none"> • Primary • Secondary • Other/Rear 	<ul style="list-style-type: none"> • 7.5m • 3m • Table 2a and 2b/6m 	<ul style="list-style-type: none"> • 8m • 58m • 36m/40m 	<ul style="list-style-type: none"> • Nil • Nil • Nil 	The shed complies with the setback requirements.
Open Space	60% of site $0.6 \times 13'265m^2 = 7'959m^2$ $13'265 - 7'959 = 5'306m^2$ of development	Shed: $9 \times 15 = 135m^2$ House: $\sim 240m^2$ Total = $375m^2 < 5'306m^2$	<ul style="list-style-type: none"> • Nil 	The shed does not impact the required open space provision.

Part 5 Design Principle	Deemed-to-Comply Requirement	Actual	Variation	Comments
5.4.3. Outbuildings <i>P3. Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties</i>	<i>C3. Outbuildings that:</i> <ul style="list-style-type: none"> <i>i. Are not attached to the dwelling;</i> <i>ii. Are non-habitable;</i> <i>iii. Collectively do not exceed 60m² in area or 10 percent in aggregate of the site area, whichever is the lesser;</i> <i>iv. Do not exceed a wall height of 2.4m;</i> <i>v. Do not exceed a ridge height of 4.2m;</i> <i>vi. Are not within the primary street setback area;</i> <i>vii. Do not reduce the amount of open space required in Table ; and</i> <i>viii. Comply with the setback requirements of Table 1, but in areas coded R15 or less, the rear setback requirement is determined by Tables 2a and 2b.</i> 	<ul style="list-style-type: none"> <i>i. Not attached;</i> <i>ii. Used for garage and storage;</i> <i>iii. Proposed = 135m²;</i> <i>iv. 3.2m;</i> <i>v. 3.993m;</i> <i>vi. 8m from primary street;</i> <i>vii. See Table 1;</i> <i>viii. See Table 1.</i> 	<ul style="list-style-type: none"> <i>i. Nil;</i> <i>ii. Nil;</i> <i>iii. Exceeds by 75m²;</i> <i>iv. Exceeds by 0.8m;</i> <i>v. Under by 0.207m;</i> <i>vi. Nil;</i> <i>vii. Nil;</i> <i>viii. Nil.</i> 	<ul style="list-style-type: none"> <i>i. Complies;</i> <i>ii. Condition of approval;</i> <i>iii. Does not comply – does not impact the locality;</i> <i>iv. Does not comply – does not impact the locality when the ridge height is under;</i> <i>v. Complies;</i> <i>vi. Complies;</i> <i>vii. Complies;</i> <i>viii. Complies.</i>
5.3.9 Stormwater	<i>C9 All water draining from roofs, driveways, communal streets and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site where climatic and soil conditions allow for the effective retention of stormwater on-site.</i>	<ul style="list-style-type: none"> <i>ix. No mention of stormwater.</i> 	<ul style="list-style-type: none"> <i>ix. N/A</i> 	<ul style="list-style-type: none"> <i>ix. Condition of approval</i>

The Cunderdin Local Planning Scheme No 3.

The subject property is zoned Residential R10 under the Scheme. Under 8.2 of the Scheme, the erection of a single house including ancillary outbuildings is considered a permitted development “*except where the proposal requires the exercise of a discretion by the Local Government under the Scheme to vary the provisions of the Residential Design Codes.*”

Under 5.5 of the Cunderdin Town Planning Scheme No 3, where development that requires variation to the Residential Design Codes is considered to affect any owners or occupiers in the general locality or adjoining the site, the Local Government is to -

- (a) Consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and
- (b) Have regard to any expressed views prior to making its determination to grant the variation.

Although a variation to the r-codes is required, the development will not impact adjoining owners or occupiers and therefore, does not require advertising.

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

- (a) The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area. Comment: Cunderdin Local Planning Scheme No. 3 applies to the site. The provisions have been considered in this report and it has been determined that the application is consistent with the aims and provisions of the Scheme.
- (b) The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought. Comment: There are no new schemes or amendments applicable to the proposal or site.
- (c) Any approved statement of planning policy of the Commission. Comment: There are no approved statements applicable to the proposal or site.
- (d) Any approved environmental protection policy under the *Environmental Protection Act 1986*. Comment: There are no policies applicable.
- (e) Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State. Comment: There are no policies applicable.
- (f) Any Planning Policy adopted by the local government under clause 8.8, any policy for a designated heritage precinct adopted under clause 5.1.3, and any other plan or guideline adopted by the local government under the Scheme. Comment: There are no policies applicable.
- (g) In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve. Comment: The land is not reserved under the Scheme.
- (h) The conservation of any place that has been entered in the Register within the meaning of the *Heritage of Western Australia Act 1990*, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage precinct. Comment: The property is not heritage listed nor is it within a heritage precinct.

- (i) The compatibility of a use or development with its setting. Comment: A shed is considered an ancillary structure to a dwelling and is therefore compatible within a residential zone. The oversized design is still considered compatible based on its use and the size of the existing dwelling.
- (j) Any social issues that have an effect on the amenity of the locality. Comment: There are no major social issues associated with the proposal. However, there is a risk of setting a precedent in the area for oversized shed which is something that Council should take into consideration.
- (k) The cultural significance of any place or area affected by the development. Comment: There is no specific cultural significance to the area.
- (l) The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment. Comment: No environmental impacts have been identified.
- (m) Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk. Comment: There are no natural constraints that will affect the proposal.
- (n) The preservation of the amenity of the locality. Comment: The proposal will not significantly impact the amenity of the locality.
- (o) The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal. Comment: The proposed shed exceeds the required floor area under the Residential Design Codes as well as the maximum wall height. However the ridge height finishes under the maximum requirement. The proposed shed is therefore unlikely to have a significant impact to neighbouring properties and land.
- (p) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles. Comment: A crossover may be required on Yilgarn Street. The applicant will be required to consult with the Local Government to construct a crossover to the satisfaction of the Local Government.
- (q) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety. Comment: The proposal will not generate additional traffic.
- (r) Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal. Comment: Not applicable.
- (s) Whether public utility services are available and adequate for the proposal. Comment: The proposal will not generate the need for additional public utility services.
- (t) Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities). Comment: Not applicable.
- (u) Whether adequate provision has been made for access by disabled persons. Comment: Not applicable. The development is on private property and for private use.

- (v) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved. Comment: No landscaping has been indicated in the proposal however it is a mandatory requirement. No additional vegetation shall be removed and it is encouraged to landscape the area appropriately.
- (w) Whether the proposal is likely to cause soil erosion and degradation. Comment: The proposal is unlikely to cause erosion or degradation of soils.
- (x) The potential loss of any community service or benefit resulting from the planning consent. Comment: Not applicable. The proposal does not relate to or affect any community service.
- (y) Any relevant submissions received on the application. Comment: Notice is not required.
- (z) The comments or submissions received from any authority consulted under clause 10.1.1. Comment: No authorities are required for consultation.
- (za) Any other planning consideration the local government considers relevant. Comment: Nil.

It is considered that the proposal is in line with the ultimate purpose of the zone and that the development will not have a major impact on the surrounding locality.

Cunderdin Local Planning Strategy

The Shire of Cunderdin Local Planning Strategy identifies that the provisions of the Residential Design Codes should be applied to future housing developments to “*create neighbourhoods with a community identity and high levels of safety, accessibility and amenity*”.

The proposal has been assessed against the Residential Design Codes.

Policy Implications

There are no policy implications for the Shire of Cunderdin. A number of oversize sheds have been approved recently indicating the needs and lifestyle of the community.

Financial Implications

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

Strategic Implications

Cunderdin Community Strategic Plan

The Cunderdin Community Strategic Plan aims to manage growth sustainably through governance, leadership, and targeted service and economic growth. The goals to achieve the aim are:

Social

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

Environmental

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

Economic

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

This proposal is consistent with the aims and goals of the Community Plan and will support the population base.

Resolution 11.2

That Council approve the construction of a shed on Lot 42 (42) Yilgarn Street, Cunderdin subject to the imposition of the following conditions:

- 1. Development must substantially commence within two (2) years from the date of determination.**
- 2. Development shall take place in accordance with the stamped approved plans.**
- 3. All stormwater shall be retained on-site.**
- 4. The outbuilding shall not be used for habitable, commercial and/or industrial purposes.**

ADVICE NOTES:

Note 1: If the development the subject of this approval is not substantially commenced within a period of two (2) years, or such other period as specified in the approval after the date of the determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this determination there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged within 28 days of the determination.

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

Moved: Cr Todd Harris

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 7/0

11.3 Proposed Extension of the Camera Museum – Lot 11 Dreyer Street, Meckering

Location:	Lot 11 Dreyer Street, Meckering
Applicant:	Charles Wadley
Date:	16 th December 2013
Author:	Jacky Jurmann, Manager Planning Services, Shire of York
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	31061
Attachment/s:	5 Pages

Proposal/Summary

The Shire of Cunderdin has received an application for planning approval for an extension to the Camera Museum at Lot 11 Dreyer Street, Meckering.

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

Background

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

The subject property is located at Lot 11 Dreyer Street Meckering, within the townsite on the corner of Solomon and Dreyer Street/Great Eastern Highway. The property is zoned Town Centre under the Shire of Cunderdin Town Planning Scheme No 3.

The site is 3,810m² and consists of the current Camera Museum as well as two (2) existing sheds.

The proposed extension has a total floor area of 88m² with a maximum height of 4.2m to match the existing building. The extension will be used to store vintage cameras and other articles for the Museum.

Comment

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

There are no social implications associated with this proposal. The Camera Museum is a key feature of the Meckering townsite and will assist its ongoing use.

The proposed development is for the extension of the existing Camera Museum within the townsite of Meckering. The extension is to be used for displaying vintage cameras and other Museum articles. The extension will have a minimal impact on the locality and will support the growth of this local business.

Consultation

Under 4.3 of the Cunderdin Town Planning Scheme No 3, a Museum is considered as a 'D' use which means that the use is not permitted unless the Local Government has exercised its discretion by granting planning approval.

Under 9.4 of the Scheme, the application is not required to be advertised unless the Local Government requests such. This application is considered to have minimal impact on the surrounding locality and therefore, notice is not required.

Under 10.1 of the Scheme “in considering an application for planning approval the Local Government may consult with any other statutory, public or [private] planning authority it considers appropriate”. Whilst this development is located within view of the main road, Great Eastern Highway, it is considered that it will not impact this road and therefore consultation with Main Roads is not necessary.

Statutory Implications

The Cunderdin Local Planning Scheme No 3.

The subject property is zoned Town Centre under the Scheme. Under 4.3 of the Cunderdin Town Planning Scheme No 3, a Museum is considered as a ‘D’ use which means that the use is not permitted unless the Local Government has exercised its discretion by granting planning approval.

In accordance with Clause 10.2 of the Scheme the following matters for consideration are to be measured against the application by the Local Government. These matters have been considered as follows:

The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area. Comment: Cunderdin Local Planning Scheme No. 3 applies to the site. The application is assessed against the objectives of the zone under clause 4.2 as well as the site and development requirements under table 2 and clause 5.8. The provisions have been considered in this report and it has been determined that the application is consistent with the aims and provisions of the Scheme. The assessment is shown in the following table.

Scheme Provision	Objective	Comment
4.2. Objectives of the Zone <u>Town Centre</u>	<ul style="list-style-type: none"> To ensure that the zone develops and continues to function effectively as the principal place for retail shopping, commercial, civic and administrative activity within each townsite and the District generally. 	<ul style="list-style-type: none"> The development is an extension of an existing Museum.
	<ul style="list-style-type: none"> To encourage a high standard of development which serves to enhance the character of the zone. 	<ul style="list-style-type: none"> The proposed extension is consistent with the design of the existing building.
	<ul style="list-style-type: none"> To encourage the retention and development of features which enhance the appearance of the zone, give it character or provide a sense of identity. 	<ul style="list-style-type: none"> The development encourages the retention of the Camera Museum as it allows more room for displays. The Camera Museum is a key feature of Meckering's identity.
	<ul style="list-style-type: none"> To maintain the compatibility with the general streetscape for all new buildings in terms of scale, height, style, materials, street alignment and design of facades. 	<ul style="list-style-type: none"> The extension has a maximum height that is consistent with the existing building.
	<ul style="list-style-type: none"> To maintain safety and efficiency of traffic flows and ensure that adequate provision is made for the circulation and parking of vehicles. 	<ul style="list-style-type: none"> Adequate parking has been provided. There is not likely to be any impact on traffic flow to the area.
	<ul style="list-style-type: none"> To preclude the storage of bulky and unsightly goods where they may be in public view. 	<ul style="list-style-type: none"> The extension is a display area for Museum articles.
	<ul style="list-style-type: none"> To provide for residential uses only where such uses are combined with a commercial use. 	<ul style="list-style-type: none"> N/A
	<ul style="list-style-type: none"> To encourage and assist the restructuring of the built environment of the zone to enhance: <ul style="list-style-type: none"> Pedestrian movements systems; The appearance of buildings, car parking areas and open spaces; User convenience and safety; and Traffic management. 	<ul style="list-style-type: none"> The development is an extension of the existing building.
<p>The proposed extension is consistent with the objectives of the zone.</p>		
Table 2: Site and Development Requirements Table <u>Town Centre</u>	<ul style="list-style-type: none"> There are Nil Minimum Setbacks to the boundary 	<ul style="list-style-type: none"> Development complies
	<ul style="list-style-type: none"> The Maximum Plot Ratio for the property is 1.5 Plot Ratio = Gross Floor Area / Site Area 	<ul style="list-style-type: none"> Site area = 3,810m² Existing building: 10m x 22m = 220m² Existing shed 1: 13m x 2.4m = 31.2m² Existing shed 2: 3.9m x 3.9m = 15.21m²

		<ul style="list-style-type: none"> Total = 266.41m² Proposed shed: 8m x 11m = 88m² Subtotal = 354.41m² <p>Therefore: 354.41 / 3810 = 0.09 0.09 < 1.5 – Therefore development complies.</p>
	<ul style="list-style-type: none"> Minimum landscaped area is 10% of the site. Landscaping is to be generally at the street frontage. 	<ul style="list-style-type: none"> Landscaping has not specifically been identified however there is already an adequate amount of landscaping. Further landscaping, whilst encouraged, is not required. Existing vegetation is to be retained wherever possible.
	The proposed extension complies with the relevant provisions of Table 2.	
5.8. Commercial Development	<ul style="list-style-type: none"> 5.8.1. Development in the Town Centre and Mixed Business zones shall comply with the requirements of Table 2 and the objectives for each of these zones as outlined in Part 4. 	<ul style="list-style-type: none"> Development complies with Table 2 and is consistent with the Town Centre objectives.
	<ul style="list-style-type: none"> 5.8.4. In considering any application for planning approval within the Town Centre and Mixed Business zones, the Local Government shall have regard to and may require the provision of loading docks and/or rear access. 	<ul style="list-style-type: none"> Loading docks or rear access is not required.
	<ul style="list-style-type: none"> 5.8.5. All on-site vehicle access ways and parking areas in the Town Centre and Mixed Business zones are required to be sealed and drained to the specifications and satisfaction of the Local Government. 	<ul style="list-style-type: none"> Current access and parking provisions are to the satisfaction of the Shire of Cunderdin – See (p) for calculations.
	<ul style="list-style-type: none"> 5.8.9. Landscaping shall be provided generally in accordance with the requirements of Table 2 and should be located in such positions on a site so as to enhance the appearance of any development or screen from view and any open storage area, drying areas and any other space which, by virtue of its use, is likely to detract from the visual amenity of the surrounding areas. 	<ul style="list-style-type: none"> See Table 2 provision above.
	The extension is consistent with the relevant commercial development provisions.	

- (a) The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought. Comment: There are no new schemes or amendments applicable to the proposal or site.
- (b) Any approved statement of planning policy of the Commission. Comment: There are no approved statements applicable to the proposal or site.
- (c) Any approved environmental protection policy under the *Environmental Protection Act 1986*. Comment: There are no policies applicable.
- (d) Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State. Comment: There are no policies applicable.
- (e) Any Planning Policy adopted by the local government under clause 8.8, any policy for a designated heritage precinct adopted under clause 5.1.3, and any other plan or guideline adopted by the local government under the Scheme. Comment: There are no policies applicable.
- (f) In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve. Comment: The land is not reserved under the Scheme.
- (g) The conservation of any place that has been entered in the Register within the meaning of the *Heritage of Western Australia Act 1990*, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage precinct. Comment: The property is not heritage listed nor is it within a heritage precinct.
- (h) The compatibility or a use or development with its setting. Comment: A museum is a 'D' use under the Scheme. This development is considered to be compatible with the existing use as it is an extension of the Museum. The extension is considered to be consistent with the objectives of the Town Centre zone.
- (i) Any social issues that have an effect on the amenity of the locality. Comment: There are no social issues associated with the proposal. The Camera Museum is a key feature of the Meckering town site and this development will assist in its ongoing use.
- (j) The cultural significance of any place or area affected by the development. Comment: There is no specific cultural significance to the area. The Camera Museum is a key feature of Meckering's identity and this development will assist in its ongoing use.
- (k) The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment. Comment: No environmental impacts have been identified.
- (l) Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk. Comment: There are no natural constraints that will affect the proposal.
- (m) The preservation of the amenity of the locality. Comment: The proposal will not significantly impact the amenity of the locality.
- (n) The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and

appearance of the proposal. Comment: The proposed extension is consistent with the existing development and is therefore unlikely to have any impact to the neighbouring properties.

- (o) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles. Comment: The existing access and egress from the site is adequate for this proposal. Under the Scheme, 1 car parking space per every 40m² of floor area is required.
Extension: 8m x 11m = 88m²
88 / 40 = 2.2
Therefore a further 2.2 spaces are required.
It is considered that there are adequate car parking spaces available.
- (p) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety. Comment: The proposal is not likely to generate additional traffic and therefore does not require further consultation with Main Roads.
- (q) Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal. Comment: Not applicable.
- (r) Whether public utility services are available and adequate for the proposal. Comment: The proposal will not generate the need for additional public utility services.
- (s) Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities). Comment: Not applicable.
- (t) Whether adequate provision has been made for access by disabled persons. Comment: This provision will be assessed when the applicant applies for his Building Permit.
- (u) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved. Comment: No landscaping has been indicated in the proposal however it is a mandatory requirement. No additional vegetation shall be removed and it is encouraged to landscape the area appropriately.
- (v) Whether the proposal is likely to cause soil erosion and degradation. Comment: The proposal is unlikely to cause erosion or degradation of soils.
- (w) The potential loss of any community service or benefit resulting from the planning consent. Comment: The community may be benefitted with this extension as it provides the applicant with more area to display Museum articles.
- (x) Any relevant submissions received on the application. Comment: Notice is not required.
- (y) The comments or submissions received from any authority consulted under clause 10.1.1. Comment: No authorities are required for consultation.
- (za) Any other planning consideration the local government considers relevant. Comment: Nil.

It is considered that the proposal is consistent with the ultimate purpose of the zone and that the development will not have a major impact on the surrounding locality.

Cunderdin Local Planning Strategy

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

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

The proposal has been assessed against the Strategy and is considered to facilitate the objectives of the townsite.

Policy Implications

There are no policy implications for the Shire of Cunderdin.

Financial Implications

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

Strategic Implications

Cunderdin Community Strategic Plan

The Cunderdin Community Strategic Plan aims to manage growth sustainably through governance, leadership, and targeted service and economic growth. The goals to achieve the aim are:

Social

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

Environmental

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

Economic

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

This proposal is consistent with the aims and goals of the Community Plan and it encourages business growth by strengthening local business.

Resolution 11.3

That Council approve the construction of an extension to the Camera Museum at Lot 11 Dreyer Street, Meckering subject to the imposition of the following conditions:

- 1. Development must substantially commence within two (2) years from the date of determination.**
- 2. Development shall take place in accordance with the stamped approved plans.**
- 3. All stormwater is to be retained on-site.**
- 4. The extension shall not be used for habitable or industrial purposes.**
- 5. No existing vegetation is to be removed without prior Council approval.**

ADVICE NOTES:

Note 1: If the development the subject of this approval is not substantially commenced within a period of two (2) years, or such other period as specified in the approval after the date of the determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this determination there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged within 28 days of the determination.

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

Moved: Cr Norm Jenzen

Seconded: Cr Doug Kelly

Vote – Simple Majority

Carried: 7/0

1:20pm Meeting Adjourned

1:30pm Meeting Reconvened

Mr Ian Bartlett, Manager Works & Services, in attendance.

10.1 Works & Services Report

Location:	Cunderdin
Applicant:	Manager Works & Services
Date:	12 th December 2013
Author:	Ian Bartlett
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is to receive the Works and Services Report.

Construction

- Started clearing and shoulder works on Meckering-Goomalling Road.

General

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

- Gravel resheeted 400 metres of Stubbs Road due to washouts.
- Gravel resheeted 900 metres of Warding Road due to blowouts.
- Filled with shed mix the southern approach to the bridge on Quellington Road.
- Gravel filled and graded blowouts on Mt Anne Road.
- Gravel filled ruts in floodway on Loton Road.
- Gravel filled blowout on Wilding Road.
- Driveway works for Men's Shed.
- Painting guide posts.
- Filled pot holes with gravel on Dennis, Mt Anne and Burges Roads.
- Erected "gravel road drive to conditions" signs on Fleay, Doodenanning and Rabbit Proof Fence South Roads.
- Patched pot holes on access road between Water Corporation and Hospital.
- Graded suckers off shoulders of Doodenanning Road.
- Maintenance graded Mt Anne, Wilding, Three Mile Gate, Shorter and Woorabbing Roads.

Parks and Gardens Cunderdin & Meckering

- General mowing, whipper snipping and clean-up of all parks, gardens and public open space.
- Special attention to O'Connor Park in preparation for Carol's Evening.
- Cleaned out table drains in Watt, Togo, Pemberton and Hodgson Streets.

Building and other Maintenance

- General upkeep and odd jobs carried out.
- Repair damage to toilets at O'Connor Park.
- Floors to toilets at O'Connor Park painted to assist with cleaning.

Airfield Maintenance

- Routine inspections carried out, no other problems to report.
- Cleaned out drain along fence line and slashed grass.

Plant Maintenance

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

Waste Services

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

Works & Services Staff

- One staff member attended a five (5) day Occupational Safety & Health Representative course in Merredin.

Other Matters

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

Road	Days	Average Vehicles Per Day
Fiegert (5 Mile Gate end)	7	1.00
Fiegert (Town end)	7	37.10
Halbert	7	5.00
Five Mile Gate	7	37.50
Quairading	7	231.80
Baxter	7	20.80
Hudson	7	5.40
Woonwooring	7	61.20
Minnivale	7	54.70
Gangel	7	16.80
Rabbit Proof Fence North	7	2.70
Henderson	7	5.50

Statutory Implications

Local Government Act 1995

Financial Implications

Nil

Strategic Implications

Nil

Resolution 10.1

That Council:

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

Moved: Cr Dianne Kelly

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried: 7/0

1:53pm Meeting Adjourned

Mr Ian Bartlett, Manager Works & Services, left the meeting

2:01pm Meeting Reconvened

Cr Clive Gibsone in attendance

12. Urgent Items

Nil

13. Matters for which the meeting may be closed

13.1 Chief Executive Officer – Annual Performance Review

Location:	Shire of Cunderdin
Applicant/s:	Shire President
Date:	12 th November 2013
Author:	Cr Rod Carter
Item Approved by:	Shire President
Disclosure of Interest:	Peter Naylor, Chief Executive Officer
File Ref:	Nil
Attachment/s:	Nil

CONFIDENTIAL matter to be considered behind closed doors.

Peter Naylor, Chief Executive Officer declared a Financial Interest.

2:02pm Mr Peter Naylor, Chief Executive Officer, and Mr Paul Godfrey, Deputy CEO, leave the meeting.

2:44pm Mr Peter Naylor returned to the meeting.

Resolution 13.1

That Council, following the Chief Executive Officer Annual Performance Review:

- 1. Congratulates the Chief Executive Officer for the period of performance under review.**
- 2. Increases the Chief Executive Officers remuneration package effective from employment anniversary date of 3rd January 2014, as follows:**
 - a) Salary increase of 5%; and**
 - b) Increase in Professional Development entitlements of \$5,000.**

Moved: Cr Norm Jenzen

Seconded: Cr Dianne Kelly

Vote: Simple majority

Carried: 8/0

2:52pm Mr Paul Godfrey returned to the meeting.

14. Closure of meeting

There being no further business the Shire President declared the meeting closed at 2.55pm.