



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 16th February 2017 in the Council Chambers, Lundy Avenue Cunderdin **commencing at 2.30pm.**

Peter Naylor
Chief Executive Officer

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AGENDA

1. Declaration of opening

The President declared the meeting open at 2.30 pm

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. Public Question Time

Ms Mary O’Hare commented on the site of the new Water Corporation Water Tanks Project (approx. 5km west of Cunderdin) and that a number of trees have been very heavily trimmed, with only the stumps remaining. She has contacted the Water Corporation in regards to this matter but thought it necessary to also bring to the attention of Council.

The Shire President advised that Ms O’Hare’s concerns have been noted and that the Shire will follow up with the Water Corporation to assess what their future plans are in respect to revegetation at the site.

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

Record of attendances

Councillors

Cr DA (Dennis) Whisson	Shire President
Cr DB (Doug) Kelly	Deputy President
Cr B (Bernie) Daly	
Cr RC (Clive) Gibsone	
Cr AE (Alison) Harris	
Cr TE (Todd) Harris	
Cr NW (Norm) Jenzen	
Cr DG (Dianne) Kelly	

Apologies

On Leave of Absence

Staff

Peter Naylor	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer
Ian Bartlett	Manager Works & Services

Guests of Council

Members of the Public

Ms Mary O'Hare

Applications for leave of absence

Declaration of Members and Officers Financial Interests

Agenda Item 7.6	Peter Naylor, Chief Executive Officer - Financial
Agenda Item 9.2	Cr Alison Harris - Impartiality
Agenda Item 9.2	Cr Todd Harris - Impartiality

4. Petitions, Deputations, Presentations

4.1 Petition: Sewer Petition received 6 January 2017

A petition requesting an extension to the sewer system east of Cubbine Road through to First Street, Cunderdin signed by 22 residents was received on 6 January 2017. Tim Jurmann, Building and Environmental Officer has contacted the Water Corporation Network Expansion Section and been advised that there is no real incentive to extend a sewer in these areas as the systems tend to run at a loss.

However it appears that there may be capacity to extend the sewer based on the existing pipe sizes.

This essentially means it is up to the Residents and perhaps the Shire if they want to see it done.

The steps are:

1. Employ a Civil Engineering Consultancy to look at it and do up a design.
2. Submit the final design to the Water Corporation for approval, of which there is minimal fees.

3. Once approved, appoint a Contractor licenced to the work, (PVC Sewer Pipe), paying the appropriate costs.

When completed the Residents will be charged an Infrastructure Contribution fee of around \$2,334 per residential block.

This matter was also raised with the Hon Mia Davies MLA, Minister for Water, when she visited Cunderdin on Wednesday 8th February 2017. The Minister is going to provide further information.

The Chief Executive Officer informed Council that he is expecting a telephone call from the Water Corporation on Friday 17th February 2017, and will provide further feedback / comment following that conversation.

Resolution 4.1

That the Petition be received and Council notes that the Chief Executive Officer is addressing the matter with the Water Corporation.

5. Announcements by President without discussion

Nil

6. Confirmation of the Minutes of Previous Meetings

6.1 Ordinary Meeting of Council held on Thursday 15 December 2016

Location:	Cunderdin
Applicant:	Administration
Date:	9 February 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	56 pages - circulated

Proposal/Summary

Council to confirm the minutes of the Ordinary Council Meeting held on Thursday 15 December 2016.

Background

The minutes of the meeting 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 6.1

That:

- 1. The Minutes of the Ordinary Council Meeting held on Thursday 15 December 2016, be confirmed as a true and correct record.**

Moved: Cr Alison Harris

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 8/0

Note to this item:

The President will sign the minute declarations.

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6.2 Audit Committee Meeting held on 16th February 2017

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	13 February 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	12 Pages

Proposal/Summary

Council to receive the minutes of the Audit Committee Meeting held on Thursday 16 February 2017 and consider the Committee recommendations contained therein.

Background

A copy of the Audit Committee Agenda, and associated Minutes have been circulated to all Councillors.

Comment

There were four (4) items of business on the Audit Committee Agenda and the recommendations from the Committee are:

Resolution 5.1

That the Audit Committee:

- 1. Receives the Interim Audit Report for the Year Ending 30 June 2016, and notes the comments contained in the associated Management Letter.*
- 2. Receives the Progress on End Of Year letter.*

Resolution 5.2

That the Audit Committee:

- 1. Provides responses to the Fraud and Error Assessment to be forward to the auditors.*

Resolution 5.3

That the Audit Committee:

- 1. Receives the Business Continuity Plan and submits the plan to the next council meeting for adoption.*

Resolution 5.4

That the Audit Committee recommends to Council:

- 1. That the signatories for the Shire of Cunderdin Bank Accounts be the Shire President, Deputy President, Chief Executive Officer and Deputy CEO.*

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 6.2

That:

- 1. The minutes of the Audit Committee Meeting held on 16 February 2017 be received and the recommendations contained therein, be endorsed.**

Moved: Cr Clive Gibsone

Seconded: Cr Bernie Daly

Vote – Absolute majority

Carried: 8/0

7. Finance & Administration

7.1. Financial Reports for December 2016 and January 2017

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	9 February 2017
Author:	Paul Godfrey
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	72 Pages (6 attachments)

Proposal/Summary

The financial position as at 31 December 2016 and 31 January 2017 are presented for consideration.

Background

The financial reports have been circulated to all Councillors.

Comment

Nil

Consultation

Nil

Statutory Environment

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

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports.

Strategic Implications

Nil

Resolution 7.1

That Council receives the monthly financial reports to 31 December 2016 and 31 January 2017.

Moved: Cr Doug Kelly

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 8/0

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7.2 Accounts Paid – December 2016 and January 2017

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	9 February 2017
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling \$366,355.07 for December 2016 and \$48,369.10 for January 2017 as listed in the Warrant of Payments for the period 1 December to 31 January 2017.

Background

Nil

Comment

Nil

Consultation

Nil

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).

Financial Management Regulations 12 & 13.

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

Resolution 7.2

(a) That Council's payment of accounts amounting to \$366,355.07 for December 2016 and \$48,369.10 for January 2017, from the Municipal Fund be confirmed and noted.

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

Moved: Cr Alison Harris

Seconded: Cr Norm Jenzen

Vote – simple majority

Carried: 8/0

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Listing of Accounts Paid During December 2016 and January 2017

Cheque /EFT No	Date	Supplier	Description	Amount
EFT1120	02/12/2016	Australia Post	Postal Charges for the month	397.55
EFT1121	02/12/2016	Avdata	Airfield Billing	524.25
EFT1122	02/12/2016	Truck Centre WA	Control Heater and Freight	973.93
EFT1123	02/12/2016	AIR LIQUIDE	Gas Cylinder Hire	107.10
EFT1124	02/12/2016	Goodfield Quality Meats	water	77.00
EFT1125	02/12/2016	Glenwarra Development Services	Town Planning Consultancy Service	5,142.50
EFT1126	02/12/2016	IT Vision	Monthly Synergy Soft Fee- November 2016	1,948.10
EFT1127	02/12/2016	George Johnson EHO Consultant	Meat Branding and travel	660.00
EFT1128	02/12/2016	Combined Tyres Cunderdin	Tyres and Tyre Disposal	1,193.00
EFT1129	02/12/2016	Shire of Northam	Old Quarry Tipping Fees	4,004.35
EFT1130	02/12/2016	Daves Tree Service	Tree Lopping in town site of Cunderdin	5,720.00
EFT1131	02/12/2016	Cr Dennis Whisson	OCM Sitting Fee	485.00
EFT1132	02/12/2016	Cr Todd Harris	OCM Sitting Fee	236.00
EFT1133	02/12/2016	Fire and Safety WA	Kestrel Weather Meter	379.50
EFT1134	02/12/2016	AMJ Industries	Hot Water Units at the Rec Centre	5,132.86
EFT1135	02/12/2016	JR & A Hersey	Knapsack. mini hose and retractable reel	861.48
EFT1136	02/12/2016	WALGA	Brooke Jasper Rates Debt Collection	1,089.00
EFT1137	02/12/2016	Thompsons Signs	Daintys daughter display	4,862.00
EFT1138	02/12/2016	Cunderdin Community Resource Centre	advertising pool opening times	45.00
EFT1139	02/12/2016	Meckering Action Group	Earthquake books and fridge magnets	168.00

EFT1140	02/12/2016	Advanced Autologic PTY LTD	Rubia, Hydraulic Oil and Grease	1,939.00
EFT1141	02/12/2016	Eastern Hills Saws and Mowers	Various parts	752.80
EFT1142	02/12/2016	Pestex Co	Termite treatments at the museum	2,007.50
EFT1143	02/12/2016	Marketforce	Advertising	141.13
EFT1144	02/12/2016	Cr. Alison Harris	OCM Sitting Fee	236.00
EFT1145	02/12/2016	Cr. Bernard Daly	OCM Sitting Fee	236.00
EFT1146	02/12/2016	Twinkarri	Tree Pruning and Mulching for various rural roads	34,584.00
EFT1147	02/12/2016	Cunderdin Football Club	Cunderdin Shire Drum Muster	1,578.60
EFT1148	02/12/2016	Momar Australia Pty Ltd	Twenty Litre, Moly DSD, EZlube	1,694.55
EFT1149	02/12/2016	One Shadesails Pty Ltd	Re- Instillation of shade sails	715.00
EFT1150	02/12/2016	Northam & Districts Glass Service	Supply Sliding door lock	72.60
EFT1151	02/12/2016	Envirosweep	Sweeping Cunderdin Airport	3,081.10
EFT1152	02/12/2016	Wirtgen Group	Various parts	556.52
EFT1153	02/12/2016	Meckering Ladies Hockey Club	Catering for 65 ppl @ \$17 per person	1,105.00
EFT1154	02/12/2016	Freelance Handyman	Manufacture a display stand for the Sulky- Daintys Daughter	550.00
EFT1155	02/12/2016	Bendigo and Adelaide Bank Limited	Bank Confirmation Audit Fee	30.00
EFT1156	02/12/2016	Daniel Birleson	Refreshments for Training	95.80
EFT1157	02/12/2016	Road Signs	Road Signs	1,134.10
EFT1158	02/12/2016	Perth Safety Products Pty Ltd	Traffic Cones	412.50
EFT1159	02/12/2016	AAA Asphalt Surfaces	Emulsion and pod	1,705.00
EFT1160	02/12/2016	Brooke Jasper	Reimbursement for expenses incurred to attend training	325.28

EFT1161	02/12/2016	Earthstyle Contracting Pty Ltd	Grading of 5 mile Gate, Pasco and Cousins Rds	7,746.75
EFT1162	02/12/2016	Courier Australia	Freight	89.31
EFT1163	02/12/2016	Country Ford	Whipper Snipper	878.90
EFT1164	02/12/2016	Department of Fire and Emergency Services	ESL Quarter 2	19,676.71
EFT1165	15/12/2016	Cunderdin Co-Op	Hunter 25mm Solenoid	2,057.95
EFT1166	15/12/2016	Australia Post	Postal Charges for the Month	530.05
EFT1167	15/12/2016	Avdata	Airfield charges	439.30
EFT1168	15/12/2016	Truck Centre WA	Joint	351.58
EFT1169	15/12/2016	AIR LIQUIDE	Gas Cylinder Hire Fee	111.49
EFT1170	15/12/2016	Avon Waste	Rubbish Services	11,468.46
EFT1171	15/12/2016	AWP Group	Supply heavy duty Shade System	58,366.00
EFT1172	15/12/2016	Ag Implements	Flat Belt	488.40
EFT1173	15/12/2016	Contract Aquatic Services	Contract Management Fee December and pool chemicals	16,280.00
EFT1174	15/12/2016	AMJ Industries	Fluro light fitting replaced	52.25
EFT1175	15/12/2016	JR & A Hersey	Timber Guide Posts	1,958.00
EFT1176	15/12/2016	Thompsons Signs	Sign for Sports memorabilia - town hall	165.00
EFT1177	15/12/2016	Cunderdin Community Resource Centre	Library services for 1 July 2016-30 June 2017	16,762.00
EFT1178	15/12/2016	Advanced Autologic PTY LTD	Grime Buster, Grease and Flow Brush	401.00
EFT1179	15/12/2016	Glowstix Australia Pty Ltd	Glow candles and flashing santa hats for carols in the park	536.86
EFT1180	15/12/2016	IXOM	Chlorine for the pool	81.84
EFT1181	15/12/2016	Donovans Engineering	Modifications to Meckering	3,300.00

			Fire Truck	
EFT1182	15/12/2016	Josco	polywire fill bobbin broom	1,254.00
EFT1183	15/12/2016	Hutton & Northey Sales	Battery	308.00
EFT1184	15/12/2016	Baxters Rural Centre KB	Metric Ball Bearing	17.16
EFT1185	15/12/2016	Alloy & Stainless Products Pty Ltd	Blade Suit Iseki and Titanium Performance	1,708.45
EFT1186	15/12/2016	Michelle Samson	Reimbursement for Travel to attend workshop	316.16
EFT1187	15/12/2016	Northam & Districts Glass Service	Replace window at CSRC	489.50
EFT1188	15/12/2016	JM Vanden Akker & JA Vanden Akker	Museum Glass Maintained and Display for Daintys Daughter	1,880.00
EFT1189	15/12/2016	Cunderdin Basketball Association	Payment for kidsport vouchers for 2016	610.00
EFT1190	15/12/2016	Tradesales	Drum Rack and Cradle	1,893.76
EFT1191	15/12/2016	Daves Property Improvements	First Instalment Payment for toilet in meckering	27,707.50
EFT1192	15/12/2016	Earthstyle Contracting Pty Ltd	Supply of 4t Blue metal dust	110.00
EFT1193	15/12/2016	Country Ford	Honda Trimmer	1,924.45
EFT1194	15/12/2016	EASTWAYS	Jumbo Toilet Roll	220.77
EFT1195	20/12/2016	Cunderdin Co-Op	Bulk Fuel Purchases	9,540.00
EFT1196	20/12/2016	Australian Tax Office	BAS FOR NOVEMBER 2016	20,666.00
EFT1197	21/12/2016	Cunderdin Co-Op	Supplies for council meeting	264.72
EFT1198	21/12/2016	Goodfield Quality Meats	Water	77.00
EFT1199	21/12/2016	Wattleup Tractors	Bearing, collar, bearing and tension arm	877.50
EFT1200	21/12/2016	Kayla James	Travel Reimbursement 90 km	70.20
EFT1201	21/12/2016	Cr Dennis Whisson	OCM December sitting Fee	485.00
EFT1202	21/12/2016	Cr Todd Harris	OCM December Sitting Fee	236.00

EFT1203	21/12/2016	Cr Norm Jenzen	OCM December Sitting Fee	236.00
EFT1204	21/12/2016	AWP Group	Fully Restitch sky blue shade sail	341.00
EFT1205	21/12/2016	Macri Partners	Audit report for R2R	1,210.00
EFT1206	21/12/2016	Cunderdin Community Resource Centre	Advert for Aust day and PUG	80.00
EFT1207	21/12/2016	Cr. Alison Harris	OCM December Sitting Fee	236.00
EFT1208	21/12/2016	Cr. Bernard Daly	OCM December Sitting Fee	236.00
EFT1209	21/12/2016	BP Cunderdin Roadhouse	Sandwiches and fruit platter for meeting	120.00
EFT1210	21/12/2016	FORPARK AUSTRALIA	Toddler Swing set and strap swing seat	260.70
EFT1211	21/12/2016	Cunderdin Tennis Club	Kidsport Payment Fees	210.00
EFT1212	21/12/2016	Lloyds Earthmoving	1 m3 compost collected	120.00
EFT1213	21/12/2016	Uniform Fashions	Navy Top LG Logo	73.80
EFT1214	21/12/2016	Mobile Concrete Services Pty Ltd	Supply 12.8 Cubic Metres of Concrete	3,900.16
EFT1215	21/12/2016	Ferguson Earthmoving Pty Ltd	Hire of bulldozer for stockpiling gravel	4,070.00
EFT1216	21/12/2016	WA Bullbars/ Bullbar & Towbar Services	LED indicator/ park light	44.00
EFT1217	21/12/2016	Cannon Hygiene Pty Ltd	Annual Sanitary Unit Charges	2,194.71
EFT1218	21/12/2016	Earthstyle Contracting Pty Ltd	Maintenance grading	4,345.00
EFT1219	21/12/2016	Courier Australia	freight	74.79
EFT1220	21/12/2016	Country Ford	Whipper Snipper and Hose	86.90
DD526.1	05/12/2016	Water Corporation	standpipe RD	71.06
11139	02/12/2016	Water Corporation	Airport Water	1,549.86
11140	02/12/2016	Synergy	Streetlights Tarrif	4,333.05
11141	02/12/2016	Cunderdin Newsagency	Museum Stationery	335.18

11142	02/12/2016	Bunnings Group Limited	Shower Screen	379.05
11143	02/12/2016	Telstra	Mobile Phones and Ipads	760.76
11144	02/12/2016	Autopro Northam	Battery	675.68
11145	02/12/2016	Cr Ronald Clive Gibsone	OCM Sitting Fee	236.00
11146	02/12/2016	Cr Dianne Kelly	OCM Sitting Fee	236.00
11147	02/12/2016	Cr Douglas Brian Kelly	OCM Sitting Fee	236.00
11148	02/12/2016	Northam & Districs Little Athletics Centre	Kidsport payments	530.00
11149	02/12/2016	Quairading Ag Implements	Drug and Alcohol Testing	349.00
11150	15/12/2016	Water Corporation	Standpipe Dempster St Meckering	1,837.82
11151	15/12/2016	Synergy	Shire Office Power	5,676.00
11152	15/12/2016	Cunderdin Newsagency	Stationery	78.54
11153	15/12/2016	Telstra	Office , Museum, Pool and Depot Phones	1,725.34
11155	15/12/2016	Western Australia Police Licensing Enforcement Division	Corporate Firearms Licence	122.00
11158	20/12/2016	Government of WA Department of Transport	Shire of Cunderdin Fleet B9320	4,192.50
11159	21/12/2016	Water Corporation	Sports Ground Water	19,078.22
11160	21/12/2016	Synergy	Street Lights Tarrif	4,879.55
11161	21/12/2016	Cunderdin Newsagency	Newspapers and stationery supplies	409.28
11162	21/12/2016	Cr Ronald Clive Gibsone	OCM December Sitting Fee	236.00
11163	21/12/2016	Cr Dianne Kelly	OCM December Sitting Fee	236.00
11164	21/12/2016	Cr Douglas Brian Kelly	OCM December Sitting Fee	236.00
11165	21/12/2016	Cunderdin Sports & Recreation Centre Inc	Finger food for Emergency Evacuation / Incident Training	760.00
			TOTAL	366,355.07

Cheque /EFT No	Date	Supplier	Description	Amount
EFT1221	12/01/2017	Landgate	Minimum Charge	64.70
EFT1222	12/01/2017	Cunderdin Co-Op	Supplies for the carols	2,246.04
EFT1223	12/01/2017	AIR LIQUIDE	Cylinder hire	115.21
EFT1224	12/01/2017	Goodfield Quality Meats	Water	29.00
EFT1225	12/01/2017	Glenwarra Development Services	Town Planning Consultancy Fee	4,400.00
EFT1226	12/01/2017	Shire of Northam	old quarry tipping fees	2,302.30
EFT1227	12/01/2017	Av-Sec Security	Monitoring Quarter Fee	180.20
EFT1228	12/01/2017	Western Australian Treasury Corporation	Loan Guarantee Fees	5,045.02
EFT1229	12/01/2017	Marketforce	Local Laws Advertising	890.58
EFT1230	12/01/2017	Australian Tax College	FBT 2017 Early Bird Course	495.00
EFT1231	12/01/2017	Quality Press	Vehicle Identifier Stickers	123.75
EFT1232	12/01/2017	IXOM	Chlorine	84.57
EFT1233	12/01/2017	Department of the Premier and Cabinet State Law Publisher	Printing Special Government Gazette – Local Laws	5,184.10
EFT1234	12/01/2017	Baxters Rural Centre KB	Battery 4 x4	138.64
EFT1235	12/01/2017	Bluesteel Enterprises Pty Ltd	Camlocks, Adaptors , reducing Nipples, Battery	721.30
EFT1236	12/01/2017	Craig Buegge	Carpet Cleaning - Mats at early Learning Centre	120.00
EFT1237	12/01/2017	Cunderdin Kitchen	Meals for Christmas Party	1,980.00
EFT1238	12/01/2017	Rainchaser Water Tanks Pty Ltd	12 V Diesel Pump Kit	420.00
EFT1239	23/01/2017	Australian Tax Office	BAS for December 2016	21,813.00
11168	12/01/2017	Cunderdin Newsagency	Day Care Stationary Supplies	178.67
11169	12/01/2017	Telstra	Office , Museum, Depot and Pool Phones	1,684.59

11170	12/01/2017	SMJ United Pty Ltd	Diesel for fire truck	152.43
			TOTAL	48,369.10

UNCONFIRMED

7.3 Council Investments – As at 31 January 2017

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	9 February 2017
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 31 January 2017.

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; and
- 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.

Comment

COUNCIL INVESTMENTS					
Institution	Amount Invested	Investment type	Municipal Funds	Reserve Funds	Trust Funds
Bendigo Bank	\$787,180.68	Reserves Term Deposit 2.50% Expires : 9/6/2017		\$787,180.68	
Westpac Banking Corporation	\$1,324,476.88	Business Cash Reserve 22-3647 0.60%	\$1,324,476.88		
Westpac Banking Corporation	\$9,721.73	Trust Working Account 12-2981			\$9,721.73
TOTAL INVESTMENTS	\$2,121,379.29		\$1,324,476.88	\$787,180.68	\$9,721.73

Consultation

Nil

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 7.3

That the reports on Council investments as at 31 January 2017 be received and noted.

Moved: Cr Clive Gibsone

Seconded: Cr Todd Harris

Vote – Simple Majority

Carried: 8/0

7.4 Resource Sharing Committee Minutes 21 December 2016 and 7 February 2017

Location:	Shires of Tammin & Cunderdin
Applicant:	Chief Executive Officer
Date:	8 February 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Yes
File Reference:	Nil
Attachment/s:	22 Pages (4 attachments)

Declaration of Interest

Mr Peter Naylor, Chief Executive Officer.

2:46pm Council staff and Ms O'Hare departed the Council meeting.

Proposal / Summary

For Council to receive the Minutes of the Resource Sharing Committee Meetings held on Wednesday 21 December 2016 and Tuesday 7 February 2017, and endorse the recommendations (5) from the Committee to Council.

Background

The Resource Sharing Committee, at the meetings held in Cunderdin on Wednesday 21 December 2016 and in Tammin on 7th February 2017, considered the Potential Shared Manager Works and Services Position, the Annual Chief Executive Officer Performance Review/Appraisal and a review of the Chief Executive Officer Key Result Areas and Key Performance Indicators.

In considering the aforementioned matters, the Committee resolved as follows:

That the Resource Sharing Committee recommends to the Shire of Cunderdin and the Shire of Tammin:

1. *"That the proposed Outside Staff Works Structure, with a Shared Manager Works and Services position, be endorsed for the future development of the two Shires, and that it be phased in over the next 12 month period leading up to the retirement of the Shire of Cunderdin Manager Works and Services in February 2018."*
2. *"That the Resource Sharing Committee recommends that the Shire of Cunderdin and the Shire of Tammin:*
 - 1) *"Receives the Performance Review report and endorses the overall performance rating for the Chief Executive Officer, for the review period January to November 2016, as 'More Than Satisfactory';*
 - 2) *Endorses the interim key result areas and outcomes for 2017;*
 - 3) *Schedules a workshop in May 2017 for the purpose of updating the CEO's key focus areas and outcomes; and*
 - 4) *Schedules the next review of performance to be commenced by 1 September 2017 and completed by mid-October 2017. Review process to include facilitation of personal*

interviews with elected members in Cunderdin/Tammin to obtain their feedback.”

3. *“That the Resource Sharing Committee recommends that the Shire of Cunderdin and the Shire of Tammin:*
 - 1) *Authorises an increase to the Chief Executive Officer’s total reward package to \$196,135 pa (1.0%), effective from 15 October 2016.*
 - 2) *Schedules the next review of remuneration to be considered by 15 October 2017, in accordance with the contract of employment between Council and Mr Naylor.”*

4. *“That the Resource Sharing Committee confirms the Committee resolution from the RSC Meeting held on 21st December 2016, as follows in dot point 1, however with an amendment to the proposed model as per dot point 2.*
 - 1) *The Resource Sharing Committee recommends to the Shire of Cunderdin and the Shire of Tammin that the proposed Outside Staff Works Structure, with a Shared Manager Works and Services position, be endorsed for the future development of the two Shires, and that it be phased in over the next 12 month period leading up to the retirement of the Shire of Cunderdin Manager Works and Services in February 2018.*
 - 2) *That the proposed Works Staff Structure model and supplementary information be amended to reflect two full time leading hand positions at each of the Shire of Cunderdin and the Shire of Tammin, and the shared Works Supervisor position (on a 90/10 basis) be removed.”*

Comment

Copies of the meetings minutes, the Shared Chief Executive Officer Cunderdin & Tammin Position Review 2016 (Council Report, incorporating the Key Result Areas and Key Performance Indicators), and the Shires of Cunderdin-Tammin Chief Executive Officer’s Review 2016 (Remuneration Report), both prepared by John Phillips Consulting, were circulated as attachments with the agenda.

Statutory Environment

Local Government Act 1995

5.38. Annual review of certain employees’ performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

Policy Implications

Shared Chief Executive Officer Contract of Employment (Clause 4).

Financial Implications

Nil

Strategic Implications

Nil

Community Consultation

Resolution 7.4

That Council:

Receives the Minutes from the Resource Sharing Committee Meetings held on Wednesday 21 December 2016 and Tuesday 7 February 2017, and:

1. Endorses the recommendations at items 5.1 of the 21 December 2016 Minutes, as follows:

That the Resource Sharing Committee recommends to the Shire of Cunderdin and the Shire of Tammin:

“That the proposed Outside Staff Works Structure, with a Shared Manager Works and Services position, be endorsed for the future development of the two Shires, and that it be phased in over the next 12 month period leading up to the retirement of the Shire of Cunderdin Manager Works and Services in February 2018.”

2. Endorses the recommendations at items 5.1 and 5.2 of the 7 February 2017 Minutes, as follows:

(a) *“That the Resource Sharing Committee recommends that the Shire of Cunderdin and the Shire of Tammin:*

- 1) *“Receives the Performance Review report and endorses the overall performance rating for the Chief Executive Officer, for the review period January to November 2016, as ‘More Than Satisfactory’;*
- 2) *Endorses the interim key result areas and outcomes for 2017;*
- 3) *Schedules a workshop in May 2017 for the purpose of updating the CEO’s key focus areas and outcomes; and*
- 4) *Schedules the next review of performance to be commenced by 1 September 2017 and completed by mid-October 2017. Review process to include facilitation of personal interviews with elected members in Cunderdin/Tammin to obtain their feedback.”*

(b) *“That the Resource Sharing Committee recommends that the Shire of Cunderdin and the Shire of Tammin:*

- 1) *Authorises an increase to the Chief Executive Officer’s total reward package to \$196,135 pa (1.0%), effective from 15 October 2016.*
- 2) *Schedules the next review of remuneration to be considered by 15 October 2017, in accordance with the contract of employment between Council and Mr Naylor.”*

(c) *“That the Resource Sharing Committee recommends to the Shire of Cunderdin and the Shire of Tammin that the proposed Outside Staff Works Structure, with a Shared Manager Works and Services position, be endorsed for the future development of the two Shires, and that it be phased in over the next 12 month period leading up to the retirement of the Shire of Cunderdin Manager Works and Services in February 2018.”*

(d) “That the Resource Sharing Committee confirms the Committee resolution from the RSC Meeting held on 21st December 2016, as follows in dot point 1, however with an amendment to the proposed model as per dot point 2.

1) The Resource Sharing Committee recommends to the Shire of Cunderdin and the Shire of Tammin that the proposed Outside Staff Works Structure, with a Shared Manager Works and Services position, be endorsed for the future development of the two Shires, and that it be phased in over the next 12 month period leading up to the retirement of the Shire of Cunderdin Manager Works and Services in February 2018.

2) That the proposed Works Staff Structure model and supplementary information be amended to reflect two full time leading hand positions at each of the Shire of Cunderdin and the Shire of Tammin, and the shared Works Supervisor position (on a 90/10 basis) be removed.”

Moved: Cr Doug Kelly

Seconded: Cr Norm Jenzen

Vote: Simple Majority

Carried: 8/0

3:05pm

Council staff and Ms O’Hare returned to the Council meeting.

8 Environmental Health & Building

Nil.

UNCONFIRMED

9. Works & Services

9.1 Works & Services Reports

Location:	Cunderdin
Applicant:	Manager Works and Services
Date:	7 February 2017
Author:	Manager Works and Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is to receive the Works and Services Reports for December 2016 and January 2017.

Construction

- A contractor has commenced edge pavement and removing tree roots where required on Goomalling, Dowerin and Wyalkatchem Roads; and
- Commenced erecting new signage and dotting centre line in preparation for line marking on Cunderdin/Quairading Road - Black Spot funded.

General Maintenance – Roads listed have had maintenance carried out on them:-

- Removed tree on McPherson street;
- Attended a report of a large tree that had fallen across the road near Quairading just short of boundary only to find that the tree had already been removed;
- Carried out tree trimming under power lines in Meckering and Cunderdin as per Western Power's list;
- Completed 4 kilometres of shoulder upgrade on the bitumen section on Southern Brook Road;
- Repaired blow outs on North Wyola Road;
- Repaired (3) lane ways in Cunderdin;
- Made several sand deliveries in Cunderdin and Meckering;
- Pushed up 2,000 m3 of gravel on Boundary Road pit;
- Standpipe repaired on RPF North Road;
- Cleaned out several culverts on Meckering and Dowerin Roads;
- Replaced guide posts on Goomalling, Wyalkatchem, Minnivale and Southern Brook Road;
- Pothole patching on Quelagetting, 5 Mile Gate, Wyalkatchem and Goldfields Roads;
- Re-sheeted 500m section over rocks on Reynolds Road and 200m on Hardy Road;
- Pothole patching on Lundy Road;
- Repaired blow outs on Moore Road - not completed due to rain event; and
- Attended to storm damage and flooding call-outs.

Replaced/Repaired the following signs:-

- Erected new school sign on Scaddan Road;
- Erected new sign on Kitto South Road; and
- Replaced (46) new and existing signs on Cunderdin/ Quairading Road as part of the Black Spot funding.

Parks and Gardens – Meckering

- Carried out general mowing, slashing, whipper snipping and clean-up of all parks gardens and public open space.

Parks and Gardens – Cunderdin and the Recreation Centre

- Carried out general mowing, weeding, whipper snipping and general clean-up of parks, and oval;
- Assisted in the preparation for the Australia Day breakfast; and
- Repaired capping on some of the block walls at the Sports & Recreation Centre.

Building and Other Maintenance

- Replaced broken glass in the main door at the Cunderdin Sport and Recreation Centre;
- Refitted quarter of the roof to the Public toilet at the airfield which had blown off in a strong wind;
- Commenced preparation work in relation to the Changing Place's toilet facility in Meckering;
- Made repairs to the Shire CEO's roof air conditioning unit (leaking water supply); and
- Made repairs to the air conditioning unit at 14 Robin Street.

Road Side and Verge Spraying

Nil.

Cemeteries

- There were no funerals in December 2016 or January 2017;
- Tidied up and filled rabbit holes at both Cunderdin and Meckering Cemeteries.

Airfield Maintenance

- General twice weekly inspections of runways and slashed around the wind sock;
- Replaced (9) light bulbs - possibly caused by a power surge;
- Repaired several water leaks in the caravan park area;
- Due to the recent rain event the transformer that supplies power to the airfield shorted out. The cables and fuses on the Shire side of the transformer were replaced by the Shire and Western Power replaced the transformer;
- Resprayed around the wind sock (black); and
- Slashed grass areas.

Plant Maintenance

No major breakdowns to report.

Waste Services

Both transfer stations are working well with no complaints received.

Works and Services Staff

- Trillian Cole has resigned from the Shire of Cunderdin effective from 25 January 2017. Trillian will be moving to Perth for personal reasons.

- Sheryl Smith has commenced working in the position at the Cunderdin Transfer Station on a casual basis in the short term whilst the position has been advertised.

Traffic Counters

Nil.

Other Matters

Nil.

Statutory Implications

Local Government Act 1995

Financial Implications

Nil

Resolution 9.1

That Council:

1. **Receives the Works and Services Reports for December 2016 and January 2017.**

Moved : Cr Bernie Daly

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 8/0

9.2 Cunderdin Football Club – Condition of Netball Courts

Location:	Cunderdin Sports & Recreation Centre
Applicant:	Cunderdin Football Club
Date:	10 February 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Yes
File Reference:	34126
Attachment/s:	1 Page

Proposal/Summary

For Council to consider a letter from the Cunderdin Football Club in relation to the conditions of the Cunderdin Netball Courts.

Background

The poor condition of the surface of the Cunderdin Basketball / Netball Courts has been a matter of contention for some time. Upgrading of the courts is considered part of the ongoing stages for redevelopment at the Sports Ground, however this program of works has been difficult to maintain since the cancellation of the Royalties for Regions Country Local Government Fund program.

In response to a request from the Cunderdin Basketball Club in 2015, Council at its Ordinary meeting on 13th August 2015, endorsed a funding application to the Department of Sport & Recreation Community Sports and Recreation Facilities Fund program, unfortunately the grant application was not successful.

Subsequent, and in conjunction, to this staff prepared and submitted a grant application to the Federal Government National Stronger Regions Fund in August 2015 for a number of projects at the sports ground which included resurfacing the basketball / netball courts. Again unfortunately the application was unsuccessful.

Since this time the Basketball Club have been fund raising so as to have sufficient funds for another application under the DSR CSRFF program and to have a one-third contribution available.

It is estimated that to resurface the courts the cost will be approximately \$100,000.

Comment

At a meeting with the Cunderdin Sports & Recreation Centre Management Committee and the associated user groups in relation to the fees & charges levied by Council for use of the facilities at the centre, it was suggested that the various clubs should liaise through the management committee for any works / maintenance / upgrades to be requested at the sports ground. This process was suggested so that the management committee were kept informed of individual clubs requirements and so that there could be a prioritised program of works presented for Council consideration and to be incorporated into the Long Term Financial Plan.

The letter has been received directly from the Football Club, not sure if they have liaised with the management committee and also what discussions the football club have had with the basketball club.

How does Council wish to proceed with this matter?

Consultation

Cunderdin Basketball Club in 2015 & 2016, but nil of late.

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Resurfacing the courts will need to be included in future budget deliberations.

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.

Resolution 9.2

That:

- 1. Council staff be requested to assist the Cunderdin Basketball Club and Cunderdin Football Club with a grant application under the Department of Sport and Recreation Community Sport & Recreation Facilities Fund for resurfacing of the Cunderdin Basketball / Netball Courts.**
- 2. The aforementioned Council support is subject to the Cunderdin Basketball Club and Cunderdin Football Club, collectively, committing to one-third of the total cost of the project.**
- 3. Representatives of the Cunderdin Basketball Club and Cunderdin Football Club be invited to attend the Ordinary Meeting of Council to be held on Thursday 16th March 2017 to discuss this project.**

Moved: Cr Alison Harris

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 8/0

10 Planning & Development

10.1 Local Development Assessment Panel Nominations

Location:	N/A
Applicant:	Minister for Planning
Date:	12 January 2017
Author:	Jacky Jurmann
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	TP
Attachment/s:	1 Page

Proposal/Summary

Review and nominate the Shire's local Development Assessment Panel members.

Council at its Ordinary Meeting held on 19 November 2015, nominated Councillors Clive Gibsone (Member No 1) and Alison Harris (Member No 2) and Councillors Dennis Whisson (Alternative Member No 1) and Bernie Daly (Alternative Member No 2) to sit on the DAP.

Council's nominations were duly appointed by the Minister with the current term expiring on 26 April 2017.

Background

The Development Assessment Panels Secretariat has advised the Shire in an email received on 4 January 2017 that the local government member appointments expire on 26 April 2017.

Under regulation 26 of the Planning and Development (Development Assessment Panels) Regulations 2011 (DAP Regulations), Council is requested to nominate four elected members, comprising two local members and two alternate local members to sit on the Mid-West/Wheatbelt Joint DAP as required. The local government nominations process is online and is required to be received by 28 February 2017.

Following receipt of all local government nominations, the Minister for Planning will consider and appoint nominees for up to a three-year term, expiring on 26 April 2020. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government members who have previously undertaken training are not required to attend further training, but are encouraged to attend refresher training.

When selecting nominees, the Council should consider that local government elections may result in a change to DAP membership if current councillors, who are DAP members, are not re-elected. If members are not re-elected, the local government will need to re-nominate for the Minister's consideration.

DAP members are entitled to be paid for their attendance at DAP meetings and training, unless they fall within a class of persons excluded from payment. Further details can be found in the *Premier's Circular – State Government Boards and Committees Circular (2010/02)*.

If no nominations are received from the Shire, regulation 26 of the Planning and Development (Development Assessment Panels) Regulations 2011, enables the Minister to include on the local government register a person who is an eligible voter of the Shire of Quairading and who has relevant knowledge or experience that will enable that person to represent the interest of the local community.

Comment

On 13 October 2016, the Minister for Planning Hon Donna Faragher announced changes to the DAP system, which were gazetted on 16 December 2016 and will take effect on 1 February 2017.

The amendments are predominantly administrative in nature and aim at ensuring the DAP system is flexible and responsive, as well as increasing transparency and accountability.

In regards to local government members, regulation 29(2) has been amended to provide that a DAP member can be appointed for a term of up to 3 years, rather than 2 years. This will allow local government DAP members who retain office as local councillors after an election to remain in place as DAP members until they can be formally reappointed.

This amendment was deemed necessary due to situations that have arisen where there is a period of time after an election where no local government councillors have been formally appointed to the DAP. The previous 3 month period for formal appointment was found to be insufficient.

The DAP fees have also been reviewed and a number of increases to DAP sitting fees have been made, including the introduction of new sitting fees for re-training of DAP members. As a consequence, the DAP application fees have been increased by 3% to ensure that the system continues to recover its costs.

It is acknowledged that to date the current members are yet to receive training, although training was requested following the nomination of the current DAP members. This situation is not uncommon and generally regional/rural members are provided/offered trained as required, i.e. if and when a DAP application is received (or will be received).

Consultation

Not applicable.

Statutory Implications

Planning & Development (Development Assessment Panels) Regulations 2011.

Regulation 26 requires the Minister to maintain a register of local government members for each Joint Development Assessment Panel. To compile this register, the Minister will request each local government for which a Joint Development Assessment Panel is established nominate two council members for inclusion on the register.

Under regulation 30(1) a DAP member must attend compulsory training before the member is able to sit at a DAP meeting or perform any other functions as a DAP member. Regulation 32(3)(e) has been introduced in the recent amendments to provide the Minister for Planning with the power to remove a DAP member who does not avail himself or herself of reasonable opportunities to undertake the compulsory training.

Policy Implications

Nil.

Financial Implications

As indicated in the Applicant's Submission, Councillors may be eligible for DAP sitting fees, including attending training and re-training as set out in Schedule 2 of the Regulations.

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.

To ensure that the community's views are properly representative, it is important that Cunderdin has local representation on the Development Assessment Panel should a development application be submitted that meets the thresholds of the DAP Regulations.

Resolution 10.1

That Council:

- 1. Nominates Councillors Alison Harris and Bernie Daly to be the Shire of Cunderdin Local Members to sit on the local Joint Development Assessment Panel.**
- 2. Nominates Councillors Dennis Whisson and Doug Kelly to be the Shire of Cunderdin Alternate Local Members to sit on the local Joint Development Assessment Panel.**

Moved: Cr Todd Harris

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried: 8/0

10.2 Cunderdin Primary Health Care Demonstration Site Project – Project User Group – Call for Expressions of Interest for Community Representatives

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	9 February 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

To inform Council that at the close of the submission period on Friday 3 February 2017, there were no nominations received for the position of Cunderdin, Meckering and Tammin community representative on the Primary Health Care Demonstration Site Project User Group.

Background

Following the resignations of two (2) community members from the Cunderdin Primary Health Care Demonstration Site Project User Group, Council sought Expressions of Interest for two Community Representatives on the PUG. Council is looking for representatives that:

- demonstrate understanding of the need for health reforms and the changing focus of health service delivery models
- work well in a team environment
- demonstrate critical thinking and planning skills
- have good communication skills
- show strong community links (through team / group / organisation) and ability to communicate community group's perspective.

In October / November 2013 the Shire of Cunderdin and WA Country Health Service (WACHS) signed a Memorandum of Understanding to work towards establishing a Primary Health Care Centre in Cunderdin.

The Memorandum of Understanding required the formation of a Project User Group (PUG), in consultation with the Shire and WACHS. The group consists of five community representatives (3 Cunderdin, 1 Meckering and 1 Tammin) and representatives from the Shire of Cunderdin and WACHS. The role of the PUG is to act as the principle communication, consultation and engagement group on service planning and project development.

Comment

An advertisement was placed in the Bandicoot Express Newsletter Issue #21 on 15 December 2016, was uploaded onto the Shire Website and FaceBook page and placed on all Notice Boards in Cunderdin and Meckering on 29 November 2016.

Following the submission period ending on Friday 3rd February 2017, only two enquiries were made, with no nominations being received for the Cunderdin, Meckering and Tammin community representative position on the PUG.

Consultation

WA Country Health Service
Communities of Cunderdin and Meckering

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

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.

Resolution 10.2

That Council:

- 1. Notes there were no nominations received for the position of Cunderdin, Meckering and Tammin community representative on the Primary Health Care Demonstration Site Project User Group.**
- 2. Again advertises seeking expressions of interest from Community members to sit on the Cunderdin Primary Health Care Demonstration Site Project User Group.**

Moved: Cr Todd Harris

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 8/0

10.3 Cunderdin Primary Health Care Demonstration Site Project and Future Use of the Cunderdin Hospital and Associated Buildings

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	9 February 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	3 pages

Proposal/Summary

To inform Council that a response has been received from the WA Country Health Service – Wheatbelt to the Shire’s correspondence dated 23 September 2016.

Background

As part of the new Primary Health Care Demonstration Site process Council reached an agreement with WA Country Health for a land swap for the proposed Health Care site and the current Cunderdin Hospital Site. WA Country Health approached Council with an option that the hospital site could either include the hospital building or they will demolish the building leaving Council with a vacant lot.

In previously considering this matter at the Ordinary Council meeting on 15 September 2016, Council resolved:

That Council:

- a. Informs the Department of Health that it requests that the Hospital and Ian Roberts Lodge Buildings be retained.*
- b. Advertises seeking expressions of interest for the future possible lease, sale, purpose (use) of the Hospital and Ian Roberts Lodge Buildings.*
- c. Requests that the old out of use buildings on the Hospital Grounds, ie former nurses quarters and mortuary, be demolished and the site be left clean of all, especially contaminated, materials.*
- d. Requests for consideration to be given for any surplus funds from the Department of Health demolition budget for the Hospital Site buildings to be allocated to the Shire of Cunderdin to carry our refurbishment works, ie replace roof on the hospital building.*

Comments

A response was received on 14 December 2016 from the WA Country Health Service – Wheatbelt (WACHS) stating that if the Shire of Cunderdin wishes to seek freehold title of the reserve at a later date from the Department of Lands then WACHS Wheatbelt would be willing to support the request, noting a number of issues, specifically:-

- (a) WA Country Health Service (WACHS) agrees that the land swap will include the main hospital building and Ian Roberts Lodge;
- (b) WACHS does not have any objections with the Shire advertising for expressions of interest for possible future use options for the site;
- (c) WACHS will demolish and remove buildings Blocks C,D,F & G as indicated on the attached plan utilising an asbestos removal licenced contractor; and
- (d) The land swap arrangement with the Shire was based upon WACHS offering the old hospital site land to the Shire with or without the buildings. Should the Shire wish to retain the buildings then they would need to accept them in their current condition and any current or future

maintenance liabilities would not be a WACHS responsibility. Any saving achieved from full demolition will be used to offset the new Cunderdin Health Centre whose latest cost plan currently exceeds the approved budget allocation. Consequently no funding will be available to assist the Shire.

Consultation

WA Country Health Service (WACHS)

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Not known

Strategic Implications

Cunderdin Community Strategic Plan

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- 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.

Resolution 10.3

That Council notes receipt of correspondence from the WA Country Health Service – Wheatbelt dated 14 December 2016.

Moved: Cr Todd Harris

Seconded: Cr Clive Gibsone

Vote – Simple Majority

Carried: 8/0

10.4 Proposed Partial Closure of Woonwooring Road, Cunderdin

Location:	Woonwooring Rd, Cunderdin
Applicant:	Shire of Cunderdin / Ascent Aviation
Date:	10 th February 2017
Author:	Jacky Jurmann – Planner
Item Approved by:	Peter Naylor – Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Location Map

Proposal/Summary

A portion of Woonwooring Road between Dennis Road and Aerodrome Road will need to be closed to enable the extension of the runway at Cunderdin airfield associated with the redevelopment proposed by Ascent Aviation.

The purpose of this Report is for Council to resolve to commence the road closure processes. Noting that if the airfield redevelopment does not go ahead, the road remains open.

Background

Ascent Aviation propose to redevelop Cunderdin airfield to enable it to be utilised as an alternative landing area for international flights to Perth Airport during adverse weather or other conditions.

To achieve this, the runway will need to be extended and resealed to relevant standards. It is proposed to extend the runway north-east, which will traverse a portion of Woonwooring Road into the adjoining lot as indicated on the plan attached to this Report.

Comment

The provisions of the Land Administration Act require full advertising of the proposal, including public notification and stakeholder consultation, which will be carried out if Council resolves to support the partial road closure.

Statutory Implications

Section 58 of the Land Administration Act applies to this proposal.

Policy Implications

There are no policy implications associated with this proposal.

Financial Implications

There will be costs associated with the advertising and staff time to meet the requirements of the Act. However, it is considered that the costs will be offset by the community benefits resulting from the redevelopment of the Cunderdin airfield.

Strategic Implications

Cunderdin Community Strategic Plan

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

Social

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

Environmental

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

Economic

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

The proposal is consistent with the goals of the SCP.

Resolution 10.4

That Council:

- 1. Supports the partial closure of the subject portion of laneway indicated on the plan attached to this Report, subject to the provisions of the Land Administration Act being satisfied; and**
- 2. A further report being received by Council following the public consultation to formally approve the closure, subject to the consideration of any submissions received.**

Moved : Cr Clive Gibsone

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried: 8/0

11. Urgent Items

Nil

12. Matters for which the meeting may be closed

Resolution 12 (a)

That Council moves behind closed doors.

Moved: Cr Todd Harris

Seconded: Cr Doug Kelly

Vote – Simple majority

Carried:8/0

3:52pm Ms O'Hare departed the Council meeting.

12.1 Conway Highbury – Cunderdin Airfield Development

Location:	Cunderdin Airfield
Applicant:	Conway Highbury
Date:	10 th February 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	34131
Attachment/s:	2 Pages

Proposal/Summary

For Council to consider engaging the services of Conway Highway (specifically Mr Raymond Davy) to prepare a submission to the State Solicitors Office to seek legal advice on the possibility of the Shire of Cunderdin entering into a co-investment opportunity with Ascent Aviation for the development of the Cunderdin Airfield.

Background

The Wheatbelt Development Commission has advised that there is an opportunity for the Shire of Cunderdin to apply for significant funding through the Royalties for Regions program to assist with the development of the Cunderdin Airfield.

It may be possible, if the Shire is successful with the funding application, for the Shire to then utilise the funds as an investment opportunity for the project.

To provide a more regional approach to the exercise and to add weight to the funding application it may be advantageous to invite the neighbouring Shires of Goomalling, Dowerin, Wyalkatchem, Tammin, Quairading & York to participate. This may be possible by the development of a Unit Trust.

Comment

Provisions within the *Local Government Act 1995*, sections 3.59 & 3.60, and the *Local Government (Functions & General) Regulations 1996*, clauses 9 & 10, specifically relate to local governments entering into commercial enterprises and / or forming or becoming involved in incorporated bodies. It is these legislative provisions that we are seeking the State Solicitors Office to provide advice and guidance on.

Such investment opportunity will be subject to:

- Successful funding application;
- Confirmed advice from the State Solicitors Office that the investment proposal won't be in contravention of the provisions of the *Local Government Act 1995* and the *Local Government (Functions & General) Regulations 1996*;
- Legal Agreement being established to ensure there is no risk to the Shire of Cunderdin (and other local governments should they wish to be included) from a short and long term liability perspective;
- Equitable returns from the Airfield operations being agreed upon once the initial debt has been repaid.

The Shire President, Deputy Shire President, and Chief Executive Officer, met with Mr Davy in Northam on Thursday 9th February 2017, to discuss the aforementioned. The quotation provided by Conway Highway to prepare the submission is as a consequence of that meeting.

Statutory Implications

Local Government Act 1995

3.59. Commercial enterprises by local governments

(1) In this section —

acquire has a meaning that accords with the meaning of dispose;

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

land transaction means an agreement, or several agreements for a common purpose, under which a local government is to —

(a) acquire or dispose of an interest in land; or

(b) develop land;

major land transaction means a land transaction other than an exempt land transaction if the total value of —

(a) the consideration under the transaction; and

(b) anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed for the purposes of this definition;

major trading undertaking means a trading undertaking that —

(a) in the last completed financial year, involved; or

(b) in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

trading undertaking means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of land transaction.

(2) Before it —

(a) commences a major trading undertaking; or

(b) enters into a major land transaction; or

(c) enters into a land transaction that is preparatory to entry into a major land transaction, a local government is to prepare a business plan.

(3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —

(a) its expected effect on the provision of facilities and services by the local government; and

(b) its expected effect on other persons providing facilities and services in the district; and

(c) its expected financial effect on the local government; and

(d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and

(e) the ability of the local government to manage the undertaking or the performance of the transaction; and

(f) any other matter prescribed for the purposes of this subsection.

(4) The local government is to —

(a) give Statewide public notice stating that —

(i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction; and

(ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and

(b) make a copy of the business plan available for public inspection in accordance with the notice.

(5) After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.

* Absolute majority required.

(5a) A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.

(6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.

(7) The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.

(8) A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.

(9) A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.

(10) For the purposes of this section, regulations may —

(a) prescribe any land transaction to be an exempt land transaction;

(b) prescribe any trading undertaking to be an exempt trading undertaking.

3.60. No capacity to form or acquire control of body corporate

A local government cannot form or take part in forming, or acquire an interest giving it the control of, an incorporated company or any other body corporate except a regional local government or regional subsidiary unless it is permitted to do so by regulations.

Local Government (Functions & General) Regulations 1996

9. Amount prescribed for major trading undertakings; exempt trading undertakings prescribed (Act s. 3.59)

(1) The amount prescribed for the purposes of the definition of major trading undertaking in section 3.59(1) of the Act is —

(a) if the trading undertaking is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —

(i) \$5 000 000; or

(ii) 10% of the lowest operating expenditure described in subregulation (2);

or

(b) if the trading undertaking is entered into by any other local government, the amount that is the lesser of —

(i) \$2 000 000; or

(ii) 10% of the lowest operating expenditure described in subregulation (2).

(2) The lowest operating expenditure referred to in subregulation (1) is the lowest of —

- (a) the operating expenditure incurred by the local government from its municipal fund in the last completed financial year; and
- (b) the operating expenditure likely to be incurred by the local government from its municipal fund in the current financial year; and
- (c) the operating expenditure likely to be incurred by the local government from its municipal fund in the financial year after the current financial year.

(3) A trading undertaking is an exempt trading undertaking for the purposes of section 3.59 of the Act if —

(a) the undertaking —

(i) in the last completed financial year, involved; or

(ii) in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed under subregulation (1); and

(b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which expenditure is, or is likely to be, more than the amount prescribed under subregulation (1) is not significant taking into account —

(i) the total value of the undertaking; or

(ii) variations throughout the State in the value of land.

10. Business plans for major trading undertaking and major land transaction, content of

(1) If a local government is required to prepare a business plan because of a major trading undertaking or major land transaction that it is to carry on or enter into jointly with another person —

(a) the business plan is to include details of the whole undertaking or transaction, even though the local government is not the only joint venturer; and

(b) the business plan is to include details of —

(i) the identity of each joint venturer other than the local government; and

(ii) the ownership of, and any other interests in, property that is involved in, or acquired in the course of, the joint venture; and

(iii) any benefit to which a joint venturer other than the local government may become entitled under or as a result of the joint venture; and

(iv) anything to which the local government may become liable under or as a result of the joint venture.

(2) In subregulation (1) —

joint venture means the major trading undertaking or major land transaction that is to be jointly carried on or entered into;

joint venturer means the local government or another person with whom the local government is to carry on or enter into the joint venture.

Policy Implications

Nil

Financial Implications

\$4,000 (+GST)

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.

Resolution 12.1

That Council allocates amount of \$4,000 (+GST), from general ledger 145116 Consultants, to engage the services of Conway Highway (Mr Raymond Davy) to prepare a submission, and associated business plan, to the State Solicitors Office to seek legal advice on the possibility of the Shire of Cunderdin entering into a co-investment opportunity with Ascent Aviation for the development of the Cunderdin Airfield.

Moved: Cr Clive Gibsone

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried: 8/0

Resolution 12 (b)

That Council moves from behind closed doors.

Moved: Cr Dianne Kelly

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried: 8/0

4:11pm Ms O'Hare returned to the Council meeting.

13. Closure of meeting

There being no further business the Shire President declared the meeting closed at 4.12pm.