



Shire of Cunderdin

UNCONFIRMED Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on Wednesday 16 August 2017 in the Council Chambers, Lundy Avenue Cunderdin **commencing at 5.00pm**.

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 5.00 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

Declaration of public question time opened at 5.01pm

Mrs Helen Darmody addressed Council and posed the following question in regards to the future Aged Appropriate Accommodation and Primary Health care Centre to be established in Cunderdin.

Will the new Aged Complex cater for persons whom require full time high level care?

Council responded that no from their understanding this will not be the case.

Response to previous public questions taken on notice

Nil

Declaration of public question time closed at 5.03pm

5:03pm Mrs Darmody departed the meeting.

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 AE (Alison) Harris	
Cr TE (Todd) Harris	
Cr NW (Norm) Jenzen	

Apologies

On Leave of Absence

Cr Dianne Kelly	Granted OCM 20 July 2017
Cr Clive Gibsone	Granted OCM 20 July 2017

Staff

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

Guests of Council

Members of the Public

Mrs Helen Darmody	to 5:03pm
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4. Applications for Leave of Absence

Nil

5. Declaration of Members and Officers Financial Interests

Nil

6. Petitions, Deputations, Presentations

Nil

7. Announcements by President without discussion

Nil

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8. Confirmation of the Minutes of Previous Meetings

8.1 Ordinary Meeting of Council held on Thursday 20 July 2017

Location:	Cunderdin
Applicant:	Administration
Date:	11 August 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	33 Pages (1 attachment - circulated)

Proposal/Summary

Council to confirm the minutes of the Ordinary Council Meeting held on Thursday 20 July 2017.

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 8.1

That:

- 1. The Minutes of the Ordinary Council Meeting held on Thursday 20 July 2017, be confirmed as a true and correct record.**

Moved: Cr Bernie Daly

Seconded: Cr Alison Harris

Vote – Simple Majority

Carried: 6/0

Note to this item:

The President will sign the minute declaration.

8.2 Special Meeting of Council held on Thursday 10 August 2017

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	11 August 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	7 Pages (1 attachment - circulated)

Proposal/Summary

Council to confirm the minutes of the Special Council Meeting held on Thursday 10 August 2017.

Background

The minutes of the meeting have been circulated to all Councillors.

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 8.2

That:

- 1. The Minutes of the Special Council Meeting held on Thursday 10 August 2017, be confirmed as a true and correct record.**

Moved: Cr Todd Harris

Seconded: Cr Norm Jenzen

Vote – Simple Majority

Carried: 6/0

Note to this item:

The President will sign the minute declaration.

9. Finance & Administration

9.1 Financial Reports for July 2017

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	11 August 2017
Author:	Paul Godfrey
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	Pages (3 attachments)

Proposal/Summary

The financial reports as at 31 July 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 9.1

That Council receives the monthly financial reports to 31 July 2017.

Moved: Cr Doug Kelly

Seconded: Cr Alison Harris

Vote – Simple Majority

Carried: 6/0

UNCONFIRMED

9.2 Accounts Paid – July 2017

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	11 August 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 \$ 827,165.95 for July 2017 as listed in the Warrant of Payments for the period 1 July to 31 July 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 9.2

(a) That Council's payment of accounts amounting to \$ 827,165.95 for June 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 Norm Jenzen

Seconded: Cr Bernie Daly

Vote – Simple Majority

Carried: 6/0

Listing of Accounts Paid During July 2017

Cheque /EFT No	Date	Supplier	Description	Amount
EFT1565	03/07/2017	Earthstyle Contracting Pty Ltd	Gravel Re Sheet Works	133,564.75
EFT1566	11/07/2017	Pindan Modular Pty Ltd	Shire of Cunderdin D&C Cunderdin Age Appropriate Accomodation Progress Claim No.2	445,184.42
EFT1567	19/07/2017	Jason Signmakers	Street Sign	49.50
EFT1568	19/07/2017	Landgate	Valuation Roll - Mining Tenemants	196.60
EFT1569	19/07/2017	Cunderdin Co-Op	Bulk Distillate	10,656.95
EFT1570	19/07/2017	Australia Post	Postal Charges	223.16
EFT1571	19/07/2017	Avdata	Airport Charges	319.83
EFT1572	19/07/2017	Covs Parts Pty Ltd	Titan Truckplus 15W-40 250L	1,698.49
EFT1573	19/07/2017	AIR LIQUIDE	Gas Cylinder Hire Fees	111.49
EFT1574	19/07/2017	WA Contract Ranger Services	Ranger Services	420.75
EFT1575	19/07/2017	Glenwarra Development Services	Town Planning Consultancy Services	5,087.50
EFT1576	19/07/2017	FILTERSPLUS	Fuel Filters and Spin on Element	1,604.46
EFT1577	19/07/2017	Globe	Aqua K othrine and Vectorforce	882.20
EFT1578	19/07/2017	Cunderdin Elders Limited	Kelpie Ryco Glyphosate	3,850.00
EFT1579	19/07/2017	Regional Concrete & Plumbing	Dig out with Excavator and repair leak in Fire Service	2,095.58
EFT1580	19/07/2017	Claw environmental	Drum Muster	2,239.27

EFT1581	19/07/2017	Cunderdin Pub	Rooms for Auditors	300.00
EFT1582	19/07/2017	Macri Partners	Interim Audit 30 June 2016	10,176.10
EFT1583	19/07/2017	Cunderdin Nippers	Nippers Association Kidsport Fees	330.00
EFT1584	19/07/2017	AMJ Industries	Repairs to Rec Centre	2,259.52
EFT1585	19/07/2017	Western Australian Treasury Corporation	Gov Guarantee Fee	4,847.66
EFT1586	19/07/2017	Cunderdin Community Resource Centre	Directories	335.00
EFT1587	19/07/2017	Eastern Hills Saws and Mowers	Prewound Spool and SN Bar	346.50
EFT1588	19/07/2017	Kleenheat Gas Pty Ltd	Gas Rental	75.90
EFT1589	19/07/2017	Marketforce	Advertising	1,695.05
EFT1590	19/07/2017	P&M Automotive	Hoist Inspection	182.16
EFT1591	19/07/2017	Hutton & Northey Sales	Replace drag link boots	3,022.47
EFT1592	19/07/2017	Ampac Debt Recover Pty Ltd	Shire Debt Recovery Costs	2,911.40
EFT1593	19/07/2017	Rob's Auto Electrics	Electrical Repairs to shire plant	1,050.85
EFT1594	19/07/2017	Wirtgen Group	Filters and Scrapers	840.03
EFT1595	19/07/2017	Bluesteel Enterprises Pty Ltd	Hose and Water puppy Replacements	1,702.29
EFT1596	19/07/2017	GK Creative	300 x please slow down bin stickers	597.00
EFT1597	19/07/2017	Fast Finishing Services	Binding	300.95

EFT1598	19/07/2017	Cunderdin Business Association	Peter Naylor Membership	100.00
EFT1599	19/07/2017	Dunscar Farm	Supply of Gravel	23,755.60
EFT1600	19/07/2017	Everything glows!	Glow items for Carols	441.17
EFT1601	19/07/2017	Bruce Rock Hotel	Rooms and Meals	293.00
EFT1602	19/07/2017	Earthstyle Contracting Pty Ltd	Reconstruction of Wyalkatchem Rd	129,364.40
EFT1603	19/07/2017	Courier Australia	Freight	20.62
EFT1604	19/07/2017	Country Ford	Repair chip in windscreen	77.00
EFT1605	19/07/2017	EASTWAYS	Toilet Supplies	1,499.24
EFT1606	26/07/2017	Adina apartment hotel	Accommodation for Local Government Week	4,380.00
EFT1607	26/07/2017	Michelle Samson	Reimbursement for costs incurred to attend training	404.32
DD775.1	17/07/2017	SG Fleet	Cesm Vehicle Charges	1,221.52
DD775.2	17/07/2017	Westnet	Westenet Internet Charges	137.95
DD784.1	26/07/2017	WA Super	Payroll deductions	6,727.48
DD784.2	26/07/2017	HOSTPLUS	Superannuation contributions	140.22
DD784.3	26/07/2017	Westscheme Superannuation	Superannuation contributions	382.59
DD784.4	26/07/2017	BT Super for Life	Superannuation contributions	406.20
DD784.5	26/07/2017	One Path Superannuation Fund	Superannuation contributions	73.63
DD784.6	26/07/2017	MTAA Superannuation Fund	Superannuation contributions	203.10

DD784.7	26/07/2017	TWU Super	Superannuation contributions	203.10
DD784.8	26/07/2017	Colonial First State	Superannuation contributions	199.86
DD784.9	26/07/2017	Club Plus Superannuation	Superannuation contributions	61.42
DD785.1	12/07/2017	WA Super	Payroll deductions	6,385.54
DD785.2	12/07/2017	HOSTPLUS	Superannuation contributions	80.00
DD785.3	12/07/2017	Westscheme Superannuation	Superannuation contributions	382.59
DD785.4	12/07/2017	BT Super for Life	Superannuation contributions	406.20
DD785.5	12/07/2017	MTAA Superannuation Fund	Superannuation contributions	203.10
DD785.6	12/07/2017	TWU Super	Superannuation contributions	195.36
DD785.7	12/07/2017	Colonial First State	Superannuation contributions	199.86
11247	19/07/2017	Synergy	Street Light	3,415.85
11248	19/07/2017	Cunderdin Newsagency	Office Papers and Stationery Supplies	537.67
11249	19/07/2017	Telstra	Phone Bills	1,910.11
11250	19/07/2017	Autopro Northam	Glow Plugs and Batterys	939.86
11251	19/07/2017	Crommelins Machinery	Solenoid	472.56
11252	19/07/2017	Shire of Cunderdin	Reimbursement of ESL	71.00
11253	19/07/2017	JH & JF Harris	1358m3 Gravel @ \$2 per M3	2,716.00
			TOTAL	827,165.95

9.3 Council Investments – As at 31 July 2017

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	11 August 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 July 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	\$940,070.97	Reserves Term Deposit 2.5% Expires : 10/1/2018		\$940,070.97	
Westpac Bank	\$1,809,444.35	Business Cash Reserve 22-3647 0.60%	\$1,809,444.35		
Westpac Bank	\$20,586.33	Trust Working Account12-2981			\$20,586.33
Westpac Bank	\$147,380.00	Reserve Term Deposit 2.1% Expires : 30/12/17		\$147,380.00	
TOTAL INVESTMENTS	\$2,917,481.65		\$1,809,444.35	\$1,087,450.97	\$20,586.33

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 9.3

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

Moved: Cr Todd Harris

Seconded: Cr Doug Kelly

Vote – Simple Majority

Carried: 6/0

9.4 Shire of Cunderdin Common Seal

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	7 August 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
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.

Comments

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. 26th July 2017 – Application for New Certificate of Title, Lot 50 as a result of subdivision for new PHCDS project – Shire of Cunderdin and Department of Planning.
2. 26th July 2017 – Transfer of Land Document, Lot 801 for new PHCDS project – Shire of Cunderdin, WA Health and Department of Planning.
3. 28th July 2017 – Deed of Variation for Building Grant Agreement, as a result of subdivision of former Lot 50 – Shire of Cunderdin and Lotteries Commission.

Consultation

Nil

Statutory Implications

Local Government Act 1995.

9.49A. Execution of documents

- (1) A document is duly executed by a local government if –
 - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
 - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of –
 - (a) the mayor or president; and
 - (b) the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.

- (4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

Policy Implications

Finance Policy #12.

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 9.4

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

- 1. 26th July 2017 – Application for New Certificate of Title, Lot 50 as a result of subdivision for new PHCDS project – Shire of Cunderdin and Department of Planning.**
- 2. 26th July 2017 – Transfer of Land Document, Lot 801 for new PHCDS project – Shire of Cunderdin, WA Health and Department of Planning.**
- 3. 28th July 2017 – Deed of Variation for Building Grant Agreement, as a result of subdivision of former Lot 50 – Shire of Cunderdin and Lotteries Commission.**

Moved: Cr Norm Jenzen

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 6/0

9.5 Adoption of the Major Review of the Strategic Community Plan 2017 to 2027

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	28 July 2017
Author:	Governance and Compliance Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	
Attachment/s:	25 Pages (2 documents)

Proposal/Summary

Council to adopt the Major Review of the Community Strategic Plan 2017 – 2027 prepared in accordance with the Integrated Planning and Reporting Framework.

Background:

Amendments in 2012 to the Local Government (Administration) Regulations 1996 required each local government in Western Australia to prepare a 10+ year Strategic Community Plan which outlined the community vision, aspirations and objectives.

Council adopted its first Strategic Community Plan 2013 – 2023 on 16 June 2016. The plan runs for a 10 year period consistent with Council's Long Term Financial Plan. The statutory requirement is for the Strategic Community Plan to be fully reviewed every 4 years. A desktop review after 2 years is considered best practice.

A Desktop Review of the plan was undertaken in 2016 which was received and endorsed by Council on the 16 June 2016 (resolution 15/371).

A full review of the Strategic Community Plan commenced in 2017. This was consistent with the Department of Local Government guidelines for Integrated Planning (page 25) which states:

“At a minimum, a Desktop Review of the Strategic Community Plan should be undertaken every two years (following councillor elections), and a full review and renewed long term visioning process be conducted every 4 years.”

In conducting this review the community must be notified and given opportunity to participate in the review and renewal process. A community engagement process is required to be documented as a core component of the Strategic Community Plan, with the engagement methods and extent of community engagement noted.

The community engagement process must also have regard for the current and future resource capacity of the local government, its demographic trends and contribute toward developing strategic performance measures.

The community consultation Outcomes Report and Draft Major Review of the Strategic Community Plan were presented to the Ordinary Meeting of Council held on 15 June 2017. At the meeting Council resolved:
That Council:

- 1. Receive the Outcomes Report on the community consultation undertaken as part of the four-year major review of the Strategic Community Plan 2017 – 2026, and*
- 2. Endorse the Draft Major Review of the Strategic Community Plan 2017 – 2026, as presented for the purposes of advertising seeking public submissions to be made within 28 days.*

Comments:

The Shire of Cunderdin Strategic Community Plan was first adopted by Council at the Ordinary Meeting held on 17 May 2012. At the Ordinary Meeting held on 20 February 2014 and 16 June 2016, Council performed minor desktop reviews of the Strategic Community Plan. A major review of the Strategic Community Plan is due to be completed by 30 June 2017.

The Draft Strategic Community Plan was duly advertised for public comment, with the comment period closing on 28 July 2017.

At the close of the public comment period only one (1) submission was received which is shown as Attachment 2 to this agenda item.

Consultation:

Community engagement is central to the major strategic review process. The purpose of a major strategic review is to re-engage with the community to determine the vision, outcomes and priorities for the next ten year period. The community vision, values, aspirations and priorities will then inform the development of other strategic documents and plans, as well as targeted strategies, resourcing requirements and the levels of service required to achieve the community vision.

To ensure the community vision and aspirations are effectively captured, a comprehensive community engagement program has been undertaken by way of online surveys, several workshops, stakeholder focus groups and local schools facilitating youth surveys and a drawing competition.

In order to conduct a successful review and produce a community driven plan for the future, Council required genuine input from as many community members as possible. To be successful in reaching the Integrated Planning and Reporting 'Achieving' Advisory Standard, community engagement must involve at least 500 individuals or 10% of the Shire community members, whichever is fewer, and it should be conducted using at least two documented mechanisms.

Statutory Implications

All local governments are currently required to produce a plan for the future under S5.56 (1) of the *Local Government Act 1995*. Regulations have been made under S5.56(2) of the Act to briefly outline the minimum requirements to achieve this.

The minimum requirement to meet the intent of the plan for the future is the development of a Strategic Community Plan and a Corporate Business Plan.

Local Government Act 1995 – Local Government (Administration) Amendment Regulations (No. 2) 2011–
Section 19C – Planning for the future: strategic community plans – s. 5.56:-

- (1) A local government is to ensure that a Strategic Community Plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A Strategic Community Plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A Strategic Community Plan for a district is to set out the vision, aspirations and objectives of the community in the district.

- (4) A local government is to review the current Strategic Community Plan for its district at least once every 4 years.
- (5) In making or reviewing a Strategic Community Plan, a local government is to have regard to –
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to sub regulation (9), a local government may modify its Strategic Community Plan, including extending the period the Plan is made in respect of.
- (7) A council is to consider a Strategic Community Plan, or modifications of such a Plan, submitted to it and is to determine* whether or not to adopt the Plan or the modifications.

*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a Strategic Community Plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the Plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a Strategic Community Plan and when preparing modifications of a Strategic Community Plan.
- (10) A Strategic Community Plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the Plan or the preparation of modifications of the Plan.

Policy Implications

Nil.

Financial Implications

Nil.

Legal Compliance

The four-yearly Major Strategic Review is a regulatory requirement under Section 5.56(4) (5) of the *Local Government Act 1995* which outlines the minimum requirements of this review:

- a) (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*

The Shire has to comply with Regulation 19(C) of the Local Government (Administration) Regulations 1996, so that the first major review of the Strategic Community Plan occurs before 1 July 2017.

Amendments in 2012 to the Local Government (Administration) Regulations 1996 required each local government in Western Australia to prepare a 10+ year Strategic Community Plan which outlined the community vision, aspirations and objectives.

Council adopted its first Strategic Community Plan 2013 – 2023 on 25th June 2013. The plan runs for a 10 year period consistent with Council's Long Term Financial Plan. The statutory requirement is for the Strategic Community Plan to be fully reviewed every 4 years. A desktop review after 2 years is considered best practice. A Desktop Review of the plan was undertaken in 2015 which was received and endorsed by Council on the 15th December 2015 (resolution 15/371).

A full review of the Strategic Community Plan commenced in 2017. This was consistent with the Department of Local Government guidelines for Integrated Planning (page 25) which states:

“At a minimum, a Desktop Review of the Strategic Community Plan should be undertaken every two years (following councillor elections), and a full review and renewed long term visioning process be conducted every 4 years.”

In conducting this review the community must be notified and given opportunity to participate in the review and renewal process. A community engagement process is required to be documented as a core component of the Strategic Community Plan, with the engagement methods and extent of community engagement noted. The community engagement process must also have regard for the current and future resource capacity of the local government, its demographic trends and contribute toward developing strategic performance measures.

The preparation of the Strategic Community Plan has been undertaken to achieve compliance with the Local Government (Administration) Regulations 1996, and has been influenced by the Department of Local Government's Framework and Guidelines for Integrated Planning and Reporting – September 2016.

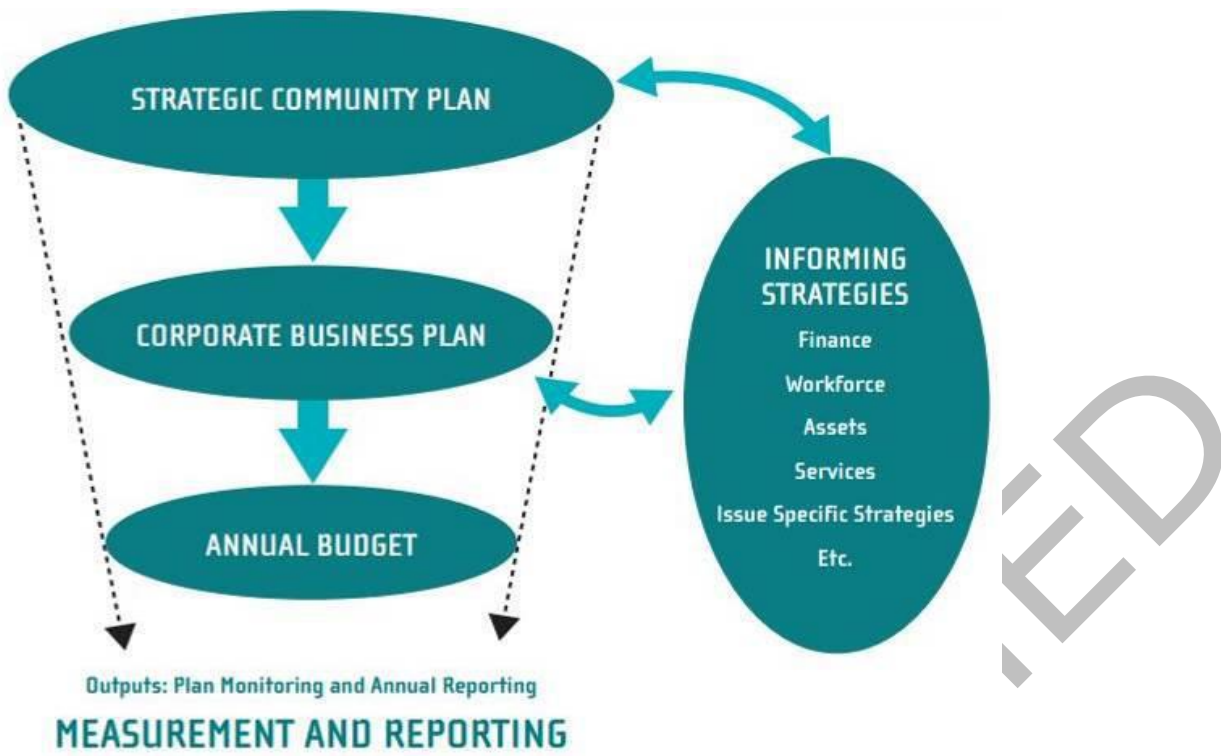
Council's Strategic Community Plan is the pinnacle of Council's Corporate Planning documents. The plan sets out the vision, aspirations and values that Council desires to achieve in working towards a brighter future for the community. The Strategic Community Plan is “informed” by Council's Corporate Business Plan, which in turn is informed by a myriad of other Council Planning documents including but not limited to:

- Long Term Financial Plan
- Forward Capital Works Plan
- Asset Management Plans
- Workforce Plan
- Local Planning Scheme and Local Planning Strategy
- Sport and Recreation Plan
- Disability Access and Inclusion Plan
- Community Safety and Crime Prevention Plan
- Proposed Economic Development and Tourism Plan

The Strategic Community Plan contains four Strategic Objectives:

1. Economic Objective
2. Environmental Objective
3. Social Objective
4. Civic Leadership Objective

The following diagram illustrates the Strategic Planning Framework and highlights the link between Council's Vision down to Actions undertaken by staff.



It is noted that the actions referred to above are not represented in the Strategic Community Plan. These actions form part of Council's Corporate Business Plan which is presently being collated in view of adoption after the finalisation of the Strategic Community Plan.

The review of Council's Strategic Community Plan involved re-engagement with the community on the Vision, Aspirations and priorities of the Plan. Amendments to the Plan were generally based on community feedback.

The full review also encompasses a review of the whole Integrated Planning and Reporting suite, enabling updated information from Asset Management Plans, Workforce Plan and Long Term Financial Plan to be considered in assessing and prioritising community aspirations with the resourcing capacity of Council. The updating of these informing plans is an iterative process, and these plans will continue to be updated over the ensuing months as a result of the updated Strategies adopted in the Strategic Community Plan.

It is proposed that a Community Engagement Strategy will be developed in accordance with legislative requirements and to ensure completion of the full review of the Strategic Community Plan.

Strategic Community Plan - Community Visioning Workshops were held to tie in with the Council's 2017 round of Community Meetings, held from the 5th – 19th April 2017.

The process included for the first time additional Local Area Planning through the inclusion of District Aspirations. This method recognises that a 'one size fits all' approach does not effectively meet the challenges of servicing diverse communities. The approach recognised six (6) broader Districts. The aspirations of these six distinct areas are taken into consideration in our planning, reporting and management of services and infrastructure.

The intent of this review is that the Strategic Community Plan is to apply from the start of the 2017/18 year.

An independent consult (Juana Paynter) was engaged to facilitate the community visioning and stakeholder workshops and other selected community engagement tasks. The outcomes from the workshops have been considered and incorporated where applicable into the draft Strategic Community Plan document.

Section 5.56 of the Local Government Act 1995, requires WA Local Governments to produce a 'Plan for the Future' of the district.

The Local Government (Administration) Regulations 1996, state that a "Strategic Community Plan and Corporate Business Plan, together form a 'Plan for the Future' of a district".

Local Government (Administration) Regulations 1996:

19C. Strategic Community Plans, requirements for (Acts. 5.56)

A local government is to ensure that a strategic community plan is made for its

(1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.

(3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.

(4) A local government is to review the current strategic community plan for its district at least once every 4 years.

(5) In making or reviewing a strategic community plan, a local government is to have regard to —

(a) the capacity of its current resources and the anticipated capacity of its future resources; and

(b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and

(c) demographic trends.

(6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.

(7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

(8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

(9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.

(10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

19D. Adoption of plan, public notice of to be given

(1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).

(2) The local public notice is to contain —

(a) notification that —

(i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and

(ii) details of where and when the plan may be inspected;

Or

(b) where a strategic community plan for the district has been modified —

(i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and

(ii) details of where and when the modified plan may be inspected. The Integrated Planning and Reporting - Framework and Guidelines produced by the Department of Local Government and Communities states that the following are regarded as best practice in order to achieve the minimum standard when developing the Strategic Community Plan:

(i) A minimum 10 year timeframe.

(ii) States community visions, aspirations, and objectives.

- (iii) Developed or modified through engagement with the community, and this is documented.
- (iv) Has regard to current and future resource capacity, demographic trends and strategic performance measurement.
- (v) Is adopted, or modifications to it are adopted, by an absolute majority of council.
- (vi) Is subject to a full review scheduled for 4 years from when it is adopted.

In total, 364 community members were approached through a range of mechanisms. In total 129 responses were received :

- Annual Community Meeting/Community and Stakeholder Vision Workshop – 26
- Community Surveys – 103.

With a total population of approximately 1,325 residents (2015 ABS Statistics), 12.86 % of residents completed the survey or actively participated in the engagement processes.

While the Strategic Community Plan is only required to be advertised after adoption, Council has committed to having available for public comment the draft Strategic Community Plan by virtue of comments at the engagement workshops and in the Community Engagement Plan.

The recommendation to the item reflects this.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023, Strategy 4.1.1 states:

"Implement the Integrated Planning and Reporting Framework including the Long Term Financial Plan, Workforce Plan, Asset Management Plans and Corporate Business Plan."

The Strategic Community Plan 2017 – 2027 and Corporate Business Plan 2017 – 2021, will form the basis for Council's ongoing strategic direction.

Strategic Implications

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:

Civic Leadership

'Our community can be assured that we will undertake the civic duties of Council with the highest degree of ethics and sustainable, accountable governance'.

CL6.1.1 Governance Framework – Provide a fully integrated robust governance framework with annual reviews of the Shire's governance framework, policies, management practices, delegations, risk management framework and periodic reviews of the Code of Conduct and Local Laws.

CL6.4.3 Develop a Human Resource Plan and update Policy Manual. Undertake the development of a Human Resource Plan and Policy Manual.

Resolution 9.5

That Council formally adopts the revised and updated Strategic Community Plan 2017, as presented.

Moved: Cr Alison Harris

Seconded: Cr Doug Kelly

Vote – Absolute Majority

Carried: 6/0

9.6 September 2017 Ordinary Meeting of Council

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

Proposal/Summary

For Council to consider amending the commencement time of the September 2017 Ordinary Council Meeting to be held in Meckering to 2:00pm (from 5:00pm).

Background:

At the Council meeting held on 18 May 2017, Council adopted the dates, times and venues for the various Council and Committee meetings for the 2017/2018 financial year.

At the time it was resolved that the September 21, 2017, OCM is to be held in Meckering commencing at 5:00pm with the venue to be confirmed.

Comments:

Staff have made arrangements, and a tentative booking, for the Meckering Sporting Club on Thursday 21 September 2017. However it will be preferable for the meeting to commence a little earlier at 2:00pm to ensure the meeting to be finished prior to the bar opening at 5:00pm.

Consultation:

Meckering Sporting Club

Statutory Implications

Local Government Act 1995

12. Meetings, public notice of (Act s. 5.25(1)(g))

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Resolution 9.6

That Council:

- 1. Schedules the venue for the Ordinary Meeting of Council to be held on Thursday 21 September 2017 to be the Meckering Sporting Club; and**
- 2. Schedules the commencement time for the Ordinary Meeting of Council to be held on Thursday 21 September 2017, to be changed to 2:00pm (from 5:00pm).**

Moved: Cr Todd Harris

Seconded: Cr Bernie Daly

Vote – Simple Majority

Carried: 6/0

10 Environmental Health and Building

Nil

UNCONFIRMED

11. Works and Services

11.1 Works and Services Reports

Location:	Cunderdin
Applicant:	Manager Works and Services
Date:	11 August 2017
Author:	Greg Stephens and Ian Bartlett
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	Nil

Purpose Of Report

To inform Council of the Works Manager, staff actions, infrastructure and maintenance program.

Background

A schedule of maintenance works that are undertaken throughout the Shire is provided for Councils information.

Administration, Meetings And Inspections During This Reporting Period

- Customer enquiries
- Capital Works Program
- Admin and staff meetings
- Works and Services Agenda
- Ordering parts and materials
- Staff meetings and works schedules
- Works Budget, Works Meetings, Depot Staff meetings
- Site Inspections - Infrastructure, Bitumen Roads, Rural Roads
- Depot General Duties - phone, emails, design, and staff works program

Construction

No civil construction has commenced.

General Maintenance – Town Streets, Bitumen, Rural Roads and Infrastructure

Gravel Resheet

- Wyola North road - Gravel sheeting blowouts Completed
- Fleay road - Gravel sheeting blow outs In progress

Guide posts and signs

- Minnivale and Quelagetting roads
- Installed chevron signs on curves Meckering /Goomalling road

Pot hole, seal patching

- Goldfields, Devenish, Doondenanning, Cunderdin/Quairading, Wilding, Warding roads

Tree maintenance

- Cleared trees off Doondenanning, Burges and Coleman roads (Storm damage)
- Trimming trees under power lines Cubbine street and Carter/Doondenanning road (Western Power)
- Cleared trees and reshaped road for new property access Coronation street

Bridge structures

- Termite inspection and treatment carried as required

Private Works

- Two private works jobs - delivery of sand and gravel

Waste Collection

- Verge pick up Meckering and Cunderdin

Depot

- Carried out fire evacuation drill

Parks and Gardens – Meckering

- Carried out general mowing, slashing, whipper snipping and clean-up of all parks gardens and public open space.
- Replaced post and rail fence at Meckering park (truck accident)

Parks and Gardens – Cunderdin and the Recreation Centre

- Carried out general mowing, weeding, whipper snipping and general clean-up of parks and oval.

Building and Other Maintenance

- Repairs to desk, assembled new chairs Administration Office
- Repairs to gutter and down pipe Administration Office
- Repaired flag pole at Administration Office area
- Maintenance at two way radio site
- Installed pigeon/deterrent alarm at depot
- Repairs to fence Meckering Hockey field
- Repairs to fence panel skate park
- Installed new gutter and down pipe (Shire house Togo street)
- Installed grated drain in front of new disabled toilet Meckering

Road Side and Verge Spraying

- Slashing shoulders on bitumen roads

Cemeteries

- Weed control - Meckering cemetery

Airfield Maintenance

- General twice weekly inspections of runways

Plant Maintenance

- No major breakdowns to report
- General maintenance and servicing

Waste Services

- Both transfer stations are working well and no complaints received
- Burn green waste dump sites on Woonwooring and Inverness roads

Statutory Implications

Local Government Act 1995

Financial Implications

There are no financial implications to Council in relation to this item

STRATEGIC IMPLICATIONS

There are no known strategic implications related to this item.

POLICY REQUIREMENTS

NIL

Resolution 11.1

That Council:

- 1. That the Works and Services Managers report for July 2017 be received and noted.**

Moved: Cr Alison Harris

Seconded: Cr Bernie Daly

Vote – Simple Majority

Carried: 6/0

UNCONFIRMED

11.2 Shire of Cunderdin Bush Fire Advisory Committee Minutes of 12 April 2017

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	7 August 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	1 Page

Proposal/Summary

For Council to consider public comments received in relation to the recommendations (5) from the aforementioned meeting.

Background

The BFAC Minutes were previously presented to the Ordinary Meeting of Council held on 15 June 2017 to consider the following five (5) recommendations.

1. A motion was moved that the Shire of Cunderdin Council on the recommendation of the BFAC should consider endorsing the Exemptions for Utilities for Emergency Works during Harvest Bans in line with the current DFES exemption for Total Fire Bans.
2. A motion was moved that the Shire of Cunderdin Council on the recommendation of the BFAC should consider the following policy:
Three Strike Policy in regards to Burning Permits:
 - *Abuse of Shire staff means refusal of permit and referred to Community Emergency Services Manager for permit issues. There will be no permit issued for that day. (First Strike)*
 - *After explanation further abuse of Shire Staff will result in a prohibition of permits for a period of one week (Second Strike)*
 - *Further abuse of Shire Staff after this period will result in a prohibition of permits for the duration of the Restricted Burning Period. (Third Strike)**Please note: Second and Third Strikes will be discussed between CBFCE, DCBFCE and CESM before implementation.*
3. A motion was moved that the Shire of Cunderdin Council on the recommendation of the BFAC should consider the following alteration to the Shire of Cunderdin Chaff Heap Burning Policy takes place:
Chaff Heaps may only be ignited between the hours of Midnight (0000) Sunday and Midnight (0000) Thursday.
4. A motion was moved that the Shire of Cunderdin Council on the recommendation of the BFAC should consider the placement of a 'Hydrant' Style standpipe near the Ygnattering Fire Shed.
5. A motion was moved that the Shire of Cunderdin Council on the recommendation of the BFAC should consider the reduction of personnel on Burning Permits from 3 to 2 as a Policy of the Shire.

At the meeting Council resolved:

That the five recommendations to Council from the minutes of the Shire of Cunderdin Bush Fire Advisory Committee meeting held on Wednesday 12th April 2017 be advertised for public comment for a period of 35 days and be re-presented to the Ordinary Meeting of Council to be held Wednesday 16th August 2017 for further consideration.

Comments

Following the advertising process, which closed at 4:00pm on Friday 4 August 2017, only one (1) submission has been received from the Ygnattering Bush Fire Brigade. The submission is enclosed with the Council Meeting Agenda as Attachment 1 relating to this particular item.

Should any additional submission / comments be received prior to the Council meeting they will be tabled for further information.

Consultation

Local Community.

Statutory Implications

Bush Fires Act 1954

Bush Fire Regulations 1954

Policy Implications

New and existing Policies will need to be drafted and / or amended.

Financial Implications

Nil

Strategic Implications

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 11.2

That Council In considering the recommendations form the Bush Fire Advisory Committee and subsequent public comments, resolved:

1. To support Recommendations 1,4 & 5; as follows:
 1. *A motion was moved that the Shire of Cunderdin Council on the recommendation of the BFAC should consider endorsing the Exemptions for Utilities for Emergency Works during Harvest Bans in line with the current DFES exemption for Total Fire Bans.*
 4. *A motion was moved that the Shire of Cunderdin Council on the recommendation of the BFAC should consider the placement of a 'Hydrant' Style standpipe near the Ygnattering Fire Shed.*
 5. *A motion was moved that the Shire of Cunderdin Council on the recommendation of the BFAC should consider the reduction of personnel on Burning Permits from 3 to 2 as a Policy of the Shire.*
2. Not to support Recommendation 3; and that existing Council Policy SOP18, adopted 16th March 2017, stating that Chaff Heaps may only be ignited between the hours of Midnight (0000) Sunday and Midnight (0000) Wednesday to remain in force.
3. To support Recommendation 2 with the comments from the Ygnattering Bush Fire Brigade to be taken into consideration with the removal of recommended dot point two (2): *"After explanation further abuse of Shire Staff will result in a prohibition of permits for a period of one week (Second Strike)".*

Recommendation 2 now reads:

A motion was moved that the Shire of Cunderdin Council on the recommendation of the BFAC should consider the following policy:

Two Strike Policy in regards to Burning Permits:

- *Abuse of Shire staff means refusal of permit and referred to Community Emergency Services Manager for permit issues. There will be no permit issued for that day.(First Strike)*
- *Further abuse of Shire Staff after this period will result in a prohibition of permits for the duration of the Restricted Burning Period. (Second Strike)*

Please note: Second Strike penalty will be discussed between CBFEO, DCBFEO and CESM before implementation.

Moved: Cr Doug Kelly

Seconded: Cr Alison Harris

Vote – Simple Majority

Carried: 6/0

12. Planning & Development

12.1 Proposed Car Show – 21/22 October 2017

Location:	Cunderdin
Applicant:	Mr Perry Jasper
Date:	9 August 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	34671
Attachment/s:	2 Pages

Proposal/Summary

For Council to consider supporting a proposal presented by Mr Perry Jasper hold a "Car Show" in Cunderdin on the weekend of 21/22 October 2017.

Background

The proposal being presented by Mr Jasper includes utilisation of various Shire facilities, being the Museum, Cunderdin Oval & Sports Complex, and Cunderdin Airfield.

Catering for the various meals over the weekend is to be arranged with local clubs and groups.

The proponent is seeking Council consideration and support for free use of the facilities at the Cunderdin Sports and Recreation Grounds (including oval, change rooms, toilets & shower facilities), and access to the Cunderdin Airfield for three (3) hours from 9:00am to 12:00pm on the Sunday morning.

Comments

There will be a need for Mr Jasper to consult with other organisations and facility users / managers to ensure their approval for the use of the respective areas on the said weekend. These include the Cunderdin Sports & Recreation Centre Management Committee and the Gliding Club of WA. As well as other community groups / organisations that have been approached to cater and / or supply goods and / or accommodation.

From a Cunderdin Airfield perspective, providing the Gliding Club is consulted and support (ie does not interfere with a club event or fixture), it will be a straight forward process to issue a Notice To Airmen (NOTAM) in regards to the use of the Taxiway on the Sunday morning. However given that the Cunderdin Airfield is a Registered Airfield there are strict regulatory requirements that will need to be adhered to even though access is only to the Taxiway area.

This is a great opportunity to show case Cunderdin and for local businesses to attract economic benefit, and there is no reason why cannot be supported by Council.

Consultation

Various local community groups and / or organisations.

Statutory Implications

Local Government Act 1995

Civil Aviation Regulations and Orders – Manual of Standards Part 139-Aerodromes

Policy Implications

Regulation 61(2)(d) of the *Planning and Development (Local Planning Schemes) Regulations 2015* permits a temporary use which is in existence for less than 48 hours, or a longer period agreed by the local government, in any 12 month period without development approval.

Financial Implications

Minor costs associated with waiver of hire fees & charges.

Strategic Implications

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 resolves:

1. To support the proposal presented by Mr Perry Jasper for a “Car Show” to be held in Cunderdin on the weekend of 21/22 October 2017.
2. To agree to waive fees and charges associated with the use of the Cunderdin Oval surrounds and associated facilities and amenities for the event, however payment of a \$200 bond will be required. Approval is also subject to the Applicant also gaining approval from the Cunderdin Sports and Recreation Centre Management Committee. Please note that repayment of the \$200 bond (or part thereof) is subject to satisfactory inspection by the Shire CEO and CSRC Management Committee President following the event.
3. To agree to the use of the Taxiway at the Cunderdin Airfield on Sunday 22 October 2017, from 9:00am to 12:00pm, subject to the Applicant engaging and obtaining approval from the Gliding Club of WA that it will not interfere with a club event / fixture.
4. Prior to the event, the Applicant shall provide details of how the spectator vehicle access to the Airfield Taxiway will be restricted, including an appointed Marshall/Safety Officer and the arrangements in place for emergency situations.
5. Prior to the event the Applicant shall provide a copy of their event/public liability insurance, which indemnifies the Shire of Cunderdin and any other privately owned property for any damage or otherwise that may be caused.
6. That the Applicant be informed that the aforementioned approval is subject to all areas of Shire property being left in a clean and tidy condition following the event. Any costs that may be associated with a clean-up by Shire staff will be on charged.
7. That vehicles are not to be parked and / or displayed on the Cunderdin Oval Playing Surface and are to be restricted to the oval surrounds.

Moved: Cr Todd Harris

Seconded: Cr Bernie Daly

Vote – Simple Majority

Carried: 5/1

13. Urgent Items

14. Matters for which the meeting may be closed

Resolution 14.0.1

That Council move behind closed doors for the consideration of Agenda Item 14.1.

Moved: Cr Doug Kelly

Seconded: Cr Todd Harris

Vote – Simple Majority

Carried: 6/0

14.1 Tender 1–2017/2018 – Sale of 21 (Lot 254) Margaret Street and Lot 1 Cubbine Street, Cunderdin

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	7 August 2017
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	4 Pages

Proposal/Summary

For Council to consider the tenders received for the sale of two properties, being Lot 254 Margaret Street and Lot 1 Cubbine Street, Cunderdin.

Background

Council considered the potential sale of the two properties at the Ordinary Council Meeting held on 15 June 2017. At the meeting Council resolved:

That the two properties, being 21 (Lot 254) Margaret Street, Cunderdin, and Lot 1 Cubbine Street, Cunderdin, be offered for sale by the Public Tender process in accordance with the provisions of section 3.58 of the Local Government Act 1995.

Comments

The properties were advertised for sale by tender as follows:

The West Australian	28 June 2017
Avon Advocate	28 June 2017
Bandicoot Express	29 June 2017
Shire Website	from 28 June 2017
Local Notice Boards	from 28 June 2017

At the close of the tender period two tenders (one for each property) have been presented for Council consideration.

The details of the tenders are shown on CONFIDENTIAL Attachment 1 to this agenda item.

Consultation

Nil

Statutory Implications

Local Government Act 1995.

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

Policy Implications

Nil

Financial Implications

The sale of the properties will cover any outgoings, whilst the net proceeds can be invested for purposes determined by Council.

Strategic Implications

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.

Cr Bernie Daly Left the meeting at 5.58pm and returned at 6.02pm

Resolution 14.1

That Council:

- 1. Accepts the tender submitted by Anne Hitch and Dave Hitch for the purchase of Lot 254 Margaret Street, Cunderdin, for amount of \$50,500.**
- 2. Does not accept the tender submitted for the purchase of Lot 1 Cubbine Street, Cunderdin.**
- 3. Allocates the Net proceeds from the sale of Lot 254 Margaret Street, Cunderdin, as follows:
One-third: to assist the Meckering Sporting Club with the roof replacement of the Meckering Sporting Club premises.
One-third: to assist with the resurfacing costs associated with the Cunderdin Basketball / Netball Courts.
One-third: to be transferred to the Shire of Cunderdin Surfaces Replacement Reserve Account.**
- 4. Authorises the Shire President and Chief Executive Officer to execute the documents associated with the sale of Lot 254 Margaret Street, Cunderdin.**

Moved: Cr Doug Kelly

Seconded: Cr Norm Jenzen

Vote – Simple Majority

Carried: 6/0

Resolution 14.0.2

That Council move from behind closed doors.

Moved: Cr Todd Harris

Seconded: Cr Bernie Daly

Vote – Simple Majority

Carried: 6/0

15. Closure of meeting

There being no further business the Shire President declared the meeting closed at 6.14pm.

UNCONFIRMED