



## Shire of Cunderdin

### CONFIRMED Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on Thursday 13<sup>th</sup> August 2015 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 5.00pm**

**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**

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

**Declaration of public question time opened at**

**Declaration of public question time closed at**

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

#### **Record of attendances**

##### **Councillors**

Cr RC (Clive) Gibsone	Shire President
Cr DA (Dennis) Whisson	Deputy President
Cr TE (Todd) Harris	
Cr NW (Norm) Jenzen	
Cr DB (Doug) Kelly	

#### **Apologies**

#### **On Leave of Absence**

Cr TA (Terri) Jasper  
Cr DG (Dianne) Kelly

#### **Staff**

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

#### **Guests of Council**

#### **Members of the Public**

#### **Applications for leave of absence**

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

Item 9.2	CR Dennis Whisson
Item 11.1	Mr Peter Naylor, Chief Executive Officer

### **4. Petitions, Deputations, Presentations**

#### **Deputations**

#### **Presentations**

### **5. Announcements by President without discussion**

## 6. Confirmation of the Minutes of Previous Meetings

### 6.1 Ordinary Meeting of Council held on Thursday 16<sup>th</sup> July 2015

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	23 <sup>rd</sup> July 2015
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	N/A
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

#### **Proposal/Summary**

Council to confirm the minutes of the Ordinary Council Meeting held on Thursday 16<sup>th</sup> July 2015.

#### **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 16<sup>th</sup> July 2015, be confirmed as a true and correct record.**

**Moved: Cr Dennis Whisson**

**Seconded: Cr Norm Jenzen**

**Vote – Simple majority**

**Carried: 5/0**

**Note to this item:**

The President will sign the minute declaration.

## 6.2 Special Meeting of Council held on Tuesday 4<sup>th</sup> August 2015

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	11 <sup>th</sup> August 2015
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	N/A
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

### **Proposal/Summary**

Council to confirm the minutes of the Special Council Meeting held on Tuesday 4<sup>th</sup> August 2015.

### **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 6.2**

**That:**

- 1. The minutes of the Special Council Meeting held on Tuesday 4<sup>th</sup> August 2015, be confirmed as a true and correct record.**

**Moved: Cr Doug Kelly**

**Seconded: Cr Norm Jenzen**

**Vote – Simple majority**

**Carried: 5/0**

**Note to this item:**

The President will sign the minute declaration.



## 7. Finance & Administration

### 7.1. Financial Reports for July 2015

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Date:</b>	10 <sup>th</sup> August 2015
<b>Author:</b>	Paul Godfrey
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	18 Pages

#### Proposal/Summary

The financial position as at 31st July 2015 is presented for consideration.

#### Appendices - Financial Statements

- Statement of Financial Activity
- Councillor EOY Estimate
- Operating Statement
- Statement of Surplus or Deficit
- Statement of Financial Position
- Statement of Cash Flows
- Details by Function & Activity
- Reserves Account Summary
- Loan Repayment Schedule
- Financial Activity Statement
- Municipal Bank Account Statement & Reconciliation 036-102 00-0030
- Municipal Business Cash Reserve Statement & Reconciliation 036-107 22-3647
- Reserves Business Cash Reserve Statement & Reconciliation 036-107 22-3639
- Reserves Term Deposit Statement & Reconciliation 036-107 24-1837
- Working Trust Account Statements & Reconciliations 036-172 12-2981
- REBA Trust Account Statements & Reconciliations 036-172 12-3001

#### Statutory Environment

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

#### Commentary

Nil

#### Policy Implications

Nil

#### Financial Implications

All financial implications are contained within the reports

**Strategic Implications**

Nil

**Resolution 7.1**

**That Council receives the monthly financial reports to 31st July 2015.**

**Moved: Cr Doug Kelly**

**Seconded: Cr Dennis Whisson**

**Vote – Simple majority**

**Carried: 5/0**

## 7.2 Accounts Paid – July 2015

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Paul Godfrey
<b>Report Date:</b>	10 <sup>th</sup> August 2015
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	3 Pages

### **Proposal/Summary**

Council is requested to confirm the payment of Accounts totalling \$ 178,497.23 for July 2015 as listed in the Warrant of Payments for the period 1<sup>st</sup> July to 31<sup>st</sup> July 2015.

### **Attachments**

Warrant of Payments for 1<sup>st</sup> July – 31<sup>st</sup> July 2015.

### **Statutory Environment**

Financial Management Regulations 12 & 13

### **Commentary on Statutory Environment**

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

### **Policy Implications**

Nil

### **Financial Implications**

All financial implications are contained within the reports

### **Strategic Implications**

Nil

**Resolution 7.2**

**(a) That Council's payment of accounts amounting to \$ 178,497.23 for the month of July 2015, from the Municipal Fund be confirmed and noted.**

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

**Moved: Cr Todd Harris**

**Seconded: Cr Dennis Whisson**

**Vote – simple majority**

**Carried: 5/0**

**Shire of Cunderdin  
July Creditors Listing**

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Amount</b>
EFT59	07/07/2015	Cunderdin Co-Op	Fuel - R- CUNSC3	11,810.77
EFT60	07/07/2015	AIR LIQUIDE	rental	168.62
EFT61	07/07/2015	Goodfield Quality Meats	water bottles and casserole	127.00
EFT62	07/07/2015	Glenwarra Development Services	planning consultancy services	4,400.00
EFT63	07/07/2015	Itvision	implementation services	9,684.15
EFT64	07/07/2015	Colas	bitumen sealing work	17,405.06
EFT65	07/07/2015	George Johnson EHO Consultant	meat inspection	990.00
EFT66	07/07/2015	Cunderdin Elders Limited	surfactant 20 l cropcare	470.80
EFT67	07/07/2015	Crowe Certification	environmental and building services	3,797.20
EFT68	07/07/2015	MetroCount	6v Welded Battery Pack	227.70
EFT69	07/07/2015	Regional Concrete & Plumbing	laundry trough instalation at ELC	3,652.20
EFT70	07/07/2015	Argent Electrical	electrical work carried out at the museum	954.25
EFT71	07/07/2015	CDA Air & Solar	winter close down, quote for repairs 18 egeberg and 82 mitchell st	340.00
EFT72	07/07/2015	LGIS	first aid course	440.00
EFT73	07/07/2015	AWP Group	repair shade sail	715.00
EFT74	07/07/2015	Claw environmental	steel drums and plastic drum collection	2,533.96
EFT75	07/07/2015	Grey Home Farming Co	new titles for 3 mile gate rd	746.40
EFT76	07/07/2015	Western Australian Local Government Association	adoption of local laws	1,671.76

EFT77	07/07/2015	Cunderdin Pub	rooms for auditors	300.00
EFT78	07/07/2015	Great Eastern Country Zone of WALGA	annual subscription 15/15	4,675.00
EFT79	07/07/2015	Fire and Safety WA	fire equipment	1,232.09
EFT80	07/07/2015	Adina apartment hotel	accommodation for local government week	5,840.00
EFT81	07/07/2015	Baxters Rural Centre KB	service CMT 1450	2,086.43
EFT82	07/07/2015	Cunderdin Contract Grading	Maintenance Grading of unsealed roads in Cunderdin	12,375.00
EFT83	14/07/2015	Plastic Card Customization	Plastic cards for 15/16 tip passes	1,541.33
EFT84	16/07/2015	Landgate	Rural uv Gen Vals	6,796.00
EFT85	16/07/2015	Avdata	Airfield Billing charges	1,053.26
EFT86	16/07/2015	Avon Waste	Rubbish Service	12,005.96
EFT87	16/07/2015	Combined Tyres Cunderdin	Various items and services for vehicles	1,426.20
EFT88	16/07/2015	Shire of Northam	Quarry Tipping Fees	3,415.50
EFT89	16/07/2015	Ag Implements	Repair air con in Iveco	4,407.02
EFT90	16/07/2015	Limitless Promotions	Dog and Cat tags	225.00
EFT91	16/07/2015	Darren Long Consulting	april monthly financial report and prepare budget 15-16	2,090.00
EFT92	16/07/2015	Western Australian Local Government Association	change of council meeting date advert	178.46
EFT93	16/07/2015	Contract Aquatic Services	Off season Maintenance	1,375.00
EFT94	16/07/2015	Shire of Quairading	CESM Billing April - June 2015	12,024.53
EFT95	16/07/2015	Macri Partners	Attending to Interim Audit	9,516.10
EFT96	16/07/2015	Cunderdin Nippers	Kidsport	195.00
10778	03/07/2015	Petty Cash	Museum Petty cash May 15	72.25
10779	07/07/2015	Water Corporation	sports ground water	14,450.77

10780	07/07/2015	Synergy	Cunderdin Sports Club Power	9,865.50
10781	07/07/2015	Cunderdin Newsagency	stationery day care	914.81
10782	07/07/2015	RSA Works	safety audit in june 15	2,640.00
10783	07/07/2015	Cunderdin Medical Practice	Flu Shot Trillian Cole	80.00
10784	07/07/2015	McLeods Barrister and Solicitors	cunderdin airfield lease review	475.25
10785	14/07/2015	Telstra	Day Care account	9.95
10786	14/07/2015	Pacific Brands Workwear	uniform Ian Bartlett	1,460.80
10787	16/07/2015	Synergy	Street Lights	3,839.90
10788	16/07/2015	Telstra	Phone Bill	1,709.25
10789	16/07/2015	Australian Communications and Media Authority	Licence Renewal	86.00

**REPORT TOTALS**

**178,497.23**

### 7.3 Council Investments – As at 31st July 2015

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Paul Godfrey
<b>Report Date:</b>	10 <sup>th</sup> August 2015
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

#### Proposal/Summary

To inform Council of its investments as at 31st July 2015.

#### Background

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

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

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

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

#### Commentary

<b>COUNCIL INVESTMENTS</b>				
<b>Institution</b>	<b>Amount Invested</b>	<b>Investment type</b>	<b>Municipal Funds</b>	<b>Reserve Funds</b>
Westpac Banking Corporation	\$0.00	Business Cash Reserve Bonus 22-3639 2.40%	\$0.00	\$0.00
Westpac Banking Corporation	\$562,048.63	Reserves Term Deposit 24-1837 2.80% Expires : 24/06/2015	\$0.00	\$562,048.63
Westpac Banking Corporation	\$858,963.50	Business Cash Reserve Bonus 22-3647 2.10%	\$ 858,963.50	\$0.00
Westpac Banking Corporation	\$0.00	Muni Term Deposit 22-8712 3.0%	\$0.00	\$0.00
<b>TOTAL INVESTMENTS</b>	<b>\$ 1,421,012.13</b>		<b>\$ 858,963.50</b>	<b>\$562,048.63</b>



**Statutory Implications**

Financial Management Regulation 19.

**Policy Implications**

Delegation #18 – Investments.

**Financial Implications**

There are no financial implications in considering this item.

**Strategic Implications**

There are no strategic implications in considering this item.

**Resolution 7.3**

**That the report on Council investments as at 31st July 2015 be received and noted.**

**Moved: Cr Norm Jenzen**

**Seconded: Cr Doug Kelly**

**Vote – Simple Majority**

**Carried: 5/0**

## 7.4 Department of Sport and Recreation Community Sport & Recreation Facilities Fund

<b>Location:</b>	Cunderdin Sports Ground
<b>Applicant:</b>	Cunderdin Basketball Association
<b>Date:</b>	31 <sup>st</sup> July 2015
<b>Author:</b>	Kayla James, Community Development Officer
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	
<b>Attachment/s:</b>	24 Pages

### Proposal/Summary

For council to consider supporting a funding application submitted by the Cunderdin Basketball Association under the Department of Sport and Recreation Community Sports and Recreation Facility Funding Small Grants Program.

This report recommends that the Grant Application be supported.

### Background

Resurfacing of the Basketball/Netball Associations has become a higher priority in the last year.

The courts are cracked, worn and uneven, heightening the risk of injury to the adults and children that play on these courts. If left untouched these courts will be potentially be unusable.

The Cunderdin Basketball Association has 60 members. Each year the association sends away two men's divisions and more recently one women's division to Country Week Basketball, who proven to be a successful.

The Nippers Association also run the junior netball competition. The junior netball has 34 members this year, playing a round robin every Friday night as well as completion some Saturdays during the winter season.

The Cunderdin Netball Association train and play on the courts during the winter sports season. The Cunderdin surrounding teams utilise this facility during a home game on a Saturday.

With the recent successes of the Basketball Association in competing in country week, the club feel the need to have quality courts for practise and improvement and a continuous future for these teams.

### Comments

The basketball/netball court resurfacing will consist of grinding down high spots, cracks and other imperfections, cracks will be primed and filled, followed by the surface being relayed with 3 different layers.

The final layer of these courts is a 5mm Decoflex SOFTCOURT. Decoflex SOFTCOURT is a hard wearing coloured liquid rubber coating which resists deterioration, cracking and fading.

There has also been a grant application submitted to the National Stronger Regions Fund which, if successful will incorporate some of the cost of resurfacing the courts.

Also the Brethren School gifted \$800.00 to go toward the resurfacing of the courts.

The cost of this project has been quoted by CentreCourt Renovations at \$102 090+GST including labour materials, establishment costs.

### **Consultation**

Cunderdin Basketball Association  
Department of Sports and Recreation Regional Manager – Jenifer Collins

### **Statutory Implications**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Council consideration during 2015/16 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 7.4**

#### **That Council:**

- 1. Endorses the Grant Application for the resurfacing of the Cunderdin Basketball / Netball Courts as a part of stage 2 of the Sporting Ground Redevelopment**
- 2. Submits the grant application to the Department of Sport and Recreation Community Sports and Recreation Facility Funding Small Grants Program for consideration.**

**Moved: Cr Todd Harris**

**Seconded: Cr Dennis Whisson**

**Vote – Simple Majority**

**Carried: 5/0**

## 8. Environmental Health & Building Services

### 8.1 Future Usage - 5 Gabbedy Place, Meckering

<b>Location:</b>	5 Gabbedy Place, Meckering
<b>Applicant:</b>	H & C Taylor and Shire of Cunderdin
<b>Date:</b>	20 <sup>th</sup> July 2015
<b>Author:</b>	Tim Jurmann
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	
<b>Attachment/s:</b>	1 Pages

#### Proposal/Summary

Proposed beautification and outside shelter for the land adjacent to the Earthquake Café, (5 Gabbedy Place, Meckering).



## **Background**

The Shire of Cunderdin has been approached by Mrs Claire Taylor, with respect to installing some, landscaping beautification, paving and a metal patio/awning, (up to 20 m2), to the northern side of the Earthquake Café at 5 Gabbedy Place, Cunderdin.

The area would then be used by the community and the shelter used by diners at the Café, should they wish to sit outside.

The land is owned by the Shire of Cunderdin and Mrs Taylor would need permission and authorisation from the Shire for the proposed ongoing usage and to carry out the proposed works.

Mrs Taylor has advised she would be grateful if any assistance could be provided by way of 2<sup>nd</sup> hand pavers, sand or plants, but understands the Shire might not be in a position to provide any assistance.

## **Comments**

The land is owned by the Shire and is currently in a poor state, with erosion, weeds and dilapidated wire fencing.

The area is sheltered from the wind and lends itself to a small community open space, as well as allowing for enhanced pedestrian access from the street at the rear of the shops through to Gabbedy Place.

The proposed works would enhance the appearance and utilisation of the area as well as being of benefit to the community.

The work would require approval by way of a Building Permit and Planning Application. In this regard the Shire of Cunderdin may wish to waive the fees for the applications, considering that the physical work and some of the structures will be provided by Mr and Mrs Taylor, with a net benefit to the community.

To ensure clear terms of the use of the area, Claire and Harry Taylor would need to provide advice in writing that though unlikely, should the Shire of Cunderdin wish to utilise the land for other purposes in the future, that the structure would have to be removed and that continued use of the area would not be permitted.

## **Consultation**

Nil

## **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**

- 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.

### **Resolution 8.1**

#### **That Council:**

- 1. Approve the works as outlined above, and the ongoing use of the area by seated patrons of the adjoining shops.**
- 2. Approve assistance to Mr and Mrs Taylor by way of provision of 2<sup>nd</sup> hand pavers from the Shire Depot, sand, and plants to assist in beautifying the area.**
- 3. Waive or refund a portion of the Building Permit and Planning Application fees due to the net benefit to the community of the proposed works and beautification of the deteriorated area.**
- 4. Provide written advice to Mr and Mrs Taylor regarding the terms of the use of the land and that Mr and Mrs Taylor reply in writing that they agree to those terms.**

**Moved: Cr Doug Kelly**

**Seconded: Cr Todd Harris**

**Vote – Simple Majority**

**Carried: 5/0**

## 9. Works & Services

### 9.1 Works & Services Report

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager Works & Services
<b>Date:</b>	10 <sup>th</sup> August 2015
<b>Author:</b>	Ian Bartlett
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

#### **PROPOSAL/SUMMARY**

Council is to receive the Works and Services Report for July 2015.

#### **CONSTRUCTION**

- Nil

#### **GENERAL MAINTENANCE**

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

- Winter grading has been completed on the following roads: Henderson, Hackett, Soloman Back, Wilson, Coline, Burges North, Antonio, Carter-Wilson, Hitchcock, Southern Brook, Dempster, Wilding, Hagboom, Nambling, Partridge, Quellington, Watercarrin, Huddson, Adams, Beards, and Lallys; total of 253.3km in July.
- Chemical Sprayed around Shire bridges.
- Unloaded Sea Container at old sports club and removed container to the depot.
- Patched sealed sections on Minnivale Road and Olympic Avenue.
- Re-sheeted blow outs on Beebering Road.
- Repaired two (2) sink holes in car park at sports ground.
- Replaced / repaired the signs on Togo Street, Burges Road North, Gimbel and Broads Roads.
- Roadside and verge spraying: Mt Anne, Three Mile Gate, 17 Mile Gate, Matthew and Rabbit Proof Fence North Roads.

#### **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**

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

#### **BUILDING AND OTHER MAINTENANCE**

- General maintenance carried out to Shire buildings.

#### **CEMETERIES**

- Nil

#### **AIRFIELD MAINTENANCE**

- Routine inspections carried out no problems to report.
- General maintenance in preparation for Civil Aviation Safety Authority inspection.

### **PLANT MAINTENANCE**

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

### **WASTE SERVICES**

- General upkeep of the Cunderdin and Meckering Waste Transfer Stations, everything running okay.
- Removal of scrap steel from the Cunderdin Transfer Station is ongoing.
- Removed green waste from Meckering WTS, steel bin now on site.
- Completed road verge pick up in Cunderdin and Meckering, amount of items for collection has reduced in comparison to previous years.

### **WORKS AND SERVICES STAFF**

- Nil

### **TRAFFIC COUNTERS**

<b>Road</b>	<b>Dates</b>	<b>VPD</b>
Broads	7/7/15 – 14/7/15	12.00
Hills		7.70
Boundary		0.43
Hardy		2.14
Quellington	16/7/15 - 23/7/15	35.00
Boundary		7.00
Warding		1.63
Reynolds		3.25
Botts	23/7/15 – 30/7/15	0.25
Sermon		4.00
Fleay		4.00
Snooke		18.60

### **OTHER MATTERS**

Nil

#### **Statutory Implications**

*Local Government Act 1995*

#### **Financial Implications**

Nil

#### **Strategic Implications**

Nil

#### **Resolution 9.1**

**That Council:**

- 1. Receives the Works and Services Report for July 2015.**

**Moved: Cr Norm Jenzen**

**Seconded: Cr Dennis Whisson**

**Vote – Simple majority**

**Carried: 5/0**



## 9.2 Rotary Club of Cunderdin – Application for Temporary Part Closure of Main Street

<b>Location:</b>	Main Street, Cunderdin
<b>Applicant:</b>	Rotary Club of Cunderdin
<b>Date:</b>	23 <sup>rd</sup> July 2015
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Yes
<b>File Reference:</b>	32776
<b>Attachment/s:</b>	1 Page

Cr Dennis Whisson declares an Impartiality Interest in this item as he is a member of the Rotary Club of Cunderdin Inc.

### **Proposal/Summary**

For Council to consider the temporary part closure of Main Street (at the western end), Cunderdin, on Saturday 14<sup>th</sup> November 2015.

### **Background**

The Rotary Club will be conducting their annual craft fair and markets in the Town Hall and adjacent footpath and car park area on Saturday 9<sup>th</sup> November 2015.

The Rotary Club is seeking Council approval for part of Main Street from the western entrance of the business precinct to the town hall, section of about 120 metres, to be closed to traffic from 9:00am to 2:00pm.

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

### **Comment**

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

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

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

### **Consultation**

The Rotary Club of Cunderdin Inc.  
Local community and business and property owners / occupiers, via local public notice.

### **Statutory Implications**

*Local Government Act 1995*

#### ***3.50. Closing certain thoroughfares to vehicles***

*(1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*

(1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.

(2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

[(3) deleted]

(4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —

(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and

(b) give written notice to each person who —

(i) is prescribed for the purposes of this section; or

(ii) owns land that is prescribed for the purposes of this section;

and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).

(6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.

[(7) deleted]

(8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.

(9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.

[Section 3.50 amended by No. 1 of 1998 s. 11; No. 64 of 1998 s. 15; No. 49 of 2004 s. 26.]

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

#### 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 Council:**

- 1. Supports the application from the Rotary Club of Cunderdin Inc. for the temporary part closure of Main Street, Cunderdin, from the adjoining property boundary of the Butcher Shop and the Cunderdin Community Resource Centre to the Town Hall eastern boundary, on Saturday 14<sup>th</sup> November 2015, from 9:00am to 2:00pm.**
- 2. Informs the local community and effected business and property owners / occupiers of the part road closure by Local Public Notice to be provided in accordance with the provisions of S3.50 of the *Local Government Act 1995*.**

**Moved: Cr Norm Jenzen**

**Seconded: Cr Doug Kelly**

**Vote – Simple majority**

**Carried: 4/0**

### 9.3 Procedures for Authorising Traffic Management

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Main Roads WA
<b>Date:</b>	4 <sup>th</sup> August 2015
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	32809
<b>Attachment/s:</b>	8 Pages

#### Proposal/Summary

For Council to endorse draft Administrative Protocol and Procedure Manual for Traffic Management for Works on Roads.

#### Background

The Commissioner of Main Roads issues an Instrument of Authorisation to local governments to allow deployment of temporary traffic signs and devices on roads within its jurisdiction for the purposes of managing traffic during road works.

Main Roads requires that the local governments shall develop and implement suitable procedures when authorising temporary traffic management, this is part of Condition (b) of the Instrument of Authorisation.

#### Comment

Main Roads, in conjunction with the local government sector, have developed the attached Administrative Protocol and Procedural Manual for the authorisation of temporary traffic management for road works.

Whilst in the past the Shire of Cunderdin has been guided by the Main Roads Code of Practice, this is no longer suitable and more formal procedures need to be adopted.

It is recommended that the Shire of Cunderdin adopts the Administrative Protocol and Procedural Manual as drafted.

#### Consultation

Nil

#### Statutory Implications

##### ***Road Traffic Code 2000, regulation 297(2)***

*297. Power to erect traffic-control signals and road signs*

*(2) The Commissioner of Main Roads may allow an authorised body to erect, establish, display, alter or take down any particular road sign, road marking or traffic-control signal, or road signs, road markings or traffic-control signals of a class or type of classes or types, and in the circumstances (if any), specified in the instrument of authorisation.*

##### ***Occupational Safety and Health Act 1984***

*22. Duties of persons who have control of workplaces*

(1) A person that has, to any extent, control of —

(a) a workplace where persons who are not employees of that person work or are likely to be in the course of their work; or

(b) the means of access to and egress from a workplace,

shall take such measures as are practicable to ensure that the workplace, or the means of access to or egress from the workplace, as the case may be, are such that persons who are at the workplace or use the means of access to and egress from the workplace are not exposed to hazards.

### **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 9.3**

**That Council adopts the “Administrative Protocol: Traffic Management for Works on Roads” and the “Procedure Manual: Traffic Management for Works on Roads”, as drafted and presented for consideration, for the Shire of Cunderdin.**

**Moved: Cr Dennis Whisson**

**Seconded: Cr Todd Harris**

**Vote – Simple majority**

**Carried: 5/0**

## 10. Planning & Development

Nil

## 11. Urgent Items

### 11.1 Shire of Tammin Shared Chief Executive Officer Position

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Shire of Tammin
<b>Date:</b>	6 <sup>th</sup> July 2015
<b>Author:</b>	Cr Clive Gibsone
<b>Item Approved by:</b>	Shire President
<b>Disclosure of Interest:</b>	Yes
<b>File Reference:</b>	32757
<b>Attachment/s:</b>	1 Page

The Chief Executive Officer, Mr Peter Naylor, declares an Interest in this item.

#### Proposal/Summary

The Shire of Tammin is requesting Council consideration for the appointment of the Shire of Cunderdin Chief Executive Officer (CEO) as Interim CEO for the Shire of Tammin for three month period 1<sup>st</sup> October to 31 December 2015, whilst the Business Plan and the Resource Sharing Agreement for the proposed CEO Resource Sharing arrangement for the CEO's position of the two Shires are being finalised

#### Background

The matter of a Shared Chief Executive Officers Position has previously been referred to Council at the 18<sup>th</sup> June 2015 and 16<sup>th</sup> July 2015 Ordinary Meetings of Council. At those meetings Council resolved as follows:

18<sup>th</sup> June 2015

*That Council:*

- 1. Informs the Shire of Tammin that it is prepared to work favourably with their proposal for a Resource Sharing Arrangement for the Chief Executive Officer position.*
- 2. Informs the Shire of Tammin that such support for the proposal will be subject to preparation of a Business Plan and Feasibility Study favouring the proposal and identifying significant benefits for both the Shires of Cunderdin and Tammin.*

16<sup>th</sup> July 2015

*That Council:*

- 1. Acknowledges the correspondence from the Shire of Tammin, dated 2nd July 2015, and confirms its previous resolution of 18th June 2015, that it is prepared to work favourably with their proposal for a Resource Sharing Arrangement for the Chief Executive Officer position.*
- 2. Supports the formation of a Resource Sharing Committee and appoints the Shire President and Deputy Shire President to be the Shire of Cunderdin's representatives on the Committee.*

#### Comment

Whilst Council has been supportive of the proposed CEO Resource Sharing Arrangement there have been some concerns in relation to future service delivery and continuation of current project delivery.

Also the Consultant is still in the throes of finalising the Business Plan and Resource Sharing Agreement for presentation to both Councils.

This proposed three month interim arrangement could provide the opportunity for both Councils to better understand how such resource sharing arrangement for the CEO position may work and assist with the final preparations of the Business Plan and Resource Sharing Agreement.

## **Consultation**

Shire of Tammin

## **Statutory Implications**

### **Local Government Act 1995**

#### **Division 4 - Local government employees**

##### **5.36. Local government employees**

- (1) A local government is to employ —
  - (a) a person to be the CEO of the local government; and
  - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- (2) A person is not to be employed in the position of CEO unless the council —
  - (a) believes that the person is suitably qualified for the position; and
  - (b) is satisfied\* with the provisions of the proposed employment contract.

\* Absolute majority required.
- (3) A person is not to be employed by a local government in any other position unless the CEO —
  - (a) believes that the person is suitably qualified for the position; and
  - (b) is satisfied with the proposed arrangements relating to the person's employment.
- (4) Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.
- (5A) Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
- (5) For the avoidance of doubt, subsection (4) does not impose a requirement to advertise a position before the renewal of a contract referred to in section 5.39.

### **Local Government (Administration) Regulations 1996**

#### **Part 4 — Local government employees**

##### **18A. Vacancy in position of CEO or senior employee to be advertised (Act s. 5.36(4) and 5.37(3))**

- (1) If a position of CEO, or of a senior employee, of a local government becomes vacant, the local government is to advertise the position in a newspaper circulating generally throughout the State unless it is proposed that the position be filled by —
  - (a) a person who is, and will continue to be, employed by another local government and who will fill the position on a contract or contracts for a total period not exceeding 5 years; or
  - (b) a person who will be acting in the position for a term not exceeding one year.
- (2) An advertisement referred to in subregulation (1) is to contain —
  - (a) the details of the remuneration and benefits offered; and
  - (b) details of the place where applications for the position are to be submitted; and
  - (c) the date and time for the closing of applications for the position; and
  - (d) the duration of the proposed contract; and
  - (e) contact details for a person who can provide further information about the position; and
  - (f) any other information that the local government considers is relevant

## Policy Implications

Nil

## Financial Implications

To be determined

## 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 Community Strategic Plan as it will strengthen the Council and community's relationship with neighbouring community of Tammin.

### Resolution 11.1

#### **That Council:**

- 1. Supports and grants approval to the Shire of Tammin to appoint the Shire of Cunderdin Chief Executive Officer, Mr Peter Naylor, to the position of Chief Executive Officer with the Shire of Tammin for the three (3) month Interim Period 1<sup>st</sup> October 2015 to 31 December 2015.**
- 2. Proposes that Darren Long Consulting be requested to present a suitable fee structure arrangement for the three month period for consideration by both the Shires of Cunderdin and Tammin.**

**Moved: Cr Doug Kelly**

**Seconded: Cr Dennis Whisson**

**Vote – Simple majority**

**Carried: 5/0**



**12. Matters for which the meeting may be closed**

Nil

**13. Closure of meeting**

There being no further business the Shire President will declare the meeting closed at 5.45pm.