



## Shire of Cunderdin

### Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 17<sup>th</sup> March 2016** in the Council Chambers, Lundy Avenue Cunderdin commencing at **5:00pm**.

A handwritten signature in black ink, appearing to read 'Peter Naylor', is positioned above the printed name.

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**

**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 B (Bernie) Daly	
Cr AE (Alison) Harris	
Cr TE (Todd) Harris	
Cr NW (Norm) Jenzen	
Cr DB (Doug) Kelly	
Cr DG (Dianne) Kelly	

#### **Apologies**

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

##### **Staff**

Peter Naylor	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer
Ian Bartlett	Manager Works & Services
Meredith Lee-Curtis	Governance / Compliance Officer

#### **Guests of Council**

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

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

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

Item 7.4 Chief Executive Officer and Deputy 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 18<sup>th</sup> February 2016

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	4 <sup>th</sup> March 2016
<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 18<sup>th</sup> February 2016.

#### **Background**

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

#### **Comment**

No business arising.

#### **Consultation**

Nil

#### **Statutory Environment**

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

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

#### **Policy Implications**

Nil

#### **Financial Implications**

There are no financial implications in considering this item.

#### **Strategic Implications**

Nil

**Resolution 6.1**

**That:**

- 1. The Minutes of the Ordinary Council Meeting held on Thursday 18<sup>th</sup> February 2016, be confirmed as a true and correct record.**

**Moved: Cr Bernie Daly**

**Seconded: Cr Norm Jenzen**

**Vote – Simple majority**

**Carried: 8/0**

**Note to this item:**

The President will sign the minute declaration.

## 6.2 Audit Committee Meeting held on Thursday 17<sup>th</sup> March 2016

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	11 <sup>th</sup> March 2016
<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>	** Pages

### Proposal/Summary

Council to receive the minutes of the Audit Committee Meeting held on Thursday 17<sup>th</sup> March 2016, and consider the Committee recommendations contained therein.

### Background

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

### Comment

There were two (2) items of business on the Audit Committee Agenda and the recommendations from the Committee are:

1. Annual Compliance Audit Return:

That the Audit Committee:

- (a) Receives the Shire of Cunderdin Compliance Audit Return for the period 1 January 2015 to 31 December 2015, as prepared;
- (b) Notes that the Shire of Cunderdin complied in all areas of legislative requirements during the reporting; and
- (c) Recommends to Council that the Shire of Cunderdin Compliance Audit Return 2015, as prepared, be adopted and submitted to the Department of Local Government.

2. Annual Mid-Year Budget Review:

That Council:

1. adopt the 2015/16 Annual Budget Review, as presented in Attachment 7.2, and notes that the estimated closing funds are based on current revenue and expenditure trends.
2. authorise the following budget amendments, as per attachment 1.
3. Submit a copy of the adopted 2015/16 Annual Budget Review Report and an extract of the minutes recording the adoption of the Annual Budget Review Report to the Department of Local Government.
4. Council to re-allocate the original budget plant replacement provision of \$304,240 as follows:

Plant Replacement Reserve	\$ 60,000
Asset replacement reserve	
Sports Surfaces Replacement	\$ 40,000
Roadworks (re-sheeting)	\$100,000
Roadside Clearing	\$ 24,240
Replace CM6000 Patching Truck	\$ 80,000

### **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 immediate financial implications in considering this item.

### **Strategic Implications**

Nil

### **Resolution 6.2**

**That:**

- 1. The minutes of the Audit Committee Meeting held on Thursday 17<sup>th</sup> March 2016, be received and the recommendations contained therein, be endorsed.**

**Moved: Cr Dennis Whisson**

**Seconded: Cr Doug Kelly**

**Vote – Absolute majority**

**Carried: 8/0**



## 7. Finance & Administration

### 7.1. Financial Reports for February 2016

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Date:</b>	11 <sup>th</sup> March 2016
<b>Author:</b>	Paul Godfrey
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	16 Pages

#### Proposal/Summary

The financial position as at 29<sup>th</sup> February 2016 is presented for consideration.

#### Appendices - Financial Statements

- Statement of Financial Activity
- Reserves Account Summary
- 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 29<sup>th</sup> February 2016.**

**Moved: Cr Todd Harris**

**Seconded: Cr Norm Jenzen**

**Vote – Simple majority**

**Carried: 8/0**

## 7.2 Accounts Paid – February 2016

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Paul Godfrey
<b>Report Date:</b>	11 <sup>th</sup> March 2016
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	7 Pages

### **Proposal/Summary**

Council is requested to confirm the payment of Accounts totalling \$270,874.98 for February 2016 as listed in the Warrant of Payments for the period 1<sup>st</sup> February to 29<sup>th</sup> February 2016.

### **Attachments**

Warrant of Payments for 1<sup>st</sup> February – 29<sup>th</sup> February 2016.

### **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 \$270,874.98 for the month of February 2016, from the Municipal Fund be confirmed and noted.**

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

**Moved: Cr Bernie Daly**

**Seconded: Cr Norm Jenzen**

**Vote – simple majority**

**Carried: 8/0**

Listing of Accounts Paid During February 2016

Cheque /EFT No	Date	Name	Description	Amount
9	09/02/2016	Westnet	westnet internet	74.95
10	09/02/2016	Westpac Banking Corporation Visa	CREDIT CARD PAYMENT PROCESSED FOR BANK RECS	3,147.64
	01/02/2016	1 - BANK CHARGES	MERCHANT FEES	169.76
	01/02/2016	1 - BANK CHARGES	ACTIVITY FEE`	117.68
	01/02/2016	1 - BANK CHARGES	SERVICE FEE	13.00
	01/02/2016	1 - BANK CHARGES	TRANSACTION FEE	22.00
EFT409	03/02/2016	Cunderdin Co-Op	oven	2,359.55
EFT410	03/02/2016	Covs Parts Pty Ltd	various mechanical parts	147.76
EFT411	04/02/2016	Cunderdin Co-Op	Fuel	8,370.00
EFT412	04/02/2016	Cunderdin Co-Op	antex and sprinklers	932.34
EFT413	04/02/2016	T&S Wilding	5044 CM Gravel	11,096.80
EFT414	09/02/2016	Paul White	rent 17 margaret st	500.00
EFT415	12/02/2016	WA Contract Ranger Services	Ranger services	911.62
EFT416	12/02/2016	Glenwarra Development Services	planning servicesfor january	4,125.00
EFT417	12/02/2016	IT Vision	monthly Synergy	1,925.00
EFT418	12/02/2016	Cr Dennis Whisson	SCMN 2nd Feb 2016	225.00
EFT419	12/02/2016	Cr Todd Harris	SCM 2nd Feb	225.00
EFT420	12/02/2016	Cr Norm Jenzen	SCM 2nd Feb	225.00
EFT421	12/02/2016	LGMA	planner pd day	50.00
EFT422	12/02/2016	Western Australian Treasury Corporation	loan 73 and 74 payments	18,651.12
EFT423	12/02/2016	Cunderdin Community Resource Centre	PRINTING XMAS APPEAL	21.80

EFT424	12/02/2016	Marketforce	advertising	268.73
EFT425	12/02/2016	Cr Alison Harris	SCM 2/2/2016	225.00
EFT426	12/02/2016	Cr. Bernard Daly	SCM 2nd Feb	225.00
EFT427	12/02/2016	The Shed Company	TMUN150198	10,274.00
EFT428	12/02/2016	Australias Golden Outback	outback holiday planner	1,675.00
EFT429	12/02/2016	C Planke & Sons Pty Ltd	earthworks	36,960.00
EFT430	12/02/2016	TMR Consulting	Grant application assistance	750.00
EFT431	19/02/2016	Landgate	minimum charge	64.00
EFT432	19/02/2016	Avdata	Avdata charges for January	524.28
EFT433	19/02/2016	Avon Waste	Rubbish Sea Conainers	182.40
EFT434	19/02/2016	Goodfield Quality Meats	sausages and bacon	428.44
EFT435	19/02/2016	WA Contract Ranger Services	Ranger ServicesNov and Dec15	1,028.50
EFT436	19/02/2016	Cr Dennis Whisson	Council Meeting Sitting Fee	225.00
EFT437	19/02/2016	Cr Todd Harris	Council Meeting Sitting Fee	225.00
EFT438	19/02/2016	Cr Norm Jenzen	Council Meeting Sitting Fee	225.00
EFT439	19/02/2016	Shire of Quairading	Cesm Contributions	4,684.73
EFT440	19/02/2016	Griffin Valuation Advisory	bridge assets insurance and financial reporting	4,181.54
EFT441	19/02/2016	Cr Alison Harris	Council Meeting Sitting Fee	225.00
EFT442	19/02/2016	Cr. Bernard Daly	Council Meeting Sitting Fee	225.00
EFT443	19/02/2016	Cunderdin Football Club	Drum Muster 1/10/2015	1,070.75
EFT444	19/02/2016	Department of the Premier and Cabinet State Law Publisher	Gov Gazettes	364.80

EFT445	19/02/2016	Kids Art Works Pty Ltd	personalised Calendar	315.00
EFT446	22/02/2016	The Shed Company	Supply and deliver building Ref# TMUN150198	19,800.00
EFT447	25/02/2016	Cunderdin Co-Op	paint and scrapers	339.05
EFT448	25/02/2016	Covs Parts Pty Ltd	led lights	2,761.18
EFT449	25/02/2016	Truck Centre WA	motor heater and filler cap	997.16
EFT450	25/02/2016	Colas	Emulsion Supply	5,192.00
EFT451	25/02/2016	Combined Tyres Cunderdin	repair truck	1,170.60
EFT452	25/02/2016	Cunderdin Elders Limited	Antievap Spray 20L	107.80
EFT453	25/02/2016	Daves Tree Service	Tree Lopping	5,720.00
EFT454	25/02/2016	Leeson Haulage	haulage of granite	34,589.47
EFT455	25/02/2016	Immacu Sweep	Sweeping services cunderdin	3,480.00
EFT456	25/02/2016	Peak Transport	Transport Chemicals	229.17
EFT457	25/02/2016	AMJ Industries	Electrical inspection at Meckering Hall	382.97
EFT458	25/02/2016	Thompsons Signs	Supply Metal Signs	385.00
EFT459	25/02/2016	Skipper Trucks	Lights Mudflaps and freight insurance	272.48
EFT460	25/02/2016	Eastern Hills Saws and Mowers	Wood Boss bar	760.00
EFT461	25/02/2016	Hanson Construction Materials Pty Ltd	washed granite	33,702.58
EFT462	25/02/2016	Midalia Steel	Custom Orb Color Bond	2,165.54
EFT463	25/02/2016	Compressed Air Installations WA	on site vessel pressure inspection	614.34
EFT464	25/02/2016	Meredith Lee-Curtis	Reimbursement for Kms Travelled to attend Training	195.00
EFT465	25/02/2016	Adam Takacs	reimbursement for purchases from	314.05

			bunnings	
EFT466	25/02/2016	Earthstyle Contracting Pty Ltd	Hire of 6W water truck	10,406.00
EFT467	25/02/2016	Department of Human Services- Child Support	Payroll deductions	1,000.00
EFT468	25/02/2016	Colonial First State	Superannuation contributions	566.79
EFT469	25/02/2016	HOSTPLUS	Superannuation contributions	246.29
DD168.1	01/02/2016	Westnet	Internet	44.95
DD170.1	10/02/2016	Paul White	rent 17 margaret st	500.00
DD172.1	15/02/2016	Westnet	internet	49.95
DD172.2	15/02/2016	SG Fleet	Cesms Vehicle Lease	1,165.08
DD190.1	24/02/2016	Paul White	Rent 17 Margaret St	500.00
10931	12/02/2016	Water Corporation	airport water	1,895.48
10932	12/02/2016	Synergy	power pool	15,975.40
10933	12/02/2016	Telstra	PHONE BILLS	2,007.48
10934	12/02/2016	Autopro Northam	tool box and tool set	374.99
10935	12/02/2016	Cr Ronald Clive Gibsone	SCM 2nd Feb	463.00
10936	12/02/2016	Cr Dianne Kelly	SCM 2nd FEB	225.00
10937	12/02/2016	Cr Douglas Brian Kelly	SCM 2nd Feb	225.00
10938	19/02/2016	Water Corporation	water standpipe goomalling	87.27
10939	19/02/2016	Cunderdin Newsagency	Day Care Stationery	307.41
10940	19/02/2016	Cr Ronald Clive Gibsone	council meeting Sitting Fee	463.00
10941	19/02/2016	Cr Dianne Kelly	Council Meeting Sitting Fee	225.00
10942	19/02/2016	Cr Douglas Brian Kelly	Council Meeting Sitting Fee	225.00
10943	19/02/2016	McLeods Barrister and Solicitors	annual audit	143.00



			professional fees	
10944	19/02/2016	Government of WA Department of Transport	Rego CM292	52.80
10945	19/02/2016	Courier Australia	freight	205.23
10946	25/02/2016	Jason Signmakers	80 KmH Signs	167.20
10947	25/02/2016	Courier Australia	Freight	38.33
10948	25/02/2016	MLC Nominees PTY LTD	Superannuation contributions	621.64
10949	25/02/2016	Australian Super	Superannuation contributions	343.58
10950	25/02/2016	BT Super for Life	Superannuation contributions	431.70
10951	25/02/2016	Westscheme Superannuation	Superannuation contributions	1,081.83
		TOTAL		270,874.98

### 7.3 Council Investments – As at 29<sup>th</sup> February 2016

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Author:</b>	Paul Godfrey
<b>Report Date:</b>	11 <sup>th</sup> March 2016
<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 29<sup>th</sup> February 2016.

#### 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	\$0.00	\$0.00
Westpac Banking Corporation	\$569,516.18	Reserves Term Deposit 24-1837 2.00% Expires : 24/06/2016	\$0.00	\$569,516.18
Westpac Banking Corporation	\$954,440.76	Business Cash Reserve 22-3647 1.30%	\$ 954,440.76	\$0.00
<b>TOTAL INVESTMENTS</b>	<b>\$ 1,523,956.94</b>		<b>\$ 954,440.76</b>	<b>\$569,516.18</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 29<sup>th</sup> February 2016 be received and noted.**

**Moved: Cr Dianne Kelly**

**Seconded: Cr Doug Kelly**

**Vote – Simple Majority**

**Carried: 8/0**

## 7.4 Chief Executive Officer Annual Leave

<b>Location:</b>	Shires of Cunderdin & Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	4 <sup>th</sup> March 2016
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Yes
<b>File Reference:</b>	
<b>Attachment/s:</b>	Nil

The Chief Executive Officer, Peter Naylor, and the Deputy CEO, Paul Godfrey, declare a Financial Interest.

### **Proposal/Summary**

The Chief Executive Officer is requesting approval to clear 10 days annual leave entitlements for the period Monday 11<sup>th</sup> April 2016 to Friday 22<sup>nd</sup> April 2016, inclusive.

It is proposed to appoint the Deputy CEO, Paul Godfrey, as Acting CEO for the 10 days duration.

### **Background**

The Shared Chief Executive Officer Resource Sharing Agreement with the Shire of Tammin states that when an Acting CEO is appointed then the costs associated with that person are to be shared equally between the two Councils.

### **Comment**

Under circumstances where the CEO was requesting to take leave for a reasonably extended period of time the two Councils would consider engaging a relief person as Acting CEO and the cost sharing would be implemented. However in this instance given the short period of leave being requested it would seem more appropriate for the Deputy CEO's at both Cunderdin and Tammin to be appointed at the respective Shires for the 10 day period.

The matter has been discussed with the Tammin Council and, whilst it hasn't been formally considered at a Council meeting, they concur with the proposal.

### **Consultation**

Resource Sharing Committee.

### **Statutory Implications**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Nil

## **Strategic Implications**

### **Cunderdin Community Strategic Plan**

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

#### **Social**

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

#### **Environmental**

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

#### **Economic**

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

### **Resolution 7.4**

#### **That Council:**

- 1. Approves the Chief Executive Officer clearing 10 days accrued annual leave entitlements from Monday 11<sup>th</sup> April 2016 to Friday 22<sup>nd</sup> April 2016, inclusive.**
- 2. Appoints the Deputy Chief Executive Officer, Paul Godfrey, as Acting Chief Executive Officer for the Shire of Cunderdin during the period 11<sup>th</sup> April 2016 to Friday 22<sup>nd</sup> April 2016, inclusive.**

**Moved: Cr Dennis Whisson**

**Seconded: Cr Bernie Daly**

**Vote – Simple majority**

**Carried: 8/0**

## 7.5 Proposal to Dispose of Shire of Cunderdin Properties

<b>Location:</b>	Lot 1 Cubbine Street, and Lot 254 (No 21) Margaret Street, Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	9 <sup>th</sup> March 2016
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	
<b>Attachment/s:</b>	2 Pages

### **Proposal/Summary**

Proposal being presented for Council consideration to dispose of two (2) Council owned properties.

This report recommends that Council authorise the Chief Executive Officer to initiative actions in accordance with the provisions of the *Local Government Act 1995*, and associated legislation, to dispose of the two properties, and for the proceeds from sale of the properties to be invested in a Council Reserve Account for the future replacement of synthetic sporting surfaces within the Shire.

### **Background**

Council purchased Lots 1 & 254 in freehold title, as follows:

Lot 1 Cubbine Street, Cunderdin, in September/October 2004.

Lot 254 (21) Margaret Street, Cunderdin, in February 2010.

The properties were initially acquired to build staff housing however this has not eventuated and the blocks have been sitting idle for a period of time.

There have been some investment activity in Cunderdin recently and now may be the opportune time for Council to consider selling the properties.

The Chief Executive Officer has requested a local real estate agent to provide an updated market valuation for each of the properties (information to be tabled at the Council meeting).

Council, since the recent development of synthetic sports playing surfaces within the Shire, has been considering the opportunity to commence a Reserve Account for the future replacement of the surfaces.

### **Comment**

The purpose for which the properties were acquired has not eventuated and with the demise of the Royalties for Regions Country Local Government Fund Council is not presently in the financial position to build additional staff housing.

The opportunity for Council to invest the net proceeds from the sale of the properties for future replacement of synthetic sports surfaces within the Shire will assist and offset a potential liability that Council will need to absorb within the next 10 years or so.

Section 3.58, *Local Government Act 1995*, provides for a local government to dispose of property. Full details pertaining to the legislation is below in this report.

### **Consultation**

Nil

## **Statutory**

### **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**

### 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.

### **Recommendation 7.5**

That:

1. Council authorises the Chief Executive Officer to obtain updated market valuations for the potential sale of Council owned properties at Lot 1 Cubbine Street, Cunderdin, and Lot 254 (21) Margaret Street, Cunderdin. Market valuations to be circulated to Councillors for general approval prior to proceeding to dot point 2.
2. Council, subject to suitable market valuations being received, authorises the Chief Executive Officer to initiate actions, in accordance with the provisions of the *Local Government Act 1995*, for disposal of the two properties.
3. Council authorises the Shire President and Chief Executive Officer to execute the property sale documents on behalf of the Council.
4. Council invests the net proceeds from the sale of the properties into a Shire of Cunderdin Reserve Account for the expressed purpose of replacement of the synthetic sports playing surfaces within the Shire of Cunderdin.

Moved: Cr Norm Jenzen

Seconded: Cr Doug Kelly

Vote – Simple majority

Lost: 2/6

**Council in deliberating on this proposal considered that the real estate market is currently not vibrant enough to warrant the selling of Council owned assets.**



**8 Environmental Health and Building Services**

Nil

## 9 Works & Services

### 9.1 Works & Services Report

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager Works & Services
<b>Date:</b>	9 <sup>th</sup> March 2016
<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 February 2016.

#### **CONSTRUCTION**

- Woonwooring Road floodway.
- Edge repairs on Meckering-Dowerin Road.
- Clear shoulders on Cunderdin-Wyalkatchem Road.

#### **GENERAL MAINTENANCE**

- Carted 100 tonne of sand to the Shire Depot.
- Sprayed weeds around all bridges.
- Replaced and / or re-erected guide posts on Meckering-Dowerin, Meckering-Goomalling, Cunderdin-Quairading, and Goldfields 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.
- Installed Children Crossing and 40kmh signs in Forrest Street.
- Installed four (4) solar powered lights at the Recreation Centre.
- Pre-season check on showers at the recreation centre change rooms, most units operable, one burnt out and replacement unit ordered.
- Repaired auto light in ladies change room.
- Started construction of block wall and pad for storage shed at the sports ground.
- Ordered black custom orb (300mm) and flashing to attach to bottom of playground fence to prevent sand blowing on to the tennis courts.
- 14 tennis balls removed from the roof of the recreation centre.
- Repaired loose rocks on south wall of the recreation centre.

## **BUILDING AND OTHER MAINTENANCE**

- General cleaning and maintenance carried out to Shire buildings and public toilets.
- Completed upgrade works to the Meckering Hall.

## **CEMETERIES**

- One funeral in Cunderdin.

## **AIRFIELD MAINTENANCE**

- Routine inspections and weekly reporting.
- Summer spraying is ongoing subject to weather conditions.
- The black box that operates the PAL system was sent for repairs, however they did not reinstate the recorded message not functioning 100%.

## **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.
- Two more loads of scrap steel have been removed from the Cunderdin site, and one load from the Meckering site.
- E-Waste container taken from Cunderdin site for emptying.

## **WORKS AND SERVICES STAFF**

- Six (6) staff completed Chemical Spray Course in Merredin.

## **TRAFFIC COUNTERS**

- In progress.

## **OTHER MATTERS**

Nil

## **Statutory Implications**

*Local Government Act 1995*

## **Financial Implications**

Nil

**Strategic Implications**

Nil

**Resolution 9.1**

**That Council receives the Works and Services Report for February 2016.**

**Moved: Cr Alison Harris**

**Seconded: Cr Dianne Kelly**

**Vote – Simple majority**

**Carried: 8/0**

**10 Planning & Development**

Nil

**11 Urgent Items**

Nil

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

Nil

**13. Closure of meeting**

There being no further business the Shire President declared the meeting closed at 6.07pm.