



## 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> September 2020** in the Council Chambers, Lundy Avenue, Cunderdin WA, 6407 **commencing at 5.00pm**

Stuart Hobley  
**Chief Executive Officer**  
11<sup>th</sup> September 2020

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## MINUTES

### 1. Declaration of Opening

The President declared the meeting open at 5.01 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”.

Read by Cr Dennis Whisson

### 2. Record of Attendance, Apologies and Approved Leave of Absence

#### 2.1 Record of attendances

##### Councillors

Cr DA (Dennis) Whisson	Shire President
Cr AE (Alison) Harris	Deputy President
Cr TE (Todd) Harris	
Cr B (Bernie) Daly	
Cr W (Sam) Stewart	
Cr A (Tony) Smith	
Cr NW (Norm) Jenzen	
Cr J (Jayson) Goldson	

##### In Attendance

Stuart Hobley	Chief Executive Officer
Hayley Byrnes	Deputy Chief Executive Officer
Lauren Cole	Governance and Compliance Officer

##### Guests of Council

Nil

##### Members of the Public

Nil

#### 2.2 Apologies

Nil

#### 2.3 Leave of Absence Previously Granted

Nil

### 3. Public Question Time

Nil

### 4. Petitions, Deputations & Presentations

Nil

### 5. Applications for Leave of Absence

Nil

### 6. Confirmation of the Minutes of Previous Meetings

#### 6.1 Ordinary Meeting of Council held on 20<sup>th</sup> August 2020

##### Resolution 6.1 OCM September 2020

That the Minutes of the Ordinary Council Meeting held on Thursday 20<sup>th</sup> August 2020 be confirmed as a true and correct record.

Moved: Cr J (Jayson) Goldson

Seconded: Cr AE (Alison) Harris

Vote – Simple Majority

Carried: 8/0

##### Note to this item:

The President will sign the minute declaration on the previous minutes.

### 7. Declaration of Members and Officers Interests

- Cr Dennis Whisson declared an Impartiality Interest on item 9.5 Cunderdin Tennis Club Inc – Annual Lease Payment as his son is the President of the Cunderdin Tennis Club.
- Cr Norm Jenzen declared an Impartiality Interest on item 9.12 Cunderdin Tennis Club Inc – Annual Lease Payment as he is a member of the Cunderdin Tennis Club.

### 8. Announcements by President without Discussion

Nil

<b>9</b>	<b>Finance &amp; Administration</b>
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**9.1 Financial Reports for August 2020**

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Date:</b>	4 <sup>th</sup> September 2020
<b>Author:</b>	Hayley Byrnes
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 attachment – Monthly Report

**Proposal/Summary**

The financial reports as at 31 August 2020 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 OCM September 2020**

That Council receives the monthly financial reports for the period ending 31<sup>st</sup> August 2020.

Moved: Cr W (Sam) Stewart

Seconded: Cr A (Tony) Smith

Vote – Simple Majority

Carried: 8/0

## 9.2 Accounts Paid –August 2020

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Date:</b>	4 <sup>th</sup> September 2020
<b>Author:</b>	Hayley Byrnes
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	2 attachments
	- Creditors list of payments August 2020
	- Credit Card Statement for August 2020

### **Proposal/Summary**

Council is requested to confirm the payment of Accounts totalling:

Total for Municipal -	\$171,140.66
Total for Trust -	\$0.00
TOTAL -	\$171,140.66

For June 2020 as listed in the Warrant of Payments for the period 1<sup>st</sup> to 31st August 2020.

### **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 OCM September 2020**

1. That Council's payment of accounts amounting to \$171,140.66 being from Municipal Account for August 2020, as follows:

<b>Municipal Account</b>	<b>\$</b>	<b>Total</b>
Electronic Funds Transfer: EFT 4390 – 4459	\$143,029.91	
Direct Debit (Inc Bank Charges): DD1915.1-DD1916.10	\$10,848.64	
Cheques: 11646-11653	\$17,262.11	
<b>TOTAL</b>		<b>\$171,140.66</b>

be confirmed and noted; and,

2. That the Payments List as presented be incorporated in the Minutes of the Meeting.

Moved: Cr AE (Alison) Harris

Seconded: Cr A (Tony) Smith

Vote – Simple Majority

Carried: 8/0

### 9.3 Council Investments – As at 31st August 2020

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Hayley Byrnes
<b>Report Date:</b>	4th September 2020
<b>Item Approved By:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 Attachment- Bank Statements

#### Proposal/Summary

To inform Council of its investments as at 31st August 2020.

#### 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

In addition to the Shire's Municipal Operating Accounts, the below investment accounts are held as at 31<sup>st</sup> August 2020.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$1,421,793.90	Municipal- 0000030	\$1,421,793.90		
Bendigo Bank	\$2,365,673.16	Municipal- 155971377	\$908,495.30	\$998,299.45	\$458,878.41
Westpac Bank	\$146.78	Business Cash Reserve 22-3647 0.50%	\$146.78		
Bendigo Bank	\$1,098.37	Bendigo Trust Account 164 488 686			\$1,098.37
Westpac Bank	\$0.00	Trust Working Account 12-2981			\$0.00
Westpac Bank	\$251,320.00	Westpac Term Deposit 0.65% Expires:31/10/2020	\$251,320.00		
TOTAL INVESTMENTS	\$4,040,032.21		\$2,581,755.98	\$998,299.45	\$459,976.78



In addition to the above Shire funds, the Shire administers the Cunderdin Community Centre Trust Account being Westpac Account 000 073 - \$ 96,972.47 and Bendigo Muni - \$458,878.41.

<b>CUNDERDIN COMMUNITY TRUST DETAILS</b>		
<b>31 August 2020</b>		
Opening Balance as per Bank Statement & Term Deposits	INVESTMENT ACC	96,971.65
	MUNI ACC	458,878.41
	<b>TOTAL</b>	<b>555,850.06</b>
Credits		0.82
Debits		0.00
Closing Balance as Per Bank Statements & Term Deposits	<b>TOTAL</b>	<b>555,850.88</b>
<b>INCOMING</b>		
<i>Interest ( Investment account)</i>		0.82
		<b>0.82</b>
<b>OUTGOING</b>		
		0.00
<b>Balance as at end of month</b>	<b>TOTAL</b>	<b>555,850.88</b>

#### Consultation

Nil.

#### Statutory Implications

Financial Management Regulation 19.

#### Policy Implications

Nil.

#### Financial Implications

There are no financial implications in considering this item.

**Strategic Implications**

This item related to the Integrated Planning and Reporting Framework, which feeds into the Long Term Financial Plan when determining annual Council Budgets.

**Resolution 9.3 OCM September 2020**

That the report on Council investments as at 31st August 2020 be received and noted.

Moved: Cr J (Jayson) Goldson

Seconded: Cr TE (Todd) Harris

Vote – Simple Majority

Carried: 8/0

#### 9.4 Writing Off Sundry Debt – Singapore Flying College Pty Ltd

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Singapore Flying College Pty Ltd
<b>Date:</b>	8 <sup>th</sup> September 2020
<b>Author:</b>	Lauren Cole
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 x Attachment

##### **Proposal/Summary**

It is proposed that Council consider writing off invoice 1151 for the amount of \$11,824.21 for the Singapore Flying College Pty Ltd.

##### **Background**

The Singapore Flying College has been operating out of Cunderdin airfield since early 1990s, they mainly use the airfield for 'touch and goes'. Council held a goodwill verbal agreement with the College for an annual fee that increased by the CPI each year. In 2019, the Singapore Flying College paid \$11,638.00 and were invoiced \$11,824.21 for the 2020 annual fee.

Council on the 12<sup>th</sup> August 2020 received communication from the College advising that in recent years their training in Cunderdin has significantly dropped off and due to the impact of the Covid-19 pandemic to the whole aviation industry, they will no longer be able to contribute these annual fees.

On the 3<sup>rd</sup> September 2020 Cr Dennis Whisson and Mr Stuart Hobley attended a Video Conference with the Singapore Flying College to review the existing arrangement with the Shire.

##### **Comment**

The aviation industry and Singapore Flying College has been severely impacted by the pandemic crisis. Captain Christopher Chan, General Manager of Singapore Flying College advised during the video conference that the training by the college has recently dropped off by more than half and will further reduce to zero for at least the next 3 years as there parent company is no longer recruiting any trainees.

A proposed amount of \$5,000.00 per annual with a review for the coming years is the circumstances change.

##### **Consultation**

Cr Dennis Whisson

Mr Stuart Hobley, Chief Executive Officer

Capt Christopher Chan, General Manager Singapore Flying College

Mr Clement Seah, Chief Instructor Singapore Flying College

Mr Anthony Lim, Operational and Admin Manager, Singapore Flying College

##### **Statutory Implications**

Nil.

##### **Policy Implications**

*The Local Government Act 1995 –*

Section 6.12(c) – Power to write off any amount of money.

Delegated Authority

3.6 Write off of Sundry Debts

This Delegation is not applicable due to the amount of the invoice.

**Financial Implications**

A reduction of the annual fee from \$11,824.21 to \$5,000.00.

**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 OCM September 2020**

That Council:

1. Write off Invoice 1151 for Singapore Flying College for the amount of \$11,824.21.
2. Council enter into a Memorandum of Understanding with the Singapore Flying College with the annual fee amount set at \$5,000.00.

Moved: Cr B (Bernie) Daly

Seconded: Cr W (Sam) Stewart

Vote – Absolute Majority

Carried: 8/0

## 9.5 Cunderdin Tennis Club Inc – Annual Lease Payment

<b>Location:</b>	Cunderdin Tennis Courts
<b>Applicant:</b>	Cunderdin Tennis Club
<b>Date:</b>	8 <sup>th</sup> September 2020
<b>Author:</b>	Lauren Cole
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	3 x Attachments

### Proposal/Summary

It is proposed that Council consider the correspondence received from the Cunderdin Tennis Club in regards to their invoice for the Annual Lease payment.

### Background

Council has recently sent invoices to all the sporting groups requesting payment of their yearly annual lease of the facilities as per the adopted Fees and Charges. On the 7<sup>th</sup> September 2020 we received correspondence from the Cunderdin Tennis Club seeking clarification regarding this charge prior to them making payment.

### Comment

As per the Shire of Cunderdin 2020-2021 Fees and Charges, the current sporting club fees are;

Football	\$2,810.00
Hockey	\$ 562.00
Basketball	\$ 354.00
Netball	\$ 354.00
Bowling Greens	\$1,400.00
Tennis Courts	\$1,400.00

None of these fees were increased for the 2020/2021 financial year.

As of the 10<sup>th</sup> September 2020, the only sporting clubs that have paid are the Cunderdin Football and Cunderdin Netball Club.

Currently the Shire does not hold any lease agreements or documentation on what each club is expected to provide or what is expected of the Council. The Meckering sporting clubs are not currently charges any lease fees as we do not provided any assistance with maintaining their surfaces or amenities.

The Cunderdin Tennis Club raised this issue in 2017, with the requests of;

- Removal of Cobwebs, sand, rubbish, cigarette butts and any other loose rubbish from the north and east verandahs and surrounding walkways twice weekly.
- Removal of superficial leaf litter, rubbish and sand from courts twice weekly before play on a Wednesday and Saturday.
- Repair any damages to synthetic surfaces,
- Maintenance of the playground to ensure it is safe for children.

In the response letter from this request most items were included as part of the groundsman's list of duties. Due to changes in Mangers of Works and Services and staff some of these request may no longer be getting provided regularly. The understanding from the Manager of Works and Services is that during the playing

season the outside staff were spending around one (1) hour a week to maintain and clean the area associated with the Tennis Club.

If the shire was only spending an hour per week at the courts then the account would be cost neutral on the wages.

#### **Consultation**

Mrs Donna Jasper, Cunderdin Tennis Club  
Mr Stuart Hobley, Chief Executive Officer  
Mrs Hayley Byrnes, Deputy Chief Executive Officer  
Mr Craig Robertson, Manager of Works and Services

#### **Statutory Implications**

Nil.

#### **Policy Implications**

*The Local Government Act 1995 –*

Section 6.12(c) – Power to write off any amount of money.

Delegated Authority

3.6 Write off of Sundry Debts

This Delegation is not applicable due to the amount of the invoice.

#### **Financial Implications**

It is reasonable to expect that if the Council was willing to waive or reduce one sporting club annual fee that other clubs may also request the same.

Football	\$2,810.00
Hockey	\$ 562.00
Basketball	\$ 354.00
Netball	\$ 354.00
Bowling Greens	\$1,400.00
<u>Tennis Courts</u>	<u>\$1,400.00</u>
Total:	\$6,880.00

#### **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.

#### **Administration Recommendation**

That Council:

1. Investigate the cost associated and expected life span with surface replacements for all clubs.
2. Enter into negotiation for lease agreements with all sporting clubs

#### **Resolution 9.5 OCM September 2020**

That Council:

1. Invite the Cunderdin sporting clubs to a meeting to discuss the cost associated and expected life span and surface replacement for all clubs.
2. Enter into negotiation for lease agreements with all sporting clubs.
3. Clubs have the option of completing their own maintenance and not paying the annual lease, while entering into negotiation for the payments for the long term replacement reserve.

Moved: Cr A (Tony) Smith

Seconded: Cr W (Sam) Smith

Vote – Absolute Majority

Carried: 8/0

Cr Tony Smith exited the meeting at 5.25pm.

Cr Tony Smith re-entered the meeting at 5.27pm

## 9.6 Receiving Minutes of the Cunderdin Community Centre Trust

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	11 <sup>th</sup> September 2020
<b>Author:</b>	Lauren Cole
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 x Attachment

### **Proposal/Summary**

For Council to receive the minutes for the Cunderdin Community Centre Trust held on the 3<sup>th</sup> September 2020.

### **Background**

The Minutes listed above have been attached for Councillor Review and they have been made available to the public.

### **Comment**

The Trust Board member reviewed and discussed the application received from the Cunderdin Sport and Recreation Centre in regards to their obligation towards the loan repayments for the solar panels.

The Trust Board members resolved the following;

### **Resolution 4.1 CCCT September 2020**

*That the trust board members acknowledge the advice received from McLeods Barristers and Solicitors; and recommends*

*That the loan repayment from the CSRC to the Cunderdin Community Trust be suspended until February 2021, where the trust board will then review the application.*

*Reason:*

- *Social distancing from Covid 19*
- *Review of management of CSRC*
- *Effect of COVID 19 on business operations*

### **Consultation**

Stuart Hobley, Chief Executive Officer  
Hayley Byrnes, Deputy Chief Executive Officer  
Mr Dan Taylor, Secretary of CSRC Inc  
Jennifer Long – McLeods Barristers & Solicitors

### **Statutory Implications**

Nil.

### **Policy Implications**

Nil.

### **Financial Implications**

Nil.

### **Strategic Implications**

Nil.



**Resolution 9.6 OCM September 2020**

That the Minutes of the Cunderdin Community Centre Trust Meeting held on the 3<sup>rd</sup> September 2020 be received.

Moved: Cr TE (Todd) Harris

Seconded: Cr B (Bernie) Daly

Vote – Simple majority

Carried: 8/0

## 9.7 Chief Executive Officers Report

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	11 September 2020
<b>Author:</b>	Stuart Hobley
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

### Proposal/Summary

To provide an update on the matters the Chief Executive Officer has been addressing over the past month.

### Background

#### Old Hospital Site

After WA Country Health Service (WACHS) recent visit to Cunderdin they made a commitment to follow up on the transfer of the Old Hospital Site to the Shire. WACHS have advised that the land at the Old Hospital Site will be transferred to the Shire at no cost to Council.

#### Wireless Internet

The Australian Government has now opened the Regional Connectivity Program (RCP) competitive grants opportunity and is calling for applications from interest entities. The RCP will provide up to \$53 million of targeted, place-based investments in telecommunication infrastructure projects.

The Shire has been contacted by two wireless internet providers who are interested in establishing infrastructure within the Shire of Cunderdin. Both providers have advised they are applying to the fund to provide a wireless solution throughout the region. They have both asked the Shire for a letter of support to assist their application. The letter of support does not commit the Shire to any future funding obligations and does not restrict the Shire to exclusive deal with one party in the future.

#### Museum

Conservation works have commenced at the museum. The flooring and steel supports along the northern side on the engine room have been removed. Whilst this work was being completed the builders noticed inconsistencies with the flooring on the southern side of the engine room.

Further investigations have found the floor boards and joists have significantly damaged by termites. The builders CLPM are submitting a quote to the National Trust to complete remediation works in this area of the building as well. The quote has not been received at the time of writing this report. A further update will be provided at the meeting.

#### Ettamogah Pub Verandah Lease

This Department of Planning Lands and Heritage (DPLH) is currently considering a proposal to renew the Leasehold over Lot 500 on Deposited Plan 64366. Lease L322711 (the verandah area out the front of the Ettamogah Pub that extends onto the footpath and road). The existing lease expired on 31 November 2019 and is currently in hold over.

This lease is in the name of tenants in common of the Ettamogah Pub and the purpose of the lease is for the "Extended Trading Area and Verandah" for the Ettamogah Pub on Main Street, Cunderdin.

The new lease will be backdated to commence on 1 December 2019 for a term of ten years and will be in the name of Fulwood Holdings Pty Ltd.

The DPLH have request if Council has any comment on the renewal of the lease.

The Shire has not received any complaints about the verandah area or any anti-social behaviour coming from this area. The verandah adds ambiance and character to the main street. It is recommended that Council supports the applications to renew the lease.

#### Central Wheatbelt Visitors Centre MOU

The Shire of Cunderdin is a part of the Central Wheatbelt Visitors Centre (CWVC) along with the Shire of Tammin and the WEROC Councils (Bruce Rock, Kellerberrin, Merredin, Southern Cross and Westonia). The CWVC is located in Merredin and provides information to tourists on the region.

There have been some changes to Schedules 1 and 2 of the MOU that relate to changes made to WEROC's website and App. The changes do not affect the Shire of Cunderdin.

#### Industrial Land

The Shire has received several inquiries with respect to purchasing industrial land in Cunderdin in the past 12 months. The most recent stage of the industrial development on Centenary Place has sold out and there is no industrial land for sale in town.

Development WA (previously known as Landcorp) were invited to Cunderdin to discuss opportunities to develop more industrial lots in Cunderdin. They recently attended a site visit and have developed plans to complete the Centenary Place industrial subdivision.

The original plans for the industrial subdivision were required to be amended as CBH purchased several of the lots from the Shire to complete the upgrade to the CBH site and stacking area.

#### Comment

Nil.

#### Consultation

Nil.

#### Statutory Implications

Nil.

#### Policy Implications

Nil.

#### Financial Implications

Nil.

#### Strategic Implications

Nil.

#### **Resolution 9.7 OCM September 2020**

That the Chief Executives Officers Report be received.

Moved: Cr B (Bernie) Daly

Seconded: Cr TE (Todd) Harris

Vote – Simple majority

Carried: 8/0

## **10. Environmental Health and Building**

Nil

## **11. Planning & Development**

### **11.1 Proposed Local Planning Policy - Container Deposit Scheme Infrastructure**

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Town Planner
<b>Date:</b>	16 <sup>th</sup> August 2020
<b>Author:</b>	Natasha Jurmann
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	2 Attachments

#### **Proposal/Summary**

For Council to consider the draft Shire of Cunderdin Local Planning Policy – Container Deposit Scheme Infrastructure for adoption for advertising.

This policy is recommended by the Western Australian Planning Commission to provide a guideline as to how the infrastructure should be considered and assessed within the Western Australian Planning system. In accordance with the Deemed Provisions from Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) the Policy will need to be advertised for a period of 21 days.

#### **Background**

In May of 2019 the Western Australian Planning Commission released their Position Statement (Attachment 11.1.2) on the new Container Deposit Schemes required Infrastructure. The Commission recommends that the Councils of Western Australia adopt a version of the Model Policy (Please see attachment 11.1.1). This policy is based off the Model Policy with only minor changes.

We are proposing for Council to consider and advertise this policy now as a result of an application for Container Deposit Infrastructure in Cunderdin.

#### **Comment**

The purpose Container Deposit Scheme Infrastructure Policy is to provide an exemption and framework for the new infrastructure to be assessed against within the Shire of Cunderdin. It is also intended that the CDS Policy would prevent negative impacts as well as allow for the timely and cost effective delivery of the Infrastructure to residents.

#### **Consultation**

Statutory Consultation Processes set out in the Regulations apply to Local Planning Strategies and Schemes, including Community Consultation Periods. As such the CDS Policy will need to be advertised locally for a minimum period of 21 days in accordance with the Regulations.

#### **Statutory Implications**

*Planning and Development (Local Planning Scheme) Regulations 2015*

- Schedule 2, Part 7, Clause 61(1)(i) and (2)(e)
- Schedule 2, Part 2, Clause 4(1)

#### **Policy Implications**

The proposed Local Planning Policy will establish an appropriate and consistent regulatory framework for the assessment of proposed container deposit infrastructure.

#### **Financial Implications**

Advertising costs associated with the consultation period.

### **Strategic Implications**

The Policy Manual is to enable the effective and efficient implementation of Council's instructions, adopted annual budget, and legislative and local law obligations.

#### **Resolution 11.1 OCM September 2020**

That Council:

1. Adopts the draft Local Planning Policy – Container Deposit Scheme Infrastructure (Attachment 11.1.1) for the purpose of advertising;
2. Advertise the draft Local Planning Policy – Container Deposit Scheme Infrastructure in accordance with the provisions of the Planning and Development (Local Planning Scheme) Regulations 2015 for a minimum period of 21 days.
3. Receive a further Report to consider any submissions and modifications prior to adopting for final approval, the Local Planning Policy – Container Deposit Scheme Infrastructure.

Moved: Cr TE (Todd) Alison

Seconded: Cr AE (Alison) Harris

Vote – Simple majority

Carried: 8/0

## 11.2 Proposed Shires of Cunderdin Local Planning Scheme No.4

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Town Planner
<b>Date:</b>	2 September 2020
<b>Author:</b>	Natasha Jurmann
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	3 Attachments

### **Proposal/Summary**

The Council to consider adopting the proposed Shire of Cunderdin Local Planning Scheme No. 4 (Scheme) with the recommended changes.

### **Background**

The current Shire of Cunderdin Local Planning Scheme No. 3 was gazetted in May of 2007 making it over 13 years old. It currently uses terms and zones that have since been replaced in the new Planning and Development Regulations 2015. In addition to this there were not enough uses listed in the scheme, meaning that some people had to go to council for a use not listed.

The new Planning and Development Regulations 2015 requires that council's review their Town Planning Schemes once every 5 years, with this report being submitted to the Western Australian Planning Commission within 6 months of the due date.

The Town Planning Scheme review report found that;

- The format of the Scheme is out-dated and not in keeping with the latest standards and provisions prescribed in Schedule 1 – Model Scheme Text of the Planning and Development (Local Planning Schemes) Regulations 2015.
- The Scheme text does not incorporate good definitional principals to determine a policy or action, resulting in vague provisions to control and guide land use and development in the local government area.
- The Scheme maps need to be updated to reflect a number of changes to the purpose of various reserves and cadastral boundaries that have occurred as a result of subdivision/ amalgamation approvals issued by the Western Australian Planning Commission.
- The Scheme reflects the pattern of land use and development within the Shire that prevailed in 2007 and does not provide a strategy or concise guidelines for development options in line with anticipated local government and community desires. As such the Scheme does not fulfil ideal development controls or long term planning objectives.
- The Scheme has limitations in terms of land use options and is generally ineffective in terms of development control as there are insufficient provisions within the Scheme to safeguard and enhance the character, amenity, environmental values and natural resources of the Shire and to promote ecologically sustainable land use and development; and
- The Scheme will require updating following the adoption of the new Regional Local Planning Strategy. It does not reflect or assist in the implementation of recent Regional or State Planning Strategies and Policies.

As a result the Draft Shire of Cunderdin Local Planning Scheme No. 4 was prepared and advertised.

### **Comment**

Advertising for the Shire of Cunderdin proposed Local Planning Scheme No. 4 commenced on the 31<sup>st</sup> October 2019 and submission were open for a three month period, closing on the 31<sup>st</sup> January 2020. Letters were issues to all affected property owners, relevant government departments and two information session were held for community consultations.

During the submission period for the Shire of Cunderdin proposed Local Planning Scheme No.4 many of the local property owners and departments contacted the shire for discussions regarding the proposed zoning changes. This resulted in some feedback from the departments in particular the Department of Water, Environment and Reserves. In addition to this the Cunderdin Business Group and the Meckering Action Group requested meetings/presentations to their members regarding the proposed changes. In Meckering this resulted in a number of significant changes, requiring the Scheme to be readvertised for a further 21 days.

At the 20<sup>th</sup> February 2020 Ordinary Council Meeting resolved the following;

That Council:

1. Notes all the submissions received during advertising period.
2. Resolve to adopt the amended proposed Shire of Cunderdin Local Planning Scheme No.4.
3. Advertise the amended proposed Shire of Cunderdin Local Planning Scheme No. 4 for 21 days.

No further submissions were received during the second round of advertising.

The proposed Shire of Cunderdin Local Planning Scheme No. 4 has undergone a number of changes as a result of the feedback from the residents of Meckering and how they wish to see their townsite develop in the near future.

### **Consultation**

The scheme was advertised for a period of three (3) months as required by the Planning and Development regulations 2015. The feedback resulted in a number of significant changes to the scheme, which resulted in it being advertised for a period of 21 days.

No further changes were required after the last round of advertising as there were no further submissions.

### **Statutory Implications**

The current Shire of Cunderdin Local Planning Scheme No. 3 would be superseded by the new Shire of Cunderdin Local Planning Scheme No.4.

### **Policy Implications**

No policy implications, all the current policies would continue to be in effect.

### **Financial Implications**

Nil

### **Strategic Implications**

Local planning schemes are the principal statutory tool for implementing the local planning strategy and achieving the local government's aim and objectives with respect to the development of its local area. While schemes deal mainly with land use, development control and infrastructure coordination, they must be developed in the context of the strategic framework and the broader environmental, social and economic goals and objectives.



**Resolution 11.2 OCM September 2020**

That Council:

1. Resolve to adopt the Shires of Cunderdin Local Planning Scheme subject to the previously approved and advertised modifications.

Moved: Cr B (Bernie) Daly

Seconded: Cr A (Tony) Smith

Vote – Simple majority

Carried: 8/0

### 11.3 Proposed Shires of Cunderdin, Quairading and Tammin Joint Local Planning Strategy

<b>Location:</b>	Cunderdin, Quairading and Tammin
<b>Applicant:</b>	Town Planner
<b>Date:</b>	2 September 2020
<b>Author:</b>	Natasha Jurmann
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	3 Attachments

#### **Proposal/Summary**

For Council to consider adopting the Shire of Cunderdin, Quairading and Tammin Regional Local Planning Strategy (Strategy) with the recommended changes.

#### **Background**

The Joint Local Planning Strategy (Strategy) prepared for the Shires of Cunderdin, Quairading and Tammin provides the vision and framework for long-term planning and development in the Region over the next 10 – 15 years. This strategy is to create an interface between regional and local planning, ensuring the best possible outcomes for the three shires.

At the Ordinary Council Meetings held October 2018 the Shires resolved to adopt the Joint Local Planning Strategy for Advertising, which was completed at the end of February 2020 in conjunction with the New Proposed Shire of Cunderdin Local Planning Scheme No. 4. The Strategy was advertised for a period of three (3) months to the Shires of Cunderdin, Quairading and Tammin as well as the relevant government departments.

This advertising resulted in a large number of local residents and some departments providing feedback about the proposed scheme. In turn creating changes to the strategy. The feedback and changes in the Shire of Cunderdin resulted in a number of changes which can be found in the Table of Changes document attached. Now that all the advertising is complete and the recommended changes have been listed. The Shires need to review the proposed changes and adopt the Strategy subject to these modifications.

#### **Comment**

The proposed Joint Local Planning Strategy has undergone a number of changes as a result of the feedback from the residents of Meckering and how they wish to see their town develop in the near future.

This includes:

- Add action 4.3.4 on pg 17 to “Rezone lots 41, 420, 500, 405, 406, 53 and 54 Dempster Street and Lots 35, 419, 150, 47, and 404 Throssell St Meckering, from ‘Mixed business’ to ‘Rural Townsite’ to reflect the current and future use of the properties.
- Amend action 10.1.2 on pg 20 to “Rezone lots 41, 420, 500, 405, 406, 53 and 54 Dempster Street and Lots 35, 419, 150, 47, and 404 Throssell St Meckering, from ‘Mixed business’ to ‘Rural Townsite’ to reflect the current and future use of the properties.
- Amend action 10.3.1. on page 21 to “Rezone Lots 3,100 and 372 Dempster Street, Lots 7, 8, 9, 10, 11, 12, 200, 394, 400 and 600 Johnston Street and Lots 100, 101 and 200 Clifton Street from ‘Rural’”

#### **Consultation**

The strategy was advertised for a period of three (3) months, which is longer than the 6 weeks required by the Planning and Development regulations 2015. This was done as we were required to advertise the Scheme for a period of 3 months.

#### **Statutory Implications**

The current Shire of Cunderdin Local Planning Strategy would be superseded by the new Joint Local Planning Strategy.

**Policy Implications**

No policy implications, all the current policies would continue to be in effect.

**Financial Implications**

Nil.

**Strategic Implications**

The Local planning strategy is the framework for local planning and the strategic basis for local planning schemes. It provides the interface between regional and local planning, and is increasingly being seen by other agencies as the means by which to address economic, resource management, environmental and social issues at a strategic issue.

**Resolution 11.3 OCM September 2020**

That Council:

1. Resolve to adopt the Shires of Cunderdin, Quairading and Tammin Joint Local Planning Strategy subject to the recommended modifications.

Moved: Cr AE (Alison) Harris

Seconded: Cr W (Sam) Stewart

Vote – Simple majority

Carried: 8/0

## **12. Works & Services**

### **12.1 Move Behind Closed Doors**

#### **Resolution 12.1 OCM September 2020**

That Council move behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr AE (Alison) Harris

Seconded: Cr B (Bernie) Daly

Vote – Simple Majority

Carried: 8/0

### **12.2 Tender 1 20/21 – 2020/2021 Sealing Programme**

#### **Resolution 12.2 OCM September 2020**

That Council:

1. Accepts the Tender submitted by Downer Infrastructure – Australia West for the amount of \$417,867.47 as per the attached schedule.
2. That the President and Chief Executive Officer be authorised to sign and affix the Common Seal to the Contract Agreement for Tender 1 20/21 – 2020/2021 Sealing Programme.
3. That all other tenders be advised of (1) above.

Moved: Cr TE (Todd) Harris

Seconded: Cr W (Sam) Stewart

Vote – Simple majority

Carried: 8/0

### **12.3 Tender for Front End Loader**

#### **Resolution 12.3 OCM September 2020**

That Council:

1. Accepts the Tender submitted by WestTrac Pty Ltd for the amount of \$319,990 for the purchase for a Caterpillar 950GC Wheel Loader.
2. That the trade of the John Deere not be included and sold separately.
3. The savings made from the side tipper be used to offset the additional funds required.
4. That all other tenders be advised of (1) above.

Moved: Cr A (Tony) Smith

Seconded: Cr W (Sam) Stewart

Vote – Simple majority

Carried: 8/0

#### **12.4 Move from behind closed doors**

##### **Resolution 12.4 OCM September 2020**

That Council move from behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr W (Sam) Stewart

Seconded: Cr B (Bernie) Daly

Vote – Simple Majority

Carried: 8/0

**13. Urgent Items**

Nil

**14. Scheduling of Meeting****14.1 October 2020 Ordinary Meeting**

The next ordinary meeting of council is scheduled to take place on Thursday 15<sup>th</sup> October 2020 commencing at 5pm at the Cunderdin Shire Council Chambers, Cunderdin, WA 6407

**15. Closure of meeting**

There being no further business the Shire President will declare the meeting closed at 6:20 pm.

**16. Certification****DECLARATION**

I, Dennis Whisson, certify that the minutes of the Ordinary Council Meeting held on 17<sup>th</sup> September 2020 as shown were confirmed at the ordinary meeting of Council held on 15<sup>th</sup> October 2020.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_