



Shire of Cunderdin

Minutes of an Ordinary Council Meeting

An Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 15th February 2018** in the Shire of Cunderdin Council Chambers, Lundy Avenue, Cunderdin, **commencing at 5.00pm.**

Stephen Tindale
Acting Chief Executive Officer

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AGENDA

1. Declaration of Opening

The President declared the meeting open at 5.01pm

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

Public question time was declared open at 5.03pm

Response to previous public questions taken on notice

Nil

Ray Lehman addressed the meeting and read his questions to council, as below.

1. Why does the Cunderdin Shire Council still support the development of the solar power plant when in a letter to myself, dated 2 February 2018, the Shire President, Dennis Whisson “Understands that the solar power plant represents a threat to myself and my family”?

Response: The Shire President said that he did not say that the solar power plant was a threat to Mr Lehman and his family. What he said was that he understood that it represented a threat to Mr Lehman and his family which is a different thing.

2. Why does the Cunderdin Shire Council still support the development of the solar power plant when we have identified to the Council of the physical and psychological effects that the solar power plant has already brought to us and will bring to us should this go any further?

Response: The Acting CEO said that approval of the project rested with the Wheatbelt Joint Development Assessment Panel - not the Council.

3. Why does the Cunderdin Shire Council still support the development of the solar power plant when we have advised the Council that the director of Sun Brilliance has lied to us threatened us with jail and created a false belief? In other words intimidated residents for his own purposes.

Response: The Acting CEO said that it was not within the power of the Shire or Council to make a determination on alleged conflicts of interest or threats made. There were other government agencies that dealt with such matters.

Public question time closed at 5.12pm

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

Record of attendances

Councillors

Cr DA (Dennis) Whisson	Shire President
Cr B (Bernie) Daly	
Cr J (Jayson) Goldson	
Cr AE (Alison) Harris	
Cr TE (Todd) Harris	
Cr NW (Norm) Jenzen	
Cr DG (Dianne) Kelly	

Apologies

Cr DB (Doug) Kelly	Deputy President
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Staff

Stephen Tindale	Acting Chief Executive Officer (Appointed)
Greg Stephens	Shared Manager Works & Services
Paul Godfrey	Deputy Chief Executive Officer

Guests of Council

Members of the Public

Neville Hale
Ray Lehman (until 5:12pm)

4. Applications for Leave of Absence

Cr Dianne Kelly requested leave of absence from 4/3/18 to 19/3/18

Resolution 4.1

That Leave of Absence be granted to:

Cr Dianne Kelly for the period 4 March 2018 to 19 March 2018

Moved: Cr Bernie Daly

Seconded: Cr Norm Jenzen

Vote – Simple Majority

Carried: 7/0

5. Declaration of Members and Officers Financial Interests

Nil

6. Petitions, Deputations, Presentations

Nil

7. Announcements by President without Discussion

Nil

8. Confirmation of the Minutes of Previous Meetings

8.1 Ordinary Meeting of Council held on Thursday 21st December 2017.

Location:	Cunderdin
Applicant:	Administration
Date:	21 st December 2017
Author:	Stephen Tindale
Item Approved by:	Acting Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	49 Pages (1 attachment - circulated)

Proposal/Summary

Council to confirm the minutes of the Ordinary Council Meeting held on Thursday 21st December 2017.

Background

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

Comment

No business arising.

Consultation

Nil

Statutory Environment

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

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

Policy Implications

Nil

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

Nil

Resolution 8.1

That the Minutes of the Ordinary Council Meeting held on Thursday 21st December 2017, be confirmed.

Moved: Cr Bernie Daly

Seconded: Cr Alison Harris

Vote – Simple Majority

Carried: 7/0

Note to this item:

The President will sign the minute declaration.

9. Finance & Administration

9.1 Financial Reports for December 2017 and January 2018

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	9 th February 2018
Author:	Paul Godfrey
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	69 Pages (6 attachments)

Proposal/Summary

The financial reports as at 31st December 2017 and 31st January 2018 are presented for consideration.

Background

The financial reports have been circulated to all Councillors.

Comment

Nil

Consultation

Nil

Statutory Environment

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

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports.

Strategic Implications

Nil

Resolution 9.1

That Council receives the monthly financial reports to 31st December 2017 and 31st January 2018.

Moved: Cr Norm Jenzen

Seconded: Cr Bernie Daly

Vote – Simple Majority

Carried: 7/0

9.2 Accounts Paid – December 2017 and January 2018

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	9 th February 2018
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling \$429,804.95 for December 2017 and \$198,660.71 for January 2018 as listed in the Warrant of Payments for the period 1 December to 31 January 2018.

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

- 1. That Council's payment of accounts amounting to \$429,804.95 for December 2017 and \$198,660.71 for January 2018, from the Municipal Fund be confirmed and noted.**
- 2. That the Payments List as presented be incorporated in the Minutes of the Meeting.**

Moved: Cr Dianne Kelly

Seconded: Cr Jayson Goldson

Vote – Simple Majority

Carried: 6/1

Creditor payments for December 2017				
Cheque /EFT No	Date	Supplier	Description	Amount
EFT1909	14/12/2017	Landgate	RURAL UV INTERIM VALUATION SHARED	150.32
EFT1910	14/12/2017	Cunderdin Co-Op	Meeting Supplies	118.46
EFT1911	14/12/2017	Cunderdin Newsagency	Stationery, Ink Cartridges , glue and paper	477.03
EFT1912	14/12/2017	AIR LIQUIDE	Gas Cylinder Hire Fee	116.96
EFT1913	14/12/2017	Avon Waste	Rubbish Services	11,917.64
EFT1914	14/12/2017	Glenwarra Development Services	Town Planning Consultancy Fees	5,568.75
EFT1915	14/12/2017	IT Vision	Monthly Synergy Soft Fee- April 2017	1,948.10
EFT1916	14/12/2017	Kayla James	Reimbursement for travel costs incurred to attend training	116.22
EFT1917	14/12/2017	Peak Transport	Chlorine gas for the pool	131.56
EFT1918	14/12/2017	CDA Air & Solar	Servicing of Split System Air cons	495.00
EFT1919	14/12/2017	AMJ Industries	Replace Faulty Switch Mechanism	153.45
EFT1920	14/12/2017	Local Government Professionals Australia WA	2017-2018 Council Corporate Membership Subscription	938.00
EFT1921	14/12/2017	Country Copiers	Colour Copier Service and Meter reading	1,761.31
EFT1922	14/12/2017	Shire of Merredin	Wheatbelt central map Contribution	1,029.80

EFT1923	14/12/2017	Perfect Computer Solutions	Tech Support	1,232.50
EFT1925	14/12/2017	Donovans Engineering	3MM Plate 1 M x 400mm	27.50
EFT1926	14/12/2017	CWA of WA Inc- Cunderdin Branch	Weighted bags	50.00
EFT1927	14/12/2017	Michelle Samson	Reimbursements for costs incurred to attend workshop	300.12
EFT1928	14/12/2017	JM Vanden Akker & JA Vanden Akker	Cleaning the Pump Museum	1,860.00
EFT1929	14/12/2017	Courier Australia	Freight Charges	32.18
EFT1930	14/12/2017	Department of Fire and Emergency Services	2017/18 ESL Quarter 2	21,265.88
EFT1931	21/12/2017	Cunderdin Co-Op	Fuel	22,258.40
EFT1932	21/12/2017	Australia Post	Postal Charges	122.16
EFT1933	21/12/2017	Cunderdin Newsagency	Stationery	225.88
EFT1934	21/12/2017	Goodfield Quality Meats	Water and Account Keeping Fee	56.00
EFT1935	21/12/2017	Cunderdin Elders Limited	Chlorsulfuron	71.50
EFT1936	21/12/2017	Shire of Northam	Old Quarry Tipping Fees	3,132.35
EFT1937	21/12/2017	Cr Dennis Whisson	Reimbursement for purchase of gift for P Naylor	450.00
EFT1938	21/12/2017	CDA Air & Solar	Open Ups for Airconditioner	556.50
EFT1939	21/12/2017	Contract Aquatic Services	Swimming Pool Management	13,200.00

EFT1940	21/12/2017	Macri Partners	Audit Fee	14,906.10
EFT1941	21/12/2017	Cunderdin Panelbeaters	FG Falcon Sedan CMT43	445.50
EFT1942	21/12/2017	JR & A Hersey	Tanami hats, half masks and filter	499.40
EFT1943	21/12/2017	Av-Sec Security	Repairs to Security System	2,552.00
EFT1944	21/12/2017	Perfect Computer Solutions	PCS Hp	2,110.00
EFT1945	21/12/2017	Cutting edge Equipment and Parts	4 in 1 bucket , bolts and nuts	556.75
EFT1946	21/12/2017	Pestex Co	Termite Inspections	8,376.50
EFT1947	21/12/2017	Northam & Districs Little Athletics Centre	Northam and District Little Athletics Centre	530.00
EFT1948	21/12/2017	Quairading Earthmoving	Transport Low Loader D8T Dozer Davisons gravel Pit and stockpile gravel	5,876.75
EFT1949	21/12/2017	Major Motors	Oil and Fuel Filters	170.69
EFT1950	21/12/2017	Instant Weighing	Calibration and Shared Travel Costs	1,100.00
EFT1951	21/12/2017	IXOM	Gas for the pool	73.66
EFT1952	21/12/2017	Cunderdin Pharmacy	Twinrix	630.00
EFT1953	21/12/2017	Alans Auto Electrics & Air Conditioning	Starter for Isuzu	500.00
EFT1954	21/12/2017	Baxters Rural Centre KB	Hydraulic Fitting and Hose	70.57
EFT1955	21/12/2017	One Shadesails Pty Ltd	Supply and Install shade sail as per quote	5,900.00

EFT1956	21/12/2017	Diamler Trucks Perth	Parts Sales	186.85
EFT1957	21/12/2017	Wheatbelt Safety Wear	steel cap lace up boots	230.00
EFT1958	21/12/2017	Pindan Modular Pty Ltd	D&C Cunderdin Age Appropriate Progress Claim No.7	150,376.12
EFT1959	21/12/2017	LGIS Risk Management	Safety Boards	1,417.90
EFT1960	21/12/2017	F-111 Engineering PTY LTD	Repaired lawn mower cutter front	1,980.00
EFT1961	21/12/2017	Commarine	Phone Cradle for CESM vehicle	236.50
EFT1962	21/12/2017	JSF Brushes	Poly/Wire Fill Bobbin Broom	1,315.60
EFT1963	21/12/2017	Australian Sweeper Corporation	PPL Main Brush	616.00
EFT1964	21/12/2017	Allways Foods	Granita Mix and cups for Carols in the park	121.66
EFT1965	21/12/2017	Earthstyle Contracting Pty Ltd	Cunderdin Floodway Wyalkatchem Road	75,097.91
EFT1966	21/12/2017	Wheatbelt Motors	Service CMT 43	1,071.40
EFT1967	21/12/2017	Damian Plumbing	Repair Leaks on Oval	2,464.00
EFT1968	21/12/2017	Australian Tax Office	BAS NOV 2017	20,702.00
DD915.1	15/12/2017	Westnet	Westnet Internet Charges - Museum	59.99
DD915.2	15/12/2017	SG Fleet	Sg Fleet - Cesm Vehicle Leases	1,392.43
DD932.1	27/12/2017	WA Super	Payroll deductions	5,949.18

DD932.2	27/12/2017	PROVENCE DREAMING SUPERANNUATION FUND	Superannuation contributions	839.53
DD932.3	27/12/2017	HOSTPLUS	Superannuation contributions	190.57
DD932.4	27/12/2017	Westscheme Superannuation	Superannuation contributions	801.56
DD932.5	27/12/2017	BT Super for Life	Superannuation contributions	541.10
DD932.6	27/12/2017	One Path Superannuation Fund	Superannuation contributions	85.47
DD932.7	27/12/2017	MTAA Superannuation Fund	Superannuation contributions	267.70
DD932.8	27/12/2017	TWU Super	Superannuation contributions	266.28
DD932.9	27/12/2017	Colonial First State	Superannuation contributions	229.78
DD933.1	13/12/2017	WA Super	Payroll deductions	5,136.19
DD933.2	13/12/2017	HOSTPLUS	Superannuation contributions	80.00
DD933.3	13/12/2017	Westscheme Superannuation	Superannuation contributions	377.33
DD933.4	13/12/2017	BT Super for Life	Superannuation contributions	406.20
DD933.5	13/12/2017	One Path Superannuation Fund	Superannuation contributions	51.28
DD933.6	13/12/2017	MTAA Superannuation Fund	Superannuation contributions	203.10
DD933.7	13/12/2017	TWU Super	Superannuation contributions	203.10
DD933.8	13/12/2017	Colonial First State	Superannuation contributions	199.86

DD933.9	13/12/2017	PROVENCE DREAMING SUPERANNUATION FUND	Superannuation contributions	839.53
DD945.1	01/12/2017	Westpac Banking Corporation Visa	Westpac Credit Card Statement 16 October - 15 November 2017	3,313.34
11312	14/12/2017	Water Corporation	Standpipe at Dempster Meckering	2,320.46
11313	14/12/2017	Synergy	Street light power	8,884.80
11314	14/12/2017	Telstra	Day Care bigpond	29.95
11315	14/12/2017	Western Australia Police Licensing Enforcement Division	corporate firearms Licence	124.00
11316	14/12/2017	quairading smash repairs	Repairs to Ford Ranger	887.07
11317	21/12/2017	Water Corporation	Standpipe Goomalling Meckering Rd	63.37
11318	21/12/2017	Synergy	Pool Power	3,005.20
11319	21/12/2017	Telstra	Shire Phones	1,690.99
11320	21/12/2017	Autopro Northam	Uhf Starter Pack and Tyre repair Kit	441.11
11321	21/12/2017	McLeods Barrister and Solicitors	Annual Audit Shire of Cunderdin	165.00
11322	21/12/2017	Telstra Damage Cost Recovery & Management	Damage Cunderdin - Wyalkatchem/ Harris Wyola Rd	503.44
1719	01/12/2017	1 - BANK CHARGES	BANK CHARGES	77.55
1719	04/12/2017	1 - BANK CHARGES	BANK CHARGES	192.14

DD932.10	27/12/2017	Club Plus Superannuation	Superannuation contributions	108.92
			TOTAL	429,804.95

Creditor payments for January 2018				
Cheque /EFT No	Date	Supplier	Description	Amount
EFT1969	16/01/2018	Cunderdin Co-Op	Cement- GP Grey 20KG Pallet	1,401.95
EFT1970	16/01/2018	AIR LIQUIDE	Cylinder Fees	120.86
EFT1971	16/01/2018	Goodfield Quality Meats	Sausages	547.14
EFT1972	16/01/2018	Wattleup Tractors	Throttle Cable	59.50
EFT1973	16/01/2018	FILTERSPUS	Precleaner bowl, Air Filter, Oil Filter	606.82
EFT1974	16/01/2018	Combined Tyres Cunderdin	Tyres, tubes and Tyre disposal Fees	1,880.60
EFT1975	16/01/2018	Regional Concrete & Plumbing	Supply and Install Water Cooler	5,725.83
EFT1976	16/01/2018	Shire of Quairading	CESM Costs October -December	5,660.16
EFT1977	16/01/2018	AMJ Industries	Fix lights at the office	101.20
EFT1978	16/01/2018	A.S Lundy & Co	2,272 Cubic Mtrs Gravel	15,998.40
EFT1979	16/01/2018	Donovans Engineering	Galv Lengths	227.15
EFT1980	16/01/2018	Shire of Tammin	Bus Hire (Cunderdin Bus broke Down)	603.20

EFT1981	16/01/2018	Twinkarri	Tree Pruning and Mulching at Various Roads	24,618.00
EFT1982	16/01/2018	WCS Concrete Pty Ltd	Supply and Delivery of 25.96 Tonnes of 7mm Blue Metal to Shire Yard	1,256.46
EFT1983	16/01/2018	Courier Australia	freight	16.10
EFT1984	16/01/2018	EASTWAYS	Toilet Cleaning supplies	833.72
EFT1985	19/01/2018	Contract Aquatic Services	Swimming pool Management , Wind Sock, Chemicals, Vacswim	16,060.00
EFT1986	19/01/2018	Western Australian Treasury Corporation	Loan 74 and 73 repayments	23,481.68
EFT1987	24/01/2018	Australia Post	Postage charges for Period Ending 31/12/2017	254.43
EFT1988	24/01/2018	Covs Parts Pty Ltd	Premium Gold 15W40 205L	1,412.55
EFT1989	24/01/2018	Cunderdin Newsagency	Stationery Supplies	445.46
EFT1990	24/01/2018	AIR LIQUIDE	Cylinder Hire Fees	120.86
EFT1991	24/01/2018	Combined Tyres Cunderdin	Continental 101WmaxC MC5/MC6 and tyre Disposal	1,357.10
EFT1992	24/01/2018	Cr Dennis Whisson	OCM December Sitting Fees	485.00
EFT1993	24/01/2018	Cr Todd Harris	OCM December Sitting Fee	236.00
EFT1994	24/01/2018	Cr Dianne Kelly	OCM December Sitting Fee	236.00
EFT1995	24/01/2018	Cr Norm Jenzen	OCM December Sitting Fee	236.00
EFT1996	24/01/2018	AMJ Industries	Various Electrical Work at the Sports Grounds	2,663.65

EFT1997	24/01/2018	JR & A Hersey	Spray and Mark White, Guide Posts, Flagging Tape	1,151.48
EFT1998	24/01/2018	Thompsons Signs	Stickers for CESM Vehicle	264.00
EFT1999	24/01/2018	Eastern Hills Saws and Mowers	Blade Kit	180.00
EFT2000	24/01/2018	Cr. Alison Harris	OCM December Sitting Fee	236.00
EFT2001	24/01/2018	Cr. Bernard Daly	OCM December Sitting Fee	236.00
EFT2002	24/01/2018	CJD Equipment Pty Ltd	Volvo hydraulic System General	7,428.33
EFT2003	24/01/2018	Everything glows!	Glow Supplies for events	441.17
EFT2004	24/01/2018	Cr Jayson Goldson	OCM December Sitting Fee	236.00
EFT2005	24/01/2018	Earthstyle Contracting Pty Ltd	Various road Works	37,628.25
EFT2006	24/01/2018	Courier Australia	freight charges	10.44
EFT2007	25/01/2018	Australian Tax Office	BAS OCT - DEC 2017	6,354.00
DD926.1	15/01/2018	Westnet	Staff Internet	71.02
DD926.2	15/01/2018	SG Fleet	Cesm Vehicle Expenses	1,559.76
11323	16/01/2018	Water Corporation	Sports Ground Water	24,116.42
11324	16/01/2018	Synergy	Street Lights Tarrif	3,399.05
11325	16/01/2018	Telstra	Day Care Business Line	101.58
11326	16/01/2018	Autopro Northam	UHF Starter Pack and Tyre Repair Kit	245.35

11327	16/01/2018	Ryszard Wiland	Various Books- Mothers Dont Cry, A little History, Big Big Ideas	120.00
11328	19/01/2018	Water Corporation	Repair Ferrule - 230L Egeberg St Cunderdin Lot 230 Res23448	5,204.38
11329	19/01/2018	Synergy	Pool Power	1,129.25
11330	19/01/2018	Telstra	Shire phones	1,460.99
11331	24/01/2018	Autopro Northam	Extensio Handle Wash Brush	30.92
11332	24/01/2018	Cr Douglas Brian Kelly	OCM December Sitting Fee	236.00
11333	24/01/2018	National Trust of Australia	Books for Museum	174.50
			TOTAL	198,660.71

9.3 Council Investments – As at 31 January 2018

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	9 th February 2018
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

To inform Council of its investments as at 31st January 2018.

Background

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

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

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

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

Comment

COUNCIL INVESTMENTS					
Institution	Amount Invested	Investment type	Municipal Funds	Reserve Funds	Trust Funds
Bendigo Bank	\$1,042,275.42	Reserves Term Deposit 2.35% Expires : 12/6/2018		\$1,042,275.42	
Westpac Bank	\$923,140.71	Business Cash Reserve 22-3647 0.60%	\$923,140.71		
Westpac Bank	\$20,586.33	Trust Working Account12-2981			\$20,586.33
TOTAL INVESTMENTS	\$1,986,002.46		\$923,140.71	\$1,042,275.42	\$20,586.33

Consultation

Nil

Statutory Implications

Financial Management Regulation 19.

Policy Implications

Delegation #18 – Investments.

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

There are no strategic implications in considering this item.

Resolution 9.3

That the reports on Council investments as at 31st January 2018 be received and noted.

Moved: Cr Alison Harris

Seconded: Cr Todd

Vote – Simple Majority

Carried: 7/0

9.4 Rates Reports – 3 Year Sale

Location:	Cunderdin
Applicant:	Rates Officer
Date:	09 January 2018
Author:	Brooke Jasper
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

It is proposed that Council utilise AMPAC Collection Services to sell the parcels of land attached to Assessments A53560, A53602, A53614, A53616, A53667, A53669, A53675, A54849 and A53679 due to non-payment of rates and services for a period of three years or more, under Section 6.64 of the *Local Government Act 1995*.

Background

There are currently nine properties that have rates outstanding by three or more years for which it has not been possible to enter into acceptable and successful arrangements for the payment of the balance owing.

The following is a list of those properties that have rates currently in arrears by three or more years, together with a brief history of the action taken to date.

Property 1 -	Lot 201 BOURKE STREET MECKERING WA 6405
Assessment	A53560
Zoning/Area	Rural Residential - 20235.694 m2
Period Outstanding	7+ years as shown by our available systems - cannot see prior to 5/7/11
Amount Outstanding	\$13,259.91
Payment	No payments made from 5/7/11 - current, cannot see further back
Recovery Action	2008 - Process to sell land was started, however appears to have not be completed. 2012 - Company went into liquidation and de-registered. 02/2/17- Emailed ASIC to see if the property is vested with them. 14/2/17- Sent Notice of Intention to sell land via registered mail to Mortgager & owner. Owner's letter returned to sender, Mortgagee's not received. 01/6/17- Received letter from ASIC advising the property is vested with them, and they have no objection to the property re-vesting back into the Crown and would assist Council by providing a letter to that effect.
Conclusion	Company is de-registered and vested with ASIC, who are supporting Council to sell. This company/owner also owns assessments A53667 & A53669. No further legal action taken.

Property 2 -	Lot 296 CAMERON STREET MECKERING WA 6405
Assessment	A53602
Zoning/Area	Rural Residential - 9864 m2
Period Outstanding	7+ years as shown by our available systems - cannot see prior to 5/7/11
Amount Outstanding	\$13,358.72

Payment	No payments made from 5/7/11 - current, cannot see further back
Recovery Action	<p>Jan 2017 - Notice of intention to commence legal action sent.</p> <p>Jan 2017 - Referred to AMPAC Debt Recovery and Free Final Demand letter sent.</p> <p>8/2/17 - skip trace requested.</p> <p>9/3/17 - CEO PN requested a registered letter sent to ratepayer asking to contact the Shire to discuss writing off all rates in lieu of the land being handed back to Shire to revert into Crown Land - also emailed to ratepayer.</p> <p>13/3/17 - skip trace showed new address, phone number and email address for ratepayer.</p> <p>20/03/17 - ratepayer replied to email from 9/3 asking more information.</p> <p>23/3/17 - letter sent via email in reply to ratepayers emailed from 20/03.</p> <p>23/3/17 - ratepayer replied advised he was visiting his land in the next month and would contact shire to see what he wanted to do with the land.</p>
Conclusion	No further response from the ratepayer. This owner also owns below property A53614. No further legal action taken.

Property 3 -	Lot 285 COLLINS STREET MECKERING WA 6405
Assessment	A53614
Zoning/Area	Rural Residential - 8448 m2
Period Outstanding	5 years as of 30 th Jan 2018
Amount Outstanding	\$11,550.51
Payment	Last payment made 30/01/2013
Recovery Action	Same owner as above assessment – A53602
Conclusion	No further response from the ratepayer. No further legal action taken.

Property 4 -	LOT 286 COLLINS STREET MECKERING WA 6405
Assessment	A53616
Zoning/Area	Rural Residential - 8777 m2
Period Outstanding	7+ years as shown by our available systems - cannot see prior to 5/7/11
Amount Outstanding	\$18,788.61
Payment	No payments made from 5/7/11 - current, cannot see further back
Recovery Action	<p>Jan 2017 - Notice of intention to commence legal action sent.</p> <p>Jan 2017 - Referred to AMPAC Debt Recovery and Free Final Demand letter sent.</p> <p>08/2/17 - Skip trace requested.</p> <p>13/2/17 - CEO PN requested a registered letter sent to ratepayer asking to contact shire to discuss writing off all rates in lieu of the land being handed back to Shire to revert into Crown Land.</p> <p>21/2/17 - registered mail returned to sender.</p> <p>23/2/17 - skip trace results show postal address is correct, that the ratepayer is well known to the AMPAC Debt recovery and they advised that as always she will avoid being served.</p>
Conclusion	No response from Ratepayer. No further legal action taken

Property 5 -	Lot 373 MITCHELL STREET MECKERING WA 6405
Assessment	A53667
Zoning/Area	Rural Residential - 28205.117 m2
Period Outstanding	7+ years as shown by our available systems
Amount Outstanding	\$15,565.29
Payment	No payments made from 5/7/11 - current, cannot see further back
Recovery Action	28/4/08 - Process to sell land was started, however the Mortgagee contacted the Shire and all outstanding Rates & Charges paid.

	<p>2012 - Company went into liquidation and de-registered.</p> <p>02/2/17 - Emailed ASIC to see if the property vests with them.</p> <p>14/2/17 - Sent Notice of Intention to sell land via registered mail to Mortgager & owner.</p> <p>16/2/17 - Mortgagee received and signed for letter. Owners letter returned to sender.</p> <p>20/2/17 - Contacted Dept of Lands via Crown Land Enquiry Form.</p> <p>1/6/17 - Received letter from ASIC to say that this property is not vested with them.</p> <p>1/11/17 - Wrote to Dept of Lands requesting comment if the Dept will support the Shire to re-vest land into the Crown</p>
Conclusion	Still awaiting response from Department of lands. No response from Mortgagee. No further legal action taken.

Property 6-	LOT 241 MITCHELL STREET MECKERING WA 6405
Assessment	A53669
Zoning/Area	Rural Residential - 18336.826 m2
Period Outstanding	5.5 years
Amount Outstanding	\$5,094.05
Payment	Last payment made 2/2/2012
Recovery Action	<p>9/4/2008 - Process to sell land was started, however the Mortgagee contacted the Shire after Notice of Intention to re-vest land was given. All outstanding Rates & Charges paid.</p> <p>2012- Company went into liquidation and de-registered.</p> <p>04/8/16 - Mortgagee advised they have no further interest in the matter.</p> <p>02/2/17 - Emailed ASIC to see if the property is vested with them.</p> <p>14/2/17- Sent Notice of Intention to sell land via registered mail to Mortgagee & owner. Owner's letter returned to sender, Mortgagees letter not collected.</p> <p>20/2/17 - Contacted Dept of Lands via Crown Land Enquiry Form.</p> <p>01/6/17 - Received letter from ASIC to say that this property is not vested with them.</p> <p>01/11/17- Wrote to Dept of Lands requesting comment if the Dept will support the Shire to re-vest land into the Crown</p>
Conclusion	Still awaiting response from Department of lands. No response from Mortgagee. No further legal action taken

Property 7 -	24 MOORE NORTH ROAD MECKERING WA 6405
Assessment	A53675
Zoning/Area	Rural Residential - 8569.964 m2
Period Outstanding	4 years, 2 months
Amount Outstanding	\$4,749.49
Payment	Last payment made 15/11/2013
Recovery Action	<p>Jan 2017 - Notice of intention to commence legal action sent.</p> <p>Jan 2017 - Referred to AMPAC Debt Recovery and Free Final Demand letter sent.</p>

	13/2/17 - CEO PN requested a registered letter sent to ratepayer asking to contact shire to discuss writing off all rates in lieu of the land being handed back to Shire to revest into Crown Land. 17/02/17 - Owner signed and collected letter from Aust Post.
Conclusion	No further response from owner. No further legal action taken. This owner also owns below assessment A54849

Property 8 -	20 WATTS STREET MECKERING WA 6405
Assessment	A54849
Zoning/Area	Rural Residential - 8557.611 m2
Period Outstanding	4 years 2 months
Amount Outstanding	\$4,559.93
Payment	Last payment made 15/11/2013
Recovery Action	Same owner as above assessment – A53675
Conclusion	No further response from owner. No further legal action taken.

Property 9 -	Lot 243 STEWART STREET MECKERING WA 6405
Assessment	A53679
Zoning/Area	Rural Residential - 13757.351 m2
Period Outstanding	7+ years as shown by our available systems - cannot see prior to 5/7/11
Amount Outstanding	\$9,546.50
Payment	No payments made from 5/7/11 - current, cannot see further back
Recovery Action	2008 - Process to sell land was started however appears to have not been complete or finalised. 2008 - postal address was c/o Shire of Cunderdin - remained the same since. 2016/17 Rates Notices/Final Notices Returned. Dec 2016 - letter sent to rateable address of intention to commence legal action - returned. Feb 2017 - Title Search ordered - no current postal address shown. Feb 2017 - AMPAC carried out a Probate Search who advised a search of their records failed to reveal any record of an application being made in the estate.
Conclusion	No known family members. No buildings on the rateable land. Land not mortgaged. No further legal action taken.

Comment

Given the high level of debt, minimum value of land, building restrictions and the amount of time that has been afforded in searching for ratepayers to either clear or reduce this debt, it is appropriate to apply the relevant section of the *Local Government Act 1995* empowering the sale of land provision in relation to unpaid rates and charges.

It is suggested that Council apply the provisions of Section 6.64 (1)b of the *Local Government Act 1995* and sell the properties to recover outstanding rates and charges, which are in arrears for a period in excess of three (3) years.

Where land has been offered for sale for non-payment of rates or service charges and a contract of sale has not been entered into at the expiration of 12 months from the date that the land is offered for sale by public auction notice, the land may be transferred in fee simple, to the Crown in right of the State or to the Local Government.

Consultation

AMPAC Debt Recovery
Price Sierakowski Corporate
Austral Mercantile Collections

Statutory Environment

Section 6.64 of the *Local Government Act 1995* States:

(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and –

- (a) from time to time lease the land;*
- (b) sell the land;*
- (c) cause the land to be transferred to the Crown; or*
- (d) cause the land to be transferred to itself.*

(2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.

(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

Policy Implications

As per Rate Recovery Policy

Financial Implications

Reduction in rates sundry debtors by \$96,473.01 plus accrued interest.

For AMPAC Debt Recovery to proceed with the sale process they charge a management fee of \$1,500.00 plus GST per property.

Then there is an approximated cost of \$5,000.00 to \$7,000.00 over 18 months which also includes extensive advertising to increase the chances of each individual sale taking place. All fees and charges, including the management fee, can be recovered at the point of the sale of the property.

Council needs to be aware that the property may not sell and possibly need to be transferred to the Shire or the Crown after a failed auction. The approximate cost of the transfer is \$2,000.00.

If the Shire transfers the land back to the Crown it's in lieu of the rates and legal fees.

Strategic Implications

Nil

Resolution 9.4

That Council, pursuant to Section 6.64 (1)(b) of the *Local Government Act 1995*, proceed to sale of assessments A53560, A53602, A53614, A53616, A53667, A53669, A53675, A54849 and A53679.

Moved: Cr Bernie Daly

Seconded: Cr Dianne Kelly

Vote – Simple Majority

Carried: 7/0

9.5 Cunderdin Quairading Well Aged Precinct

Location:	Shire of Cunderdin
Applicant:	Community Development Officer
Date:	7 th February 2018
Author:	Kayla James
Item Approved by:	Acting Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 9.5 - Cunderdin_Quairading Aged Housing Project - Budget - DRAFTv1 Well Age Precinct Budget (1 page)

Proposal/Summary

Council to consider approving the development of ILU relating to the Cunderdin Quairading Well-Aged Precinct project. If supported by Council, staff will continue to work with the Wheatbelt Development Commission (WDC) to progress the project to the final business case stage and submit application to Department of Communities.

Background

The Shires of Cunderdin and Quairading have been discussing with the Wheatbelt Development Commission the opportunity to work collaboratively in progressing the development of ILU's within the two Shires.

Comment

The Cunderdin-Meckering Cottage Homes Committee have been considering for some time to increase the number of cottage homes available within the Shire of Cunderdin to meet the demands of the growing waiting list.

This is an ideal opportunity for the two local governments to work together, and with the Wheatbelt Development Commission, in a regional capacity for the future delivery of additional aged accommodation within our respective districts and to help retain the aging population within their local communities.

Consultation

Cunderdin-Meckering Cottage Homes
Shires of Quairading
Wheatbelt Development Commission

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:

1.0 SOCIAL/COMMUNITY

S1.2 Assist the facilitation of regional health services and develop aged care services.

S1.2.1 Participate in a regional plan to facilitate and develop a regional health service and aged care facility.

- a) Partner with the Western Australian Country Health Service (WACHS) for the provision of a pilot regional health centre in Cunderdin.
- b) Partner with the Western Australian Country Health Service (WACHS) and Southern Inland Health Initiative (SIHI) to investigate and facilitate the delivery of a future aged accommodation cluster.
- c) Assist the Wheatbelt Development Commission (WDC) to prepare a regional aged accommodation study for the Wheatbelt Region.
- d) Partner with aged care providers to develop ageing in place accommodation.

3.0 HOUSING AND FACILITIES

HF3.1 Review land use strategy to provide for diverse housing needs, considering affordability, lifestyle and Independent Living Units (ILU's) for the aged.

HF3.1.1 Participate in a regional plan to develop aged care.

Partner with aged care providers to develop ageing in place accommodation.

- a) Partner with the Western Australian Country Health Service (WACHS) and Southern Inland Health Initiative (SIHI) to investigate and facilitate the delivery of a future aged accommodation cluster.
- b) Assist the Wheatbelt Development Commission (WDC) to prepare a regional aged accommodation study for the Wheatbelt Region.

Recommendation 9.5

That Council;

1. In the 2018/19 Budget agrees to contribute in-kind support by allocating land, contributing to earthworks and landscaping for the construction of aged persons independent living units located in the Shire of Cunderdin for a sum of up to \$ 573,852.00; and
2. In the future may agree to a cash contribution for the construction of aged persons independent living units in Cunderdin with the contribution amount being allocated on the completion of a detailed project costings report.

Moved : Cr _____ Seconded: Cr _____

Vote – Simple majority The recommendation/motion lapsed for want of a mover

Note: During the debate on the matter a question was asked of the Acting CEO as to the dollar value of “in-kind” works to be contributed by the Shire and the amount of cash to be contributed by the Shire. The Acting CEO said that he did not know and that he would endeavour to find out before the close of the meeting. After phoning the author of the report the Acting CEO was none the wiser and the matter lapsed for lack of certainty regarding the Shire’s financial contribution and where it was to come from.

9.6 Age Friendly Communities Plan

Location:	Shire of Cunderdin
Applicant:	Community Development Officer
Date:	07 th February 2018
Author:	Kayla James
Item Approved by:	Acting Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 9.6 - Cunderdin-Tammin Age Friendly Communities Plan FINAL & Cunderdin Tammin AFC Plan Exec Summary

Proposal/Summary

Council is requested to review and consider the adoption of the Cunderdin – Tammin Age Friendly Communities Plan.

Background

The Shires of Tammin and Cunderdin understand that our residents want to age where they have lived and that they deserve a quality of life afforded by well-planned and accessible community infrastructure and services.

The Draft Cunderdin-Tammin Age Friendly Communities Plan was informed through engagement with ~100 residents and service providers within the Cunderdin and Tammin Shires.

The plan outlines the actions that the Shires of Tammin and Cunderdin can undertake individually and collectively to make our communities better places for people of all ages and abilities to live and participate in.

Comment

Both shires have already committed to engaging and working with our communities and other stakeholders to implement the sorts of actions identified in the draft.

In adopting the plan, it should be recognised that we must be responsive to changes in the priorities of our communities by undertaking regular reviews of the plan. Of necessity this means being more proactive in engaging our older residents in conversations about how we can make our communities more age friendly.

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

- 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 9.6

That Council:

- 1. Receive Age Friendly Communities Plan Executive Summary from Heartlands WA**
- 2. Adopt the Shire of Cunderdin's Aged Friendly Communities Plan.**

Moved : Cr Bernie Daly

Seconded: Cr Todd Harris

Vote – Simple majority

Carried: 7/0

9.7 Proposal for Website

Location:	Shire of Cunderdin
Applicant:	Community Development Officer
Date:	10 th January 2018
Author:	Kayla James
Item Approved by:	Acting Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 9.7 – Refresh and Recommended Development (10 pages)

Proposal/Summary

Council to consider a Market Creations quote for the 2018/2019 Budget

Background

For more than a decade, websites have fulfilled an important role in promoting the image of local governments. They should be convenient, accessible and facilitate communication with the community.

The Shire of Cunderdin's current website is now four years old and is basically the same as it was over 6 years ago. The current website is part of the Council Connect program where WALGA and Market Creations have come together to deliver websites for local governments over the last 5 years.

To keep up with industry trends, efficient marketing and for ease of access the Shire of Cunderdin website requires a major refresh.

Comment

The Shire of Cunderdin's website is old, hard to access and use.

Using the examples of the Shire of York and the Shire of Coolgardie, it is recommended that based on the attached quote, the Shire undertake the minimum of Website Design Refresh plus modules of a Mega Menu and Tenders.

Consultation

Sharon Watson – Market Creations

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Minimal Recommendation
Website Design Refresh – \$3861.00
Mega Menu – \$600.00
Tenders - \$300.00
Contingency - \$476.10
Total - \$5237.10

or

Entire Recommendation from Market Creations as attached + Contingency = \$8977.10

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 9.7

That Council consider costs of a website refresh in the 2018/2019 budget process.

Moved : Cr Alison Harris

Seconded: Cr Todd Harris

Vote – Simple majority

Carried: 7/0

9.8 Age Appropriate Accommodation - Management

Location:	Cunderdin
Applicant:	Administration
Date:	21 st December 2017
Author:	Stephen Tindale
Item Approved by:	Acting Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	9.8.1 Alternative Management Models 9.8.2 Cunderdin Meckering Cottages Waitlist Policy 9.8.3 Tenancy Documentation

Proposal/Summary

Council is asked to adopt an ongoing management model for the eight Age Appropriate Accommodation (AAA) dwellings currently under construction in Cunderdin.

Background

This matter was last considered by Councillors at the Information Session held on 21st December 2017 where the CEO tabled a submission from Cunderdin Meckering Cottages Inc. on two alternative management models for the newly constructed AAA dwellings in Cunderdin (see Attachment 9.8.1).

At the information session, the Acting CEO indicated that he would be contacting local governments in the Eastern Wheatbelt to see if there was a best-practice model that could be adopted for Cunderdin. Further, that in consultation with representatives of Cunderdin Meckering Cottages, the CEO would recommend a management model to the February 2018 Council meeting.

Accordingly, this report recommends to Council that it adopt a shared-management model which sees Cunderdin Meckering Cottages Inc. being solely responsible for the management of the waitlist for the age appropriate accommodation homes the Shire taking on the remainder of the management and maintenance role.

Comment

Several local governments within the Great Eastern Country Zone of WALGA were able to respond to a request for information on the management of aged accommodation within their districts.

Some of them have shared responsibility in the letting and management of aged accommodation by community organisations and the Shire respectively (Tammin, Kellerberrin).

Other local governments have full control over the letting and management of aged accommodation and are constrained only by State Government requirements for past joint-venture housing projects (Quairading and Mt Marshall).

In other communities the letting and management of aged accommodation rests entirely with charitable community-based organisations (Cunderdin and Wyalkatchem).

In discussions with representatives of Cunderdin Meckering Cottages Inc it became clear that the capacity of the organisation to manage the eight new dwellings (and the additional respite and palliative care units for that matter) would be sorely tested. At the present time, Cunderdin Meckering Cottages Inc relies heavily on volunteer labour and notwithstanding its track record, would find it difficult to expand its capacity to fully manage the eight new dwellings without incurring added expense and labour costs.

It does however see a role for in managing the waitlist for the newly constructed accommodation. To that end they have provided their current Waitlist Management Policy (Attachment 9.8.2) which is grounded in solid experience and has stood the test of time.

The WA Country Health Service has also identified target residents for the accommodation as being:

- Aboriginal people over the age of 50 years
- Non-aboriginal people over the age of 65 years
- Older people with disabilities (including frail-aged) who can manage with the home-based care services.

Overarching tenancy considerations also agreed with the WA Country Health Service are:

- Tenancy guidelines need to incorporate rights and responsibilities under the *Residential Tenancies Act 1987* and associated regulations.
- Priority for aged accommodation should be based on need.
- Highest priority tenants include (but are not limited to) older people who need to be closer to primary health and community services due to having a range of complex physical and social needs; serious and chronic health conditions, socially isolated and/or where natural supports have broken down or at risk of breaking down.

Given the above, the Waitlist Management Policy of Cunderdin Meckering Cottages Inc will need to be adapted for the eight AAA dwellings.

From a Shire administration point of view there is much to be said for a waitlist that is determined by a community based organisation (such as Cunderdin Meckering Cottages Inc) rather than the Shire itself.

A community based waitlist relieves Shire staff of the need to select housing applicants based on a thorough and documented examination of their;

1. historic association with the district,
2. financial circumstances , and
3. physical and social needs.

In relation to the last point it is understood that Cunderdin Meckering Cottages Inc takes advice on waitlist eligibility from local health practitioners and other agencies. That is a good thing relying as it does on a relationship of trust and openness that has been developed over many years.

From a resource sharing point of view with the adjoining Shire of Tammin, an opportunity also presents itself to harmonise the management of the Cunderdin AAA with that of Tamma Village in Tammin which also operates with shared management responsibilities.

Documentation that relates to the *Residential Tenancies Act 1987* and associated regulations for shire-managed housing in both places is currently under review/implementation in both places (see Attachment (9.8.3).

Consultation

Cunderdin Meckering Cottages Inc.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Subject to further review, it is expected that the running costs of Age Appropriate Accommodation Project will break even

Strategic Implications

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

2.0 SOCIAL/COMMUNITY

S1.2 Assist the facilitation of regional health services and develop aged care services.

S1.2.1 Participate in a regional plan to facilitate and develop a regional health service and aged care facility.

- e) Partner with the Western Australian Country Health Service (WACHS) for the provision of a pilot regional health centre in Cunderdin.
- f) Partner with the Western Australian Country Health Service (WACHS) and Southern Inland Health Initiative (SIHI) to investigate and facilitate the delivery of a future aged accommodation cluster.
- g) Assist the Wheatbelt Development Commission (WDC) to prepare a regional aged accommodation study for the Wheatbelt Region.
- h) Partner with aged care providers to develop ageing in place accommodation.

3.0 HOUSING AND FACILITIES

HF3.1 Review land use strategy to provide for diverse housing needs, considering affordability, lifestyle and Independent Living Units (ILU's) for the aged.

HF3.1.1 Participate in a regional plan to develop aged care.

Partner with aged care providers to develop ageing in place accommodation.

- c) Partner with the Western Australian Country Health Service (WACHS) and Southern Inland Health Initiative (SIHI) to investigate and facilitate the delivery of a future aged accommodation cluster.
- d) Assist the Wheatbelt Development Commission (WDC) to prepare a regional aged accommodation study for the Wheatbelt Region.

Resolution 9.8

That:

- 1. The Shire of Cunderdin adopt a shared model of management for the Cunderdin Age Appropriate Accommodation with Cunderdin Meckering Cottages Inc. being responsible for the management of the waitlist for the 8 two-bedroom units and the Shire of Cunderdin being responsible for all remaining management matters.**
- 2. A further report on fees and charges for 8 two-bedroom units be presented to the next meeting of Council for formal adoption.**
- 3. Cunderdin Meckering Cottages Inc. be requested to adapt their existing Waitlist Policy in light of the undertakings between the Shire of Cunderdin and the WA Country Health Services.**
- 4. Cunderdin Meckering Cottages Inc. be thanked for its ongoing commitment to the welfare of the Cunderdin Shire community.**

Moved: Cr Bernie Daly

Seconded: Cr Dianne Kelly

Vote – Simple Majority

Carried: 7/0

9.8 Age Appropriate Accommodation – Naming of Precinct and Streets

Location:	Cunderdin
Applicant:	Administration
Date:	21 st December 2017
Author:	Stephen Tindale
Item Approved by:	Acting Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	9.8.1 Alternative Management Models 9.8.2 Cunderdin Meckering Cottages Waitlist Policy 9.8.3 Tenancy Documentation

Proposal/Summary

A Council decision is required on the names to be potentially given to the Age Appropriate Accommodation (AAA) precinct and internal streets.

Background

The AAA precinct is situated on Shire of Cunderdin land (now Lot 800 Lundy Avenue) which includes the recreation grounds and buildings, the Shire Office and the Swimming Pool. Land for the Police Station (Lot 390 Lundy Avenue) and the Primary Health Care Demonstration Site (Lot 801 Lundy Avenue) has been excised from the Shire land as separate lots in their own right.

A surveyed boundary has not been determined for the AAA precinct which means that the geographical address for the precinct is Lot 800 Lundy Avenue – just as it is for Shire Office and Swimming Pool.

Comment

There are perhaps two options in terms of assigning addresses for residents in the AAA precinct.

Option 1

The simplest option is to assign unit numbers for each of the residences for a named precinct e.g. Unit 2, Flowery Patch Village, Lundy Avenue, Cunderdin.

Option 2

An alternative is to name the streets within the precinct and assign street numbers to each residence e.g. 2 Dylan Road, Cunderdin as would typically happen with a freehold subdivision of land.

This alternative is potentially problematic if Dylan Road is not surveyed and gazetted as a road and therefore not “captured” in government data bases. Complications could arise in relation to, say, insurance matters where a Lot 800 Lundy Avenue, Cunderdin address is the technically correct geographic address but cannot be reconciled with a 2 Dylan Road, Cunderdin address described in an insurance policy.

That being the case, it is recommended that Option 1 is adopted and a name is given to the precinct together with sequential unit numbers. Street signs off Lundy Avenue would then simply reflect the precinct name.

Some place names that have been volunteered by staff of the Cunderdin Museum that could be considered are;

Former place or School sites

Belkabella

Doodenanning

Nalyeening
Youndegin
Gobblegutting
Wyola
Warding
Waeel
Meenar
Greenwoods
Quelagetting
Watercarrin
Flowery Patch
Mulinoling
Honi Moni

Other locales

Culbernine – south of Meckering (main source of water supply) and a prominent height in the district
Bulgin-Bulgin Rock - (another source of water supply)
Originally Meckering was known (and I believe gazetted) as Beebering

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Recommendation 9.8

That the Age Appropriate Accommodation precinct be named (insert name as determined by Council).

Moved: Cr _____

Seconded: Cr _____

Vote – Simple Majority

The recommendation/motion lapsed for want of a mover

Note: The CEO is to research names of local plants as suggested names for the precinct and present them to the next meeting of Council.

9.9 Annual Electors Meeting – 8th February 2018

Location:

Shire of Cunderdin

Applicant:	Acting CEO
Date:	21 st December 2017
Author:	Stephen Tindale
Item Approved by:	Acting CEO
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

At the last Council meeting it was decided that the Annual General Meeting of Electors would be held on Thursday 8th February 2018 at the Meckering Sporting Club.

Accordingly, it is intended that all decisions made at the electors' meeting will be considered by Council at its Ordinary Council Meeting to be held on Thursday 15th February 2018.

Background

In December 2017 Council adopted the Financial Statement, Audit Report and Management Letter from Macri Partners for the 2016/17 financial year.

The Annual Report (which includes the Annual Financial Statements and the Audit Report referred to above) was accepted by Council and a date set for the Annual General Meeting of Electors.

Under the *Local Government Act 1995* decisions made at the Annual General Meeting of Electors are to be referred through to Council for further consideration

Comment

Minutes of the Annual General Meeting of Electors will be distributed prior to the Council meeting and to the extent that any decisions are made at the elector's meeting, recommendations on those decisions will be made by Administration to Council. Those recommendations will be published and distributed as soon as practicable after the elector's meeting.

Consultation

Nil

Statutory Environment

Local Government Act 1995

5.27. Electors' general meetings

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

5.33. Decisions made at electors' meetings

(1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —*

(a) at the first ordinary council meeting after that meeting; or

(b) at a special meeting called for that purpose,

whichever happens first.

(2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

6.30pm Cr Todd Harris left the Council Chambers

Resolution 9.9

That Council:

- 1. Receive the minutes of the Annual General Electors Meeting held on Thursday 8th February 2018**
- 2. Consider any decisions made at the Annual General Electors Meeting.**

Moved: Cr Dianne Kelly

Seconded: Cr Norm Jenzen

Vote: Absolute Majority

Carried : 6/0

6.32pm Cr Todd Harris returned to the Council Chambers

9.10 Shire of Cunderdin Mid-Year 2017/18 Budget Review

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	14 th February 2018
Author:	Paul Godfrey
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	9 Pages

Proposal:

The purpose of this report is for the Shire of Cunderdin to consider and adopt the Budget Review Report, with any amendments, for the period 1 July 2017 to 31 January 2018.

Background:

The Local Government Act provides for local governments, including regional local governments, to prepare an annual budget.

6.2. Local government to prepare annual budget

- (1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

**Absolute majority required.*

The Local Government (Financial Management) Regulations 1996 require local governments to undertake a review of the Annual Budget.

33A. Review of Budget

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
 - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government's financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

A detailed analysis at account level incorporating year to date actual results and budget projections to 30 June 2018, for the period ending 30 January 2018, is presented for consideration.

Comment:

The budget review has been prepared to include the information required by the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996*, and the Australian Accounting Standards. Council adopted a 10% minimum or \$10,000 for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

The adopted budget contained an opening surplus of \$2,750,426 with a closing surplus at 30 June 2018 of \$96,647. After the completion of the audit the actual opening surplus is now \$2,590,437, which results in a closing deficit of \$63,342. Council may continue with a budget deficit or may choose to reduce some budget amounts to reduce the deficit to zero. Please note the deficit at end of year must not be higher than \$199,278 (which is equal to 10% of the budget deficit before rates), this is in accordance with Local Government (Financial Management) Regulation 32 and s6.2 of the Local Government Act 1995.

The 2017/18 Annual Budget Review, for the period 1 July 2017 to 30 January 2018, is based on current trends.

Consultation:

Nil

Policy Implications:

Nil

Statutory Environment:

Local Government Act 1995 Section 6.2

Local Government (Financial Management) Regulations 1996, Regulation 33A

Strategic Implications:

Sound financial management is an important cornerstone of good governance.

Resolution 9.10.1

That Council request Pindan Modular to pay \$120,000 towards the costs to finalise the Aged Appropriate Accommodation Project.

Moved: Cr Alison Harris

Seconded: Cr Todd Harris

Vote – Simple majority

Lost : 3/4

Resolution 9.10.2

That Council:

- 1. Transfer \$60,000 from the Cunderdin Building Reserve, to be used to complete the Aged Accommodation Project, which is to be paid back into the reserve within 3 years or sooner. Appropriate**
- 2. Seek a contribution of \$60,000 from Cunderdin-Meckering Cottage Homes Inc. for the balance to complete the project.**

Moved: Cr Dianne Kelly

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried : 5/2

Resolution 9.10.3

That Council:

- 1. Adopt the 2017/18 Annual Budget Review, as presented in Attachment 9.10, and notes that the estimated closing funds are based on current revenue and expenditure trends.**
- 2. Authorise the budget amendments as per the attachment to item 9.10.**

Moved: Cr Norm Jenzen

Seconded: Cr Bernie Daly

Vote – Absolute majority

Carried : 7/0

10. Environmental Health and Building
Nil

11. Senior Officer and Consultant Reports

11.1 Manager Works & Services Report

Location:	Shire of Cunderdin
Applicant:	Manager Works and Services
Date:	7 th February 2018
Author:	Manager Works and Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	Nil

Purpose of Report

To inform Council of Works & Services related matters.

Background

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

Administration, Meetings and Inspections during this reporting period

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

Construction

Cunderdin, Wyalkatchem road - verge and debris clearing (pre-construction)

- Meckering, Goomalling road - verge and debris clearing (pre-construction)
- Stockpile 10mm metal in preparation for 17/18 works on Meckering, Goomalling road

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

- Bitumen patching Wyalkatchem road
- Meckering and Cunderdin road sweeping
- Graded Harris road and repair surface failures
- Repairs to Stokes road due to surface failures
- Repairs to bitumen footpath in Meckering still in progress
- Extension to Coronation street to allow access to property
- Repairs to Moore and Wilding roads due to surface failures

Maintenance Grading

- Mt Anne road (section)
- Woonwooring road
- Shorter road
- Byfield road
- Clifton street

Other Works

- Tree pruning town streets
- Clean up and tree removal after storm event (Shire wide)
- Hockey field Meckering
 - reconstruct playing surface – works in progress

Signage

- Ongoing routine maintenance

Parks and Gardens – Meckering

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

Parks and Gardens – Cunderdin and the Recreation Centre

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

Building and Other Maintenance

- Shire housing – 2 Togo street
 - Yard maintenance
 - Damage to interior and exterior due to water leak (insurance claim being investigated)
- Shire property – Day care centre
 - Electrical works
- Shire property – Works Depot
 - Storm damage – minor (repairs carried out in house)

Road Side and Verge Spraying

- Slashing shoulders on bitumen roads and weed spraying

Cemeteries

- 2 burials
- General maintenance

Airfield Maintenance

- General twice weekly inspections of runways
- General Maintenance and vegetation management

Plant Maintenance

- No major breakdowns to report
- General maintenance and servicing

Waste Services

- Both transfer stations are working well and no complaints received
- Steel removed from both sites

Resolution 11.1

That the Works and Services Managers report for February 2018 be received and noted.

Moved : Cr Todd Harris

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried : 7/0

11.2 Planning & Development Consultant

Nil

12. Urgent Items

13. Matters for which the meeting may be closed

Resolution 13.1

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

Moved: Cr Alison Harris

Seconded: Cr Norm Jenzen

Vote – Simple Majority

Carried : 7/0

14.1 Shared Chief Executive Officer Employment Contract

Location:	Shires of Cunderdin & Tammin
Applicant:	CEO Recruitment Panel
Date:	2 nd February 2018
Author:	Stephen Tindale
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	49 Pages (2 Documents)

Proposal/Summary

Council is requested to authorise the execution of the CEO Contract of Employment with Neville Hale.

Background

Following the ordinary Council meetings of the Shires of Tammin and Cunderdin held in December, 2017 the Acting CEO liaised with WALGA's Employee Relations Service and Shire Presidents Crs Greenwood and Whisson in the development and negotiation of the Contract of Employment for the CEO.

Delays occasioned by the Christmas/New Year Break meant that the negotiated contract was not signed by Mr Hale until the 19th January, 2018.

The *Local Government Act 1995* sets out how a document is to be executed (see Statutory Implications below) and a Council resolution authorising the execution of the contract is now requested.

Comment

The Contract of Employment (see Attachment) with Neville Hale is a fairly standard one in that it is based on a WALGA/LGPro model contract. The model contract has been adapted to reflect the joint resource sharing arrangements between the two Shires.

During the interview for the CEO position Mr Hale suggested that the standard Relocation Expenses clause be dropped in favour of a household furniture and equipment allowance. That request has been accommodated under Clause 6.4 (p. 13).

Key Result Areas (p.29) were also changed to reflect Council's December 2017 decision to adopt quarterly reporting on the Corporate Business Plan - as was the associated KPI.

The only other changes to note are that the contract is for a fixed term of three years and that the superannuation co-contribution (as opposed to the mandatory contribution) has been reduced so that the total superannuation concessional contribution cap of \$25,000 is not exceeded (p30).

As compensation for the reduction in superannuation on offer, the cash component of the total remuneration package has been increased to offset the 1.2% loss in superannuation.

The total remuneration package falls within the Salaries and Allowances Tribunal range for a Band 4 local government plus the allowed 10% for the resource sharing arrangement i.e. \$139,652 - \$218,031 all up and inclusive of an FBT component of \$11,307.

Consultation

Cr Greenwood, Tammin Shire President
Cr Whisson, Cunderdin Shire President
Cr Daly (deputy for Cr Whisson)
Kate Pillai (WALGA Employee Relations Services)

Statutory Implications

Local Government Act 1995

9.49A. Execution of documents

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

each of whom is to sign the document to attest that the common seal was so affixed.

Policy Implications

Nil

Financial Implications

The financial provisions are within the scope of the Shared CEO Proposal Business Plan.

Strategic Implications

Nil

Resolution 14.1

That Council authorise the affixing of the Common Seal of the Shire of Cunderdin to the Contract of Employment for Neville Hale as CEO of the Shires of Cunderdin and Tammin.

Moved: Cr Bernie Daly

Seconded: Cr Todd Harris

Vote – Simple majority

Carried : 7/0

Resolution 14.2

That Council come out from behind closed doors.

Moved: Cr Bernie Daly

Seconded: Cr Norm Jenzen

Vote – Simple Majority

Carried : 7/0

14. Closure of meeting

There being no further business the Shire President declared the meeting closed at 8:05 pm.