



Shire of Cunderdin

Notice of an Ordinary Council Meeting

Dear Council Member,

The next Ordinary Meeting of the Cunderdin Shire Council will be held on **Thursday 20 July 2019** in the Cunderdin Shire Council Chambers, WA, 6407 **commencing at 5.00pm.**

Stuart Hobley
Chief Executive Officer
12 July 2019

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AGENDA

1. Declaration of Opening

The President declared the meeting open at ____pm

The Shire of Cunderdin disclaimer will be 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. 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 DB (Doug) Kelly	
Cr J (Jayson) Goldson	
Cr TE (Todd) Harris	
Cr B (Bernie) Daly	
Cr NW (Norm) Jenzen	

In Attendance

Stuart Hobley	Chief Executive Officer
Kayla James	Governance and Compliance Officer
Fabian Houbrechts	Acting Manager of Works and Services
Hayley Byrnes	Manager of Corporate Services & Finance

Guests of Council

Members of the Public

2.2 Apologies

2.3 Leave of Absence Previously Granted

Cr D (Di) Kelly

3. Public Question Time

Declaration of public question time opened at:

Declaration of public question time closed at:

4. Petitions, Deputations & Presentations

5. Applications for Leave of Absence

6. Confirmation of the Minutes of Previous Meetings

6.1 Ordinary Meeting of Council held on 20 June 2019

Recommendation 6.1

That the Minutes of the Ordinary Council Meeting held on Thursday 20 June 2019 be confirmed as a true and correct record.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple Majority

Carried/Lost: __/__

Note to this item:

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

7. Declaration of Members and Officers Interests

8. Announcements by President without Discussion

9. Finance & Administration
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9.1 Financial Reports for June 2019

Location:	Cunderdin
Applicant:	Manager of Corporate Services and Finance
Date:	10 July 2019
Author:	Hayley Byrnes
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	1 attachment – Monthly Report

Proposal/Summary

The financial reports as at 30 June 2019 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

Recommendation 9.1

That Council receives the monthly financial reports for the period ending 30 June 2019.

Moved: Cr ____

Seconded: Cr ____

Vote – Simple Majority

Carried/Lost: __/__

9.2 Accounts Paid – June 2019

Location:	Cunderdin
Applicant:	Manager of Corporate Service and Finance
Author:	Hayley Byrnes
Report Date:	10 July 2019
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	2 attachment – Creditors list of payments June 2019

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling:

Total for Municipal -	\$731,565.83
Total for Trust -	\$0.00
TOTAL -	\$731,565.83

for June 2019 as listed in the Warrant of Payments for the period 1st to 30th June 2019.

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

Recommendation 9.2

1. That Council's payment of accounts amounting to \$731,565.83, being \$731,565.83 from Municipal Account and \$0.00 from Trust Account for June 2019, as follows:

Municipal Account	\$	Total
Electronic Funds Transfer: EFT 3164 - 3256	\$534,402.67	
Direct Debit (Inc Bank Charges): DD1508.1-DD1523.11	\$128,773.97	
Cheques: 11507-11521	\$68,389.19	
		\$731,565.83
Trust Account		\$0.00
TOTAL		\$731,565.83

be confirmed and noted; and,

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

Moved: Cr _____

Seconded: Cr _____

Vote – Simple Majority

Carried/Lost: __ / __

9.3 Council Investments – As at 30th June 2019

Location:	Cunderdin
Applicant:	Manager of Corporate Services
Author:	Hayley Byrnes
Report Date:	10 July 2019
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 30th June 2019.

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, being:

Westpac –A/C 000 030 \$ 1,184,912.79

Bendigo – A/C 155971377 \$ 136,148.37

totaling \$ 1,321,061.16

as per attached statements, the following investment accounts are held as at 30th June 2019.

COUNCIL INVESTMENTS					
Institution	Amount Invested	Investment type	Municipal Funds	Reserve Funds	Trust Funds
Bendigo Bank	\$981,500.13	Reserves Term Deposit 2.5% Expires : 28/06/2019		\$981,500.13	
Westpac Bank	\$146.78	Business Cash Reserve 22-3647 0.50%	\$146.78		
Westpac Bank	\$130,904.58	Trust Working Account 12-2981			\$130,904.58
TOTAL INVESTMENTS	\$1,112,551.49		\$146.78	\$981,500.13	\$130,904.58

In addition to the above Shire funds, the Shire administers the Cunderdin Community Centre Trust Account being Westpac Account 000 073 - \$ 61,385.74 and Bendigo Term Deposit Ref: 2936003 - \$ 443,948.97

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.

Recommendation 9.3

That the report on Council investments as at 30th June 2019 be received and noted.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple Majority

Carried/Lost: __/ __

9.4 CSRC Lease Agreement

Location:	Shire of Cunderdin
Applicant:	Cunderdin Sport and Recreation Centre
Date:	10 June 2019
Author:	Kayla James
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	
Attachment/s:	CSRC Lease Agreement and Letter from CSRC

Proposal/Summary

For Council to consider the adoption of the revised Cunderdin Sport and Recreation Inc. Management (Lease) Agreement.

Background

The original Management (Lease) Agreement between the Shire of Cunderdin and the Cunderdin Sport and Recreation Centre (CSRC) Inc. commenced July 2014. The lease was meant to be reviewed annually, however this is the first time the lease has been assessed since the original agreement. Accordingly the Lease has gone back and forth between the Committee and Council to try and find a happy medium.

In December 2018, Council adopted the following based on requests from the Cunderdin Sport and Recreation Centre;

That Council adopt the revised Lease Agreement between the Shire and the Cunderdin Sports & Recreation Centre (CSRC) as attached with the following amendments:

The Organisation (CSRC) to:

- *Retain responsibility for cl 6.5 with the exclusion of the repair of gas fittings & fixtures and repair and replacement of door and window locks;*
- *The Cunderdin Sport and Recreation Centre pay for the lease of the facility, subject to the review of the annual lease and Shire costs during the 2019/20 budget deliberations; and,*
- *Add Schedule 10.9 – Map of areas of responsibility and make reference where applicable.*

The Shire agree to accept responsibility for:

- *To clean and repair the Cunderdin Change Room Building;*
- *Contribute 25% of the CSRC power cost to reflect the usage of the change rooms; and,*
- *Confirm that the Shire will continue to meet the cost of water.*

The CSRC have requested the Shire consider further amendments to the Lease Agreement.

The Shire has since met with the CSRC to discuss their issues with the proposed Lease Agreement from December 2018. The CSRC were advised that a request would need to be made in writing to Council for further adjustments to the Lease Agreement Document.

Further to this, this report was presented at the June Ordinary Council Meeting and the following was resolved:

“Resolution 9.7 June 2019

That this item lay on the table for consideration at the next Meeting of Council.”

Comment

On 29 May 2019 the CSRC wrote to the Shire with additional changes to the lease (as attached) which include the following;

1. Clause 6.5 Maintenance and Repair to include “the organisation agrees to undertake building maintenance and repairs up to a value of \$500 inclusive of”
2. Add an additional signatory to the lease.

The CSRC has also requested that Council waive all current outstanding fees of \$5864.70 and request that a peppercorn lease be entered into; to ensure that the club find financial stability as it is currently at a financial loss.

It is recommended that Council agree to set the CSRC fee within Councils Fee’s and Charges at \$1 rather than agree to a permanent peppercorn lease as this will give Council and opportunity to review the costs annually.

Consultation

Cunderdin Sport and Recreation Centre Committee

Statutory Implications

Absolute Majority for writing off costs associated with the lease agreement.

Policy Implications

Nil

Financial Implications

The Shire will consume the costs of the unpaid lease and cleaning bills of \$5,864.70.

Strategic Implications

Shire of Cunderdin Community Strategic Plan

Social / Community

We are a connected, friendly, industrious and diverse community that fosters inclusion, resilience and self-sufficiency, where people feel safe, capable and supported in their endeavours.

Recommendation 9.4

That Council;

1. Write off outstanding lease and cleaning payments of \$5,864.70.
2. Set the CSRC annual fee as \$1 to be included in the Budget Deliberations Fee’s and Charges for 2019/20
3. Authorise the President and the Chief Executive Officer to affix the common seal to the Lease Agreement Document

Moved: Cr

Seconded: Cr

Vote – Absolute majority

Carried/Lost: /

9.5 Equal Employment Opportunity Plan

Location:	Shire of Cunderdin
Applicant:	Administration
Date:	8 July 2019
Author:	Kayla James
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	EEOMP 2019

Proposal/Summary

For Council to adopt the Equal Employment Opportunity Management Plan dated 18 July 2019.

Background

Council is required to adopt an Equal Employment Opportunity Plan in accordance with Section 145(1) of the Equal Employment Opportunity Act 1984 (EEO Act). In December 2019 Council adopted its Policy Manual which included an Equal Opportunity Policy and was reconfirmed at the June 2019 Meeting. The Policy details Council's commitment to the EEO Act, and the Management Plan.

Comments

Section 145(1) of the Equal Opportunity Act 1984 (EO Act) requires public authorities to prepare and implement an Equal Employment Opportunity (EEO) Management Plan.

For a range of reasons employees belonging to diversity groups may experience inequitable access to public employment. The preparation and implementation of EEO management plans by public authorities is the means by which this inequitable access is addressed.

In accordance with the EO Act plans must include the following provisions:

- a process for the development of EEO policies and programs [section 145(2)(a)]
- strategies to communicate the EEO policies and programs [section 145(2)(b)]
- methods for the collection and recording of workforce diversity data [section 145(2)(c)]
- processes for the review of personnel practices to identify possible discriminatory practices [section 145(2)(d)]
- the inclusion of goals and targets to determine the success of the EEO management plan [section 145(2)(e)]
- strategies to evaluate the EEO policies and programs [section 145(2)(f)]
- a process to review and amend the EEO management plan [section 145(2)(g)]
- the delegation of implementation, monitoring and review responsibilities. [section 145(2)(h)].

To meet the requirements under the EO Act public authorities must submit their EEO management plan and any further amendments of the Plan to the Director of Equal Opportunity in Public Employment (DEOPE) as soon as practicable once it has been prepared and endorsed.

Consultation

Shire of Quairading – CEO Secretary
Advice on the implementation and structure of the plan.

Statutory Implications

WA Equal Opportunity Act 1984

Policy Implications

Existing Policy and Implementation if an Associated Management Plan.

Financial Implications

Nil

Strategic Implications

Recommendation 9.5

That Council adopt the Equal Employment Opportunity Management Plan dated 18 July 2019.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple Majority

Carried/Lost ____/____

9.6 Old Cunderdin Hospital Site - Demolition

Location:	Cunderdin
Applicant:	WA Country Health Service (WACHS)
Date:	8 July 2019
Author:	Kayla James
Item Approved by:	Stuart Hobley
Disclosure of Interest:	N/A
File Reference:	N/A
Attachment/s:	Nil

Summary

For Council to determine the action it wishes to take in respect to the old Cunderdin Hospital site prior to the transfer of the Old Hospital Reserve/land to the Shire of Cunderdin.

Background

Following Council's April 2015 Ordinary Meeting, the Shire on 24 April 2015 wrote to WACHS advising that *Council had resolved:*

- *To advise WACHS of its "in principle" support for a land swap; and*
- *Its preference for the existing health centre land to be transferred to the Shire freehold (or under management order).*

Council, at its 17 December 2015 Ordinary Meeting, *resolved amongst other matters that:*

- *It formally agrees to the proposed land swap between the Shire of Cunderdin and WACHS for the identified land, being portion of Lot 50 Lundy Avenue, Cunderdin, for the Primary Health Care Demonstration Site in exchange for the existing Cunderdin Hospital Site, being Lots 296,297, 350 & 384 Cubbine Street, Cunderdin; and,*
- *It would continue to undertake a due diligence process on the existing buildings before a final decision on acceptance of the transfer with building/s on site. To be completed by 30 June 2016.*

Following Council's 15 September 2016 Ordinary Meeting, on 23 September 2016, the Shire wrote to WACHS to advise:

- That it requests that the Hospital and Ian Roberts Lodge Buildings be retained; and,
- Requests that the old out of use buildings on the Hospital Grounds, i.e. former nurses quarters and mortuary, be demolished and the site be left clean of all, especially contaminated, materials.

On 14 December 2016, WACHS responded advising the Shire that:

- Executive Council had approved for WACHS to transfer the Cunderdin Hospital site, Reserve 22160, to the Shire of Cunderdin once the new Health Centre is constructed to be arranged by a change of management order;
- should the Shire wish to seek freehold title of the reserve at a later date from the Department of Lands then WACHS Wheatbelt would be willing to support the request;
- It was agreed that the land swap will include the main hospital building and Ian Roberts Lodge;
- WACHS would demolish and remove building Blocks C, D, F & G as indicated on its Plan;
- The land swap arrangement with the Shire was based upon WACHS offering the old hospital site land to the Shire with or without the buildings. Should the Shire wish to retain the buildings then they would need to accept them in their current condition and any current or future maintenance liabilities would not be a WACHS responsibility.

Council, at its 21 June 2018 Ordinary Meeting, having considered similar land transfer arrangements, e.g. Pingelly hospital site, resolved to:

Advise the WA Country Health Service that:

- *The Council will only accept the land known as Reserve 22160, the former Cunderdin Hospital Site, as unencumbered freehold land at no cost to the Shire as a direct land swap for Lot 501 Lundy Avenue, Cunderdin.*
- *Council will accept the freehold land, once completion and operation of the new Primary Health Care Demonstration Site, on an as is basis following completion of the works outlined in their correspondence dated 14 December 2016.*
- *Request the Chief Executive Officer to determine the financial implications associated with the land swap and future use of the subject land for inclusion in budgetary planning processes.*

In July 2018, the St Simeon Group, part of the “Serbian Orthodox Diocese Aged Care and Education Property Fund Ltd” (SODACEPF), met with representatives of the Shire to discuss the possibility of it providing a range of aged care services to the community, utilizing the old hospital buildings. The services would include home care packages, private services, CHPS, residential, respite and palliative care. These services were recognized by the Shire as key to providing local residents a broad suite of services and would be complimentary to the Shire’s AAA housing development which itself is inclusive of a respite and palliative care facility.

In January 2019, the St Simeon Group:

- Provided the Shire with a copy of its Business Plan for the proposed services;
- Provided copies of applications it had submitted to the Commonwealth for funding approval that was unsuccessful;
- Advised its application for Major Refurbishment Funding cannot be submitted until it actually becomes an approved provider in the Cunderdin area; and,
- information on its plans for the renovation of the Old Hospital Buildings which were to be presented to its Board of Directors for consideration.

As mentioned above, WACHS has given the Shire the option to accept the Hospital Site on Cubbine Road with the old hospital building and Ian Roberts Lodge or as a site cleared of unwanted existing buildings.

In February 2019, a desk top assessment of the Shire’s Lundy Avenue property (6,357 m2) Lot 801 on Plan 407494, was valued at \$95,000 whilst the Cubbine Street property of the Health Department (2.1107 ha) Reserve 22160, was valued at \$210,000.

On 11 April 2019 Council resolved to:

That Council notify WA Country Health Services (WACHS) that:

- *it accepts the land known as Reserve 22160, the former Cunderdin Hospital Site, as unencumbered freehold land at no cost to the Shire as a direct land swap for Lot 801 on Plan 407494 Lundy Avenue, Cunderdin; and,*
- *It requests WACHS to defer demolition for a period of 3 months with option for a further 3 months if interest is shown in its development.*

Comments

Accordingly, the Shire advertised an Expression of Interest throughout Facebook, the West Australian, Social Media Sites and in 3 radio interviews throughout the month of May.

There were no responses or inquiries in the advertisement and Council suggested that the Shire advertise through a commercial retailer broker (such as CBRE). CBRE did not respond despite repeated efforts to contact them including 3 emails and 2 phone calls. It was decided to broaden the spectrum and the Shire contacted the following agencies:

- Colliers

- Macedonian Community Welfare Association
- Freemasons of WA
- Jones Lang Le'Salle

After repeated contact and email to the above companies, none of which has shown any interest in even marketing the site, the Shire can only come to the conclusion that due to the lack of profit or time, that unfortunately there is no interest in leasing the building as is.

The reason for this is unsure but it could be linked to the site not having an allocation for high or low care needs, and the government's refusal to allocate more funds to this region whilst beds in Northam and Kellerberrin remain empty.

Policy Implications

Nil

Financial Implications

If the Shire does not request the demolition of the Old Hospital site, it will be responsible for the upkeep and maintenance of the building in its current form. It is unclear what the cost would be, although it is expected it would be significant.

Strategic Implications

Shire of Cunderdin Community Strategic Plan

The proposed land swap and future use of the former Cunderdin Hospital is consistent with the social, environmental and economic goals of the CSP, which 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

- Nurture and enhance our natural environment and prioritise the protection of our natural resources;
- Manage resource consumption and reduce waste, preserve and protect buildings and places of heritage and indigenous significance;

Economic

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

Recommendation 9.6

That Council notify WA Country Health Services (WACHS) that:

- It requests WACHS to demolish and, with the exception of Ian Roberts Lodge, remove the old hospital buildings prior to transfer of the freehold land to the Shire.

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ____/____

9.7 Security Door and Glass Partition for the Front Office

Location:	Shire of Cunderdin
Applicant:	Administration
Date:	8 July 2019
Author:	Kayla James
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

For Council to consider the installation of a security door and glass partition for the front office.

Background

In recent times, some Councillors have become concerned with the behaviour of customers when coming into the Shire Administration building.

Comments

A screen and locked door would help ensure a minimal likelihood of customers crossing the counter and it would reduce the risk of harm the administration staff.

Council aim to develop and open and cohesive relationship with the community, however, the partition would create a barrier between the customer and the Shire staff, which could further create a relationship and communication barrier.

Further to this, staff members mutually agree that the partition is not necessary within our community and believe it could create further tension between the community and the Shire.

The staff currently have their own agreement in place where they ensure that no staff member is alone within the administration building at one time. This includes the movement of days off to ensure at least two staff members are present in case of an emergency.

Staff also agree that generally speaking most customers are polite and respectful to the administration staff.

Consultation

Council – Budget Meeting discussions
Staff – consultation.

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

A partition would cost council \$15,000. Given the layout of the office the Chief Executive Officer would prefer to move the counter to align the office appropriately therefore the expense would likely reach \$20,000.

Strategic Implications

N/A

Recommendation 9.7

That Council not endorse the installation of a security door and glass partition for the front office.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple Majority

Carried/Lost ____/____

9.8 2019/20 Budget Adoption

Location:	Shire of Cunderdin
Applicant:	Stuart Hobley
Author:	Community Development Officer, Kayla James
Report Date:	11 th July 2019
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	1 Attachments

Summary

To consider and adopt the Municipal Fund Budget for the 2019/2020 financial year together with supporting schedules, including striking of the municipal fund rates, establishment of new reserve funds, setting of elected members fees for the year and other consequential matters arising from the budget papers.

Background

The draft 2019/2020 budget has been compiled based on the parameters established in the Council integrated planning documents including long term financial plan, corporate business plan and strategic community plan.

Council gave consideration to the detail within the budget via a workshops held on the 4th July 2019.

Comment

The budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The main features of the draft budget include:

Rate Increase

The budget provides an average 3% increase in rates collected.

The Unimproved Valuations (UV) were completed 1 August 2018 and effective from 30 June 2019. The overall change in valuations was an increase of 4.59%. Although this is the case, there will also be variances greater or less than the 3% average rate increase.

Comments from the District Valuer were;

There has been an overall general lift in the Unimproved Values for the broad acre market, with values through the far north east corner and particularly in the south east of the shire having received higher than average increases to provide for better co-ordination, resulting in varying changes to values across the shire. The small holding market particularly those with poorer soil types, have received a decrease in value in response to adverse market conditions for this market segment. Sales close to the date of valuation indicate that the broad acre market is continuing to rise and increases are anticipated in the next revaluation if this trend continues to be supported by sales evidence.

Some changes to individual assessments may have occurred either as a product of the mass valuation process or where records have been amended or corrected for more up to date information about soil types etc.

The minimum rate is proposed to be increased to \$719, an increase of 3%.

End of year position

The 2018/2019 end of year position is an estimated surplus of \$1,431,717. This is a result of a number of projects that were either not complete before the end of the financial year and the early payment of our Federal Assistance Funding which was received in June 2019.

The budget presented to Council for adoption results in an end of year deficit for 2019/20 of \$24,454.

Fees & Charges

The fees and charges schedule is presented to Council for consideration. Variations as deemed appropriate have been made to the Fees & Charges; the major variations have been highlighted yellow in the attachment. The variations have been made to ensure we are recouping the Shires costs to provide the service or bring items in that have been deemed necessary throughout the previous year.

Elected Member Attendance Fees, Allowances & Reimbursement of Costs

The recommendations include the setting of meeting attendance fees and allowances for members. This includes the Presidents allowance of \$1500.00, the Deputy President's allowance \$250.00 and members meeting attendance fees are set at the maximum rate of \$238 and \$490 for the President. With Committee meeting attendance fee set at the maximum rate \$118 for all members.

The Presidents entitled to an allowance in the range of \$508 – 19,864 and the Deputy President is entitled to up to 25% of the agreed presidents allowance.

Other claims such as travelling will need to be submitted should a member so require. All payments may be made direct to Members designated bank accounts. These fees and allowances are in accordance with Sec 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act and the Local Government (Administration) Regulations. These fees are within the determinations for Band 4 as set by the Salaries and Allowances Tribunal 12 April 2016.

Salaries & Wages

Significant changes in the Salaries and wages budget will be seen in 2019/20 due to the completion of the Shared Resource Agreement with Tammin. The Shire will now be responsible for all of the employment costs associated with the CEO and Manager of Works. However this will be partly offset by the Council not budgeting to employ a Works Supervisor

The budget for Salaries and Wages has been increased by the Fair Work Commission wage increase.

Road Funding

The road program has had in funding of from the Department of Infrastructure and Regional Development. This has led to a significant road program for the 2018/2019 year. A portion of these works will be put out to contract as we do not have the capacity to undertake the works ourselves. The total of our Road funding sources are as follows:

MRWA Direct Grant	\$ 100,000
Regional Road Group	\$ 309,367
Roads to Recovery 18/19	\$263,739

Reserve Transfers

The following transfers in and out of Reserves have been budgeted for.

Museum Reserve (Capital Upgrade)	\$23,000
Building Reserve (Meckering Sports Club Roof)	\$30,000
AAA Sandalwood Units Reserve (Net income from units)	\$30,000

Borrowings

The Shire has budget to borrow up to \$250,000 to construct a new house.

Statutory Implications

Section 6.2 of the *Local Government Act 1995* requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending 30 June of the next year.

Divisions 5 and 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. *The Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2015/16 budget as presented is considered to meet statutory requirements.

- *Cemeteries Act 1986*
- *Waste Avoidance and Resources Recovery Act 2007*
- *Local Government (Miscellaneous Provisions) Act 1960*

Policy Implication

Nil

Consultation

Internal: Staff

Council

External: Community groups (and Councillors) have had the opportunity to submit budget requests

Financial Implications

The Budget document establishes activities which the Shire will pursue during the 2018/19 financial year taking into account the Shire of Cunderdin Corporate Business Plan and Long Term Financial Plan.

Strategic Implications

Recommendation 9.8

PART A - MUNICIPAL FUND BUDGET FOR 2019/20

That Council, pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, adopt the Municipal Fund Budget as contained in the attachment of this agenda for the Shire of Cunderdin for the 2018/19 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type, shows a deficit of \$24,454
- • An amount required to be raised from rates of \$ 2,117,790
- Budget schedules as detailed.
- Transfers to/from Reserve accounts as detailed.

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1. That Council, for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995, impose the following general and minimum rates on Gross Rental and Unimproved Values.

1.1 General Rates

Gross Rental Value (GRV)	8.7526 cents in the dollar
Rural (UV)	0.8898 cents in the dollar
Mining (UV)	0.8898 cents in the dollar

1.2 Minimum Rates

Gross Rental Value (GRV)	\$719
Unimproved Value (UV)	\$719
Mining (UV)	\$719

2. That Council, pursuant to section 6.45 of the Local Government Act 1995 and regulation 64 (2) of the Local Government (Financial Management) Regulations 1996, offers a one, two and four instalment payment option, and nominates the following due dates for payment in full or by instalments:

Full payment and 1st instalment due date 4 September 2019

2nd quarterly instalment due date 6 November 2019

3rd quarterly instalment due date 9 January 2020

4th quarterly & final instalment due date 11 March 2020

3. That Council, pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$9.00 for each instalment after the initial instalment is paid.
4. That Council, pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.
5. That Council, pursuant to section 6.51 (1) and subject to section 6.51 (4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

PART C – GENERAL FEES AND CHARGES FOR 2019/20

That Council, pursuant to section 6.16 of the Local Government Act 1995, adopts the Fees and Charges included in the Draft 2019/2020 budget included as attached to this agenda.

PART D – OTHER STATUTORY FEES FOR 2019/20

1. That Council, pursuant to Part 7 Local Government Planning Charges Planning and Development Regulations 2009 adopts the Fees and Charges for Planning Services within the Shire of Cunderdin as included at page 32 inclusive of the draft 2018/2019 budget included as attached to this agenda.
2. That Council, pursuant to section 53 of the Cemeteries Act 1986 adopts the Fees and Charges for Cemeteries within the Shire of Cunderdin as included at page 29 inclusive of the draft 2018/2019 budget included as attached to this agenda.
3. That Council, pursuant to section 245A(8) of the Local Government (Miscellaneous Provision) Act 1960 adopts the swimming pool inspection fee included at page 26 inclusive of the draft 2018/2019 budget included as attached to this agenda.
4. That Council, pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, adopt the charges for the removal and deposit of domestic and commercial waste as included at page 28 inclusive of the draft 2018/2019 budget included as attached to this agenda.

PART E – ELECTED MEMBERS FEES AND ALLOWANCES FOR 2019/20

1. That Council, pursuant to section 5.98(1)(b) of the Local Government Act 1995 and within the range determined by the Salaries and Allowances Tribunal, adopt the following meeting attendance fees for elected members:

President \$ 490 per meeting attended
Councillors \$ 238 per meeting attended
Councillors \$ 118 per committee meeting attended.

2. That Council, pursuant to section 5.98(5) of the Local Government Act 1995 and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual local government allowance to be paid in addition to the meeting attendance fees:

President \$1,500

3. That Council, pursuant to section 5.98A of the Local Government Act 1995 and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual local government allowance to be paid in addition to the meeting attendance fees:

Deputy President \$250

PART F – MATERIAL VARIANCE REPORTING FOR 2019/20

That Council, in accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2018/19 for reporting material variances shall be a percentage of ten (10) or a minimum of \$10,000, whichever is the greater.

Moved: Cr

Seconded: Cr

Vote – Absolute Majority

Carried/Lost: _ / _

9.9 Property - Reserve 13505, 2 Cubbine Street, Cunderdin

Location:	Cunderdin
Applicant:	Property & Rates Officer
Date:	25 th June 2019
Author:	Brooke Davidson
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	NIL
File Reference:	A52955 & A52933
Attachment/s:	1 attachment

Proposal/Summary

It is proposed that Council start the process of acquiring the land (lots 159, 160 & 161 on Deposited Plan 222359) that the Doctors Surgery and Doctors House are built upon.

Background

In 1996 Council approved for a Doctors House and Doctors Surgery to be built on Reserve 13505 / Lots 159, 160 & 161 on Deposited Plan 222359, located on the corner of Cubbine and First Street, Cunderdin.

The land was, and is still currently, owned by the Department of Planning, Lands and Heritage, with a Vesting Order to the Shire of Cunderdin.

In 1997, the Doctors House and Doctors Surgery were built on these three blocks of land.

Comment

As part of the Shire's 2019/20 Budget deliberations, Council will be reviewing the current housing situation, with the option of selling property.

Should Council decide at a future date to sell the properties located at this site, the Shire would need to first own freehold the land they are situated on.

The Department of Planning, Lands and Heritage requires Councils approval prior to opening an investigation of the Reserve.

Consultation

Department of Planning, Lands & Heritage

Statutory Implications

NIL

Policy Implications

NIL

Financial Implications

NIL

Strategic Implications

Strategic Community Plan

IT4-Objective 2: Develop plans for the improvement and renewal of infrastructure assets

Recommendation 9.9

That Council

1. That Council start the process of acquiring the land known as Reserve 13505 / Lots 159, 160 & 161 on Deposited Plan 222359.

Moved: Cr

Seconded: Cr

Vote – Simple majority

Carried/Lost: _____

9.10 Cunderdin and Tammin Shire Palliative Care Residential Unit Management Plan

Location:	Cunderdin
Applicant:	WACHS
Date:	10 July 2019
Author:	Kayla James
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	1 attachment

Proposal/Summary

A Memorandum of Understanding between the Shire of Cunderdin and Western Australian Country Health Service (WACHS) for the operation and management of the palliative care has been proposed by WACHS.

This report recommends that Council not adopt the MOU and further consultation be sought.

Background

Following a meeting of the Aged Appropriate Accommodation Project Management Committee (AAAPMC) in 2016, Suzanne Taylor, the then Acting Regional Nursing and Midwifery Director was asked to prepare a Draft Management Plan Agreement (the Agreement) between the Shire and Western Australian Country Health Service (WACHS) in respect to the future services and operation of the Shire's Palliative Care Unit.

It is noted that the Units (palliative and respite) provide a supportive environment but are not to the standards of a hospital facility. Hospital level care will not be available but nursing and medical services can be made available on site.

The Agreement was the subject of discussions held on 22 May 2018 between Councillors, the AAAP and Sean Conlan, Regional Director WACHS- Wheatbelt and Jeffery Williams Regional Nursing and Midwifery Director.

The revised Agreement reflecting responsibility of both WACHS and the Shire in regard to the provision of palliative and end of life care is attached for Council's adoption.

Council at its 21 June 2018 Meeting resolved;

Resolution 9.6 June 2018

That Council:

- *adopt the attached Cunderdin and Tammin Shire Palliative Care Residential Unit – Management Plan Agreement with clarity to the relatives/carer utilizing the facility from the Cunderdin and Tammin districts allowing free use.*
- *and authorise the document as a Policy of the Shire of Cunderdin; and,*
- *provide local public notice of the document's adoption for a period of no less than 7 days; and,*
- *request the MOU be reviewed 6 monthly.*

Comment

The Agreement recognises that palliative care services will be provided by WACHS utilising the Shire's facility as agreed from time to time. The Shire, as owner of the facility will be responsible for its maintenance and upkeep. The Shire will also be responsible for management of the hiring of the facility and collection of any fees and charges applicable.

At the Age Appropriate Accommodation Management Plan Committee held on Tuesday the 9 July 2019 the MOU was considered and the following was recommended to Council:

“That the Shire of Cunderdin Age Appropriate Accommodation Project Management Committee (PMC), recommends that that Council give consideration to the MOU in relation to the details of Palliative care provision in consultation with WACHS.”

The Committee acknowledged that it was not the appropriate group to follow up the MOU, but noted a discrepancy in the provision of services by WACHS in the Palliative unit in comparison to commitments made by WACHS in the planning stages of the AAA Village and Health Centre (SIHI Project).

Consultation

WACHS Regional Director
WACHS Regional Nursing and Midwifery Director
Members of the AAA Project Management Committee
Councillors

Statutory Implications

NIL

Policy Implications

NIL

Financial Implications

NIL

Strategic Implications

Strategic Community Plan
IT4-Objective 2: Develop plans for the improvement and renewal of infrastructure assets

Recommendation 9.10

That Council invite a Western Australian Country Health Services Palliative Representative to a meeting of Council for discussions around the services provided by WACHS in the Palliative Care unit.

Moved: Cr

Seconded: Cr

Vote – Simple majority

Carried/Lost: _____

9.11 Change of Credit Cards Bendigo Bank

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	12 July 2019
Author:	Stuart Hobley
Item Approved by:	CEO
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council to authorise Credit Cards and the prescribed limits for Bendigo and Adelaide Bank Ltd.

Background

Due the new appointments within the Shire of Cunderdin, new card holders and limits will be required to be prescribed by Council.

Comments

Bendigo and Adelaide Bank Ltd require a resolution from Council to authorise the change.

The Chief Executive Officer, the Manager of Corporate Services and Finance and Manager of Works and Services have previously had credit cards issued by Westpac Bank. The limits where:

Chief Executive Officer - \$5,000

Manager of Corporate Services and Finance - \$2,000

Manager of Works and Services - \$2,000

The Shire is the process of changing over its banking over to the Bendigo Bank and this is one of the final changes.

Consultation

N/A

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

N/A

Recommendation 9.11

That Council authorise that new credit cards are to be opened with the Bendigo Bank for the following persons and the following credit limits;

- Chief Executive Officer – Stuart Craig Hobley \$6,000.00
- Manager of Corporate Services Finance- Hayley Kristin Byrnes \$2,000.00

Therefore increasing the Shires overall limit to \$8,000.

Moved: Cr _____

Seconded: Cr

Vote – Simple Majority

Carried/Lost ___/___

10. Environmental Health and Building

10.1 Street Food Trader's Permit

Location:	Between IGA and Hardware Store, Main St, Cunderdin at the Cunderdin Museum, Forrest St, Cunderdin Oval, Baxter St, Cunderdin and on small business/industrial school sites, Cunderdin
Owner:	Donna Dransfield and Jane O'Hare
Date:	9 th of July, 2019
Author:	Tim Jurmann Building Surveyor and EHO
Item Approved by:	Stuart Hobley, CEO
Disclosure of Interest:	Nil
File Reference:	N/A
Attachment/s:	Letter of Request for Street Food Trader's Permit. Proposed Street Food Trader's Permit

Proposal/Summary

The purpose of this report is for Council to review the request from Donna Dransfield and Jane O'Hare, trading as Woop Woop Coffee Van, (a local business), to obtain a Street Food Trader's Permit under the Shire of Cunderdin Thoroughfares and Public Places Local Law 2015.

It is proposed to operate as a street food trader, under the name, 'Woop Woop Coffee' from a mobile coffee van/trailer at the following locations:

- Between IGA and Hardware Store, Main St, Cunderdin
- At the Cunderdin Museum, Forrest St, Cunderdin,
- Outside small businesses/industrial sites or schools that may request this service,
- Cunderdin Oval, Baxter St, Cunderdin,
- Cunderdin Shire District at various approved event locations or private events not requiring approval.

The owner also wishes to operate at events outside of the Cunderdin Shire, however approval for this would be the responsibility of the local government they wish to operate in, and is not dealt with in this report.

Background

The request has been made to create additional business opportunities, employment and dining facilities within the Cunderdin Shire, as well as to capture passing tourist and customer trade.

Various hours of operation have been requested.

The van will provide coffee, or low risk food and refreshments to service the local community, as well as for travellers and tourists.

Comment

For simplicity of regulation it is proposed by the Shire to issue a single time block of hours of operation per day to cover the requested times of operation.

It is proposed to allow the hours to be from:

- 6.00 am to 12.00 midnight, and subject to written consent being obtained from:
 - Relevant Community Group when at the Cunderdin Sports Ground.
 - Businesses operating from the Cunderdin Sports & Recreation Centre kitchen.
 - Property Owner's/Co-op/IGA/Hardware store Consent when adjacent to the IGA.
 - Lynne and Glen Carpenter, owners of Linnie's Highway 1 Food Van when adjacent to the Cunderdin Museum or when operating within 100 metres of Linnie's Highway 1 Café Food Van.
 - The owner's and operators of small business, industrial and school sites where it is proposed to operate.
 - Event Manager's for approved events within the Shire of Cunderdin.

Glenn and Lynne Carpenter the owners of Linnie's Highway Café Food Van have expressed some initial concern about the operation of the business and will be submitting their concerns in writing and will be attending the Council meeting.

Under the **Shire of Cunderdin Thoroughfares and Public Places Local Law 2015**, the following matters are required to be considered.

6.5 Relevant considerations in determining application for permit

- (1) In determining an application for a permit for the purposes of this Division, the local government is to have regard to –*
- (a) any relevant policies of the local government;*
 - (b) the desirability of the proposed activity;*
 - (c) the location of the proposed activity;*
 - (d) Competition Principles; and*
 - (e) such other matters as the local government may consider to be relevant in the circumstances of the case.*

These are considered respectively as follows.

- a) No other policies of the local government are applicable.
- b) The proposed activity should raise the profile of the town, is desirable, aesthetically pleasing and will attract passing trade and tourism. The proposed activity will provide alternatives to customers not wishing to stop at other businesses and the local roadhouse and will only provide basic coffee, cake and snacks to accompany coffee or refreshments.
- c) The locations should provide adequate room for parking and nearby facilities for customers. A condition will be placed on the permit requiring prior approval of any signage, furniture or associated equipment prior to installation, by the Shire of Cunderdin.
- d) Though some competition will occur with existing businesses, Linnie's Highway 1 Café and the Cunderdin Roadhouse, the proposed coffee van has a more limited range of products available and therefore should attract a somewhat different customer base than that which would utilise the other businesses and the Cunderdin Roadhouse, that have a wider range of facilities and products. Approval of the Food Trader's Permit will allow for healthy local business competition and may increase positive attention to food businesses within the township.
- e) The approval will be conditional of obtaining written consent from the existing Linnie's Highway 1 café, (where operating at the Cunderdin Museum or within 100m of Linnie's Highway 1 Café existing location), or appropriate Community or Sporting Group operating with any required

approval of the Cunderdin Shire, at the Cunderdin Oval at the proposed time of operation at the Cunderdin Sports Ground, or from any businesses operating from the Cunderdin Sports & Recreation Centre kitchen.

Consultation

The agenda containing this report for the Shire of Cunderdin Council Meeting has been advertised in accordance with standard Shire of Cunderdin policy and procedures.

The owner's of Lunnies Highway 1 Café have been advised of the proposal, by telephone and email, and will be making a submission.

Approval for the Street Trading Permit will also be made conditional on obtaining continuing and formal written permission, from:

- Relevant Community Group when at the Cunderdin Sports Ground.
- Businesses operating from the Cunderdin Sports & Recreation Centre kitchen.
- Property Owner's/Co-op/IGA/Hardware store Consent when adjacent to the IGA
- Lynne and Glen Carpenter, owners of Lunnies Highway 1 Café Food Van when at the Cunderdin Museum, or within 100 metres of the lay by utilised by Lunnies Highway 1 Café Food Can
- The owner's and operators of small business, industrial and school sites where it is proposed to operate
- Event Manager's for approved events within the Shire of Cunderdin

Statutory Implications

The Shire of Cunderdin Thoroughfares and Public Places Local Law 2015.

Policy Implications

Approval will be obtained under the Food Act 2008 and the **Shire of Cunderdin Activities on Thoroughfares and Public Places Local Law 2015**.

Financial Implications

Public Liability Insurance to the value of \$10,000,000 has been obtained, however indemnity has not be provided in accordance with the Shire of Cunderdin Activities on Thoroughfares and Public Places Local Law 2015 as follows.

"the provision of an indemnity from the permit holder indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the permit holder."

This will be required by the owner and owner's insurance policy prior to issuing any permit.

Strategic Implications

The Cunderdin Strategic Community Plan sets out the vision for the Shire's future and captures the community's aspirations and vision.

On balance, strategically, allowing operation of the “Woop Woop Coffee Van”, would be beneficial to the community and consistent with the goals of the Cunderdin SCP.

Recommendation 10.1

That Council approve the request for the Street Trading Permit for the “Woop Woop Coffee Van” operated by Donna Dransfield and Jane O’Hare subject to any variance deemed applicable by the Cunderdin Shire Council, the Shire of Cunderdin Thoroughfares and Public Places Local Law 2015, the proposed conditions of the Permit and Approval of the Food Business under the Food Act 2008.

Moved: Cr

Seconded: Cr

Vote – Simple Majority

Carried/Lost: _/_

11. Planning & Development

12. Works & Services

13. Urgent Items

Nil

14. Scheduling of Meeting

14.1 August 2019 Ordinary Meeting

The next ordinary meeting of council is scheduled to take place on Thursday 15 August 2019 commencing at 5pm at the Cunderdin Shire Council Chambers, Cunderdin, WA 6407

15. Matters for which the meeting may be closed – as per Local Government Act 1995 (s.5.23)

16. Closure of meeting

There being no further business the Shire President will declare the meeting closed at __: __pm.

17. Certification

DECLARATION

I, Dennis Whisson, certify that the minutes of the Ordinary Council Meeting held on 18 July 2019 as shown were confirmed at the ordinary meeting of Council held on 15 August 2019.

Signed: _____

Date: _____