



## Shire of Cunderdin

### Minutes

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 19<sup>th</sup> July 2018** in the Shire of Cunderdin Council Chambers, Lundy Avenue, Cunderdin, **at 5.00pm.**

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## MINUTES

### 1. Declaration of Opening

**The President declared the meeting open at 5pm**

**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 DB (Doug) Kelly	Deputy President
Cr J (Jayson) Goldson	
Cr D (Di) Kelly	
Cr AE (Alison) Harris	
Cr TE (Todd) Harris	
Cr NW (Norm) Jenzen	
Cr B (Bernie) Daly	

##### **In Attendance**

Neville Hale	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer
Kayla James	Community Development Officer

##### **Guests of Council**

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

Hayley Taylor	Principal, Cunderdin District High School
Pauline Smart	Cunderdin District High School
Mary Groves	Cunderdin District High School
Mick Fissioli	Cunderdin Tourist Park

#### 2.2 Apologies

#### 2.3 Leave of Absence Previously Granted

### 3. Public Question Time

#### Declaration of public question time opened at: 5.02pm

School Principal Hayley Taylor, Cunderdin District High School, together with Mary Groves and Pauline Smart, expressed disappointment that the school was not featured in the community production "This is OUR Shire". Council acknowledged their concerns noting that the primary objective of the production was community engagement and has been pleasantly surprised at how this production has been accepted locally and throughout the State as a promotion of the Shire.

#### Declaration of public question time closed at: 5.11pm

### 4. Petitions, Deputations & Presentations

#### 4.1 Presentation by Mick Fissioli, Cunderdin Tourist Park

Presented Council with a package inclusive of future plans for the Cunderdin Tourist Park.

#### 4.2 Presentation by the Cunderdin Police

Introduction of Sergeant Andy Rees. OIC Ray Hillier commented on various matters impacting the local area and raised the issue of the Shire installing CCTV cameras into the CBD

### 5. Applications for Leave of Absence

#### 5.1 Application for Leave of Absence - Cr Norm Jenzen

##### Resolution 5.1 July 2018

That Council approve leave of absence for Cr Norm Jenzen's for Thursday 16<sup>th</sup> August 2018.

Moved: Cr Dianne Kelly

Seconded: Cr Jayson Goldson

Vote – Simple Majority

Carried 8/0

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

### **6.1 Ordinary Meeting of Council held on Thursday 19<sup>th</sup> June 2018.**

#### **Resolution 6.1 July 2018**

That the Minutes of the Ordinary Council Meeting held on Thursday 19<sup>th</sup> June 2018, be confirmed as a true and correct record.

Moved: Cr Bernie Daly

Seconded: Cr Norm Jenzen

Vote – Simple Majority

Carried 8/0

#### **Note to this item:**

The President signed the minute declaration on the previous minutes.

### **6.2 Special Meeting of Council held on Thursday 5<sup>th</sup> July 2018.**

#### **Resolution 6.2 July 2018**

That the Minutes of the Ordinary Council Meeting held on Thursday 5<sup>th</sup> July 2018, be confirmed as a true and correct record.

Moved: Cr Alison

Seconded: Cr Norm

Vote – Simple Majority

Carried 8/0

#### **Note to this item:**

The President signed the minute declaration on the previous minutes.

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

The following Councillors Declared Financial Interests;

- Item 9.4 - Cr Dianne Kelly, declared an Interest of Impartiality as she is a member of the Meckering Earthquake 50th Anniversary Commemorative Committee
- Item 9.4 - Cr Doug Kelly, declared an Interest of Impartiality and Finance as he is a paid member of the Meckering Action Group, and is also involved in the Meckering Earthquake Anniversary Committee
- Item 9.6 – Cr Dianne Kelly, declared an Interest of Impartiality as she is the Project Manager of the Meckering Unmarked Graves Project.

## **8. Announcements by President without Discussion**

Nil

## 9. Finance & Administration

### 9.1 Financial Reports for June 2018

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Date:</b>	13 <sup>th</sup> July 2018
<b>Author:</b>	Paul Godfrey
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	3 attachments

#### **Proposal/Summary**

The financial reports as at 30 June 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 July 2018**

That Council receives the monthly financial reports to 30 June 2018.

Moved: Cr Doug Kelly

Seconded: Cr Dianne Kelly

Vote – Simple Majority

Carried 8/0

## 9.2 Accounts Paid – June 2018

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Paul Godfrey
<b>Report Date:</b>	13 <sup>th</sup> July 2018
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

### **Proposal/Summary**

Council is requested to confirm the payment of Accounts totalling \$508,575.42 for June 2018 as listed in the Warrant of Payments for the period 1 June to 30 June 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 July 2018**

1. That Council's payment of accounts amounting to \$508,575.42 for June 2018, from :

<b>Municipal Account</b>	<b>\$</b>
Electronic Funds Transfer: EFT2215-2294	471,186.94
Direct Debit: DD1034.1 – DD1097.8	22,743.39
Cheques: 11370-11388	14,549.67
Bank Charges:	95.42
	<b>508, 575.42</b>
<b>Trust Account</b>	NIL
<b>TOTAL</b>	<b>508,575.42</b>

be confirmed and noted; and,

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

Moved: Cr Bernie Daly

Seconded: Cr Jayson Goldson

Vote – Simple Majority

Carried 8/0



<b>Cheque /EFT No</b>	<b>Date</b>	<b>Supplier</b>	<b>Description</b>	<b>Amount</b>
EFT2295	06/06/2018	Covs Parts Pty Ltd	Hychill Minus 30W and HT30 9UV Core Deposit	653.05
EFT2296	06/06/2018	Autopro Northam	Oil and Air Filters	302.33
EFT2297	06/06/2018	Ag Implements	Filter Elements	624.25
EFT2298	06/06/2018	Contract Aquatic Services	Swimming Pool Management	21,164.00
EFT2299	06/06/2018	Baxters Rural Centre KB	Hydraulics	130.49
EFT2300	06/06/2018	Michelle Samson	Reimbursement - Michelle Samson Cleaning Supplies	53.63
EFT2301	06/06/2018	Daimler Trucks Perth	Mirrors	341.96
EFT2302	06/06/2018	Mitre 10 Northam	Acrylic Panel	79.75
EFT2303	06/06/2018	P&G Body Builders	Supply 2 x side tipper door cylinders, suit side tipper as per instructions send direct to Shire Depot	1,441.00
EFT2304	06/06/2018	Benara Nurseries	Various plants for Parks and Gardens	448.03
EFT2308	08/06/2018	Aussie Fencing	Fencing	5,670.32
EFT2309	19/06/2018	Jason Signmakers	Signage	409.20
EFT2310	19/06/2018	Landgate	GRV INT Vals Ctry and Fesa	223.38
EFT2311	19/06/2018	Cunderdin Co-Op	Bulk Distillate	13,321.44
EFT2312	19/06/2018	Australia Post	Postal Charges	72.91
EFT2313	19/06/2018	Avdata	Airfield Charges	1,005.93
EFT2314	19/06/2018	Cunderdin Newsagency	Stationary Supplies	150.50
EFT2315	19/06/2018	BGC Australia Pty Ltd	Crsuhed rock and Coarse Dust	37,699.47

EFT2316	19/06/2018	Glenwarra Development Services	Town Planning Consultancy Fee	8,250.00
EFT2317	19/06/2018	Autopro Northam	Grease Gun and Batteries	263.10
EFT2318	19/06/2018	MetroCount	Batterys, tubes, nails, centreline flaps, figure 8 cleats and vent plugs	1,464.10
EFT2319	19/06/2018	CDA Air & Solar	Service Air Conditioner units	1,012.00
EFT2320	19/06/2018	SG Fleet	Registration Recharges	105.60
EFT2321	19/06/2018	AMJ Industries	Attend Site Sports Ground sort out underground cables	253.66
EFT2322	19/06/2018	Eastern Hills Saws and Mowers	Bars, Chains, Needle Cage, E Clip, Spur Sprocket and File holder	875.80
EFT2323	19/06/2018	Perfect Computer Solutions	IT Support	340.00
EFT2324	19/06/2018	Donovans Engineering	Repair lugs on side tipper	1,064.25
EFT2325	19/06/2018	Westrac	Mirrors	312.42
EFT2326	19/06/2018	JM Vanden Akker & JA Vanden Akker	Window Cleaning at Pump Museum	1,460.00
EFT2327	19/06/2018	JTagz	Cat and Dog tags	187.00
EFT2328	21/06/2018	Specialised Tree Services	Street tree pruning Cunderdin & Meckering	15,447.00
EFT2329	21/06/2018	Australian Tax Office	BAS MAY 18	30,683.00
EFT2330	26/06/2018	Cunderdin Newsagency	Ink cartridges, copy paper, glue, laminating pouches, paper clips	181.07
EFT2331	26/06/2018	AIR LIQUIDE	Gas Cylinder Fees	120.86
EFT2332	26/06/2018	Goodfield Quality Meats	Water and Account Keeping Fee	56.00
EFT2333	26/06/2018	Combined Tyres Cunderdin	2 x Triangle TR699 and Tyre Disposal	930.00

EFT2334	26/06/2018	Regional Concrete & Plumbing	Conduct Annual Backflow testing	3,532.65
EFT2335	26/06/2018	AMJ Industries	Toy Library Electrical work	514.71
EFT2336	26/06/2018	Av-Sec Security	Monitoring fees	240.00
EFT2337	26/06/2018	APRA AMCOS	Cunderdin Hall Licence	71.73
EFT2338	26/06/2018	Advanced Autologic PTY LTD	Blue Horizon 1000LT	700.00
EFT2339	26/06/2018	Donovans Engineering	Lift Basketball posts	1,265.00
EFT2340	26/06/2018	Shire of Tammin	Shared Staff- Manager of works	30,209.00
EFT2341	26/06/2018	R&L Coltons Pty Ltd	Catering for Road inspection	150.00
EFT2342	26/06/2018	Cunderdin Caravan Park	Cabin 19 1 Night 28/5/2018	80.00
EFT2343	26/06/2018	Bitutek	Spray and Cover using Bituminous	156,033.90
EFT2344	26/06/2018	Earthstyle Contracting Pty Ltd	Snooke Road resheeting and maintenance	131,430.75
EFT2345	26/06/2018	Wheatbelt Motors	Carbi and Freight	161.70
DD1082.1	01/06/2018	Westnet	Internet Charges	44.95
DD1088.1	08/06/2018	Westnet	Internet Charges	44.95
DD1099.1	13/06/2018	WA Super	Payroll deductions	4,169.64
DD1099.2	13/06/2018	HOSTPLUS	Superannuation contributions	233.73
DD1099.3	13/06/2018	Westscheme Superannuation	Superannuation contributions	382.59
DD1099.4	13/06/2018	BT Super for Life	Superannuation contributions	406.20
DD1099.5	13/06/2018	MTAA Superannuation	Superannuation contributions	203.10

		n Fund		
DD1099.6	13/06/2018	TWU Super	Superannuation contributions	203.10
DD1099.7	13/06/2018	Colonial First State	Superannuation contributions	199.86
DD1108.1	25/06/2018	Westnet	Internet Charges	65.22
DD1120.1	27/06/2018	WA Super	Payroll deductions	4,712.28
DD1120.2	27/06/2018	HOSTPLUS	Superannuation contributions	293.95
DD1120.3	27/06/2018	Westscheme Superannuation	Superannuation contributions	382.59
DD1120.4	27/06/2018	BT Super for Life	Superannuation contributions	406.20
DD1120.5	27/06/2018	The Universal Super Scheme	Superannuation contributions	10,266.12
DD1120.6	27/06/2018	MTAA Superannuation Fund	Superannuation contributions	203.10
DD1120.7	27/06/2018	TWU Super	Superannuation contributions	203.10
DD1120.8	27/06/2018	Colonial First State	Superannuation contributions	199.86
DD1120.9	27/06/2018	Club Plus Superannuation	Superannuation contributions	122.85
11389	06/06/2018	Government of WA Department of Transport	CM0 12 Month Rego	705.00
11390	19/06/2018	Water Corporation	Standpipe Dempster St Meckering	3,703.81
11391	19/06/2018	Synergy	Street Light Tarrif	3,399.05
11392	19/06/2018	Government of WA Department of Transport	CM878 12 Month Rego	375.50
11393	26/06/2018	Water Corporation	Standpipe at Goomalling Meckering Rd Grass Valley	147.05

<b>11394</b>	<b>26/06/2018</b>	<b>Synergy</b>	<b>Airfield Power</b>	<b>5,492.05</b>
<b>11395</b>	<b>26/06/2018</b>	<b>Telstra</b>	<b>Shire of Cunderdin Mobiles</b>	<b>727.21</b>
<b>1755</b>	<b>01/06/2018</b>	<b>1 - BANK CHARGES</b>	<b>ACTIVITY FEE</b>	<b>38.67</b>
<b>1755</b>	<b>01/06/2018</b>	<b>1 - BANK CHARGES</b>	<b>MONTHLY PLAN FEE</b>	<b>10.00</b>
<b>1755</b>	<b>01/06/2018</b>	<b>1 - BANK CHARGES</b>	<b>MERCHANT FEES</b>	<b>46.75</b>
			<b>TOTAL</b>	<b>508,575.42</b>

### 9.3 Council Investments – As at 30<sup>st</sup> June 2018

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Paul Godfrey
<b>Report Date:</b>	13 July 2018
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

#### Proposal/Summary

To inform Council of its investments as at 30 June 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

In addition to the Shire's Municipal Operating Accounts totaling \$1,101,368.49 (Westpac - \$454,535.12 & Bendigo - \$646,833.37 as per attached statements, the following investment accounts are held as at 30 June 2018:

<b>COUNCIL INVESTMENTS</b>					
<b>Institution</b>	<b>Amount Invested</b>	<b>Investment type</b>	<b>Municipal Funds</b>	<b>Reserve Funds</b>	<b>Trust Funds</b>
Bendigo Bank	\$993,725.07	Reserves Term Deposit 2.35% Reinvested : 12/6/2018		\$993,725.07	
Westpac Bank	\$524,645.47	Business Cash Reserve 22-3647 0.60%	\$524,645.47		
Westpac Bank	\$22,816.33	Trust Working Account12- 2981			\$22,816.33
<b>TOTAL INVESTMENTS</b>	<b>\$1,541,186.87</b>		<b>\$524,645.47</b>	<b>\$993,725.07</b>	<b>\$22,816.33</b>

In addition to the above Shire funds, the Shire administers the Cunderdin Community Centre Trust Account being Westpac Account 000 073 - \$83,217.74 and Bendigo Term Deposit Ref: 2466959 - \$432,705.08

**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 July 2018**

That the reports on Council investments as at 30 June 2018 be received and noted.

Moved: Cr Norm Jenzen

Seconded: Cr Dianne Kelly

Vote – Simple Majority

Carried 8/0

#### 9.4 Free use of Community Bus

Cr Dianne Kelly declared an interest of impartiality, due to being a member of the Meckering Earthquake Commemorative 50th Anniversary Committee, but remained in the meeting.

Cr Doug Kelly declared an interest of impartiality and finance as he is a paid member of the Meckering Action Group and is also involved in the Meckering Earthquake Anniversary Committee  
Both Councillors remained in the room.

<b>Location:</b>	Meckering, WA 6405
<b>Applicant:</b>	Meckering Action Group
<b>Date:</b>	10 <sup>th</sup> July 2018
<b>Author:</b>	Kayla James
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Dianne Kelly / Doug Kelly
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 letter

#### Proposal/Summary

That Council donate the use of the Cunderdin Community Bus for the Meckering Earthquake Anniversary Celebrations on Sunday October 14<sup>th</sup> 2018.

#### Background

The Meckering Earthquake 50<sup>th</sup> Commemorative Anniversary will be held on Saturday, 14 October 2018. The community of Meckering formed a *Meckering Earthquake Anniversary Committee* in September 2017 that is organising a celebrative commemorative event for the 50<sup>th</sup> Anniversary of the infamous 1968 Meckering Earthquake.

The Shire of Cunderdin successfully applied for funding from Lotterywest on behalf of the Meckering Earthquake Committee to the amount of \$20,946 exc. GST. This funding will be utilised for entertainment and infrastructure costs for the event.

In addition to this, the event requires transportation to buildings such as Salisbury House and Fault Line and other earthquake ruins, combined being a 52km round trip.

#### Comment

The Shire has been supportive in all aspects of the organisation of the event given the high profile of the 50<sup>th</sup> anniversary.

By donating the bus free of charge, the Meckering Action Group will be able to provide the bus service for free.

#### Consultation

Alice Snooke – Secretary Meckering Action Group  
Neville Burges – President Meckering Action Group  
Rebekah Burges – Meckering Earthquake Anniversary Group

#### Statutory Implications

Nil

#### Policy Implications

Nil

#### Financial Implications



Bus hire - for a community group - 44c/km plus refill of tank (80L)

**Strategic Implications**

1. 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.

1.1 Continue to develop and support a healthy inclusive and accessible community providing facilities and services for all ages, abilities, visitors and tourists.

6. Civic Leadership Our Councillors and community leaders have vision, are accessible, act with transparency and integrity, and act in good faith on behalf of their constituents.

6.2 Undertake the civic duties of Council with the highest degree of ethics.

**Resolution 9.4 July 2018**

That Council agree to donate an amount of up to \$500 to the Meckering Action Group for the use of the Community Bus inclusive of fuel for the Meckering Earthquake Anniversary Event to be held on 14 October 2018.

Moved: Cr Bernie Daly

Seconded: Cr Norm Jenzen

Vote – Simple majority

Carried 8/0

## 9.5 Waitlist Policy for AAA Village

<b>Location:</b>	Sandalwood Village
<b>Applicant:</b>	AAAMP Committee
<b>Date:</b>	10 <sup>th</sup> July 2018
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1x attachment

### **Proposal/Summary**

For Council to adopt the Waitlist policy to be utilised by the Cunderdin Meckering Cottage Homes in the selection processes for the Age Appropriate Accommodation in Sandalwood Village.

### **Background**

The Age Appropriate Accommodation Project Management Committee previously endorsed that Cunderdin Meckering Cottage Homes Inc. would be engaged as the selection panel for the Age Appropriate Accommodation Homes located in Sandalwood Village.

The attached Waitlist Policy was presented to the Age Appropriate Accommodation Project Management Committee on 24 April 2018, where it was recommended for consideration by Council for endorsement.

### **Comment**

The Waitlist policy was created to outline the selection process for future occupants of the Sandalwood Village and is based on one currently used by Cunderdin Meckering Cottage Homes Inc.

The Age Appropriate Accommodation Project Management Committee believes the current Cottage Homes policy works effectively for eligibility and selection. However, Council may wish to consider whether the Policy should be amended to incorporate criteria precluding persons with other housing assets that may be generating income.

Under the proposed Policy, Council will have no involvement in the selection process. The Selection Committee of the Cunderdin Meckering Cottage Homes Committee Inc. will make such decisions in accordance with the attached policy as they are best placed to make such decisions holistically on the best use of both facilities.

### **Consultation**

Age Appropriate Accommodation Project Management Committee  
Cunderdin Meckering Cottage Homes Inc.

### **Statutory Implications**

Nil

### **Policy Implications**

This Policy will be included in Council's Policy Manual if adopted

### **Financial Implications**

Nil

## **Strategic Implications**

Extract from Strategic Community Plan

### 1. 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.

S1.1 Continue to develop and support a healthy inclusive and accessible community providing facilities and services for all ages, abilities, visitors and tourists.

S1.2 Finalise construction of the new Primary Health Care Demonstration Site facilitating regional health care services.

S1.3 Finalise the construction of the Age Appropriate Accommodation Project and facilitate further development of more aged care accommodation.

## **Resolution 9.5 July 2018**

### **Original Motion**

That Council:

1. adopt the attached "Waitlist Policy" for its Age Appropriate Accommodation located at Sandalwood Village; and,
2. Include the Policy in Council's Policy Manual.

Moved: Cr Bernie Daly

Seconded: Cr Norm Jenzen

### **Amendment**

Add to the Waitlist Policy: "7. When offered tenancy in Sandalwood Village, prospective tenants who own an alternate home are not to use it for financial gain."

Moved: Cr Doug Kelly

Seconded: Cr Dianne Kelly

Vote – Simple majority

Carried 6/2

### **The amended motion becomes the substantive motion:**

That Council:

1. Add to the waitlist Policy: "7. When offered tenancy in Sandalwood Village, prospective tenants who own an alternate home are not use it for financial gain."
2. adopt the attached "Waitlist Policy" as amended for its Age Appropriate Accommodation located at Sandalwood Village; and,
3. Include the Policy in Council's Policy Manual.

Moved: Cr Bernie Daly

Seconded: Cr Norm Jenzen

Carried 7/1

## 9.6 Release of the T19 Trust Funds

Cr Dianne Kelly declared an Interest of Impartiality as she is the Project Manager of the Meckering Unmarked Graves Project, but remained in the room.

<b>Location:</b>	Cunderdin Shire Office
<b>Applicant:</b>	Meckering Cemetery Funds
<b>Date:</b>	10 <sup>th</sup> July 2018
<b>Author:</b>	Kayla James
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Dianne Kelly
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 attachment

### Proposal/Summary

For Council to release all funds totalling \$11,040 from Trust Account 19 for marking un-marked graves and the renewing of plaques at both Meckering cemeteries.

### Background

Trust 19 was established in 2015 for the purpose of collecting community donations to be utilised in the unmarked graves project for Meckering Cemeteries.

It is proposed that the required works be undertaken in time for the 50<sup>th</sup> Anniversary of the Meckering earthquake, i.e. 14 October 2018.

### Comment

The release of the funds will enable the project to be completed on time. Cr Di Kelly has coordinated the fund raising and will guide the proposed works.

### Consultation

Oxter Services  
Cr Dianne Kelly

### Statutory Implications

Nil

### Policy Implications

Nil

### Financial Implications

Trust Account T19 currently has a balance of \$11,040 inclusive of \$2,000 recently received from the Cunderdin Lions Club but as yet not transferred from the Municipal Fund to the Trust Account.

### Strategic Implications

Extract from Strategic Community Plan

#### 1. 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.

### Resolution 9.6 July 2018

That Council authorise to release all funds as required from Trust 19 for the purpose of the Unmarked Graves Project.

Moved: Cr Bernie Daly

Seconded: Cr Todd Harris

Vote – Simple majority

Carried 8/0

## 9.7 Delegations Register 2018

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	11 July 2018
<b>Author:</b>	Niel Mitchell, Consultant
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1. Draft Delegations Register 2018 2. Summary of actions – old Delegations 2017

### Proposal/Summary

For Council to review current delegations and proposed Delegations Register 2018 prior to adoption.

### Background

Council's Delegations Register has been reviewed in detail to –

- remove unnecessary delegations that were of a policy or operational nature,
- amend those that require amendment to reflect changes in legislation, and
- propose new delegation to comply with legislative requirements or considered advisable.

The Delegations Register will fit into a hierarchy of requirements, which are noted within the Appendix to the draft document. Accordingly, it is necessary that it integrates with legislative requirements and the local laws, planning policy and general policy as made by Council.

### Comment

Delegations may be made, amended or revoked at any time by absolute majority.

This draft is presented to Council for comment prior to final adoption. Given the arrangements with the Shire of Tammin, this draft is as close as possible to identical provisions with the Delegations Register adopted by them for consistency. There are some differences, given a slightly different staffing structure and different local laws etc.

Existing delegations have been reviewed and where appropriate, incorporated into the proposed Delegations Register. A number of delegations have been merged where they deal with very similar subjects under the same head of power, while other have been split as they authorise different actions, even if under the same head of power.

The general hierarch of authority is –

1. legislation – including regulations and local planning scheme
2. local laws
3. delegations – being under direct authority of legislation or local laws, and being made by absolute majority
4. policy – as it outlines how the above three authorities are to be implemented and being made by simple majority

Although every delegation is at Council's discretion, they are essential for the effective and efficient operation of the Shire. In keeping with the principle of the Local Government Act 1995 s.5.42, wherever possible the delegation is made to the CEO, even those where the actual exercise of the duty must be by a

qualified or registered person. In these cases the CEO has the duty to see that the task is carried out, even if not a qualified person.

Several delegations are not to the CEO. These are where the delegations –

- can only be to a qualified or registered person, as required by legislative head of power,
- are to persons who are not considered employees, as permitted by legislative head of power, or
- can only be to specified positions, as required by legislative head of power.

Council's attention is drawn to the following delegations which have monetary aspects, or other limits, for consideration and confirmation –

- 3.1(4)(b) – Maximum value of total credit card limits and store card account value
- 3.6(1) – value of individual debt that may be written off
- 3.7(1)(d)(ii) – amount or % that a tender contract may be varied
- 3.8(1) – amount or % that a general contract may be varied
- 3.9(5)(c) – disposal of property other than land (maximum value for exempt transaction as per Regulations)
- 3.10(2) – disposal of property being land and buildings (maximum value for exempt transactions as per Regulations, but less time than permitted)
- 3.11(1)(b) and (2)(a) – maximum value of donations or works that may be approved at a single time or cumulative annual total
- 11.4(1)(c) – maximum value of discounted facility hire fees per event
- 13.7(1)(e) – maximum value of private infrastructure on public land that may be approved
- 15.2(1)(f) – maximum % of seed that may be taken

Council attention is also directed to Delegation 1.2, which is designed to allow for continuity of authority in times of unexpected absence of the CEO from duty. These times do not include absence of the CEO from the office attending meetings, conferences etc outside the Shire. This delegation is supported by proposed Policy 2.2 which outlines the processes etc for the operation of the delegation.

The Delegations are structured so that Council may place limits on each delegation, including who a secondary delegations is permitted to be made to. This does not require the CEO to further delegate, except in some instances as outlined. The CEO may impose further restrictions on any secondary delegations, so that the recipient of the delegation is required to comply not only with the limits as placed by Council, but also the restriction place by the CEO.

As each delegations or secondary delegation is required to be in writing, a listing of these has been prepared, together with a listing of authorised persons as required by the various pieces of legislation. In addition, a listing of authorised purchasing limits and therefore authority to sign purchase order has been prepared. This document is attached for information, only as the authorisations within this document are at the CEO's discretion.

### **Consultation**

Niel Mitchell, Conway-Highbury Pty Ltd

### **Statutory Implications**

Compliance with various Local Government Act requirements.

### **Policy Implications**

A new and up to date Policy Manual for Council's consideration

**Financial Implications**

The Review process will incur consultancy costs of \$3,000 (estimated) in accordance with current budget provisions

**Strategic Implications**

Delegations Register is to enable the effective and efficient implementation of Council’s instructions, adopted annual budget, and legislative and local law obligations.

**Resolution 9.7 July 2018**

That the proposed Delegation Register 2018 as attached –

- be received
- comment be given to the CEO by 4pm 3 August 2018
- represented with amendments for adoption.

Moved: Cr Alison Harris

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 8/0

## 9.8 2018/19 Budget Adoption

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Paul Godfrey
<b>Author:</b>	Community Development Officer, Kayla James
<b>Report Date:</b>	11 <sup>th</sup> July 2018
<b>Item Approved By:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 Attachments

### Summary

To consider and adopt the Municipal Fund Budget for the 2018/2019 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 2018/2019 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 series of workshops held in June and July.

### 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 4% increase in rates collected.

The Unimproved Valuations (UV) were completed 1 August 2017 and effective from 30 June 2018. The overall change in valuations was an increase of 5.68%. Although this is the case, there will also be variances greater or less than the 4% average rate increase.

#### **Comments from the District Valuer were;**

“ Generally, broad acre unimproved values have increase to varying extents across the Shire with slightly larger increases to the west of the townsite of Cunderdin.

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.”

It is noted that property owners have the right to appeal against the valuation of their property. This appeal is made to Landgate the agency responsible for conducting the valuation service. With only minor changes to valuation, it would be unlikely that many appeals would occur this year.

The minimum rate is proposed to be increased to \$698, an increase of 4%.



### **End of year position**

The 2017/2018 end of year position is an estimated surplus of \$1,666,570 a reduction of approximately \$923,867 from the prior year. There were a number of projects that were either not complete or not undertaken which has led to this surplus.

The budget presented to Council for adoption results in an end of year surplus of \$3,136.

### **Fees & Charges**

The fees and charges schedule is presented to Council, including the proposed rates in the dollar to be levied. Minor variations as deemed appropriate have been made to the Fees & Charges.

### **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 \$236 and \$485 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 president's 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**

The budget for Salaries and Wages has increased by the Fair Work Commission wage increase of 1.9%.

### **Road Funding**

The road program has funding 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:

Grants Commission Roads	\$227,157
MRWA Direct Grant	\$ 68,000
Regional Road Group	\$321,438
Roads to Recovery 18/19	<u>\$179,468</u>
	<b>\$796,063</b>

### **Reserve Transfers**

As we are in the position this year to have our road construction team work predominately funded through external sources, this has allowed the budget to transfer \$10,000 to the Museum Reserve and all the interest earned on the term deposit, holding the reserve funds, estimated at \$20,000, with no transfers out of reserves.

### **Legal 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

### **Resolution 9.8 July 2018**

#### **PART A - MUNICIPAL FUND BUDGET FOR 2018/19**

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 net result for that year of \$-3,245,494
- Statement of Comprehensive Income by Program, shows a net result for that year of -3,245,494.
- Statement of Cash Flows.
- Rate Setting Statement, show an amount required to be raised from rates of \$2,072,795.
- 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)	8.4191 cents in the dollar
Rural (UV)	0.9076 cents in the dollar
Mining (UV)	0.9076 cents in the dollar

##### 1.2 Minimum Rates

Gross Rental Value (GRV)	\$698
Unimproved Value (UV)	\$698
Mining (UV)	\$698

3. 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 6 September 2018

2nd quarterly instalment due date 7 November 2018

3rd quarterly instalment due date 8 January 2018

4th quarterly & final instalment due date 11 March 2018

4. 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 \$8.80 for each instalment after the initial instalment is paid.
5. 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% where the owner has elected to pay rates and service charges through an instalment option.
6. 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 2018/19**

That Council, pursuant to section 6.16 of the Local Government Act 1995, adopts the fees and charges included at pages 24 to 33 inclusive of the draft 2018/2019 budget included as attached to this agenda.

#### **PART D – OTHER STATUTORY FEES FOR 2018/19**

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 2018/19**

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 \$ 485 per meeting attended  
Councillors \$ 236 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 \$1,500.00

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 \$250.00

**PART F – MATERIAL VARIANCE REPORTING FOR 2018/19**

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 Norm Jenzen

Seconded: Cr Doug Kelly

Vote – Absolute Majority

Carried 7/1

**10. Environmental Health and Building**

**10.1 Notice for demolition and removal of a Dwelling – 17 Byfield Street, Meckering**

<b>Location:</b>	17 Byfield Street, Meckering
<b>Owner:</b>	Jeanette Dawn Lowe
<b>Date:</b>	12 June 2018
<b>Author:</b>	Kayla James, Community Development Officer/ Tim Jurman
<b>Item Approved by:</b>	Neville Hale, CEO
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	A53592
<b>Attachment/s:</b>	Nil

**Proposal/Summary**

The purpose of this Report is for Council to provide the Chief Executive Officer of the Shire of Cunderdin with authority to act subject to confirmation from the owner of 17 Byfield Street, Meckering, for the purchase of the property and to undertake demolition and removal of a burnt and derelict dwelling and any asbestos containing material or soil and begin the processes to sell the property.

**Background**

Around August 2016, the Shire of Cunderdin became aware that the dwelling at 17 Byfield Street, Meckering had been burnt down.

The dwelling on the property contains a significant amount of asbestos.

Initially, the Shire was advised that the property would be cleaned up within months.

No work was undertaken on the property during this time period and subsequent attempts at contacting the owner via correspondence and telephone were unsuccessful.

Subsequently the adjoining owner contacted the Shire of Cunderdin expressing an interest in purchasing the property.

Additional attempts were made to contact the owner once details were obtained via a “Skiptrace” debt collection trace.

Council had agreed in June that a solicitor would be contacted to begin legal processes for advice on action against the landholder which is currently on hold following contact from the owner.

Tim Jurmann, Building Surveyor & EHO for the Shire has since been in contact with the owner who has verbally agreed to sell the property to the Shire in- lieu of all outstanding charges eg shire and water rates, and/or charges for site demolition and removal of a burnt and derelict dwelling and any asbestos containing material or soil cleanup.

**Comment**

Due to the risk to public health and the unsightliness of the property the Shire of Cunderdin should take action to prevent injury to the public, mitigate any potential liability and ensure public amenity.

**Consultation**

*Landowner* – has been contacted and we are awaiting further written advice.

*Adjoining residents* – Concerns have been received from adjoining residents with respect the risk to health from the asbestos containing material and the impact on the amenity of the area.

Tim Jurmann, Building Surveyor & EHO

### **Statutory Implications**

In the absence any agreed transfer of land, the following actions can be taken:

The notices will be issued under Section 137 of the Health (Miscellaneous Provisions) Act 1911 and Regulation 8(1) of the Health (Asbestos) Regulations 1992.

### **Policy Implications**

There are no policy implications associated with this report.

### **Financial Implications**

Taking action will assist in mitigating any potential liability.

Subsequent demolition and clean-up of property is likely to be in the order of \$25,000 which is a recoverable charge against the property. Outstanding Shire and Water Rates will need to be determined.

### **Strategic Implications**

The Cunderdin Strategic Community 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.

Strategically, the rectification and remediation of the site at 17 Byfield Street, Meckering, would be beneficial to the community and consistent with the goals of the SCP.

### **Resolution 10.1 July 2018**

That Council authorise the Chief Executive Officer to negotiate with the owner of 17 Byfield Street, Meckering for the purchase of the property at nil cost in exchange for outstanding rates and cost associated with demolition and removal of the on-site burnt and derelict dwelling and any asbestos containing material or soil.

Moved: Cr Doug Kelly

Seconded: Cr Bernie Daly

Vote – Simple Majority

Carried: 8/0

**11. Planning & Development**

Nil

**12. Urgent Items**

Nil

**13. Scheduling of Meeting**

**13.1 August 2018 Ordinary Meeting**

The next ordinary meeting of council is scheduled to take place on Thursday 16<sup>th</sup> August 2018 commencing at 5pm at the Council Chambers, 800 Lundy Ave, Cunderdin, WA, 6407

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

**Resolution 14.1 July 2018 6.48pm**

That the Meeting be moved behind closed doors to consider matters relating to staff and information of a commercial nature.

Moved: Cr Todd Harris

Seconded: Cr Dianne Kelly

Vote – Simple Majority

Carried: 8/0

**14.2 Shared Manager of Works**

Cr Bernie Daly left the chambers at 6.53pm

Cr Bernie Daly returned to the chambers 6.56pm

**14.3 Serbian Orthodox Diocese Aged Care & Education Property Fund Ltd (SODA)**

**Resolution 14.4 July 2018**

That the meeting move from behind closed doors

Moved: Cr Alison Harris

Seconded: Cr Dianne Kelly

Vote – Simple Majority

Carried 8/0

The President read aloud the following resolutions:

**Resolution 14.2 July 2018**

That the Committee recommend Council adopt:

- Mr Fabian M Houbrechts be appointed Acting Manager Works and Services for the period 1 August 2018 to 31 January 2019 on a remuneration package of \$144,712 inclusive of a cash salary of \$110,000, under the terms and conditions of the attached "Shared Services Agreement - Acting Manager Works and Services" and Contract of Employment.
- Authorise the Shire President and Chief Executive Officer to execute the attached documents under seal.

Moved: Cr Doug Kelly

Seconded: Cr Norm Jenzen

Vote – Simple Majority

Carried 6/2

**Resolution 14.3 July 2018**

That Council be advised of the potential interest of Serbian Orthodox Diocese Aged Care & Education Property Fund Ltd in the former WACHS Cunderdin Hospital site; and

Request the Chief Executive Officer to provide a letter of support as requested without committing the Shire to any financial or contractual obligations

Moved: Cr Dianne Kelly

Seconded: Cr Todd Harris

Vote – Simple majority

Carried: 8/0

Note: Council instructs the Chief Executive Officer to include within the letter reference to Residential Aged Care as one of the services of interest to the Shire.

**14. Closure of meeting**

There being no further business the Shire President declared the meeting closed at 7.24pm

**15. Certification**

**DECLARATION**

I, Dennis Whisson, certify that the minutes of the Ordinary Council Meeting held on 19<sup>th</sup> July 2018 as shown were confirmed at the ordinary meeting of Council held on 16<sup>th</sup> August 2018

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

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