



Shire of Cunderdin

Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 15th September 2016** in the Council Chambers, Lundy Avenue Cunderdin commencing at **5:01pm**.

A handwritten signature in black ink, appearing to read 'Peter Naylor'.

Peter Naylor
Chief Executive Officer

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AGENDA

1. Declaration of opening

The President declared the meeting open at 5.01pm

The Shire of Cunderdin disclaimer was read aloud.

The Local Government Act 1995 Part 5 Division 2 Section 5.25 and Local Government (Administration) Regulations 1996 Regulation 13

“No responsibility whatsoever is implied or accepted by the Shire of Cunderdin for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of Council’s decisions, which will be provided within ten working days of this meeting”.

2. Public Question Time

Response to previous public questions taken on notice

Declaration of public question time opened at

Declaration of public question time closed at

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

Record of attendances

Councillors

Cr RC (Clive) Gibsone	Shire President
Cr DA (Dennis) Whisson	Deputy President
Cr B (Bernie) Daly	
Cr AE (Alison) Harris	
Cr DB (Doug) Kelly	

Apologies

Cr DG (Dianne) Kelly

On Leave of Absence

Cr TE (Todd) Harris	Granted OCM 17 th August 2016
Cr NW (Norm) Jenzen	Granted OCM 17 th August 2016

Staff

Peter Naylor	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer
Ian Bartlett	Manager Works & Services
Jacky Jurmann	Town Planning Consultant (5:04pm to 5:20pm)

Guests of Council

Members of the Public

Prof Ray Wills	Sun Brilliance Group (5:04pm to 5:20pm)
Prof Dilawar Singh	Sun Brilliance Group (5:04pm to 5:20pm)
Kalwant Dillon	Sun Brilliance Group (5:10pm to 5:20pm)

Applications for leave of absence

Declaration of Members and Officers Financial Interests

Item 7.4 Chief Executive Officer and Deputy Chief Executive Officer

4. Petitions, Deputations, Presentations

Deputations

Presentations

5. Announcements by President without discussion

6. Confirmation of the Minutes of Previous Meetings

6.1 Ordinary Meeting of Council held on Wednesday 17th August 2016

Location:	Cunderdin
Applicant:	Administration
Date:	9 th September 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	N/A
File Reference:	Nil
Attachment/s:	46 pages

Proposal/Summary

Council to confirm the minutes of the Ordinary Council Meeting held on Wednesday 17th August 2016.

Background

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

Comment

No business arising.

Consultation

Nil

Statutory Environment

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

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

Policy Implications

Nil

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

Nil

Resolution 6.1

That:

- 1. The Minutes of the Ordinary Council Meeting held on Wednesday 17th August 2016, be confirmed as a true and correct record.**

Moved: Cr Dennis Whisson

Seconded: Cr Alison Harris

Vote – Simple majority

Carried: 5/0

Note to this item:

The President will sign the minute declaration.

Council **resolved** that Agenda Item 10.2 be brought forward and dealt with earlier in the meeting as the development proponents and Councils Town Planning Consultant were in attendance.

10.2 Proposed 100MW Solar Farm – Zoning Report

Location:	13280 Great Eastern Highway, Cunderdin
Applicant:	Sun Brilliance Power Pty Ltd
Date:	8 th September 2016
Author:	Jacky Jurmann
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	DA 2016/17-6
Attachment/s:	1 – Planning Report

APPLICATION TO BE DETERMINED BY THE MID-WEST / WHEATBELT (CENTRAL) JOINT DEVELOPMENT ASSESSMENT PANEL

5:04pm Jacky Jurmann, Town Planning Consultant, and Prof Ray Wills & Prof Dilawar Singh, Sun Brilliance Group, entered the meeting.

5:10pm Kalwant Dillon, Sun Brilliance Group, entered the meeting.

Proposal/Summary

A development application has been received by the Shire of Cunderdin on 8 September 2016 by Sun Brilliance Power Pty Ltd for the construction of a 100MW solar farm, associated infrastructure and ancillary tourism development at 'Creswick' located at Lot 801 (13280) Great Eastern Highway, Cunderdin.

In accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011* (the Regulations), the application is a mandatory DAP application and will be determined by the Mid-West / Wheatbelt (Central) Joint Development Assessment Panel (JDAP).

A preliminary assessment and decision by the local government is required to determine if the proposal is consistent, may be consistent or is not consistent with the objectives of the General Agriculture zone as a result of proposal being categorised as a "use not listed" under the provisions of the Cunderdin Local Planning Scheme No. 3 (the Scheme).

The purpose of this report is to consider the provisions of clause 3.4.2 of the Scheme, which will decide how the application will be determined.

It is recommended that Council resolve that the proposal may be consistent with the zone objectives in accordance with clause 3.4.2(b) and that the application is advertised in accordance with clause 64 of the Regulations.

Background

It is proposed to construct a 100MW solar farm, associated infrastructure and an ancillary tourist development, including a visitors centre at Lot 801 (13280) Great Eastern Highway, Cunderdin.

The property known as 'Creswick' has been historically used from traditional cropping and grazing activities with the existing farm houses, outbuildings and sheds lay across about 8 hectares of land in the 'Creswick farm house precinct'. With the exception of the main farm house retained for the manager of the property, it is proposed to develop a 'visitor precinct' to create a tourist destination.

A preliminary assessment of the development application as submitted indicates that additional information is required, such as (but not limited to) a site plan indicating all development, information addressing the zone objectives, staging of the development and emissions. Some of this information has been requested from the Applicant and will be provided prior to the meeting and commencement of the advertising period.

Comment

When an application is lodged, part of the planning assessment involves examining the land use definitions in the Scheme, and determining the “best fit” land use classification.

If the land use is listed in the Scheme’s Zoning table, it dictates the permissibility of the use in the relevant zone.

There is no specific land use definition for a “solar farm” under the Shire of Cunderdin Local Planning Scheme No. 3.

The Applicant has submitted the application for a “solar farm” as the predominant land use and due to the land not being specifically mentioned in the Zoning Table and as the land use cannot reasonably be determined as falling within the type or class of activity of any other use defined or listed in the Scheme, it must be considered as a “use not listed”.

Council has three (3) options when dealing with a “use not listed” in accordance with Clause 3.4.2 of the LPS3 as follows:

- a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or
- b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 64 of the deemed provisions in considering an application for development approval; or
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.”

The information provided by the applicant is considered deficient in order to determine that the proposal is consistent with the zone objectives. A preliminary assessment of the development application as submitted indicates that additional information is required, such as (but not limited to) a site plan indicating all development, information addressing the zone objectives, staging of the development and emissions. Some of this information has been requested from the Applicant and will be provided prior to the meeting and commencement of the advertising period.

It is recommended that Council resolve that the proposal may be consistent with the zone objectives in accordance with Clause 3.4.2(b) of the Scheme and that the application be advertised in accordance with Clause 64 of the Regulations.

A decision that the application may be consistent with the zone objectives will enable the input of the community and any relevant authorities and for any additional information to be obtained to facilitate a comprehensive, detailed and thorough assessment of the application.

Consultation

As indicated in the Summary section of this Report, the application is required to be advertised in accordance with clause 64 of the Regulations. Advertising will include letters to neighbouring property

owners, consultation with relevant government agencies, and advertising in a locally circulating newspaper, notices on local information boards and on the Shire website.

The Regulations require that a minimum of 14 days must be given for submissions to be received.

Statutory Environment

Planning and Development (Development Assessment Panels) Regulations 2011

There are four (4) types of applications that can be determined by a DAP. These are:

- Mandatory DAP applications – where the cost of development exceeds \$10 million across the State or \$20 million for the City of Perth;
- Optional DAP applications – where the cost of development is between \$2 to 10 million across the State or \$2 to 20 million for the City of Perth;
- Delegated applications – where the local government can delegate the application to the DAP; and
- Applications for amending or cancelling DAP development approval.

The cost of works nominated by the application on the subject application is \$160 million for the entire development, including the ancillary tourist development.

As a result of the cost of works exceeding \$10 million, the application is a mandatory DAP application, with the DAP acting as the responsible authority under the relevant planning instrument, being the Cunderdin Local Planning Scheme No. 3. Under the DAP Regulations, any application which qualifies as one that can be determined by a DAP cannot be determined by local government or the Western Australian Planning Commission (WAPC).

Under the DAP Regulations the local government must forward a copy of the application within 7 days of receipt; then remit the DAP fee within 30 days; and prepare the Responsible Authority Report within 60 days for applications that do not require advertising and 80 days for applications that do require advertising.

A DAP meeting will be held within 90 days, unless an extension is agreed and granted, to determine the application. Three (3) specialist members and two (2) local government members will sit on the DAP, which is a public meeting held locally.

Cunderdin Local Planning Scheme No. 3

The Development Assessment Panel Regulations require the application to be assessed and determined in accordance with the provisions of the relevant planning instrument, the Cunderdin Local Planning Scheme No. 3 (LPS3) and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The following clauses of the Cunderdin LPS3 are applicable to this preliminary assessment of the application regarding zoning:

- The subject land is identified on the Scheme Map being zoned General Agriculture under clause 3.1.2.
- Clause 3.4.2 states “If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –
 - a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or

- b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 64 of the deemed provisions in considering an application for development approval; or
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.”
- Clause 3.2 of LPS3 outlines the objectives for the General Agriculture zone as follows:
 - To ensure the continuation of broad-acre farming as the principal land use in the District and encouraging where appropriate the retention and expansion of agricultural activities;
 - To protect the potential of agricultural land for primary production and to preserve the landscape and character of the rural areas;
 - To provide for a range of rural pursuits such as broad-acre and diversified farming which are compatible with the capability of the land and retain the rural character and amenity of the locality;
 - To control the fragmentation of broad-acre farming properties through the process of subdivision;
 - To consider non-rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment;
 - To protect broad-acre agricultural land from land degradation and any further loss of biodiversity by:
 - i. minimising the clearing of remnant vegetation on public and private lands;
 - ii. encouraging the retention and protection of existing remnant vegetation;
 - iii. encouraging the development and protection of corridors of native vegetation;
 - iv. encouraging the development of environmentally acceptable surface and subsurface drainage works;
 - v. encouraging the rehabilitation of salt affected land;
 - vi. controlling the introduction and spread of alien species of flora and fauna;
 - vii. encouraging soil conservation through the application of cultural vegetational land management measures.

Policy Implications

The provisions of the Cunderdin Local Planning Strategy and Cunderdin Local Planning Scheme No. 3 have been considered in the assessment of the land use and potential consistency or inconsistency with the zone objectives.

The general objectives of the Strategy are grouped into five (5) categories – population and housing; economic; infrastructure and community services development; environmental protection and conservation; settlements and cultural heritage. These objectives, and strategies, aim to achieve the vision that the Shire of Cunderdin will be a viable, sustainable Shire to meet the social, economic, physical and environmental aspirations of its residents and visitors.

The Scheme permits a variety of uses on rural land where the uses are not detrimental to the environment, natural resources and the amenity and locality, and where the use can be of a demonstrated benefit to the community.

As contemplated in this Report, the proposal may or may not be consistent with the objectives of the Strategy, Scheme and more specifically, the General Agriculture zone, and therefore may or may not have policy implications, which will be further considered during the full assessment of the application.

Cunderdin Community Strategic Plan

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

Social

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

Environmental

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

Economic

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

The Strategic implications of this development proposal will be considered during the full assessment of the application.

Resolution 10.2

That Council:

- 1. Determine that the proposed solar farm, associated infrastructure and ancillary tourist development at 'Creswick' located at Lot 801 (13280) Great Eastern Highway, Cunderdin may be consistent with the objectives of the General Agriculture zone in accordance with Clause 3.4.2(b) of the Cunderdin Local Planning Scheme No. 3 and thereafter follow the advertising procedures of clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* in considering the application for development approval.**
- 2. Receive a further report for consideration prior to the submission of the Responsible Authority Report to the Mid-West / Wheatbelt (Central) Joint Development Assessment Panel for determination.**

Moved: Cr Doug Kelly

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 5/0

5:20pm Jacky Jurmann, Prof Ray Wills, Prof Dilawar Singh, and Kalwant Dillon departed the meeting.

7. Finance & Administration

7.1. Financial Reports for August 2016

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	8 th September 2016
Author:	Paul Godfrey
Item Approved by:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	21 Pages

Proposal/Summary

The financial position as at 31st August 2016 is presented for consideration.

Appendices - Financial Statements

Statutory Environment

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

Commentary

Nil

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

Resolution 7.1

That Council receives the monthly financial reports to 31st August 2016.

Moved: Cr Bernie Daly

Seconded: Cr Dennis Whisson

Vote – Simple majority

Carried: 5/0

7.2 Accounts Paid – August 2016

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	8 th September 2016
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling \$ 248,642.43 for August 2016 as listed in the Warrant of Payments for the period 1st August to 31st August 2016.

Attachments

Warrant of Payments for 1st August to 31st August 2016.

Statutory Environment

Financial Management Regulations 12 & 13.

Commentary on Statutory Environment

In accordance with Financial Management Regulations 12 & 13, a List of all accounts paid or payable shall be presented to Council (Refer Warrant of Payments attached).

Policy Implications

Nil

Financial Implications

All financial implications are contained within the reports

Strategic Implications

Nil

Resolution 7.2

(a) That Council's payment of accounts amounting to \$248,642.43 for the month of August 2016, from the Municipal Fund be confirmed and noted.

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

Moved: Cr Doug Kelly

Seconded: Cr Bernie Daly

Vote – simple majority

Carried: 5/0

Listing of Accounts Paid During August 2016

Cheque /EFT No	Date	Supplier	Invoice Description	Amount
EFT879	01/08/2016	Adina apartment hotel	Accomodation for LG convention	730.00
EFT880	12/08/2016	Landgate	GRV Valuations	133.81
EFT881	12/08/2016	Cunderdin Co-Op	Fuel	11,322.29
EFT882	12/08/2016	Avdata	airfield charges	986.63
EFT883	12/08/2016	AIR LIQUIDE	Cylinder fee	107.10
EFT884	12/08/2016	Avon Waste	Rubbish Services	10,494.97
EFT885	12/08/2016	WA Contract Ranger Services	Ranger services	724.62
EFT886	12/08/2016	Glenwarra Development Services	Planning Services	4,400.00
EFT887	12/08/2016	IT Vision	Monthly Synergy soft fee	2,498.10
EFT888	12/08/2016	George Johnson EHO Consultant	Meat Inspection Cunderdin Ag College	330.00
EFT889	12/08/2016	CDA Air & Solar	Drs Surgery Air con inspection	250.25
EFT890	12/08/2016	Fire and Saftey WA	safety equipment - gloves torch bags	1,820.34
EFT891	12/08/2016	Ag Implements	Wet Charged Battery	408.03
EFT892	12/08/2016	JR & A Hersey	Guide Post, Rakes, Shovels, Brooms	1,447.05
EFT893	12/08/2016	Av-Sec Security	Monitoring	180.20
EFT894	12/08/2016	Local Government and Communities	CELC Annual Fee	198.00
EFT895	12/08/2016	Cunderdin Community Resource Centre	OCLC Invoice 726 Library Software	1,300.38
EFT896	12/08/2016	Eastern Hills Saws and	Blade Bolt and Nut Set	331.60

		Mowers		
EFT897	12/08/2016	A.S Lundy & Co	70 Cubic Metres of Gravel	1,650.00
EFT898	12/08/2016	Macs Agencies	Rags	141.00
EFT899	12/08/2016	Hutton & Northey Sales	Service Isuzu	3,710.60
EFT900	12/08/2016	Brickmart WA	Supply 25 Reco Flats Meckering Fire Shed	726.00
EFT901	12/08/2016	Shazmac Plumbing	Connect drains to ablutions at meckering fire shed	3,882.00
EFT902	12/08/2016	Graphic Source	Cunderdin Museum Brochure	807.40
EFT903	12/08/2016	Stabilised Pavements of Australia	Stabilisation works Cund Wyl road	12,293.60
EFT904	12/08/2016	Chatfields	Kangaroo Paws	220.00
EFT905	12/08/2016	AUSQ Training	Training in Traffic Management	4,380.00
EFT906	12/08/2016	Wren Oil	Oil Waste Disposal	457.60
EFT907	12/08/2016	Courier Australia	freight	71.54
EFT908	12/08/2016	EASTWAYS	Bin liners and Toilet Roll	155.94
EFT909	12/08/2016	Andrew Arney	Reimbursement for boots purchased	90.00
EFT910	24/08/2016	Australian Tax Office	BAS July 2016	42,755.00
EFT911	26/08/2016	Australia Post	Post Services	746.39
EFT912	26/08/2016	Covs Parts Pty Ltd	Hose clamps, connectors , air filter and Oil	790.23
EFT913	26/08/2016	Goodfield Quality Meats	Sausages and water	54.89
EFT914	26/08/2016	WA Contract Ranger Services	Ranger Services	864.87
EFT915	26/08/2016	George Johnson	Meat Inspection fees	990.00

		EHO Consultant		
EFT916	26/08/2016	Combined Tyres Cunderdin	Repair Loader Tyres	545.50
EFT917	26/08/2016	Shire of Northam	Old Quarry tipping Fees	3,139.40
EFT918	26/08/2016	Cr Dennis Whisson	OCM Sitting Fee	236.00
EFT919	26/08/2016	Cr Todd Harris	OCM Sitting Fee	236.00
EFT920	26/08/2016	Cr Norm Jenzen	OCM Sitting Fee	236.00
EFT921	26/08/2016	CDA Air & Solar	Replace Air con at Doctors Surgery	8,660.00
EFT922	26/08/2016	Great Eastern Country Zone of WALGA	Annual Subscriptions 16/17	4,675.00
EFT923	26/08/2016	Shire of Quairading	CESM Motor Vehicle Claim	661.68
EFT924	26/08/2016	WALGA	WALGA Subscriptions 1 July 2016	31,478.91
EFT925	26/08/2016	LGMA	16-17 Corporate Memberships	1,950.00
EFT926	26/08/2016	Western Australian Treasury Corporation	Loan 73 and 74	18,656.86
EFT927	26/08/2016	Cunderdin Community Resource Centre	Directorys	110.00
EFT928	26/08/2016	Local Health Authorities Analytical Committee	Analytical Services for 16/17	495.00
EFT929	26/08/2016	Shire of Merredin	Contribution to Central Wheatbelt Visitor Centre	1,250.00
EFT930	26/08/2016	Advanced Autologic PTY LTD	Oil	890.00
EFT931	26/08/2016	Eastern Hills Saws and	Various Parts	247.00

		Mowers		
EFT932	26/08/2016	Alison Harris	OCM Sitting Fee	236.00
EFT933	26/08/2016	Cr. Bernard Daly	OCM sitting Fee	236.00
EFT934	26/08/2016	Northam Toyota	Shock absorbers	406.10
EFT935	26/08/2016	Baxters Rural Centre KB	Crane Hire	586.96
EFT936	26/08/2016	RAMM Software Pty Ltd	Annual Support and Maintenance Fee 16-17	6,334.30
EFT937	26/08/2016	Monster Ball Amusement Hire	Amusements for Carols 16	2,490.00
EFT938	26/08/2016	Archival Survival Pty Ltd	Pens, Gloves and Shelves	292.88
EFT939	26/08/2016	Rose Garden Cafe	Catering for 15 People	225.00
EFT940	26/08/2016	Northam & Districts Glass Service	Supply Showerscreen	913.00
EFT941	26/08/2016	Earthstyle Contracting Pty Ltd	Bob Cat Hire	363.00
EFT942	26/08/2016	Country Ford	Car Service x 3	2,207.15
EFT943	26/08/2016	EASTWAYS	Urinal Blocks Hand Towel Garbage Bags and Toilet Roll	1,093.44
DD448.1	15/08/2016	Westnet	Staff Internet	49.95
DD448.2	15/08/2016	SG Fleet	SG Fleet 1448089- Cesm Vehicle	1,280.47
11072	12/08/2016	Water Corporation	Aiport Water	1,796.46
11073	12/08/2016	Synergy	Street Lights	3,647.15
11074	12/08/2016	Jason Signmakers	Signs	363.00
11075	12/08/2016	Bunnings Group Limited	Supplies for public toilet building	2,006.81

11076	12/08/2016	Telstra	Phone Bills	2,520.57
11077	12/08/2016	Autopro Northam	Spark Plug	11.72
11078	12/08/2016	Euroquip	Quadro 1000TST High Pressure Cleaner with 20m Hose and Reel	3,326.68
11079	26/08/2016	Water Corporation	Standpipe Lundy Ave	9,117.05
11080	26/08/2016	Synergy	Lundy Ave	5,938.85
11081	26/08/2016	Jason Signmakers	Signs	341.00
11082	26/08/2016	Cunderdin Newsagency	Stationery	33.91
11083	26/08/2016	Telstra	Day Care	29.95
11084	26/08/2016	Cr Ronald Clive Gibsone	OCM Sitting Fee	485.00
11085	26/08/2016	Cr Dianne Kelly	OCM Sitting Fee	236.00
11086	26/08/2016	Australian Communications and Media Authority	Aeronautical System Licence	43.00
11087	26/08/2016	Shire of Cunderdin	Golf Club Rates	142.05
11088	26/08/2016	Shire of Chittering	Reimbursement for LSL Liability Gary Tuffin	15,566.50
11089	26/08/2016	Quairading Medical Practice	Medical Report - Megan Amiss	139.70
11090	26/08/2016	Wheatbelt Safety Wear	Steel Cap Boots	80.00
11091	26/08/2016	Fred Bremner	Purchahse of Books	185.00
			TOTAL	248,642.43

7.3 Council Investments – As at 31st August 2016

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Paul Godfrey
Report Date:	8 th September 2016
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

To inform Council of its investments as at 31st August 2016.

Background

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

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

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

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

Commentary

COUNCIL INVESTMENTS				
Institution	Amount Invested	Investment type	Municipal Funds	Reserve Funds
Bendigo Bank	\$775,226.94	Reserves Term Deposit 2.90% Expires : 4/1/2017		\$775,226.94
Westpac Banking Corporation	\$500,903.60	Business Cash Reserve 22-3647 1.30%	\$500,903.60	
TOTAL INVESTMENTS	\$1,276,130.54		\$500,903.60	\$775,226.94

Statutory Implications

Financial Management Regulation 19.

Policy Implications

Delegation #18 – Investments.

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

There are no strategic implications in considering this item.

Resolution 7.3

That the report on Council investments as at 31st August 2016 be received and noted.

Moved: Cr Dennis Whisson Seconded: Cr Bernie Daly

Vote – Simple Majority Carried: 5/0

7.4 Chief Executive Officer Annual Leave

Location:	Shires of Cunderdin & Tammin
Applicant:	Chief Executive Officer
Author:	Peter Naylor
Report Date:	7 th September 2016
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Yes
File Reference:	Nil
Attachment/s:	Nil

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

Proposal/Summary

The Chief Executive Officer is requesting approval to clear 5 days annual leave entitlements for the period Tuesday 27th September 2016 to Monday 3rd October 2016, inclusive.

It is proposed to appoint the Deputy CEO, Paul Godfrey, as Acting CEO for the 5 days duration.

Background

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

Comment

Under circumstances where the CEO was requesting to take leave for a reasonably extended period of time the two Councils would consider engaging a relief person as Acting CEO and the cost sharing would be implemented.

In this instance given the short period of leave being requested it would seem more appropriate for the Deputy CEO's at both Cunderdin and Tammin to be appointed at the respective Shires for the 5 day period.

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

Consultation

Resource Sharing Committee.

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Cunderdin Community Strategic Plan

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

Social

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

Environmental

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

Economic

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

Resolution 7.4

That Council:

- 1. Approves the Chief Executive Officer clearing 5 days accrued annual leave entitlements from Tuesday 27th September 2016 to Monday 3rd October 2016, inclusive.**
- 2. Appoints the Deputy Chief Executive Officer, Paul Godfrey, as Acting Chief Executive Officer for the Shire of Cunderdin during the period 27th September 2016 to 3rd October 2016, inclusive.**

Moved: Cr Dennis Whisson

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 5/0

8 Environmental Health & Building

8.1 Structural Inspection Report – Cunderdin Hospital and Former Incorporated Club Buildings

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	26 th August 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	80 Pages (1 Attachment)

Proposal/Summary

For Council to consider the recommendation from the Working Group formed to review the Structural Inspection Report prepared by Structerre Consulting Engineers for the Cunderdin Hospital and Former Incorporated Club Buildings.

Background

As part of the new Primary Health Care Demonstration Site process Council has reached an agreement with WA Country Health for a land swap for the proposed Health Care site and the current Cunderdin Hospital Site. WA Country Health has approached Council with an option that the hospital site could either include the hospital building or they will demolish the building leaving Council with a vacant lot.

Whilst Council and staff have previously carried out some site inspections of the hospital and gained access to a summary of a previously prepared Building Condition Report carried out on the hospital for the Southern Inland Health Initiative, unless a person is a qualified structural engineer the report is difficult to assess to its full capacity.

Council has also been considering as part of the new proposed Aged Care Solutions project utilising all or part of the former incorporated club as a community centre for the aged. However there have been concerns expressed about the suitability and sound structural capacity of the building to be utilised for this purpose. It may very well be that allocating substantial funds to the renovation of the building to meet the requirements for an aged community centre may not be cost effective.

In addition, for the buildings to be fit for purpose structurally, it must also be determined if they will meet the current standards under the National Construction Code 2016, the Building Act 2011 and the Health Act 1911.

In considering this matter at the Ordinary Meeting of Council held on Thursday 19th May 2016, Council resolved:

That Council engages the services of Structerre Consulting Engineers to carry out a structural assessment and building report on the Cunderdin Hospital and the former Incorporated Club Building, at an estimated cost of \$6,500.

Comment

In previously considering this matter at the Ordinary Council meeting on 21st July 2016, Council resolved:

That Council:

1. *Forms a Working Group to review the “Due Diligence Structural Inspection Report” prepared by Structerre Consulting Engineers on the Hospital and former Incorporated Club Buildings and prepare a recommendation on the future use of the buildings for Council consideration.*
2. *Appoints Cr’s Clive Gibsone, Todd Harris and Norm Jenzen to the Working Group.*

The Working Group met on Friday 26th August to consider the Structerre Report, carry out an inspection of the former Incorporated Club and Tennis Common Room areas, and present a recommendation for Council consideration.

In taking into consideration, not only the Structerre Report, but various other aspects of the buildings at the Hospital grounds and the former Incorporated Club areas, the group was very mindful of the historical significance of the buildings to Shire of Cunderdin and local communities, the capital cost to replace the buildings, annual maintenance costs to retain the buildings, and the future use of the buildings.

It was considered necessary to further ascertain information and advice in respect to these matters.

As a result the Working Group is presenting the following recommendation for Council consideration:

1. That Council:
 - a. Informs the Department of Health that it requests that the Hospital and Ian Roberts Lodge Buildings be retained.
 - b. Advertises seeking expressions of interest for the future possible lease, sale, purpose (use) of the Hospital and Ian Roberts Lodge Buildings.
 - c. Requests that the old out of use buildings on the Hospital Grounds, ie former nurses quarters and mortuary, be demolished and the site be left clean of all, especially contaminated, materials.
 - d. Requests for consideration to be given for any surplus funds from the Department of Health demolition budget for the Hospital Site buildings to be allocated to the Shire of Cunderdin to carry our refurbishment works, ie replace roof, on the hospital building.
2. That Council:
 - a. Demolishes the former Incorporated Club building.
 - b. Retains the former Tennis Club Common Room.
 - c. Engages the services of a building engineer and external / interior designer to provide recommendation/s to Council on building requirements and refurbishment designs / costs for the Tennis Common Room.
 - d. Restores the façade to the former Tennis Common Room and refurbishes the building, subject to design and cost estimates provided by the building engineer and external / interior designer.

Consultation

Nil

Statutory Environment:

National Construction Code 2016
The Building Act 2011
The Health Act 1911

Policy Implications

Nil

Financial Implications

Costs will be associated with:

1. Advertising seeking expressions of interest for the future possible lease, sale, purpose (use) of the Hospital and Ian Roberts Lodge Buildings.
2. Engaging the services of a building engineer and external / interior designer to provide recommendation/s to Council on building requirements and refurbishment designs / costs for the Tennis Common Room.

Cunderdin Community Strategic Plan

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

Social

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

Environmental

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

Economic

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

Resolution 8.1

1. That Council:

- a. Informs the Department of Health that it requests that the Hospital and Ian Roberts Lodge Buildings be retained.
- b. Advertises seeking expressions of interest for the future possible lease, sale, purpose (use) of the Hospital and Ian Roberts Lodge Buildings.
- c. Requests that the old out of use buildings on the Hospital Grounds, ie former nurses quarters and mortuary, be demolished and the site be left clean of all, especially contaminated, materials.
- d. Requests for consideration to be given for any surplus funds from the Department of Health demolition budget for the Hospital Site buildings to be allocated to the Shire of Cunderdin to carry our refurbishment works, ie replace roof, on the hospital building.

2. That Council:

- a. Demolishes the former Incorporated Club building.
- b. Retains the former Tennis Club Common Room.
- c. Authorises the Chief Executive Officer to obtain quotes for the services of a building engineer and external / interior designer to provide recommendation/s to Council on building requirements and refurbishment designs / costs for the Tennis Common Room.
- d. Restores the façade to the former Tennis Common Room and refurbishes the building, subject to design and cost estimates provided by the building engineer and external / interior designer.

Moved: Cr Bernie Daly

Seconded: Cr Alison Harris

Vote – Simple majority

Carried: 5/0

8.2 Cunderdin Sports & Recreation Centre

Location:	Cunderdin Sports & Recreation Grounds
Applicant:	Chief Executive Officer
Date:	8 th September 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	9 Pages (3 attachments)

Proposal/Summary

For Council to consider the options presented for extension to be erected on the western side of the Cunderdin Sports & Recreation Centre Building.

Background

The proposed project was considered and supported at a meeting of the Cunderdin Community Centre Trust at its meeting on Thursday 17th August 2016. Extract from the meeting minutes follows:

“Subsequent to the above and following a further meeting with Mr Baxter, he alluded that the former trotting club would like to see a project carried out that the club could have a plaque erected in their honour. It was mentioned to Mr Baxter that the Cunderdin Bowling Club have proposed for a shade structure to be erected on the western wall of the Cunderdin Sports & Recreation Centre building. The shade structure would be two fold in that would provide additional under cover viewing for bowls patrons and also assist with keeping the direct sun light off the building during the hot summer months.

Mr Baxter advised that this type of project could very well be what the club is looking for.

It was agreed that on receipt of the trotting club funds a letter will be written to the trotting club formally presenting this proposal.”

A letter was forwarded to the Cunderdin Trots and Sports Development Trust (CTSDT) on 10th August 2016, with response being received dated 26th August.

Copies of both letters are attached to the agenda item.

Comment

Following the letter of response from the CTSDT, the Chief Executive Officer has pursued this matter and obtained designs and costing which were circulated to Councillors via email on Friday 2nd September 2016.

Council needs to consider the options presented, and / or if any other designs are to be obtained or considered.

Following Council resolution to this matter more detailed designs and / or structural plans and firm costs will be obtained to enable the project to proceed.

The project will also be subject to meeting the necessary statutory building requirements.

Consultation

Cunderdin Trots and Sports Development Trust (Mr Ken Baxter)

Statutory Environment:

National Construction Code 2016

The Building Act 2011

Policy Implications

Nil

Financial Implications

Nil, the proposed project is fully funded by the Cunderdin Trots and Sports Development Trust.

Cunderdin Community Strategic Plan

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Social

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

Environmental

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

Economic

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

Resolution 8.2

That Council:

- 1. Selects Option 3 at estimated supply and installation cost of \$14,000 as the preferred design.**
- 2. Authorises the Chief Executive Officer to continue to work with the AWP Group to finalise the structural, engineering and design drawings and costings.**
- 3. Refers the proposed project to the Cunderdin Sports & Recreation Centre Management Committee for their information and comment.**

Moved: Cr Dennis Whisson

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 5/0

9. Works & Services

9.1 Works & Services Report

Location:	Cunderdin
Applicant:	Manager Works and Services
Date:	8 th September 2016
Author:	Manager Works and Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is to receive the Works and Services Report for August 2016.

Construction

Nil

General Maintenance – Roads listed have had maintenance carried out on them:-

- Shoulder grading on Cunderdin-Quairading, Loton, & Moore North Roads, commenced on Cunderdin-Wyalkatchem Road.
- Private Works for Dennis Whisson.
- Bitumen patching on Quellington, Moore, Meckering-Goomalling, Southern Brook, & Cunderdin-Wyalkatchem Roads, and Cunderdin town streets.
- Installed new piped cross over for Meckering Hockey Oval.
- Replaced guide posts on Cunderdin-Quairading and Cunderdin-Wyalkatchem Roads.
- Footpath repairs on Bedford, Togo & Margaret Streets.
- Tree pruning on Quellington, Moore & Baxter Roads, Olympic Avenue, and Carter Drive.
- Cleaned up block at rear of Cunderdin Community Resource Centre for Early Learning Centre parking.
- Cleaned up around old sports club.
- Repaired culvert on Leeming Road.

Replaced/Repaired the following signs:-

- New signs for Pearse, Watts, Greens, Coleman & Doodenanning Roads.

Parks and Gardens – Meckering

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

Parks and Gardens – Cunderdin and the Recreation Centre

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

Building and Other Maintenance

- The new Disabled Toilet on Forrest Street is nearing completion.

Road Side and Verge Spraying

- Ongoing spraying of verges.

Cemeteries

- One funeral in August.

Airfield Maintenance

- Weekly runway inspections, reporting and inspection of water bombing building & plant.
- Weed spraying.
- No lights damaged.

Plant Maintenance

- No major breakdowns to report.

Waste Services

- Both transfer stations working well, no complaints received.
- Three loads of scrap steel removed in August.

Works and Services Staff

Nil

Traffic Counters

Nil

Other Matters

Nil

Statutory Implications

Local Government Act 1995

Financial Implications

Nil

Resolution 9.1

That Council:

- 1. Receives the Works and Services Report for August 2016.**

Moved : Cr Alison Harris

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 5/0

9.2 Local Emergency Management Arrangements and Local Recovery Management Arrangements

Location:	Shire of Cunderdin
Applicant:	Executive Officer LEMC
Date:	12 th September 2016
Author:	Daniel Birleson - Community Emergency Services Manager
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	79 Pages (2 attachments)

Proposal/Summary

Council to adopt the Local Emergency and Local Recovery Management Arrangements on the basis of Recommendation and Endorsement by the Local Emergency Management Committee (LEMC)

Background

The Local Emergency Management Arrangements (LEMA) are updated, revised and presented to both the District and State Emergency Management Committees on a quinquennial basis (Five yearly).

The SEMC have also produced a new Modular format and policy changes that have been applied to the document.

The Local Recovery Management Arrangements are now designated a sub-plan of the LEMA and as such require updating and revision at the same time as the LEMA. These have also been adapted to the new format designated by the SEMC.

Comment

Both the Local Emergency and Local Recovery Management Arrangements have been adapted to the SEMC Modular format and all information pertaining to policy and resources have been updated.

Consultation

Bush Fire Advisory Committee (BFAC)

Statutory Implications

Part 3 Division 2 S.41 (1) of the Emergency Management Act 2015 states:

41. Emergency management arrangements in local government district

(1) A local government is to ensure that arrangements (local emergency management arrangements) for emergency management in the local government's district are prepared.

Policy Implications

The Adoption of and Adherence to the Local Emergency Management Arrangements and the Adoption of the Local Recovery Management Arrangements as a sub-plan of the LEMA

Financial Implications

Nil

Strategic Implications

Nil

Resolution 9.2

That Council:

- 1. Adopts the Local Emergency and Local Recovery Management Arrangements in agreement with the Endorsement and Recommendation of the Local Emergency Management Committee.**

Moved: Cr Doug Kelly

Seconded: Cr Alison Harris

Vote – Simple majority

Carried: 5/0

10 Planning & Development

10.1 Cunderdin Town Dam project

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	7 th September 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	28 Pages (2 attachments)

Proposal/Summary

For Council to consider endorsing a revised Deed of Agreement with the Department of Water to stage the proposed Cunderdin Town Dam Project over a four year period.

This report recommends that Council endorses the revised Deed of Agreement.

Background

The Cunderdin College of Agriculture, in February / March 2015 approached Council staff in relation to the possibility of a Town Dam being constructed on Reserve 25368, which is land under management of the Agricultural College for their purposes.

The rationale behind the request is that the land has become seriously eroded in recent years due to water runoff from the Cunderdin townsite. It is feared that this will become considerably worse with the recent CBH development project.

Council submitted a grant application to the Department of Water (DoW) Community Water Supply Program, and also the Wheatbelt Development Commission (WDC) Wheatbelt Regional Grants Scheme to help fund the project.

Whilst the DoW Community Grants application was successful for amount of \$100,000, the WDC Wheatbelt Regional Grants Scheme was not successful.

In further discussions with the DoW it was suggested that Council could stage the project over additional periods which will enable Council to apply for additional funding rounds in the future.

Total project costs for the first two years of the dam construction are estimated at \$352,470, which includes Shire in-kind works.

Staging the project as suggested and allowing for additional grant funding it is anticipated Council will be responsible for a total of 30-40% of the costs as opposed to the current situation, whereby costs will be in vicinity of \$252,470.

Comment

Following the aforementioned consultation process the Chief Executive Officer requested consulting engineer, Rod Munns, to re-work the project over two years, initially, with additional two stages at a later time to incorporate the current Water Corporation Reservoir and reuse of recycled town sewer water.

This information was provided to the DoW along with a letter requesting a variation to the original grant funding Deed off Agreement.

The DoW have agreed to the variation and hence provided Council with updated Deed of Agreement for execution.

Consultation

Department of Water
Cunderdin College of Agriculture

Statutory Environment:

Nil

Policy Implications

Nil

Cunderdin Community Strategic Plan

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Social

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

Environmental

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

Economic

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

Resolution 10.1

That Council:

- 1. Endorses the varied Deed of Agreement with the Department of Water for the grant funding for the Cunderdin Town Dam Project.**
- 2. Authorises the Shire President and Chief Executive Officer to duly execute the Deed of Agreement on behalf of the Shire of Cunderdin.**
- 3. Endorses the proposal for the Cunderdin Town Dam Project to be staged over a four (4) year period.**
- 4. Authorises the Chief Executive Officer to continue to work with the Cunderdin College of Agriculture to progress the land procurement and the Town Dam Project.**

Moved: Cr Doug Kelly

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 5/0

10.2 Proposed 100MW Solar Farm – Zoning Report

Location:	13280 Great Eastern Highway, Cunderdin
Applicant:	Sun Brilliance Power Pty Ltd
Date:	8 th September 2016
Author:	Jacky Jurmann
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	DA 2016/17-6
Attachment/s:	1 – Planning Report

Please note this Agenda Item was dealt with earlier in the Council meeting.

10.3 Cunderdin Aged Appropriate Accommodation Project

Location:	Cunderdin
Applicant:	Cunderdin AAA Project Management Committee
Date:	9 th September 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	33 Pages (7 attachments) – Minutes from CAAAPMC of 7 th Sept will be uploaded on Monday.

Proposal/Summary

For Council to consider and endorse the recommendation from the Cunderdin Aged Appropriate Accommodation Project Management Committee for selection of a preferred tenderer for the Cunderdin AAA Project.

Background

In accordance with the requirements of the Local Government Act 1995, and associated Regulations, Tenders were called for the Design and Construction of the Cunderdin Aged Appropriate Accommodation Project in the West Australian Newspaper on Saturday 9th July 2016.

Tender closing time / date was at 4:00pm on Friday 5th August 2016.

At the closing of the tender period, six (6) tenders were received, as follows:

Tenderers Contact Name and Company Name:	Address:
Richard Hammond Architect	16/342 South Terrace, South Fremantle
ATCO Structures & Logistics (Oliver Jacobs)	28 Armstrong Road, Hope Valley 6165
Pindan Modular (Mitchell Bailey)	225 Kelvin Road, Orange Grove 6109
CES Project Solutions Pty Ltd (Jared Sossi)	2 Queensgate Drive, Canning Vale 6155
CLPM Pty Ltd (Paul Rees) – Option 1	2 Walcott Street, Mt Lawley 6050
CLPM Pty Ltd (Paul Rees) – Option 2	2 Walcott Street, Mt Lawley 6050

The tenders were presented to a meeting of the Project Management Committee on Tuesday 9th August 2016, copy of committee meetings attached.

The Committee perused each of the tenders individually and selected a preferred tender.

A meeting was arranged with the preferred tenderer in Northam on Monday 15th August 2016, to discuss the tender submitted and seek clarification of certain aspects pertaining thereto to enable the Committee delegation to be satisfied that all the requirements as specified in the Functional Brief were being addressed.

Also in attendance at this meeting was Mr Jason Burton, General Manager Education, Research & Consultancy, Alzheimer's Australia WA Ltd. Mr Burton's attendance at the meeting was to provide intricate information in relation to the delivery of accommodation and care for Alzheimer patients.

Comment

At the Project Management Committee meeting held on Wednesday 7th September 2016, copy of minutes attached, the Committee resolved to present the following recommendation to Council for consideration:

That the Cunderdin Aged Appropriate Accommodation Project Management Committee recommends to the Shire of Cunderdin that:

- 1. Pindan Modular be selected as the preferred tenderer for the Cunderdin Aged Appropriate Accommodation Project;*
- 2. Council authorises the Cunderdin AAA Project Management Committee to work with Pindan Modular to finalise variations to the tender documents submitted to ensure they meet with Platinum Design Levels for Aged Appropriate Accommodation, actual unit design requirements, and preferred site layout, within the project budget, prior to entering into a formal contract; and*
- 3. Authorises the Shire President and Chief Executive Officer to work with the Cunderdin AAA Project Management Committee in respect to dot point 2 of the resolution and duly execute tender contract documentation when the aforementioned design aspects have been suitably met.*

Whilst the Committee acknowledges that there are some areas within the preferred tender design and layout that needs to be addressed, to comply with Regulation 20 of the *Local Government (Functions and General) Regulations 1996*, Council must select a preferred tenderer and then can enter into discussions re variations to the tender prior to entering into a contract for the supply of the goods and services.

The matter is presented for Council consideration.

Consultation

Various Tender and Prospective Tender Companies.

Statutory Environment:

Local Government Act 1995

3.57. Tenders for providing goods or services

(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

(2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996

Part 4 — Provision of goods and services

Division 2 — Tenders for providing goods or services (s. 3.57)

Policy Implications

Nil

Cunderdin Community Strategic Plan

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- Improve community spirit, collectively caring for each other.
- Build an active community, increasing participation and ownership.

Environmental

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

Economic

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

Resolution 10.3

That Council endorses the recommendation from the Cunderdin Aged Appropriate Accommodation Project Management Committee meeting held on Wednesday 7th September 2016, as follows:

That the Cunderdin Aged Appropriate Accommodation Project Management Committee recommends to the Shire of Cunderdin that:

- 1. Pindan Modular be selected as the preferred tenderer for the Cunderdin Aged Appropriate Accommodation Project;***
- 2. Council authorises the Cunderdin AAA Project Management Committee to work with Pindan Modular to finalise variations to the tender documents submitted to ensure they meet with Platinum Design Levels for Aged Appropriate Accommodation, actual unit design requirements, and preferred site layout, within the project budget, prior to entering into a formal contract; and***
- 3. Authorises the Shire President and Chief Executive Officer to work with the Cunderdin AAA Project Management Committee in respect to dot point 2 of the resolution and duly execute tender contract documentation when the aforementioned design aspects have been suitably met.***

Moved: Cr Doug Kelly

Seconded: Cr Bernie Daly

Vote – Simple majority

Carried: 5/0

11 Urgent Items

11.1 Shire President Resignation

The Shire President, Cr Clive Gibsone, informed the meeting that effective from Wednesday 12th October 2016, he will be standing down as President of the Shire.

Cr Gibsone will remain on Council until the Council elections in October 2017, and in that time be an active participant on Council and provide assistance to the newly elected Shire President.

The Chief Executive Officer informed the meeting that the election of a new Shire President will be the first item of business on the agenda for the next Ordinary Meeting of Council scheduled to be held on Thursday 13th October 2016.

12. Matters for which the meeting may be closed

13. Closure of meeting

There being no further business the Shire President declared the meeting closed at 6.26pm.