



## Shire of Cunderdin

### Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on Tuesday 24<sup>th</sup> October 2017 in the Shire of Cunderdin Council Chambers, Lundy Avenue, Cunderdin, **commencing at 6.00pm.**

A handwritten signature in black ink, appearing to read 'Peter Naylor', is positioned above the printed name.

Peter Naylor  
**Chief Executive Officer**

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## AGENDA

### 1. Declaration of opening

**The Chief Executive Officer declared the meeting open at 6: 00 pm**

**The Shire of Cunderdin disclaimer was read aloud.**

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

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

#### 1.1 Swearing In of newly elected Councillors

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	6 <sup>th</sup> October 2017
<b>Author:</b>	Peter Naylor
<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

For the newly elected Councillors to take the Declaration by Elected Member in accordance with the provisions of the Local Government Act 1995.

#### Background

Provisions within the *Local Government Act 1995*, S2.29, and the Local Government (Constitution) Regulations 1998, C13, state that a person elected as a councillor has to make a declaration in the prescribed form before acting in the office and the format in which that declaration is to be made.

#### Comment

Mr Clive Gibsons JP is in attendance to administer this function.

#### Consultation

Nil

#### Statutory Implications

*Local Government Act 1995*

#### 2.29. Declaration

- (1) A person elected as an elector mayor or president or as a councillor has to make a declaration in the prescribed form before acting in the office.
  - (2) A person elected by the council as mayor, president, deputy mayor or deputy president has to make a declaration in the prescribed form before acting in the office.
  - (3) A declaration required by this section is to be taken or made before a prescribed person.
  - (4) A person who acts in an office contrary to this section commits an offence.
- Penalty: \$5 000 or imprisonment for one year.

Local Government (Constitution) Regulations 1998

**13. Oaths, affirmations and declarations (s. 2.29, 2.42)**

- (1) For the purposes of sections 2.29 and 2.42 — [(a), (b) deleted] (c) the form of declaration for a mayor, president, deputy mayor, deputy president or councillor is that in Form 7; (d) the form of declaration for a commissioner is that in Form 8.
- (2) A declaration required by section 2.29 to be made by a person elected as a mayor or president is to be made before —
  - (a) the immediate predecessor of the person in the office of mayor or president; or
  - (b) an authorised person.
- (3) A declaration required by section 2.29 to be made by a person elected as a councillor, deputy mayor or deputy president is to be made before an authorised person.
- (4) A declaration required by section 2.42 to be made by a person appointed as a commissioner is to be made before an authorised person.
- (5) In this regulation —  
authorised person means a person before whom a statutory declaration can be made under the Oaths, Affidavits and Statutory Declarations Act 2005.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Newly elected Councillors Jayson Goldson, Alison Harris, Norm Jenzen and Dennis Whisson took the Declaration by Elected Member before Mr Clive Gibsone, Justice of the Peace.**

## 1.2 Election of Shire President

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	6 <sup>th</sup> October 2017
<b>Author:</b>	Peter Naylor
<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

For Council to elect the Shire President for the next two (2) year period, 2017 to 2019.

### Background

Provisions within the *Local Government Act 1995*, Schedule 2.3, Division 1, provide for the election of the Shire President by the Council.

Section 2.29 of the *Act* states that a person elected by the council as president has to make a declaration in the prescribed form before acting in the office.

Local Government (Constitution) Regulations 1998, C13, provides for the format in which the person elected as the president has to make the declaration.

### Comment

Nil

### Consultation

Nil

### Statutory Implications

#### Local Government Act 1995

#### **2.29. Declaration**

- (1) A person elected as an elector mayor or president or as a councillor has to make a declaration in the prescribed form before acting in the office.
  - (2) A person elected by the council as mayor, president, deputy mayor or deputy president has to make a declaration in the prescribed form before acting in the office.
  - (3) A declaration required by this section is to be taken or made before a prescribed person.
  - (4) A person who acts in an office contrary to this section commits an offence.
- Penalty: \$5 000 or imprisonment for one year.

#### **Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council [Sections 2.11(1)(b) and 2.15]**

##### **Division 1 — Mayors and presidents**

1. Terms used  
In this Division —

extraordinary vacancy means a vacancy that occurs under section 2.34(1); office means the office of councillor mayor or president.

2. When council elects mayor or president
    - (1) The office is to be filled as the first matter dealt with —
      - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
      - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
    - (2) If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.
  3. CEO to preside  
The CEO is to preside at the meeting until the office is filled.
  4. How mayor or president is elected
    - (1) The council is to elect a councillor to fill the office.
    - (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
    - (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
    - (3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
    - (4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
    - (5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
    - (6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
    - (7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.
- [Clause 4 amended by No. 49 of 2004 s. 69(2)-(5); No. 66 of 2006 s. 14.]
5. Votes may be cast a second time
    - (1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.
    - (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.
    - (3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.
    - (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

#### Local Government (Constitution) Regulations 1998

#### **13. Oaths, affirmations and declarations (s. 2.29, 2.42)**

- (1) For the purposes of sections 2.29 and 2.42 — [(a), (b) deleted] (c) the form of declaration for a mayor, president, deputy mayor, deputy president or councillor is that in Form 7; (d) the form of declaration for a commissioner is that in Form 8.
- (2) A declaration required by section 2.29 to be made by a person elected as a mayor or president is to be made before —
  - (a) the immediate predecessor of the person in the office of mayor or president; or
  - (b) an authorised person.

- (3) A declaration required by section 2.29 to be made by a person elected as a councillor, deputy mayor or deputy president is to be made before an authorised person.
- (4) A declaration required by section 2.42 to be made by a person appointed as a commissioner is to be made before an authorised person.
- (5) In this regulation —  
authorised person means a person before whom a statutory declaration can be made under the Oaths, Affidavits and Statutory Declarations Act 2005.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**The Chief Executive Officer advised that two written nominations have been received for Councillor DA (Dennis) Whisson for the Position of Shire President.**

**Cr Whisson accepted the nominations for the position.**

**As there were no further nominations received, Cr Whisson was declared elected unopposed to the position of Shire President for the Shire of Cunderdin for the two year period 2017 to 2019.**

**Cr Whisson duly took the Declaration by Elected Member for the position of Shire President before Mr Clive Gibsone, Justice of the Peace.**

**Cr Whisson thanked the councillors for their continuing support, and advised the meeting that he looked forward to another term as Shire President.**

### 1.3 Election of Deputy Shire President

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	6 <sup>th</sup> October 2017
<b>Author:</b>	Peter Naylor
<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**

For Council to elect the Deputy Shire President for the next two (2) year period, 2017 to 2019.

#### **Background**

Provisions within the *Local Government Act 1995*, Schedule 2.3, Division 1, provide for the election of the Deputy Shire President by the Council.

Section 2.29 of the *Act* states that a person elected by the council as deputy president has to make a declaration in the prescribed form before acting in the office.

Local Government (Constitution) Regulations 1998, C13, provides for the format in which the person elected as the deputy president has to make the declaration.

#### **Comment**

Nil

#### **Consultation**

Nil

#### **Statutory Implications**

##### Local Government Act 1995

#### **2.29. Declaration**

- (1) A person elected as an elector mayor or president or as a councillor has to make a declaration in the prescribed form before acting in the office.
- (2) A person elected by the council as mayor, president, deputy mayor or deputy president has to make a declaration in the prescribed form before acting in the office.
- (3) A declaration required by this section is to be taken or made before a prescribed person.
- (4) A person who acts in an office contrary to this section commits an offence.  
Penalty: \$5 000 or imprisonment for one year.

#### **Schedule 2.3 Division 2 — Deputy mayors and deputy presidents**

6. Terms used In this Division —  
extraordinary vacancy means a vacancy that occurs under section 2.34(1); office means the office of deputy mayor or deputy president.
7. When the council elects the deputy mayor or deputy president



- (1) If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —
    - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
    - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
  - (2) If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —
    - (a) as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
    - (b) subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.
  - (3) If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.
8. How deputy mayor or deputy president is elected
- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.
  - (2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.
  - (3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.
  - (3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
  - (4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.
  - (5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.
  - (6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.
  - (7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

[Clause 8 amended by No. 64 of 1998 s. 54(2)-(4); No. 49 of 2004 s. 69(6)-(9).]

9. Votes may be cast a second time

- (1) If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.
- (3) When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.

Local Government (Constitution) Regulations 1998

**13. Oaths, affirmations and declarations (s. 2.29, 2.42)**

- (1) For the purposes of sections 2.29 and 2.42 — [(a), (b) deleted] (c) the form of declaration for a mayor, president, deputy mayor, deputy president or councillor is that in Form 7; (d) the form of declaration for a commissioner is that in Form 8.

- (2) A declaration required by section 2.29 to be made by a person elected as a mayor or president is to be made before —
  - (a) the immediate predecessor of the person in the office of mayor or president; or
  - (b) an authorised person.
- (3) A declaration required by section 2.29 to be made by a person elected as a councillor, deputy mayor or deputy president is to be made before an authorised person.
- (4) A declaration required by section 2.42 to be made by a person appointed as a commissioner is to be made before an authorised person.
- (5) In this regulation —  
authorised person means a person before whom a statutory declaration can be made under the Oaths, Affidavits and Statutory Declarations Act 2005.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**The Chief Executive Officer advised that two written nominations have been received for Councillor DB (Doug) Kelly for the Position of Deputy Shire President.**

**Cr Kelly accepted the nominations for the position.**

**Therefore as there were no further nominations received, Cr Kelly was declared elected unopposed to the position of Deputy Shire President for the Shire of Cunderdin for the two year period 2017 to 2019.**

**Councillor Kelly duly took the Declaration by Elected Member for the position of Deputy Shire President before Mr Clive Gibsone, Justice of the Peace.**

**Cr Kelly thanked the councillors for their continuing support.**

6:10pm

Mr Clive Gibsone JP departed the Council Chamber

## 2. Public Question Time

Nil

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

### Record of attendances

#### Councillors

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

### Apologies

### On Leave of Absence

#### Staff

Peter Naylor	Chief Executive Officer
Paul Godfrey	Deputy Chief Executive Officer
Greg Stephens	Shared Manager Works & Services

#### Guests of Council

Mr Clive Gibsone JP	(to 6:10pm)
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### Members of the Public

## 4. Applications for Leave of Absence

Nil

## 5. Declaration of Members and Officers Financial Interests

Item 12.1	Cr A Harris
Item 12.1	Cr T Harris

## 6. Petitions, Deputations, Presentations

Nil

## 7. Announcements by President without discussion

Nil

## 8. Confirmation of the Minutes of Previous Meetings

### 8.1 Ordinary Meeting of Council held on Thursday 21 September 2017

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	6 <sup>th</sup> October 2017
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	N/A
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	34 Pages (1 attachment - circulated)

#### **Proposal/Summary**

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

#### **Background**

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

#### **Comment**

No business arising.

#### **Consultation**

Nil

#### **Statutory Environment**

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

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

#### **Policy Implications**

Nil

#### **Financial Implications**

There are no financial implications in considering this item.

#### **Strategic Implications**

Nil

**Resolution 8.1**

**That:**

- 1. The Minutes of the Ordinary Council Meeting held on Thursday 21 September 2017, be confirmed as a true and correct record.**

**Moved: Cr Alison Harris**

**Seconded: Cr Bernie Daly**

**Vote – Simple Majority**

**Carried: 8/0**

**Note to this item:**

See Item 8.1 of the Minutes of the Ordinary Council Meeting held on Thursday 16 November, 2017 for an amendment.

## 8.2 Special Meeting of Council held on Tuesday 3 October 2017

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	6 October 2017
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	N/A
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	7 Pages (1 attachment - circulated)

### **Proposal/Summary**

Council to confirm the minutes of the Special Council Meeting held on Tuesday 3 October 2017.

### **Background**

The minutes of the meeting have been circulated to all Councillors.

### **Comment**

No business arising.

### **Consultation**

Nil

### **Statutory Environment**

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

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

### **Policy Implications**

Nil

### **Financial Implications**

There are no financial implications in considering this item.

### **Strategic Implications**

Nil

**Resolution 8.2**

**That:**

- 1. The Minutes of the Special Council Meeting held on Tuesday 3 October 2017, be confirmed as a true and correct record.**

**Moved: Cr Bernie Daly**

**Seconded: Cr Todd Harris**

**Vote – Simple Majority**

**Carried: 8/0**

**Note to this item:**

The President will sign the minute declaration.

### 8.3 Unconfirmed Minutes for a Chief Executive Officer Selection Panel Meeting

<b>Location:</b>	Shire of Cunderdin and Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	24 October 2017
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	N/A
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	3 Pages (1 attachment - circulated)

#### **Proposal/Summary**

Council to receive and endorse the recommendation from the minutes of the CEO Selection Panel Meeting held on Thursday 12<sup>th</sup> October 2017.

#### **Background**

The minutes of the meeting have been circulated to all Councillors.

#### **Comment**

No business arising.

#### **Consultation**

Nil

#### **Statutory Environment**

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

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

#### **Policy Implications**

Nil

#### **Financial Implications**

There are no financial implications in considering this item.

#### **Strategic Implications**

Nil



**Resolution 8.3**

**That:**

- 1. The Minutes of the Chief Executive Officer Selection Panel Meeting held on Thursday 12<sup>th</sup> October 2017, be received and the recommendation be endorsed.**

**Moved: Cr Bernie Daly**

**Seconded: Cr Alison Harris**

**Vote – Simple Majority**

**Carried: 8/0**

## 9. Finance & Administration

### 9.1 Financial Reports for September 2017

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Date:</b>	16 October 2017
<b>Author:</b>	Paul Godfrey
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Pages (3 attachments)

#### **Proposal/Summary**

The financial reports as at 30 September 2017 are presented for consideration.

#### **Background**

The financial reports have been circulated to all Councillors.

#### **Comment**

Nil

#### **Consultation**

Nil

#### **Statutory Environment**

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

#### **Policy Implications**

Nil

#### **Financial Implications**

All financial implications are contained within the reports.

#### **Strategic Implications**

Nil

**Resolution 9.1**

**That Council receives the monthly financial reports to 30 September 2017.**

**Moved: Cr Norm Jenzen**

**Seconded: Cr Dianne Kelly**

**Vote – Simple Majority**

**Carried: 8/0**

## 9.2 Accounts Paid – September 2017

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Paul Godfrey
<b>Report Date:</b>	16 October 2017
<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 \$696,779.21 for September 2017 as listed in the Warrant of Payments for the period 1 September to 30 September 2017.

### **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**

**(a) That Council's payment of accounts amounting to \$696,779.21 for September 2017, from the Municipal Fund be confirmed and noted.**

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

**Moved: Cr Alison Harris**

**Seconded: Cr Doug Kelly**

**Vote – Simple Majority**

**Carried: 8 / 0**

Cheque /EFT No	Date	Supplier	Invoice Description	Amount
EFT1682	01/09/2017	Landgate	GRV INT VALS CTRY and FESA 12001-100000	107.77
EFT1683	01/09/2017	Wurth	Cutting Discs, Grinding Discs, Saw Blades and Superglue	312.58
EFT1684	01/09/2017	WA Contract Ranger Services	Ranger Services	678.15
EFT1685	01/09/2017	Glenwarra Development Services	Town Planning Consultancy Fee	4,400.00
EFT1686	01/09/2017	FILTERSPPLUS	Various parts for various plant	320.71
EFT1687	01/09/2017	Cr Dennis Whisson	Member Sitting Fee SCM 10 August 2017	970.00
EFT1688	01/09/2017	Cr Todd Harris	Member Sitting Fee SCM 10 August 2017	472.00
EFT1689	01/09/2017	Cr Norm Jenzen	Member Sitting Fee SCM 10 August 2017	472.00
EFT1690	01/09/2017	Ag Implements	Various parts for Plant	822.92
EFT1691	01/09/2017	Country Copiers	Copier Service and Toner	1,509.61
EFT1692	01/09/2017	Thompsons Signs	Safety Signs	70.40
EFT1693	01/09/2017	Cunderdin Community Resource Centre	Library Service Fee	18,143.00
EFT1694	01/09/2017	Cr. Alison Harris	Member Sitting Fee SCM 10 August 2017	472.00
EFT1695	01/09/2017	Cr. Bernard Daly	Member Sitting Fee SCM 10 August 2017	472.00
EFT1696	01/09/2017	Donovans Engineering	Angle Lengths and repair side tipper on truck	1,171.50
EFT1697	01/09/2017	Avon Paper Shred	Paper Shredding Service	445.80
EFT1698	01/09/2017	Wren Oil	OIL Waste Disposal and Oil	517.00

			Water Disposal , Admin Compliance Fees	
EFT1699	01/09/2017	JM Vanden Akker & JA Vanden Akker	Window Cleaning Museum	160.00
EFT1700	01/09/2017	Daves Property Improvements	Final Payment	16,624.25
EFT1701	01/09/2017	R&L Coltons Pty Ltd	Catering	148.50
EFT1702	01/09/2017	Heartlands Western Australia Inc	deposit for Development of an age friendly Community Plan	6,800.00
EFT1703	01/09/2017	Earthstyle Contracting Pty Ltd	Gravel Cartage Flowery Patch RD	1,732.50
EFT1704	04/09/2017	Pindan Modular Pty Ltd	D&C Cunderdin Age Appropriate Accommodation Project Claim No. 4	401,696.37
EFT1705	04/09/2017	Ian Gordon Wilson	Rates refund for assessment A52911 10 CORONATION STREET CUNDERDIN WA 6407	273.54
EFT1723	19/09/2017	Cunderdin Co-Op	Morning Tea and Council Meeting Supplies	576.24
EFT1724	19/09/2017	Avdata	Airport Charges	290.69
EFT1725	19/09/2017	Cunderdin Newsagency	Day Care Stationary Supplies	222.72
EFT1726	19/09/2017	AIR LIQUIDE	Gas Cylinder Fee	115.21
EFT1727	19/09/2017	Avon Waste	Rubbish Charges	11,245.34
EFT1728	19/09/2017	Glenwarra Development Services	Town Planning Consultancy fees	5,500.00
EFT1729	19/09/2017	IT Vision	Annual Synergy Soft Fee 17 -18 financial year	34,366.06
EFT1730	19/09/2017	Shire of Northam	Old Quarry Tipping Fee	3,073.85
EFT1731	19/09/2017	Cr Dennis Whisson	Special Council Meeting Sitting Fees 7th Sept 2017	485.00

EFT1732	19/09/2017	Cr Todd Harris	Special Council Meeting 7th Sep 2017	236.00
EFT1733	19/09/2017	Cr Norm Jenzen	Special Council Meeting Sitting Fee 7th Sep 2017	236.00
EFT1734	19/09/2017	WALGA	Full Delegate Registration and Breakfast	7,766.02
EFT1735	19/09/2017	Star Track Express PTY Limited	Freight Charges	63.88
EFT1736	19/09/2017	Perfect Computer Solutions	Support for computers	297.50
EFT1737	19/09/2017	Marketforce	Advertising	604.89
EFT1738	19/09/2017	Cr. Alison Harris	Special Council Meeting Sitting Fee 7th Sep 2017	236.00
EFT1739	19/09/2017	Cr. Bernard Daly	Special Council Meeting Sitting Fees 7th Sep 2017	236.00
EFT1740	19/09/2017	BP Cunderdin Roadhouse	Mixed Drinks, Hot Food and Sandwiches	675.70
EFT1741	19/09/2017	IXOM	Chlorine Gas	122.76
EFT1742	19/09/2017	Shire of Tammin	Manager of Works Shared Staff Expenses	31,087.40
EFT1743	19/09/2017	R Munns Engineering Consulting Services	Consulting for the Town Dam Project	6,025.54
EFT1744	19/09/2017	Ampac Debt Recover Pty Ltd	Ampac Debt Recovery Service	2,274.80
EFT1745	19/09/2017	Courier Australia	Freight	32.95
EFT1746	19/09/2017	Department of Fire and Emergency Services	ESL Quarter 1 17-18	21,637.80
EFT1747	20/09/2017	Australian Tax Office	BAS for the Month of August 2017	65,425.00



EFT1748	29/09/2017	Cunderdin Co-Op	Bulk Distillate	9,920.00
EFT1749	29/09/2017	Daniel Birleson	REIMBURSEMENT FOR FRIDGE	370.00
DD822.1	01/09/2017	Westnet	Internet Charges	228.95
DD833.1	15/09/2017	SG Fleet	Cesm Vehicle Lease and Charges	1,269.64
DD839.1	20/09/2017	WA Super	Payroll deductions	5,973.99
DD839.2	20/09/2017	HOSTPLUS	Superannuation contributions	140.22
DD839.3	20/09/2017	Westscheme Superannuation	Superannuation contributions	366.45
DD839.4	20/09/2017	BT Super for LIfе	Superannuation contributions	406.20
DD839.5	20/09/2017	One Path Superannuation Fund	Superannuation contributions	68.37
DD839.6	20/09/2017	MTAA Superannuation Fund	Superannuation contributions	203.10
DD839.7	20/09/2017	TWU Super	Superannuation contributions	203.10
DD839.8	20/09/2017	Colonial First State	Superannuation contributions	199.86
DD839.9	20/09/2017	Club Plus Superannuation	Superannuation contributions	61.42
DD840.1	06/09/2017	WA Super	Payroll deductions	5,912.36
DD840.2	06/09/2017	HOSTPLUS	Superannuation contributions	80.00
DD840.3	06/09/2017	Westscheme Superannuation	Superannuation contributions	379.96
DD840.4	06/09/2017	BT Super for LIfе	Superannuation contributions	406.20
DD840.5	06/09/2017	One Path Superannuation Fund	Superannuation contributions	68.37
DD840.6	06/09/2017	MTAA Superannuation Fund	Superannuation contributions	203.10

DD840.7	06/09/2017	TWU Super	Superannuation contributions	203.10
DD840.8	06/09/2017	Colonial First State	Superannuation contributions	199.86
11264	01/09/2017	Water Corporation	Swimming Pool Water	6,787.02
11265	01/09/2017	Synergy	Depot Power	2,068.10
11266	01/09/2017	Bunnings Group Limited	Shelving Units	999.90
11267	01/09/2017	Telstra	Day Care Phones	67.45
11268	01/09/2017	Autopro Northam	Engine oil for Plant	959.98
11269	01/09/2017	Cr Ronald Clive Gibsone	Member Sitting Fee SCM 10 August 2017	236.00
11270	01/09/2017	Cr Douglas Brian Kelly	Member Sitting Fee OCM 16 August 2017	236.00
11271	01/09/2017	Meckering Sporting Club	Hire of Meckering Sporting Club	44.00
11272	19/09/2017	Water Corporation	Swimming Pool Water	1,541.80
11273	19/09/2017	Synergy	Street Lights	3,512.35
11274	19/09/2017	Telstra	Shire Phones	1,760.59
11275	19/09/2017	Shire of Cunderdin	120 watts st rates notice payment ESL	75.82
			TOTAL	696,779.21

### 9.3 Council Investments – As at 30 September 2017

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Paul Godfrey
<b>Report Date:</b>	16 October 2017
<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 September 2017.

#### 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

<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	\$940,070.97	Reserves Term Deposit 2.55% Expires : 08/1/2018		\$940,070.97	
Westpac Bank	\$1,850,609.58	Business Cash Reserve 22-3647 0.60%	\$1,850,609.58		
Westpac Bank	\$20,586.33	Trust Working Account 12-2981			\$20,586.33
Westpac Bank	\$147,380.00	Reserve Term Deposit 2.1% Expires : 30/12/17		\$147,380.00	
<b>TOTAL INVESTMENTS</b>	<b>\$2,958,646.88</b>		<b>\$1,850,609.58</b>	<b>\$1,087,450.97</b>	<b>\$20,586.33</b>

#### Consultation

Nil

**Statutory Implications**

Financial Management Regulation 19.

**Policy Implications**

Delegation #18 – Investments.

**Financial Implications**

There are no financial implications in considering this item.

**Strategic Implications**

There are no strategic implications in considering this item.

**Resolution 9.3**

**That the reports on Council investments as at 30 September 2017 be received and noted.**

**Moved: Cr Dianne Kelly**

**Seconded: Cr Bernie Daly**

**Vote – Simple Majority**

**Carried: 8/0**

## 9.4 Shire of Cunderdin Administration Office Closure over Christmas / New Year Period

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	6 October 2017
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

### Proposal/Summary

For Council to consider the closure of the Shire Administration Office over the Christmas / New Year period.

This report recommends Council endorsement of the proposal as in recent years.

### Background

In the past five (5) years Council has authorised the closure of the Administration Office as follows:

2012/13	24 <sup>th</sup> December 2012, returning on Wednesday 2 <sup>nd</sup> January 2013
2013/14	24 <sup>th</sup> December 2013, returning on Thursday 2 <sup>nd</sup> January 2014
2014/15	24 <sup>th</sup> December 2014, returning on Monday 5 <sup>th</sup> January 2015
2015/16	24 <sup>th</sup> December 2015, returning on Tuesday 5 <sup>th</sup> January 2016
2016/17	24 <sup>th</sup> December 2016, returning on Tuesday 3 <sup>rd</sup> January 2017

No complaints and / or adverse comments have been received in relation to the office closure over the periods mentioned.

### Comment

As a general rule no significant business is conducted between the Christmas and New Year period, therefore it is considered an ideal time to close the office and allow staff to clear some of their accrued leave entitlements, and enjoy a relaxed festive period with their families.

It is proposed the office be closed from the close of business on Friday 22<sup>nd</sup> December 2017 to Monday 1<sup>st</sup> January 2018 inclusive, reopening on Tuesday 2<sup>nd</sup> January 2018.

During the proposed six (6) business day closure period staff time will be allocated to public holidays (3 days) and annual leave entitlements (3 days).

Notification of the office closure will be displayed in the Avon Advocate, Bandicoot, on local notice boards and the Shire website.

### Consultation

Nil

### Statutory Implications

Nil

## Policy Implications

Nil

## Financial Implications

Nil

## Strategic Implications

### Cunderdin Community Strategic Plan

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

#### Social

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

#### Environmental

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

#### Economic

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

### Resolution 9.4

**That Council resolves to:**

- 1. Approve the closure of the Shire of Cunderdin Administration Office during the Christmas / New Year period from close of business on Friday 22<sup>nd</sup> December 2017 to Monday 1<sup>st</sup> January 2018 inclusive, reopening on Tuesday 2<sup>nd</sup> January 2018.**
- 2. Advertises the Administration Office closure in the Avon Advocate, Bandicoot, on local notice boards and the Shire website.**

**Moved: Cr Norm Jenzen**

**Seconded: Cr Todd Harris**

**Vote – Simple majority**

**Carried: 8/0**

**10 Environmental Health and Building**

Nil

## 11. Works and Services

### 11.1 Works & Services Reports

Location:	Shire of Cunderdin
Applicant:	Manager Works and Services
Date:	13 <sup>th</sup> September 2017
Author:	Manager Works and Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	Nil

#### **Purpose Of Report**

To inform Council of the Works Manager, staff, infrastructure and maintenance program activities.

#### **Background**

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

#### **Administration, Meetings And Inspections During This Reporting Period**

- Customer enquiries
- Capital Works Program
- Admin and staff meetings
- Works and Services Agenda
- Ordering parts and materials
- Staff meetings and works schedules
- Roads To Recovery - Works Schedule
- Meetings - Associated sporting Groups
- Regional Roads Group Secretarial works
- Works Budget, Works Meetings, Depot Staff meetings
- Site Inspections - Infrastructure, Bitumen Roads, Rural Roads
- Depot General Duties - phone, emails, design, and staff works program

#### **Construction**

- No civil construction has commenced.

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

##### Maintenance Grading

- Beebering Road
- Leeming Road
- Rabbit Proof Fence Road

##### Gravel Resheet

- Soloman Back Road - Gravel sheeting blow outs Completed
- Leeson Road - In progress

##### Other Works

- Driveway repairs (Council crossover)

Bitumen patching -



- Goldfields Road
- Meckering-Goomalling Road
- Quairading Road
- Wyalkatchem Road
- Minnivale Road
- Five Mile Gate Road
- Watts Road
- Southern Brook Road

#### Vegetation Management

- Goldfields Road
- Goomalling Road
- Quairading Road
- Wyalkatchem Road
- Minnivale Road
- Colman Road
- Doodenanning Road

#### Signage

- Goldfields Road - curve sign
- Reynolds road -give way sign
- Moore road - curve sign
- Southern Brook road - give way and cross road signs
- Meckering/Goomalling road - curve sign
- Gangell road - "T" road sign
- Watercarrin road - cross road sign

#### **Parks and Gardens – Meckering**

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

#### **Parks and Gardens – Cunderdin and the Recreation Centre**

- Carried out general mowing, weeding, whipper snipping and general clean-up of parks and oval.
- Cunderdin Co-Op 100 year - preparation works for event
- Sports Oval renovation - Core, Verti mow and sweep.

#### **Building and Other Maintenance**

- Shire Depot - repairs to storm water drainage
- Repairs to footpath - CRC area
- Administration Office - Repairs and maintenance
- Repairs to door lock at 82 Mitchell street
- Repairs to Meckering toilet store room locking system

#### **Road Side and Verge Spraying**

- Slashing shoulders on bitumen roads

#### **Cemeteries**

- Weed control

- Grave preparation for ashes

#### **Airfield Maintenance**

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

#### **Plant Maintenance**

- No major breakdowns to report
- General maintenance and servicing

#### **Waste Services**

- General weekly service for rate payers

#### **Statutory Implications**

Local Government Act 1995

#### **Financial Implications**

There are no financial implications to Council in relation to this item

#### **Strategic Implications**

There are no known strategic implications related to this item.

#### **Environment**

There are no known significant environmental implications associated with this proposal

#### **Economic**

There are no known significant economic implications associated with this proposal

#### **Social**

There are no known significant social implications associated with this proposal

#### **Policy Requirements**

NIL

#### **Legislative Requirements**

There are no known legislative requirements related to this item

#### **Resolution 11.1**

##### **That Council:**

- 1. Receives the Works and Services Managers report for October 2017 and notes the content.**

**Moved : Cr Doug Kelly**

**Seconded: Cr Bernie Daly**

**Vote – Simple majority**

**Carried: 8/0**

## 11.2 Gravel Extraction – Lot 278 Cubbine Street, Cunderdin

<b>Location:</b>	Lot 278 Cubbine Street, Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	9 October 2017
<b>Author:</b>	Peter Naylor
<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**

For Council to deliberate on the outcome of the investigation conducted by the Ombudsmans office in relation to this matter, and on the future disposal (or otherwise) of the gravel on the property.

### **Background**

This matter was most recently considered by Council at the Ordinary meeting held on Thursday 15 June 2017.

At the meeting Council resolved that as the matter is currently with the office of Hon Mia Davies MLA, and the Ombudsman WA, Council has deferred deliberation on the matter until outcomes have been received in relation to their investigations.

### **Comments**

As previously reported to Council the CEO received an email from the Ombudsman's office on 16 August 2017, advising that *'Further to our telephone discussion earlier today, our office has finalised enquiries into Mr & Mrs Rogers complaint and we will not be taking any further action at this time. Thank you again for your cooperation and assistance.'*

It is understood that an official response was forwarded to Mr & Mrs Rogers on 27 July 2017, copy of which was forwarded to the office of Hon Mia Davies MLA.

Whilst the CEO has been waiting for a more formal response from the Ombudsman in addition to the email of 16 August 2017, recent verbal advice is that the Ombudsman Office will not be responding formally to the Shire. As far as they are concerned their investigation has revealed that the Shire acted appropriately in its dealings on this matter, and they have responded formally to the complainants with a copy to Hon Mia Davies MLA office and that is all that is required.

Therefore the matter is presented to Council for consideration and direction in respect to the future disposal (or otherwise) of the gravel on the property.

### **Consultation**

Mr Matthew Kent, A/Senior Investigating Officer, Ombudsman WA  
Hon Mia Davies MLA, Member for the Central Wheatbelt

### **Statutory Implications**

Nil

## **Policy Implications**

Shire of Cunderdin Local Planning Scheme #3  
Shire of Cunderdin Extractive Industries Local Law 2011

## **Financial Implications**

Nil

## **Strategic Implications**

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

### 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 11.2.1**

**That the Shire of Cunderdin does not purchase the pushed up gravel (est 3,500m<sup>3</sup>) from Lot 278 Cubbine Street, Cunderdin, unless both parties (owners of Lot 278 & Lot 287) agree that that is the best suitable arrangement for disposal of the gravel.**

**Moved: Cr Alison Harris**

**Seconded: Cr Bernie Daly**

**Vote – Simple Majority**

**Carried: 8/0**

### **Resolution 11.2.2**

**That the Shire of Cunderdin attempt to facilitate a meeting between both parties (owners of Lot 278 & Lot 287) in an effort to resolve the dispute that has arisen as a result of the pushing up of the gravel on Lot 278.**

**The proposed meeting be facilitated by Cr Norm Jenzen with two representatives from each party being invited to attend.**

**Moved: Cr Bernie Daly**

**Seconded: Cr Todd Harris**

**Vote – Simple Majority**

**Carried: 8/0**

## 12. Planning & Development

### 12.1 Development Application – Optus Telecommunications Facility, Cunderdin Hill

<b>Location:</b>	Lot 100 Cunderdin Hill Road, Cunderdin
<b>Applicant:</b>	Catalyst One on behalf of Optus
<b>Date:</b>	28 September 2017
<b>Author:</b>	Jacky Jurmann – Planner
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	DA 17/18 - 1
<b>Attachment/s:</b>	1 – Plans 2 – Photomontage

**Councillors Alison Harris and Todd Harris Declared an Impartiality Interest in the item.**

#### Proposal/Summary

A development application has been submitted requesting approval to construct an Optus Telecommunications Facility on Lot 100 Cunderdin Hill Road, Cunderdin.

The application is being recommended for conditional approval.

#### Background

The application proposes to construct an Optus telecommunications facility on Lot 100 Cunderdin Hill Road, Cunderdin.

The telecommunications facility will be contained in a 2.4m high chain link fence compound and consist of:

- One new 35 metre tall monopole tower;
- Three new antennas, to be mounted at the top of the tower on a headframe;
- One new parabolic transmission antenna 1200mm diameter;
- One new equipment shelter coloured 'Pale Eucalypt' (floor area of 7.5m<sup>2</sup>) adjacent to the new tower; and
- Ancillary equipment associated with the operation of the facility.

The property has an area of 1,169.15 hectares and is currently used for farming purposes on the lower areas. The higher areas contain remnant vegetation and are mapped as bushfire prone.

Attached to this Report are the plans submitted with the development application.

#### Comments

In 2010, the Shire granted planning approval for the construction of this facility, which was extended in 2012 for a further 2 years. This approval lapsed in 2014 and due to the approval being granted under the previous planning regulations, a new development application was required.

#### Consultation

Consultation has occurred with the Applicant during the assessment, particularly in regards to potential visual impacts as a result of the development.

## **Statutory Implications**

### Cunderdin Local Planning Scheme No. 3 (LPS3)

The subject property is zoned General Agriculture and is currently used for farming purposes.

The proposed use is defined as Telecommunications Infrastructure, which is a 'D' (discretionary) use. Discretionary uses are not permitted under the provisions of LPS3 unless the local government has exercised its discretion by granting development approval.

The relevant provisions of LPS3 have been assessed as follows:

- Clause 4.7 requires a 20m minimum building setback from all boundaries. The development complies with this requirement.
- Clause 4.10.1 outlines the objectives of the zone. The proposal is consistent with the objectives of the zone and of particular note is the 5<sup>th</sup> objective, which enables the consideration of non-rural uses that are beneficial to the district, such as improve telecommunications facilities.
- Clause 4.17.1 relates to any adverse effects on the amenity of the locality. The proposed monopole will be visible from the viewing platform and visitor areas on Cunderdin Hill. Due to the possibility of adverse impacts due to the height and solid construction of the monopole, a photomontage was requested and supplied by the Applicant to enable further assessment of this issue. The photomontage submitted (attached to this Report) shows that although there will be some impacts on the views, the impact is acceptable after taking into consideration the breadth of the views available from the public areas and the other infrastructure already existing on the hill.
- Clause 4.18 restricts building heights in the Shire to a maximum of 10m, which the monopole exceeds at a height of 30m. Although the structure will not restrict light or privacy, it will impact views from lookout as discussed above. Reducing the height of the structure will not minimise visual impacts and therefore a variation to the maximum height is appropriate.
- Clause 4.20 requires the provision of landscaping to improve the appearance of developments. To reduce the visual impacts of the development, a condition is recommended for landscaping to be established around the compound.
- Clauses 4.31 and 4.32 relate to the clearing and fencing of native vegetation. Although no clearing is proposed as part of the development, the Report identifies threatened species are located on site, and accordingly, should be protected through identification and if required, fencing prior to commencement of any works. A condition is recommended to this effect.
- Clause 4.34 relates to fire protection. The site is mapped bushfire prone. It is agreed with the Applicant that the development will not increase bushfire risk in the locality as a result of the development.

### Planning and Development (Local Planning Schemes) Regulations 2015

The development proposal does not meet the exempt provisions of clause 61, and therefore development approval is required.

Clause 67 outlines the matters to be considered when determining an application for development approval. Sub-clauses (a), (k), (m), (n), (s), (t) and (u) have been considered in the assessment of this application.

There are no statutory implications associated with this development proposal.

## **Policy Implications**

There are no policy implications associated with this development proposal.

### Financial Implications

There are no financial implications associated with this development proposal.

### Strategic Implications

There are no strategic implications associated with this development proposal.

#### Resolution 12.1

**That Council:**

**Approves the development application (No. 1-17/18) to construction an Optus telecommunications facility at Lot 100 Cunderdin Hill Road, Cunderdin, in accordance with the provisions of the Cunderdin Local Planning Scheme No. 3, subject to the following conditions and advice notes:**

##### Conditions

1. Development must substantially commence within two (2) years from the date of determination.
2. Development shall take place in accordance with the stamped approved plans.
3. Areas identified in close proximity to the development as containing any protected ecological communities, threatened species or habitat for migratory species shall be identified and fenced prior to the commencement of any works.
4. A schedule of colours and materials demonstrating that the monopole and equipment shelter will complement the surrounding rural area as far as practicable shall be submitted to the Shire for approval prior to the commencement of any works.
5. The compound shall be landscaped to minimise visual impact from public spaces, to the satisfaction of the Shire within 6 months of completion of the development and must be retained and maintained in a satisfactory condition at all times.
6. The development shall not include any light (whether flashing or otherwise) or any other form of illumination.

##### Advice Notes

7. If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
8. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
9. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
10. Prior to commencement of the development hereby determined, a Building Permit or Demolition Permit may be required in accordance with the provisions of the Building Act 2011.

**Moved: Cr Norm Jenzen**

**Seconded: Cr Doug Kelly**

**Vote – Simple Majority**

**Carried: 8/0**

## 12.2 Development Assessment Panel – Local Government Nominations

<b>Location:</b>	N/a
<b>Applicant:</b>	Department of Planning, Lands & Heritage
<b>Date:</b>	6 October 2017
<b>Author:</b>	Jacky Jurmann – Planner
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	TP
<b>Attachment/s:</b>	DAP Correspondence & Nomination Form

### **Proposal/Summary**

Correspondence has been received from the DAP Secretariat regarding potential changes in the Shire's DAP membership following the local government elections.

Council may choose to maintain the same DAP members or nominate 4 new members.

### **Background**

The current DAP members for the Shire of Cunderdin are the Shire President, Councillor Dennis Whisson, Councillor Doug Kelly, Councillor Allison Harris and Councillor Bernard Daly. Councillors Whisson and Harris are the members and Councillors Kelly and Daly are the alternate members.

### **Comments**

The correspondence from the DAP Secretariat notes the McGowan Government's recently launched program, OnBoardWA, which aims to increase the total number of women appointed to Government board and committees to 50 per cent by 2019. Council is therefore encouraged to consider diversity of representation when putting forward the DAP nominations.

### **Consultation**

Not required.

### **Statutory Implications**

Under regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011* Council is required to nominate, as soon as possible following elections, four elected council members to sit as DAP members.

Nominations are to be completed on the attached authorised form.

### **Policy Implications**

There are no policy implications associated with this proposal.

### **Financial Implications**

Nominated Councillors are remunerated for their time and travel attending training and meetings. Councillors must attend training prior to being eligible to sit on a DAP. The current primary members have received training and are eligible to sit on any future DAPs.



## **Strategic Implications**

Representation of local interests is a key aspect of the DAPs system and therefore it is important for Council to nominate members to the Mid-West / Wheatbelt Joint Development Assessment Panel.

### **Resolution 12.2**

**That Council:**

- 1. Advises the DAP Secretariat that there are no changes to the Shire of Cunderdin's DAP membership.**

**Moved: Cr Dianne Kelly**

**Seconded: Cr Todd Harris**

**Vote – Simple Majority**

**Carried: 8/0**

### 12.3 The Country Women's Association of Western Australia (Inc) – Cunderdin Branch

<b>Location:</b>	Former Cunderdin Toy Library Building, Lot 54 Lundy Avenue, Cunderdin
<b>Applicant:</b>	Cunderdin Country Women's Association of WA
<b>Date:</b>	9 October 2017
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 Page

#### **Proposal/Summary**

Council to consider a request from the Cunderdin CWA for long term rental of the former Toy Library Building situated at Lot 54 Lundy Avenue, Cunderdin.

#### **Background**

In November 2015 Council considered an application from the CWA for the use of the two small meeting rooms at the front of the Cunderdin Town Hall for their meeting room and for storage of equipment. At the meeting Council resolved:

*That Council:*

- 1. Endorse the application from CWA of WA Inc – Cunderdin Branch and grants approval for them to rent the former Library room and the former Land Care office at the front of the Cunderdin Town Hall to utilise as their home base and for storage purposes, effective immediately.*
- 2. Informs the CWA of WA Inc – Cunderdin Branch that in return for payment of a rental charge and reimbursement of utility charges, that they will be responsible for undertaking maintenance and repairs to the two rooms, to which Council will contribute associated materials.*
- 3. Informs the CWA of WA Inc – Cunderdin Branch that the aforementioned arrangements will be in place for a period of 12 months from the signing of an Agreement with the Shire of Cunderdin, at the expiration of which the Agreement will be reviewed.*
- 4. Authorises the Chief Executive Officer to prepare and execute the Agreement with CWA of WA Inc – Cunderdin Branch, on behalf of the Shire of Cunderdin and in accordance with the aforementioned conditions.*

In accordance with the resolution a 12 month lease agreement was entered into which expired on 31<sup>st</sup> May 2017.

It became been apparent during the lease period, and subsequent to the expiry of the lease agreement, that the CWA has not been utilising the town hall rooms and have actually been meeting at members residences.

#### **Comments**

In recent discussions with the President and Secretary of the CWA, it was stated that the meeting rooms didn't really suit their needs and they are looking for an alternate option that can provide them with a long term premise.

If Council is supportive of their application, they are requesting that in lieu of rent for an initial three month period they will undertake works at the property to carry out basic maintenance requirements, paint, clean

and tidy up the gardens and perimeter of the building. The CWA understand and agree to pay the utility costs during this period.

As indicated in the CWA letter they have contacted several other branches whom rent council owned properties and there are many and varied ways in which the occupancy of the premises are charged, none of which are consistent. Council staff have also followed this up with a similar result.

This appears to be a good opportunity for Council to foster the growth of the CWA in Cunderdin and support their plans to conduct future functions at the premises.

Perhaps an initial arrangement could be to agree to rent the property to the CWA for period of five (5) years, with the following conditions:

	<b>Rent</b>	<b>Utility Costs</b>	<b>Indexation</b>	<b>Works</b>
0 – 3 months	\$0	Payable		Basic maintenance, painting, cleaning, gardens, perimeter of building.
3 months – 5 years	\$75/month	Payable	Rent to be indexed annually in accordance with the Consumer Price Index	Ongoing maintenance of the premises.

**Consultation**

Cunderdin CWA

**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 12.3**

**That Council:**

1. Endorses the application from CWA of WA Inc – Cunderdin Branch, and grants approval for them to rent the former Cunderdin Toy Library Building at Lot 54 Lundy Avenue, Cunderdin, to utilise as their home base, for initial two (2) year period effective from 1<sup>st</sup> November 2017.
2. Informs the CWA of WA Inc – Cunderdin Branch that rental conditions to be:

	Rent	Utility Costs	Indexation	Works
0 – 3 months	\$0	Payable		Basic maintenance, painting, cleaning, gardens, perimeter of building.
3 months – 2 years	\$50/month	Payable	Rent to be indexed annually in accordance with the Consumer Price Index	Ongoing maintenance of the premises.

3. Informs the CWA of WA Inc – Cunderdin Branch that the aforementioned arrangements will be in place for a period of two (2) years effective from 1<sup>st</sup> November 2017, with the entering into a formal Lease Agreement with the Shire of Cunderdin, at the expiration of which the Agreement will be reviewed.
4. Authorises the Chief Executive Officer to prepare and execute the Agreement with CWA of WA Inc – Cunderdin Branch, on behalf of the Shire of Cunderdin and in accordance with the aforementioned conditions.

Moved: Cr Doug Kelly

Seconded: Cr Bernie Daly

Vote – Simple Majority

Carried: 8/0

## 12.4 WA Country Health Service – Future Delivery of Health Services in Cunderdin

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	WA Country Health Service
<b>Date:</b>	9 October 2017
<b>Author:</b>	Peter Naylor
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	34810
<b>Attachment/s:</b>	4 Pages

### **Proposal/Summary**

Council to receive correspondence from the WA Country Health Service (WACHS) providing information on the future delivery of health services in Cunderdin.

### **Background**

A Number of questions were tabled at the Ordinary Council Meeting held on Thursday 18 May 2017, pertaining to the future delivery of Health Services in Cunderdin following the transition from the Cunderdin Hospital to the new Cunderdin Primary Health Centre project.

At the meeting Council resolved that the Shire President and Chief Executive Officer convene a meeting with WA Country Health Service Staff to ensure that the provisions contained within the Memorandum of Understanding between the Shire of Cunderdin and WA Country Health dated October 2013, is to be adhered to.

In response to the above a meeting was convened with the Regional Director, WA Country Health – Wheatbelt, Mr Sean Conlan, on Tuesday 1<sup>st</sup> August 2017. The Shire President, Deputy Shire President and Chief Executive Officer were in attendance.

The tabled questions were discussed with Mr Conlan in relation to Council's resolution and the MoU of October 2013. It was requested that Mr Conlan provide a written to response to Council.

### **Comments**

Mr Conlan's letter of response to the aforementioned questions is presented for Council consideration.

### **Consultation**

Regional Director, WA Country Health – Wheatbelt, Mr Sean Conlan.

### **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 12.4**

**That:**

- 1. Council receives the correspondence from Mr Sean Conlan, Regional Director WA Country Health-Wheatbelt.**
- 2. Council notes the contents of the letter.**
- 3. Council circulates the information to the wider general community by way of a Shire President Media Release.**

**Moved: Cr Doug Kelly**

**Seconded: Cr Bernie Daly**

**Vote – Simple Majority**

**Carried: 8/0**

**Note: refer to minutes of the Ordinary Meeting of Council held on Thursday 16<sup>th</sup> November 2017, Item 8.1, for additional information.**

**13. Urgent Items**

Nil

**14. Matters for which the meeting may be closed**

Nil

**15. Closure of meeting**

There being no further business the Shire President will declare the meeting closed at 7.33 pm.

Following the closure of the meeting the President wished Deputy Chief Executive Officer Paul Godfrey all the best for his upcoming wedding on the 3<sup>rd</sup> November 2017.