



## Shire of Cunderdin

### Notice of an Ordinary Council Meeting

Dear Council Member,

The next Ordinary Meeting of the Cunderdin Shire Council will be held on **Thursday 15<sup>th</sup> September 2022** in the Cunderdin Shire Council Chambers, WA, 6407 **commencing at 5.00pm.**

Stuart Hobley  
**Chief Executive Officer**  
9<sup>th</sup> September 2022

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## AGENDA

### 1. Declaration of Opening

The Shire President declared the meeting open at \_\_\_\_pm

The Shire of Cunderdin disclaimer will be read aloud by

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

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

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

#### 2.1 Record of attendances

##### Councillors

Cr AE (Alison) Harris	Shire President
Cr A (Tony) Smith	Deputy Shire President
Cr TE (Todd) Harris	
Cr B (Bernie) Daly	
Cr NW (Norm) Jenzen	
Cr N (Natalie) Snooke	
Cr W (Sam) Stewart	

##### In Attendance

Stuart Hobley	Chief Executive Officer
Hayley Byrnes	Deputy Chief Executive Officer

##### Guests of Council

##### Members of the Public

#### 2.2 Apologies

#### 2.3 Leave of Absence Previously Granted

Cr N (Natalie) Snooke

### 3. Public Question Time

Declaration of public question time opened at:

Declaration of public question time closed at:

### 4. Petitions, Deputations & Presentations

### 5. Applications for Leave of Absence

#### **Recommendation 5.1**

That Council approve Leave of Absence for Cr \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ inclusive

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_

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

#### 6.1 Ordinary Meeting of Council held on 21st July 2022

#### **Recommendation 6.1**

That the Minutes of the Ordinary Council Meeting held on Thursday 18th August 2022 be confirmed as a true and correct record.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_

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

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

### 7. Declaration of Members and Officers Interests

### 8. Announcements by President without Discussion

## **9. Finance & Administration**

### **9.1 Accounts Paid – 31<sup>st</sup> August 2022**

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Hayley Byrnes
<b>Report Date:</b>	1 <sup>st</sup> September 2022
<b>Item Approved By:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.1 – Accounts Paid August 2022

#### **Proposal/Summary**

Council is requested to confirm the payment of Accounts totalling:

Total for Municipal -	\$380,337.62
Total for Trust -	\$0.00
TOTAL -	\$380,337.62

For August 2022 as listed in the Warrant of Payments for the period 1<sup>st</sup> to 31st August 2022.

#### **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.

<b>Recommendation 9.1</b>		
1. That Council's payments of accounts amounting to \$380,337.62 being from Municipal Account for August 2022, as follows:		
<b>Municipal Account</b>	<b>\$</b>	<b>Total</b>
Electronic Funds Transfer: EFT 6395 - 6482	\$346,535.37	
Direct Debit (Inc Bank Charges):	\$23,072.19	
Cheques: 11812 - 11817	\$10,730.06	
<b>TOTAL</b>		<b>\$380,337.62</b>
Moved: Cr _____ Vote – Simple majority		
Seconded: Cr _____ Carried/Lost: _____		

## 9.2 Council Investments – As at 31st August 2022

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Hayley Byrnes
<b>Report Date:</b>	1 <sup>st</sup> September 2022
<b>Item Approved By:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.2 - Bank Statements August 2022

### Proposal/Summary

To inform Council of its investments as at 31st August 2022.

### Background

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

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

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

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

### Comment

In addition to the Shire's Municipal Operating Accounts, the below investment accounts are held as at 31st August 2022.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$350,843.17	Municipal- 0000030	\$350,843.17		
Bendigo Bank	\$3,191,796.73	Municipal- 155971377	\$3,191,796.73		
Westpac Bank	\$146.78	Business Cash Reserve 22-3647 0.50%		\$146.78	
Bendigo Bank	\$2,643.00	Bendigo Trust Account 164 488 686			\$2,643.00
Westpac Bank	\$1.00	Trust Working Account 12-2981			\$1.00
Bendigo Bank	\$1,231,978.86	Term Deposit 3.10% Exp 10 Jan 2023		\$1,231,978.86	
<b>TOTAL INVESTMENTS</b>	<b>\$4,777,409.54</b>		<b>\$3,542,639.90</b>	<b>\$1,232,125.64</b>	<b>\$2,644.00</b>

In addition to the above Shire funds, the Shire administers the Cunderdin Community Centre Trust Accounts being Bendigo Term Deposits#4032053 \$370,603.80 & #4032054 - \$170,195.64 & Ac#000073-\$22,162.38

**CUNDERDIN COMMUNITY TRUST DETAILS**  
**INTEREST ACCOUNT**  
**31 August 2022**

Opening Balance as per Bank Statement & Term Deposits		
	Term Deposit# 3864655	170,195.64
	<b>TOTAL</b>	<b>170,195.64</b>
Credits		0.00
Debits		0.00
Closing Balance as Per Bank Statements & Term Deposits		
	<b>TOTAL</b>	<b>170,195.64</b>
<b>INCOMING</b>		
		0.00
		0.00
<b>OUTGOING</b>		
		0.00
<b>Balance as at end of month</b>		
	<b>TOTAL</b>	<b>170,195.64</b>

**CUNDERDIN COMMUNITY TRUST DETAILS**  
**CAPITAL ACCOUNT**  
**31 August 2022**

Opening Balance as per Bank Statement & Term Deposits		
	Term Deposit# 3864633	370,603.80
	<b>TOTAL</b>	<b>370,603.80</b>
Credits		0.00
Debits		0.00
Closing Balance as Per Bank Statements & Term Deposits		
	<b>TOTAL</b>	<b>370,603.80</b>
<b>INCOMING</b>		
		0.00
		0.00
<b>OUTGOING</b>		
		0.00
<b>Balance as at end of month</b>		
	<b>TOTAL</b>	<b>370,603.80</b>



**Consultation**

Nil.

**Statutory Implications**

Financial Management Regulation 19.

**Policy Implications**

Nil.

**Financial Implications**

There are no financial implications in considering this item.

**Strategic Implications**

This item related to the Integrated Planning and Reporting Framework, which feeds into the Long Term Financial Plan when determining annual Council Budgets.

**Recommendation 9.2**

That the report on Council investments as at 31<sup>st</sup> August 2022 be received and noted.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_

### 9.3 Move Behind Closed Doors

**Recommendation 9.3**

That Council move behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr

Seconded: Cr

Vote – Simple Majority

Carried/Lost: \_\_\_\_\_



#### 9.4 Community Grant Program Submissions for 2022

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	15 September 2022
<b>Author:</b>	Liezl De Beer
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.4.1 - Cunderdin Youth Council Application Attachment 9.4.2 - Cunderdin DHS P&C Application Attachment 9.4.3 - Cunderdin Junior Football & Netball Club Application Attachment 9.4.4 - Cunderdin Basketball Club Application Attachment 9.4.5 – Summary of Applications Received

#### **Proposal/Summary**

For Council to consider the four (4) Community Grant Application Submissions for 2022.

#### **Background**

The Shire of Cunderdin invited applications for funding to support innovative projects or events in response to community needs, either as a whole or target groups (children, youth, seniors, people with disabilities, culturally or linguistically diverse). The grants are intended for ad hoc or smaller scale projects and events for which opportunity has arisen.

Projects must take place within the Shire of Cunderdin and significantly benefit the Shire of Cunderdin community. Funding can be used for a wide range of purposes, including but not limited to;

- Once off community events.
- Community projects that address a clearly defined community need.
- Equipment purchases or capital projects if there is a demonstrated risk to the safety or wellbeing of participants.
- A maximum of 20% of the total funding can be used for catering purposes.

#### **Eligibility**

- The applicant organisation must operate within the Shire of Cunderdin and beneficiaries must be residents of the Shire of Cunderdin.
- Only groups who can demonstrate that they are not-for-profit community organisations will be considered eligible for funding.
- Applications must be made on the appropriate Shire of Cunderdin Community Grant Application Form.
- Canvassing of Elected Members may result in your application being disqualified.

Assessment Criteria - Applications will be assessed against the following criteria:

- Alignment with the Shire of Cunderdin Strategic Community Plan.
- Demonstration of community need.
- Anticipated outcomes in response to the identified need.
- Access, opportunity, and participation.
- Demonstrated management and financial capacity to deliver project outcomes.
- Evidence that other support and funding has been obtained or is being sought.
- Recognition of Shire of Cunderdin support.

What cannot be funded:

- Retrospective costs.
- Corporate events or projects.
- Recurrent operational or staffing costs.
- Gifts.
- Costumes or uniforms.
- Purchase of alcohol.
- Equipment not directly related to the project.
- Projects that are the core responsibility of government agencies.
- Projects that are deemed to be of benefit to a business, person or other profit-making venture.
- Activities that duplicate an existing service.

#### **Comment**

The Community Grant Program was advertised in the Shire Snippets, Bandicoot and the Shire Facebook and webpage. Submissions closed at 10 am on Thursday 1 September 2022.

Council received four (4) applications from:

1. Cunderdin Youth Council.
2. Cunderdin DHS P & C.
3. Cunderdin Junior Football Club & Netball Club.
4. Cunderdin Basketball Association.

Please refer to Attachment 9.4.5 - Summary of Applications Received.

#### **Consultation**

Stuart Hobley, Chief Executive Officer  
Hayley Byrnes, Deputy Chief Executive Officer  
Liezl De Beer, Community Development Officer

#### **Policy Implications**

Council Policy Manual as at August 2021

#### **3.4 Minor requests for financial and other assistance**

##### **POLICY STATEMENT**

1. The following Policy Schedule is adopted, and forms part of this Statement –
  - a) 3.4 – Criteria for Assistance

2. The total amount available will be determined in the Budget each year, in the following categories –
  - a) assistance for capital projects
  - b) annual contributions to local groups
  - c) discretionary provision – including for individuals

#### APPLICATION

3. The Shire of Cunderdin provides financial and in-kind assistance to sporting, community and welfare groups /organisations to support specific projects of a capital nature or capital purchases which respond to identified community needs.
4. The Shire may also consider a donation to Shire residents who have been selected as National or State representatives.

#### OBJECTIVE

To establish guidelines for requests for assistance by groups and individuals.

#### STATUTORY CONTEXT

None

#### CORPORATE CONTEXT

Delegations Register –

- 3.11 – Donations – Financial and In-kind Works / Services

Annual Budget

#### HISTORY

Former Policy

Adopted 21 February 2019

#### REFERENCES

None

#### Schedule 3.4 – Criteria for assistance

##### 1. Capital projects

The Shire will advertise during March each year inviting applications from local sporting and community groups, for Council to consider including funds in the following financial year budget to contribute towards a planned capital project within the Shire.

The assistance that may be provided by Council up to \$5,000 ex GST per project, excluding major projects funded through Community Sporting and Recreation Facilities Fund.

CSRFF Grants are considered by Council separately to this Policy, and subject to grant conditions usually considered on the basis of 1/3<sup>rd</sup> contribution from each of –

- CSRFF (Dept of Sport and Recreation)
- Shire
- applicant organisation.

<b>Ineligible projects</b>
Where there is a fundraising outcome
Trophies, prizes, gifts, costumes etc
Where target group is students in a school setting
Where better funded through other sources
Retrospective funding
Operational funding
Recurrent salaries or operational costs not directly associated with the proposed project
Applicants with outstanding acquittals

<b>Application requirements (where appropriate)</b>
Completed and signed application
Copy of certificate of incorporation
Copy of public liability insurance
Copy of last audited statements
All relevant information included
Submitted by closing date

<b>Assessment criteria</b>
Alignment with the Shire's Strategic Community Plan
Management and financial capacity of applicant to deliver
Anticipated outcomes in response to identified need
Access, opportunity and participation
Evidence of other funding / support obtained / being sought
Recognition of the Shire of Cunderdin

All requests for a contribution will be decided by Council and must demonstrate a thorough planned approach and Council will not generally consider contributing more than one-third of the total cost of the project.

Successful applicants must provide a financial acquittal of funds including receipts relating to the grant and complete a brief evaluation by May 31 of the funding period.

Council may request a presentation to Council prior to considering the request.

### **Financial Implications**

Funding towards the Community Grants Project was allocated in the Shire of Cunderdin Budget 22/23.

### **Strategic Implications**

Shire of Cunderdin Strategic Community Plan 2022 -2032

#### 1. Community and Social

##### 1.1 Community members have the opportunity to be active, engaged and connected.

- Inclusive access to Shire facilities and services
- Youth Council helps guide engagement and initiatives with young people.
- O'Connor Park and Apex Park are welcoming and active spaces.
- The Shire supports positive leisure, learning and recreational outcomes.

1.2 A health and safe community is planned for.

- Sport and recreation facilities are upgraded in a planned, cohesive and timely manner.
- Street lighting and CCTV improves feeling of safety and security.
- Promotion and advocacy of community health and wellbeing.

**Recommendation 9.4**

That Council:

1. Support the Cunderdin Youth Council application granting requested \$2,160.00
2. Support the Cunderdin Basketball Association application granting requested \$2,170.00.
3. Support the Cunderdin Junior Football and Netball Club with a part contribution of requested amount.
4. Support the Cunderdin P & C with a part cash and part in-kind contribution.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple Majority

Carried/Lost: \_\_\_\_\_

## 9.5 Reserve Price 121 Cunderdin Wyalkatchem Road, Cunderdin

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Finance & Property Assistant – Executive Services
<b>Date:</b>	23 August 2022
<b>Author:</b>	Brooke Davidson
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Reference:</b>	A53525
<b>Attachment/s:</b>	Attachment 9.5.1 - Map of Property Attachment 9.5.2 - Valuation – Acumentis Property Valuers Attachment 9.5.3 - Appraisal – Nutrien Harcourts Attachment 9.5.4 - Certificate of Title

### **Proposal/Summary**

For Council to set a reserve price for 121 Cunderdin-Wyalkatchem Road, for the upcoming auction for sale of the land.

### **Background**

The property at 121 Cunderdin-Wyalkatchem Road has outstanding rates and charges, to the amount of \$63,076.24.

The property is owned by Mr Lindsay Clyde Gilbert and Ms Kerin Noelle Gilbert. Ms Gilbert filed for bankruptcy in February 2009. Her portion of the property vested with the Official Trustee, Australian Financial Security Authority. A Caveat was lodged on the property by the Official Trustee. The Official Trustee has recently provided advice that the Property has revested to the bankrupt, Ms Gilbert, in February 2021, and as such they will be removing their caveat from the Certificate of Title.

A Caveat is also lodged on the property by the Mortgagee, Bluefield Nominees.

The abovementioned parties support the Shire of Cunderdin to sell the property under the provisions of the *Local Government Act 1995*.

Council, at its Ordinary Council Meeting 20<sup>th</sup> April 2017, resolved;

1. Supports the sale of the property located at 121 Cunderdin-Wyalkatchem Road, Cunderdin, for the recovery of outstanding rates and charges; and
2. Authorises for the Chief Executive Officer to commence proceedings in accordance with the provisions of the *Local Government Act* section 6.64

In accordance with the provisions of the *Local Government Act 1995*, the Shire of Cunderdin issued Forms 2, 3 and 4 taking possession of the property. A Form 5 was advertised and an auction date set for the 20<sup>th</sup> February 2020. The property was passed in at auction.



Attempts were made to arrange appraisals to sell the property in the 12 months following the unsuccessful auction, however it was discovered that Mr Gilbert was residing in the property.

A Form 6 Warrant was issued, and with the assistance of the local authorities, Mr Gilbert was removed from the property in October 2020 and the locks were changed.

Letters were sent to Mr Gilbert at his last known address, a PO Box, asking him to contact the Shire to collect his belongings. However, the letters were returned as the PO Box had been closed. A Skip Trace report was carried out to try and locate any other addresses to find Mr Gilbert's whereabouts, unfortunately this was unsuccessful.

In February 2021, Ross's Auctioneers and Valuers completed a catalogue of goods for the possessions.

In March 2021, the Shire wrote to Mr Gilbert and sent him Form 1's – Notice that goods are ready for redelivery. No contact was made by Mr Gilbert to collect his belongings. The Shire was required to wait 6 months for the expiry of the Notices, before organising an Auction to sell the goods.

In August 2021, the Shire wrote to Ms Kerin Gilbert to update her on the actions being undertaken at the property, which was also followed up by a phone call. Ms Kerin Gilbert had no objections to the sale of the belongings or the property.

The Form 2 - Notice of Intention to sell or otherwise dispose of goods, were advertised in the Government Gazette and The West Australian on 12<sup>th</sup> November 2021. Copies were sent to both Mr and Ms Gilbert on 8<sup>th</sup> November 2021.

The Shire wrote to the Commissioner of Police 5<sup>th</sup> November 2021 providing the Form 2 – Disposal of Uncollected Goods.

A letter was sent to Mr Gilbert on the 8<sup>th</sup> July 2022, advising that the uncollected goods will be presented for sale by auction at the rateable property on 5<sup>th</sup> August 2022.

The auction took place on the 5<sup>th</sup> August 2022, by Livestock and Land, and all lots were successfully sold. Many of the belongings however still remain at the property, unwanted by the purchasers.

### **Comment**

A valuation was arranged by Acumentis Property Valuers, which has determined that the property has a market value within the range of \$75,000 to \$100,000, and have adopted a market value of \$90,000.

A Property Appraisal was also obtained from Nutrien Harcourts – Livestock & Land. They have stated to affect an immediate sale at auction, the property should be marketed between \$65,000 - \$80,000.

An auction will be arranged to sell the property and Council are required to set a reserve price.

Prior to the auction taking place, due to the amount of time that has lapsed between starting the sale process for the land and the fact the land has now reverted to Ms Gilbert, the Shire is required to re-issue a Form 4 to both owners and all persons whom records indicate have an estate or interest in the land. The Form 4 allows the opportunity for all interested parties to pay the outstanding debt and keep the land, within a 3 month time frame.

At the expiry of the Form 4 notice, the Shire will issue State Wide Public Notice in the West Australian in the way of a Form 5, advising the date of the auction for the sale of the land.

### **Consultation**

AMPAC Debt Recovery  
McLeods Barristers and Solicitors  
Landmark Livestock and Land / Nutrien Harcourts  
Acumentis Valuers  
Ross's Auctioneers & Valuers  
Australian Financial Security Authority  
Bluefield Nominees  
Cunderdin Police  
Commissioner of Police

### **Statutory Implications**

LOCAL GOVERNMENT ACT 1995 - SECT 6.64

6.64 Actions to be taken

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

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

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

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

### **Policy Implications**

Nil.

### **Financial Implications**

The Assessment currently has outstanding rates and charges amounting to \$63,076.24, which will be recoverable in the event of a successful sale.

As per Schedule 6.3 clause 5 of the *Local Government Act 1995*, the Shire of Cunderdin will cover all outstanding rates and charges with the proceeds of the sale. If there are any proceeds remaining from the sale, these will be sent to the Water Corporation, Official Trustee and the Mortgagee.

### **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.

**Recommendation 9.5**

That Council authorises the Chief Executive Officer:

1. To set a reserve for A53525, being 121 Cunderdin-Wyalkatchem Road, Cunderdin at \$70,000; and
2. If the sale of the property does not cover all outstanding rates and charges, write off any remaining rates and charges associated with the property, including accumulated interest and legal fees; and
3. That the President and Chief Executive Officer be authorized to sign and affix the Common Seal to the Transfer of Land documents

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_

**9.6 Move from Behind Closed Doors**

**Recommendation 9.6**

That Council move from behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_



## 9.7 Hospital Reserve – Transfer of Reserve 22160

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Finance & Property Assistant – Executive Services
<b>Date:</b>	1 <sup>st</sup> September 2022
<b>Author:</b>	Brooke Davidson
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	
<b>Attachment/s:</b>	Attachment 9.7.1 – Map Reserve 22610 Attachment 9.7.2 – Map from Water Corporation with location of Sewer

### **Proposal/Summary**

For Council to be informed of the required Easement across Reserve 22160, being lot 384 on P171289 and lots 350 & 296 on Plan 158971.

### **Background**

The WA Country Health Service (WACHS) – Wheatbelt negotiated a land swap with the Shire of Cunderdin who was chosen to be part of the Primary Health Centre Demonstration as part of the Southern Inland Health Initiative (SIHI) project.

It was agreed upon that the Shire of Cunderdin was to acquire the hospital site (Reserve 22160) and the Shire of Cunderdin was to transfer Lot 801 Lundy Avenue, Cunderdin (the current location of the Health Centre) to the WA Country Health Service as part of the land swap arrangement.

### **Comment**

The Department of Planning, Lands and Heritage has recently discovered that the Water Corporation have assets within the previous hospital site, Reserve 22160, which requires an easement. The Chief Executive Officer has previously provided Council verbally this information and the potential issues that may arise.

The Easement is required to progress with the Transfer of Land to the Shire of Cunderdin.

The attached maps demonstrate to Council the location of the sewer gravity pipe that is located through the lots parallel to Cubbine Street. The sewer gravity pipe will require protection by an easement. The easement will need to be 5 meters wide from the centreline of the pipe (2.5 metres either side of the pipe).

### **Consultation**

Department of Planning, Lands and Heritage  
Water Corporation

### **Statutory Implications**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

There will be no cost to Council for the Easement, this will be covered by either the Water Corporation or WACHS.

**Strategic Implications**

2. ECONOMY

2.3 Build economic capacity

Land and infrastructure can accommodate commercial and residential growth

**Recommendation 9.7**

That Council authorises the Chief Executive Officer:

1. To provide a response to the Department of Planning, Lands and Heritage approving the Easement on Reserve 22160;

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_

## 9.8 Cunderdin Community Gymnasium – Transfer of Governance

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Stuart Hobley
<b>Date:</b>	7 August 2022
<b>Author:</b>	Stuart Hobley
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	NIL
<b>File Reference:</b>	382
<b>Attachment/s:</b>	Attachment 9.8 – Correspondence from Cunderdin Community Gymnasium

### **Proposal/Summary**

For the Shire to assume responsibility for the operation of the Cunderdin Gym whilst the Gym Committee puts in place a governance structure that will support its operation.

### **Background**

The Cunderdin Community Gym was established approximately 10 years ago with gymnasium equipment supplied by the WA Police & Citizens Boys Club. The equipment was available for use in the Cunderdin Town Hall by financial members of the Cunderdin Community Gym. This equipment has now been relocated to the Cunderdin Community Recreation Centre facility.

A small committee was appointed to manage the gym however they have not met for some time and were not incorporated.

In 2018 the Gym entered into an Memorandum of Understanding (MOU) with the Cunderdin the Cunderdin Community Resource Centre (CRC) in order to assist in the daily management of the gym. The CRC process the memberships on behalf of the Gym and receive a small remuneration for their administration services. This MOU has now expired but the CRC have advised they will continue the agreement.

In July 2022 a new Committee was elected to govern the Gym. The Committee consists of Mr Aaron Cooper (President), Cr Bernie Daly, Mr Axel Thompson and Mr Eliah Berbari. The Committees investigations have discovered that the gym is not covered by insurance, the committee is not incorporated and they do not have a bank account.

The Committee have requested that the Shire finance the liability insurance for a two year period and enter the Gyms funds into the Shires Trust Account.

### **Comment**

As the new Gym Committee is not incorporated they are unable to open a bank account or obtain public liability insurance.

In order to assist with their request the Shire will have to assume the management of the gym. This would allow the gym to be covered under the Shires Public Liability Insurance. The Shire has managed the Gym previously, and several other Councils in our region manage their local gyms.

The Shire could then appoint the newly elected Committee to manage and operate the Gym and report back to Council.

The new Committee has already inspected other gyms in the area and met with the respective Committees to understand how they operate their gyms. The Committee has a list of priorities that need to be completed in order to effectively manage the gym (Attachment 9.8)

The Committee have agreed to adopt a list of policies and procedures that will mitigate the risk to Council. These include:

- Induction of all new gym members
- The placement of “how to operate” cards on all pieces of equipment.
- Updating the gym rules.
- Improving reporting for maintenance on equipment and injuries.
- Provide a keyless entry system in lieu of the current system

The Shire is able to hold the Gym Committees funds in the Trust Bank Account and can pay invoices and receipt monies on behalf of the Gym Committee.

The gym has approximately 50 members and based on current financial projections will be financially sustainable into the future and will not need financial assistance from the Shire.

It is anticipated that the Committee will be able to become incorporated and have its governance procedures in place within two years.

### **Consultation**

Gym Committee  
Shire of Beverley  
Shire of Kellerberrin

### **Statutory Implications**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

The gym is financially viable and should not need any assistance from the Shire.

### **Strategic Implications**

1.1 Community members have the opportunity to be active, engaged and connected

- Inclusive access to Shire facilities and services
- The Shire supports positive leisure, learning and recreation outcomes

1.2 A healthy and safe community is planned for

- Promotion and advocacy of community health and wellbeing
- Volunteers and community groups feel supported and empowered



Recommendation 9.8

That Council

- 1) Agrees to govern the Cunderdin Gym for a period of up to 2 Years or until the Gym Committee is incorporated.
- 2) Includes the Cunderdin Gym under its Public Liability Insurance.
- 3) Agrees to hold funds in trust for the Cunderdin Community Gymnasium.
- 4) Appoints Mr Aaron Cooper, Cr Bernie Daly, Mr Axel Thompson and Mr Eliah Berbari as members of Council Gym Committee. The gym Committee will be responsible for the management of the Cunderdin Gym and will report to Council on a Monthly basis.

Moved: Cr

Seconded: Cr

Vote – Simple majority

Carried/Lost: \_\_\_\_\_

### 9.9 Receiving Minutes of Local Emergency Management Committee

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Governance Officer
<b>Date:</b>	8 <sup>th</sup> September 2022
<b>Author:</b>	Samantha Pimlott
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.9 - LEMC Meeting Minutes

#### **Proposal/Summary**

For Council to receive the minutes for the Local Emergency Management Committee held on the 6<sup>th</sup> September 2022.

#### **Background**

The Minutes listed above have been attached for Councillor Review and they have been made available to the public.

#### **Comment**

There are no recommendations to Council from the Local Emergency Management Committee Meeting.

#### **Consultation**

Mr Simon Bell – CESM

#### **Statutory Implications**

Nil.

#### **Policy Implications**

Nil.

#### **Financial Implications**

Nil.

#### **Strategic Implications**

Nil.

#### **Recommendation 9.9 OCM March 2022**

That the Minutes of the Local Emergency Management Committee Meeting held on the 6<sup>th</sup> September 2022 be received.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_

## 9.10 Chief Executive Officers Report

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	9 <sup>th</sup> September 2022
<b>Author:</b>	Stuart Hobley
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

### Proposal/Summary

To provide an update on the matters the Chief Executive Officer has been addressing over the past month.

### Background

#### Local Roads and Community Infrastructure Program Projects

##### Phase 3

##### O'Connor Park

Contractor has been appointed and work has commenced on the project. The project is expected to be completed in March 2023.

##### Meckering Earthquake Memorial Garden

Work has commenced on the design of the project and it is anticipated that when the layout and planning is completed requests for quotes will be called for in October 2022.

##### Cunderdin Golf Club – shed

The Golf Club has been advised of the funding and has commenced planning.

##### Gliding Club – ablutions

The Gliding Club is obtaining quotes to complete the works. Once this is completed the Shire will meet with the Club to discuss the works and project management options.

##### Meckering Apex Park

The Meckering Action Group decided not to proceed with the redevelopment of the APEX park, opting to wait for the stage 3 redevelopment of Meckering concept plan. With the LRCI funding allocated to the project (\$20 000), we are planning to fence the front access of the playground and if budget allows provide a shade structure over the picnic area.

Tennis Club – The installation of the soft fall at the playground at the Cunderdin Recreation Centre has been completed.

##### Club blinds (COMPLETED)

The installation of blinds at the Cunderdin Sporting Club has been completed.

### Cunderdin and Pingelly Primary Health Centre Review

In May 2011, the WA Government established the Southern Inland Health Initiative (SIHI) to address issues related to regional health service delivery. The initiative was expected to transform health service design and delivery through four strategic outcomes: i) Sustainable, safe, high-quality emergency and acute services, ii) Primary health care services that integrate with and reduce reliance on emergency and hospital care, iii) Health related infrastructure that supports contemporary clinical and support services, and iv) Increase telehealth enabled services closer to home.

Two sites in the Wheatbelt, Pingelly and Cunderdin, were identified as pilot projects to demonstrate this health service model, redeveloping small acute care hospitals into comprehensive primary health care centres (PHC). These innovative centres were to provide access to 24/7 emergency care and offer facilities for a range of health professionals, designed to develop a multidisciplinary approach to health care which offers collegiate support, training opportunities and improved staff satisfaction.

At the request of the Cunderdin Shire Council, in July 2021, the Western Australian Country Health Services (WACHS) contracted SDF Global Pty Ltd to undertake a Review of the Primary Health Care Demonstration Sites (PHCDS) at both Cunderdin and Pingelly. The purpose of the Review was to evaluate whether what was intended to be delivered by the new PHCDS, had been delivered and help WACHS to understand the areas that require improvement.

A Review Governance Committee was formed to oversee the project. A comprehensive desk review was conducted, and key stakeholder interviews conducted. A community and key stakeholder survey were circulated. Four days of onsite consultation were conducted within the Shires. Drop-in sessions and focus groups discussions were held. Data analysis and triangulation assisted in understanding and validating the data in line with the Review questions.

The Review team considered the documented intent of the PHCDS model based on the six main aims of the 2019 articulation. Key findings under each of these aims are provided below:

1. Integrated, place-based, patient-centred care & primary health initiatives.  
WACHS services at the PHCDS strongly align with the elements related to place-based care approaches. Primary health care initiatives initially included health education and chronic disease self-management programs for residents within each community. However, fewer services have been delivered since COVID-19. The current programs are well attended but there is high demand for additional primary health care services and early intervention programs within each location.
2. Upgraded emergency department supported by the Emergency Telehealth Service.  
The 24-hour ED with Emergency Telehealth Service (ETS) support is working as per the model and is greatly appreciated by the communities. The PHCDS have videoconferencing facilities that strengthen emergency care provision closer to home.

The PHCDS can accommodate patients for up to 23 hours for observation but there is a strong perception in the community that patients can only stay at the PHCDS for a maximum of 4 hours. They will then be transferred to another facility or sent home. Because of this perception, many community members bypass the PHCDS altogether and head to Northam, Narrogin or Perth.

The technology enabled facilities can also support increased access to virtual treatment and specialist appointments. However, due to reluctance to use videoconferencing, many of the Aboriginal community reportedly prefer to travel the half hour required to Northam or Narrogin for face-to-face.

3. Cease provision of acute care inpatient and residential aged care services.  
In the years preceding the PHCDS, there was very low demand for both inpatient and residential aged care at both facilities. Following PHCDS implementation, there are no inpatient services available at either site. Patients attending PHCDS ED can receive short stay care for a maximum of 23 hours. Patients who require care beyond this time or admission, are transferred to the most appropriate hospital.

The PHCDS model does not include residential aged care services at either PHCDS. Most WACHS provided aged care services are delivered in the community. Juniper has operated the Somerset Hostel in Cunderdin since 2014. The WACHS operated Ian Roberts Lodge in Cunderdin discharged its single resident in 2018, prior to closure of the facility in 2019.

4. Enable General Practitioner services to co-locate on site.  
A GP private practice is co-located on site at both PHCDS. The GP at Cunderdin works three days a week (Mon, Tues, Fri), while the GP at Pingelly works four days per week (Mon, Tues, Thurs, Fri). A female GP visits Pingelly once a month. This is appreciated but there is demand for increased services.

5. Expanded outpatient clinics, extension of nursing staff skills on site and in the community, expanded utilisation of telehealth services and additional capacity to host visiting allied health.  
The PHCDS provide workspaces for allied health workers to deliver care closer to the community. There has been an increase in the number of outpatient clinics held. Palliative care services are working well for those that wish to pass away in their own homes or spend their last days in a hospital setting outside of Cunderdin and Pingelly towns. Cunderdin also has a purpose-built Palliative care unit and respite unit, where palliative care patients can be serviced by WACHS staff with support from family and friends. This facility has not yet been utilised because stakeholders and community members have been unsure how the unit works or how it would be staffed. The facility and service model will need to promotion to the community.

As of early 2022, there will be a palliative care bed available at Cunderdin PHCDS that can be set up in one of the consulting rooms when required for a period of 5-7 days. This facility will increase access to palliative patients and their families. The use of consulting space will have minimal impact at this stage, as there are other consulting rooms available for current users. This will need to be monitored if demand for consulting rooms increases.

6. Continue Commonwealth Home Support Program (CHSP) Services support to community members ageing in place.  
CHSP services support is being delivered to community members ageing in place under slightly different models. In Cunderdin, WACHS have an informal brokerage with Juniper for delivery of most CHSP services. The informal agreement was in place at the hospital before moving to PHCDS. In Pingelly, WACHS staff deliver some CHSP service to community, but Silver Chain deliver the majority of support.

A copy of the report has been forwarded to all Councillors. It is intended to draft a repose to the Review for adoption at the October Council Meeting.

## WALGA AGM

The WALGA Annual General Meeting is being conducted during Local Government Week on Monday 3<sup>rd</sup> October 2022.

The following items have been put up as Executive and Member Motions:

Road Traffic Issues - Support

Car Parking and Traffic Congestion Around Schools - Support

Proposal For Regional Road Maintenance Contracts with Main Roads WA - Support

Northern Australian Beef Roads Program - Support

3D House Printing Compliance

South West Native Title Settlement - Support

Land Offset Compensation to Local Governments - Support

Review of the Rating Methodology used by the Valuer General

WA Local Government Rating Model

Reform of the Cat Act 2011 - Support

WALGA Best Practice Governance Review - Principles - Support

The Agenda for the AGM is Attachment 1. It is suggested that Council support all the motions with the exception of 3D House Printing Compliance, Review of the Rating Methodology used by the Valuer General and WA Local Government Rating Model. It is recommended that the voting delegates listen to the discussion at the meeting and make a decision based on the debate.

## Community Emergency Services Manager (CESM)

Mr Bell has resigned from his position as CESM. His last day will be on Thursday 29<sup>th</sup> September 2022. The role will be advertised as soon as possible to find a replacement before the upcoming fire season.

## **Comment**

Nil.

## **Consultation**

Nil.

## **Statutory Implications**

Nil.

## **Policy Implications**

Nil.

## **Financial Implications**

Nil.

## **Strategic Implications**

Nil.

### **Recommendation 9.10**

That the Chief Executives Officers Report be received.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_

**10. Environmental Health and Building**

Nil Items.

**11. Planning & Development**

Nil Items.

**12. Works & Services**

**12.1 Move Behind Closed Doors**

**Recommendation 12.1**

That Council move behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_

### 12.2 2022/23 Sealing Tender

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager of Works and Services
<b>Date:</b>	7 <sup>th</sup> September 2022
<b>Author:</b>	Craig Robertson, Stuart Hobley
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

### 12.3 RFT 02 2022/23 – Supply of Traffic Control Tender

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Manager of Works and Services
<b>Date:</b>	7 <sup>th</sup> September 2022
<b>Author:</b>	Craig Robertson, Stuart Hobley
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	12.2 Traffic Control 2023/23



**12.4 Move from Behind Closed Doors**

**Recommendation 9.6**

That Council move from behind closed doors in accordance with s.5.23 of the Local Government Act.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple majority

Carried/Lost: \_\_\_\_\_



**13. Urgent Items**

**14. Scheduling of Meeting**

**14.1 October 2022 Ordinary Meeting**

The next ordinary meeting of council is scheduled to take place on Thursday 20<sup>th</sup> October 2022 commencing at 5:00pm at the Cunderdin Shire Council Chambers, Cunderdin, WA 6407.

**15. Closure of meeting**

There being no further business the Shire President will declare the meeting closed at \_\_: \_\_pm.

**16. Certification**

**DECLARATION**

I, Alison Harris, certify that the minutes of the Ordinary Council Meeting held on 18th August 2022 as shown were confirmed at the ordinary meeting of Council held on 15th September 2022.

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

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