



Shire of Cunderdin

Minutes of the Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting for the Cunderdin Shire Council was held on **Thursday 15th June 2023** in the Cunderdin Shire Council Chambers, WA, 6407 **commencing at 5.00pm.**

Stuart Hobley
Chief Executive Officer
15th June 2023

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MINUTES

1. Declaration of Opening

The Shire President declared the meeting open at 5:09pm.

The Shire of Cunderdin disclaimer was read aloud by Cr AE (Alison) Harris.

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 N (Natalie) Snooke	
Cr NW (Norm) Jenzen	

In Attendance

Stuart Hobley	Chief Executive Officer
Hayley Byrnes	Deputy Chief Executive Officer
Amber Bell	Youth Development Trainee

Guests of Council

Members of the Public

2.2 Apologies

Cr B (Bernie) Daly

2.3 Leave of Absence Previously Granted

Nil.

3. Public Question Time

Nil.

4. Petitions, Deputations & Presentations

Nil.

5. Applications for Leave of Absence

Nil.

6. Confirmation of the Minutes of Previous Meetings

6.1 Ordinary Meeting of Council held on 18th May 2023

Resolution 6.1 OCM June 2023

1. That the Minutes of the Ordinary Council Meeting held on Thursday 18th May 2023 be confirmed as a true and correct record.

Moved: Cr A (Anthony) Smith

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 5/0

Note to this item:

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

7. Declaration of Members and Officers Interests

Nil.

8. Announcements by President without Discussion

Nil.

9. Finance & Administration

9.1 Financial Reports for May 2023

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	9 June 2023
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	Attachment 9.1.1 – May 2023 Monthly Financial Report Attachment 9.1.2 - Rates Details May 2023

Proposal/Summary

The financial reports as at 31st May 2023 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 OCM June 2023

That Council receives the monthly financial reports for the periods ending 31st May 2023.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr A (Anthony) Smith

Vote – Simple majority

Carried: 5/0

9.2 Accounts Paid – 31st May 2023

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	9 June 2023
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 9.2.1 – May 2023 Creditors Listing Attachment 9.2.2 - Credit Card Statement May 2023

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling:

Total for Municipal -	\$1,958,014.38
Total for Trust -	\$0.00
TOTAL -	\$1,958,014.38

For May 2023 as listed in the Warrant of Payments for the period 1st to 31st May 2023.

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 OCM June 2023

1. That Council's payments of accounts amounting to \$\$1,958,014.38 being from Municipal Account for May 2023, as follows:

Municipal Account	\$	Total
Electronic Funds Transfer: EFT 7181 - 7276	\$1,878,409.98	
Direct Debit (Inc Bank Charges):	\$64,262.27	
Cheques: 11857 - 11862	\$15,342.13	
Trust Account		
	\$0.00	
TOTAL		\$1,958,014.38

Moved: Cr N (Natalie) Snooke

Seconded: Cr A (Anthony) Smith

Vote – Simple majority

Carried: 5/0

9.3 Council Investments – As at 31st May 2023

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	9 June 2023
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 9.3.1 - Bank Statements May 2023

Proposal/Summary

To inform Council of its investments as at 31st May 2023.

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 May 2023.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$449,215.68	Municipal- 0000030	\$449,215.68		
Bendigo Bank	\$691,020.99	Municipal- 155971377	\$691,020.99		
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	\$0.00	Trust Working Account 12-2981			\$0.00
Bendigo Bank	\$1,252,487.09	Term Deposit 4.20% Exp 28 Jun 2023		\$1,252,487.09	
Bendigo Bank	\$504,347.95	Term Deposit -4.1% Exp 09 June 2023	\$504,347.95		
Bendigo Bank	\$506,000.00	Term Deposit -4% Exp 8 June 2023	\$506,000.00		
TOTAL INVESTMENTS	\$2,265,624.82		\$1,010,347.95	\$1,252,633.87	\$2,643.00

In addition to the above Shire funds, the Shire administers the Cunderdin Community Centre Trust Accounts being Bendigo Term Deposits as below & operating Ac#000073- \$0.00

CUNDERDIN COMMUNITY TRUST DETAILS
INTEREST ACCOUNT
31 May 2023

Opening Balance as per Bank Statement & Term
 Deposits

Term Deposit#
 4217537
 Maturing 7 June 2023
 (4.1%) 199,607.14

TOTAL **199,607.14**

Credits 0.00
 Debits 0.00

Closing Balance as Per Bank Statements & Term
 Deposits

TOTAL **199,607.14**

INCOMING

0.00
 0.00

OUTGOING

0.00

Balance as at end of month

TOTAL **199,607.14**

CUNDERDIN COMMUNITY TRUST DETAILS
CAPITAL ACCOUNT
31 May 2023

Opening Balance as per Bank Statement & Term
 Deposits

Term Deposit#
 4217529
 Maturing 7 June 2023
 (4.1%) 369,862.05

TOTAL **369,862.05**

Credits 0.00
 Debits 0.00

Closing Balance as Per Bank Statements & Term
 Deposits

TOTAL **369,862.05**

INCOMING

0.00
 0.00

OUTGOING

0.00

Balance as at end of month

TOTAL **369,862.05**

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.

Resolution 9.3 OCM June 2023

That the report on Council investments as at 31st May 2023 be received and noted.

Moved: Cr TE (Todd) Harris

Seconded: Cr NW (Norm) Jenzen

Vote – Simple majority

Carried: 5/0

9.4 Corporate Business Plan – Review 2022/23

Location:	Shire of Cunderdin
Applicant:	Governance and Administration
Date:	24 th May 2023
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley
File Reference:	Nil
Attachments:	Attachment 9.4.1 – Shire of Cunderdin Corporate Business Plan 2021/22 – 2024/25

Proposal/Summary

Consider the annual review of the Corporate Business Plan as required by the Local Government Act 1995.

Background

The Corporate Business Plan (CBP) is a core component of integrated planning for the Shire of Cunderdin. Alongside the Strategic Community Plan the CBP is essential for the Shires future planning.

Comment

The current Corporate Business Plan was adopted by Council on the 18th November 2021. The CBP service delivery objectives are in direct alignment with the strategic priorities that were revealed through extensive community engagement when developing the Shire of Cunderdin Strategic Community Plan 2022-2032.

The forecast actions in the CBP assist in identifying projects and service delivery to be included in the Annual Budget.

Once adopted the reviewed Corporate Business Plan 2021/22 – 2024/25, will be accessible on the Shires website.

Consultation

Stuart Hobley, Chief Executive Officer
Hayley Byrnes, Deputy Chief Executive Officer

Statutory Implications

Local Government Act 1995 section 5.56.
Local Government (Administration) Regulations 1996, 19DA.

Policy Implications

Nil.

Financial Implications

The Corporate Business Plan is an informing document for current and future budgets.

Strategic Implications

5 Civic Leadership

- 5.1 Shire communication is consistent, engaging and responsive
 - Residents and community groups believe they are being listened to and fairly treated
 - Performance against targets reported to the community

- 5.2 Forward planning and implementation of plans
 - Accountable and transparent decision making
 - Financial sustainability in achieving community aspirations

5.3 Implement systems and processes that meet legislative and audit obligations
Civil Leadership.
- Capability of our organization is continually improved

Resolution 9.4 OCM June 2023

That Council accept, approve and adopt the reviewed 2021/22 – 2024/25 Corporate Business Plan.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr N (Natalie) Snooke

Vote – Absolute majority

Carried: 5/0

9.5 Request for Financial Assistance

Location:	Shire of Cunderdin
Applicant:	Community Development Officer
Date:	25 th May 2023
Author:	Liezl De Beer
Item Approved by:	Stuart Hobley
File Reference:	Nil
Attachments:	Attachment 9.5.1 – Donation Application Attachment 9.5.2 – Cover Letter for Application

Proposal/Summary

Consider the application received for financial assistance.

Background

Melanie Grage is a student at Cunderdin District High School who has played football with the Cunderdin Junior Football Club. She has previously represented the Cunderdin Junior Football Club at the Watheroo Cup and East Avon Association.

Comment

School Sports WA have an U15 Girls Interstate Australian Football Team competing in the 2023 Championship, which will be held in Ballart from the 22nd – 29th July 2023. Melanie has been offered and accepted a position on this team.

Acceptance into a state team is an outstanding achievement for Melanie as a player and merit is also due to the Cunderdin Football Club who have assisted her development as a player.

As mentioned in Melanies cover letter, accepting a position in the state team comes with considerable costs. While she is willing to undertake her own fundraising to finance this opportunity Melanie is reaching out to the Shire of Cunderdin for financial support.

The Shire of Cunderdin Council Policy Manual has provision for assisting individuals a maximum grant of \$200 for interstate travel to represent Western Australia in an interstate championship. While many of the eligibility criteria are satisfied in Melanie's application for assistance there is one criteria that is not met being that Melanie is not a resident of the Shire of Cunderdin as her residential address is in the Shire of Quairading.

Consultation

Liezl De Beer, Community Development Officer

Statutory Implications

Nil.

Policy Implications

3.4 Minor Requests for Financial and Other Assistance

Schedule 3.4 – Criteria for Assistance

3. Assistance for individual

- a) The maximum grant that may be awarded in this category is \$200 for interstate travel and \$300 for international travel.
- b) The eligibility criteria for assessing financial support applications (Individual Development) for people who have been selected to represent the State or Nation in interstate or international championships, competitions or significant cultural, academic or community service programs are:
 - only residents of the Shire of Cunderdin are eligible to apply.
 - applicants must be selected to represent Western Australia or Australia in the area of sport, arts, cultural or educational activities.

- applications must be supported either by the relevant governing body of sport or the state/federal/voluntary organisation supporting the activity.
- there must be a demonstrated selection process which entitles the applicant to represent the state or national body or activity.
- only one application per financial year may be funded for any one individual.
- a maximum of \$500 per year will be funded per family.
- funds will only be provided towards travel or accommodation expenses.
- priority will be given to applicants who have demonstrated initiative and endeavour in raising funds for themselves.

Financial Implications

Allowance for donations has been provided for in the 2022/23 Budget.

Strategic Implications

1. Community and Social
 - 1.1 Community members have the opportunity to be active engaged and connected
 - The Shire supports leisure, learning and recreation outcomes.

Resolution 9.5 OCM June 2023

That Council grant Melanie Grage \$200.00 towards the cost of travel to participate in the Girls U15 School Sport WA Inc. Football team at the 2023 Interstate Australian Football Championships to be held in Ballarat, Victoria, between 22nd & 29th July 2023.

Moved: Cr A (Anthony) Smith

Seconded: Cr TE (Todd) Harris

Vote – Simple majority

Carried: 5/0

9.6 Move Behind Close Doors

Resolution 9.6 OCM June 2023

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

Moved: Cr NW (Norm) Jenzen

Seconded: Cr TE (Todd) Harris

Vote – Simple majority

Carried: 5/0

9.7 Private & Confidential - Tender 6–2023/2024 – Cunderdin Memorial Swimming Pool

9.8 Move from Behind Closed Doors

Resolution 9.8 OCM June 2023

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

Moved: Cr NW (Norm) Jenzen

Seconded: Cr A (Anthony) Smith

Vote – Simple majority

Carried: 5/0

9.9 Chief Executive Officers Report

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	7 th June 2023
Author:	Stuart Hobley
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachments:	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 Phase 3 Projects

O'Connor Park

O'Connor Park is still scheduled to be completed for the grand opening on the 30 June 2023.

Meckering Earthquake Memorial Garden

The contractor has been appointed and the initial project planning has commenced. Works are expected to commence in July 2023.

Cunderdin Golf Club – Shed

The Golf Club has been advised of the funding and the Golf Club has purchased the materials. The Club has commenced construction.

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 – Installation of the Soft Fall.

Completed.

Cunderdin Sport and Recreation Club - Blinds

Completed.

Additional Road Funding

The Shire will also receive an additional \$211,400 to be used on rural roads before 30 June 2025.

Cunderdin Industrial Lot Development

Development WA have completed the final plans for the industrial development and prepared a Contract of Sale. Council is waiting for CBH to advise if they have any further conditions on the sale of the land.

Council is responsible for the conveyancing and settlement costs and this should be completed in the near future. It is expected that contracts for the utility works will be let before the end of the financial year.

There has been a small amount of asbestos found on site that will need to be cleaned up. The majority of this is in the nature reserve between the industrial lots and the residential area.

Development WA are appointing a landscaper to complete the plantings in the nature reserve to screen the industrial lots from the residential area.

Watts Street Land Lease

Council received one expression of interest for the lease of the Watts Street land. The offer has been accepted.

Local Government Reform

The first tranche of reforms to the Local Government Act 1995 has passed through Parliament. These local government reforms, the most significant in 25 years, are designed to strengthen local democracy and provide for greater transparency, efficiency and accountability.

This first tranche focuses on electoral reform and has been introduced first to ensure the changes will be in effect for the October 2023 ordinary elections. The second tranche of reforms is due to be introduced later in 2023.

A key feature of the State Government's reform agenda is standardising:

- the number of council members
- the method of electing the mayor or shire president and
- the use of wards.

Early Payment of Federal Assistance Grants (FAGs)

The recently handed down Federal Budget maintained the Commonwealth's commitment to supporting Local Government through the provision of Financial Assistance (FA) Grants however, for the first time in many years, this year's budget did not include a bring forward FA Grant payment.

This will not have any effect on the Shire of Cunderdin's financial position or cash flow for 2022-23 or 2023-24.

National Trust Meeting

The CEO and Deputy CEO met with Ms Kelly Rippingale of the National Trust to discuss the Old Pump House Building.

The discussion was extremely informative and has will provide the Shire some direction in going forward. A more detailed update will be given at the meeting.

Comment

Nil.

Consultation

Nil.

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

Resolution 9.9 OCM June 2023

That the Chief Executives Officers Report be received.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 5/0



10. Environmental Health and Building

Nil Items.

11. Planning & Development

Nil Items

12. Works & Services

Nil Items.

13. Urgent Items

Resolution 13.1 OCM June 2023

That Council move to accept the late Agenda Items.

Moved: Cr TE (Todd) Harris

Seconded: Cr A (Anthony) Smith

Vote – Simple majority

Carried: 5/0

13.2 Shire of Cunderdin Audit Committee Minutes

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	10 th June 2023
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	Attachment 14.2 – Audit Committee Minutes

Proposal/Summary

Council to receive the minutes of the Audit Committee Meeting held on Thursday 15th June 2023.

Background

A copy of the Audit Committee Minutes have been circulated to all Councillors.

Comment

There were two items of business on the Audit Committee Agenda with the following recommendations:

That the Audit Committee:

1.

Resolution 5.1 Audit Committee Meeting June 2023

That the Audit Committee

1. Accepts the Financial Management, Risk Management, Internal Controls Legislative Compliance Review;
2. Recommends Council receive the management comments and proposed timeline contained with the Financial Management, Risk Management, Internal Controls Legislative Compliance Review; and
3. Recommends that Council receive the Financial Management, Risk Management, Internal Controls and Legislative Compliance Review.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 5/0

2.

Resolution 5.2 Committee Meeting June 2023

That the Deputy Chief Executives Officers Report on Audit Findings be received.

Moved: Cr N (Natalie) Snooke

Seconded: Cr TE (Todd) Harris

Vote – Simple majority

Carried:5/0

This report recommends that Council adopt the recommendations within this report.

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.

Local Government Act 1995

7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out his or her other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —
 - (a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government is to —
 - (a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and
 - (b) forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

Local Government (Audit) Regulations 1996

Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

Good Governance Framework.

Resolution 13.2 OCM June 2023

That the Minutes of the Shire of Cunderdin Audit Committee Meeting held on 15th June 2023, be received and the recommendations contained therein be adopted.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr A (Anthony) Smith

Vote – Simple majority

Carried: 5/0

14. Scheduling of Meeting

14.1 July 2023 Ordinary Meeting

The next ordinary meeting of council is scheduled to take place on Wednesday 26th July 2023 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 6:06 pm.

16. Certification

DECLARATION

I, Alison Harris, certify that the minutes of the Ordinary Council Meeting held on 15th June 2023, as shown, were confirmed at the ordinary meeting of Council held on 26th July 2023.

Signed: Alison Harris

Date: 26.07.23.