



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 **Wednesday 16th April 2025** in the Cunderdin Shire Council Chambers, WA, 6407 **commencing at 6.00pm.**

Stuart Hobley
Chief Executive Officer

11th April 2025

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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 Cr_____.

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 B (Bernie) Daly	
Cr NW (Norm) Jenzen	
Cr HN (Holly) Godfrey	

In Attendance

Stuart Hobley	Chief Executive Officer
Samantha Pimlott	Governance & Administration Officer

Guests of Council

Members of the Public

2.2 Apologies

Hayley Byrnes	Deputy Chief Executive Officer
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2.3 Leave of Absence Previously Granted

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 _____ 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 26th March 2025

Recommendation 6.1

1. That the Minutes of the Ordinary Council Meeting held on Wednesday 26th March 2025 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 and Administration

9.1 Accounts Paid 31st March 2025

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	2 nd April 2025
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 9.1.1 - March Creditors Listing Attachment 9.1.2 - March Credit Card Statement

Proposal/Summary

Council is requested to confirm the payment of accounts totalling:

Total for Municipal -	\$852,616.07
Total for Trust -	\$0.00
TOTAL -	\$852,616.07

For March 2025 as listed in the Warrant of Payments for the period 1st to 31st March 2025.

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.

Recommendation		
1. That Council's payments of accounts amounting to \$852,616.07 being from Municipal Account for March 2025, as follows:		
Municipal Account	\$	Total
Electronic Funds Transfer: EFT 9160- 9270	\$782,607.23	
Direct Debit (Inc Bank Charges):	\$16,488.48	
Cheques: 11972 to 11978	\$53,520.36	
Trust Account	\$0.00	
TOTAL		\$852,616.07

2. That Council's receive reports for payments of corporate credit cards amounting to \$3,458.56 being from Municipal Account for period 16th January to 16th February 2025, as follows:

40030 - Westpac Banking Corporation Visa- Hayley Byrnes				
Date	Job	Job Description	Comments	Line Total
20-Jan	P3012	2023 Isuzu D-Max Ute (CM0) - DCEO Ute	DCEO Diesel	50.51
22-Jan	MUSE	Museum Expenses	Museum Eftpos Terminal	138.00
29-Jan	11161030.521	Community Events Expenditure GEN	Youth Camp	263.98
30-Jan	11161030.521	Community Events Expenditure GEN	Youth Camp	504.00
3-Feb	P3012	2023 Isuzu D-Max Ute (CM0) - DCEO Ute	DCEO Diesel	60.50
8-Feb	11451000.500	Expenses relating to Administration GEN	Lightbox for Chambers	44.32
9-Feb	11451000.521	Expenses relating to Administration GEN	Accidental personal charge - Reimbursement to Shire will be completed	13.99
10-Feb	11161030.521	Community Events Expenditure GEN	Youth Council Stationary	32.67
13-Feb	11161030.521	Community Events Expenditure GEN	Youth Council Camp	140.00
14-Feb	11161030.521	Community Events Expenditure GEN	Youth Council Camp	48.33
				1,296.30

40030 - Westpac Banking Corporation Visa- Robert Bell				
Date	Job	Job Description	Comments	Line Total
17-Jan	PKGC	Cunderdin Parks and Gardens	Parts for the trampoline	279.20
22-Jan	PKGC	Cunderdin Parks and Gardens	New Blower	479.00
30-Jan	11421120.521	PPE - Outside Staff GEN	Wader Chest	104.98
4-Feb	P1007	2010 Ford Zetec Hatch LV MKII (1CMT)	Insurance Claim	300.00
12-Jan	RECC	Maintenance - Cunderdin Recreation Centre	Lock for rec centre	163.32
12-Feb	MPT1	Maintenance Meckering Public Toilets	Clinical Waste Bin	125.29
				1,451.79

40030 - Westpac Banking Corporation Visa- Stuart Hobley

Date	Job	Job Description	Comments	Line Total
14-Jan	11161030.521	Community Events Expenditure GEN	Australia Day Pool Party	96.74
16-Jan	11161030.521	Community Events Expenditure GEN	Australia Day Pool Party	-15.98
20-Jan	11451000.520	Expenses relating to Administration GEN	Admin items - power outage refreshments	37.90
28-Jan	11451000.520	Expenses relating to Administration GEN	CEO Breakfast meeting	58.20
28-Jan	11451000.500	Expenses relating to Administration GEN	CEO travel expenses	18.60
31-Jan	11451000.520	Expenses relating to Administration GEN	CEO Lunch Meeting	72.57
7-Feb	11451070.520	Training Expenses - Admin GEN	Liezl Training Accommodation	265.14
13-Feb	11161030.521	Community Events Expenditure GEN	Youth Council Camp	177.30
			TOTAL	710.47

3. That Council receives the monthly payment reports for the periods ending 31st March 2025.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost: _____

9.2 Council Investments – At 31st March 2025

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	2 nd April 2025
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 9.2.1 - Bank Statements March 2025

Proposal/Summary

To inform Council of its investments as at 31st March 2025.

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 March 2025.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$576,336.80	Municipal- 0000030	\$576,336.80		
Bendigo Bank	\$2,828,071.75	Municipal- 155971377	\$2,828,071.75		
Westpac Bank	\$490.24	Business Cash Reserve 22-3647 0.50%		\$490.24	
Bendigo Bank	\$10,497.86	Bendigo Trust Account 164 488 686			\$10,497.86
Westpac Bank	\$0.00	Trust Working Account 12-2981			\$0.00
Bendigo Bank	\$1,776,981.08	Term Deposit -5.06% Exp 20 Dec 2024		\$1,776,981.08	
TOTAL INVESTMENTS	\$5,192,377.73		\$3,404,408.55	\$1,777,471.32	\$10,497.86

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

CUNDERDIN COMMUNITY TRUST DETAILS
INTEREST ACCOUNT
31st March 2025

Opening Balance as per Bank Statement & Term Deposits

Term Deposit# 4976214
Maturing 4 June 2025 (5.05%)

		255,197.03
	TOTAL	255,197.03
Credits:		0.00
Debits:		0.00
Closing Balance as Per Bank Statements & Term Deposits	TOTAL	255,197.03
INCOMING		0.00
		0.00
		0.00
OUTGOING		0.00
		0.00
Balance as at end of month	TOTAL	255,197.03

CUNDERDIN COMMUNITY TRUST DETAILS
CAPITAL ACCOUNT
31st March 2025

Opening Balance as per Bank Statement & Term Deposits

Term Deposit# 4976157
Maturing 4 June 2025 (5.05%)

		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
		0.00
OUTGOING		0.00
		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.

Recommendation

That the report on Council investments as at 31st March 2025 be received and noted.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost: _____

9.3 Quarterly Review of Corporate Business Plan

Location:	Shire of Cunderdin
Applicant:	Governance & Administration Officer
Date:	4 th April 2025
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil.
Attachments:	Attachment 9.3.1 – Quarterly Review Jan 2025 – March 2025

Proposal/Summary

For Council to receive the Quarterly Corporate Business Plan Report as attached.

Background

Local governments are required to produce a plan for the future under Sec. 5.56 (1) of the Local Government Act 1995. Regulations made under the Act outline the minimum requirements of a plan for the future namely:
A Strategic Community Plan to cover a period of at least 10 financial years.
A Corporate Business Plan to cover a period of at least 4 financial years.

On the 15th of June 2023, Council adopted the revised Corporate Business Plan. This plan is subject to a review by staff on a quarterly basis to ensure the Shire is meeting Social and Community, Environmental, Housing and Facilities, Economic Development, Infrastructure and Transport and Civic Leadership strategies as outlined in the Corporate Business Plan 2021/2022 – 2024/2025.

The traffic light based Quarterly Update to report progress against the priorities as detailed in the Corporate Business Plan driven by the outcomes of the Strategic Community Plan and actioned through the Annual Budget.

Comment

Attachment 9.3.1 – Quarterly Corporate Business Plan Report at 31 March 2025 identifies the strategies and actions for each Strategic Community Plan objective and the year/s of implementation for the four-year life of the Corporate Business Plan.

On review of the required actions, it can be seen that the Shire is achieving good overall results. A number of projects have been undertaken or are in progress to deliver on the strategic outcomes of the Plan.

The actions and community priorities from the Corporate Business Plan along with the Shires integrated planning documents are considered during Annual Budget production.

Consultation

Shire of Cunderdin Staff.

Statutory Implications

Local Government Act 1995

5.56. Planning for the future

- 1) A local government is to plan for the future of the district.
- 2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations - Division 3 — Planning for the future

r19DA Corporate business plans, requirements for (Act s. 5.56)

- 1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- 2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- 3) A corporate business plan for a district is to —
 - a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

Policy Implications

Nil.

Financial Implications

2024/2025 Statutory Budget

Strategic Implications

Shire of Cunderdin Strategic Community Plan.

CIVIC LEADERSHIP

5.2 Forward planning and implementation of plans

Accountable and transparent decision making

Recommendation

That Council:

1. That Council receive and endorse the Corporate Business Plan Report for the quarter ending 31 March 2025.

Moved: Cr _____

Seconded: Cr _____

Vote – Absolute majority

Carried/Lost: _____

9.4 Receive Minutes of the Bush Fire Advisory Committee

Location:	Shire of Cunderdin
Applicant:	Governance and Administration Officer
Date:	8 th April 2025
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil.
Attachments:	Attachment 9.4.1 – Minutes BFAC 7 th April 2025

Proposal/Summary

For Council to receive the minutes of the Bush Fire Advisory Committee (BFAC) held on Monday 7th April 2025.

Background

BFAC is a committee of Council formed under Regulation of the Bush Fires Act 1954. The Bush Fire Advisory Committee meets twice a year, once pre-season, and another post-season.

A copy of the Bush Fire Advisory Committee Minutes of the meeting held on the 7th April 2025 have been circulated to all Councillors.

Comment

Discussion points to note from the meeting include:

The following notice of motion was presented to the meeting; to be taken for consideration amongst individual brigade memberships prior to the next BFAC Meeting:

The WhatsApp “Cunderdin Fire Alerts” group can be used to notify an intention to burn under permit during the permit season.

Moved: David Beard

Seconded: Jeff Snooke

Next meeting is scheduled for Thursday 4th September 2025 at 5pm in the Shire of Cunderdin Council Chambers.

Consultation

Stuart Hobley, Chief Executive Officer

John Idland, Community Emergency Services Manager

Samantha Pimlott, Governance and Administration Officer

Statutory Environment

Bush Fires Act 1954 s67

- (1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.

- (4) A committee appointed under this section —
- may from time to time meet and adjourn as the committee thinks fit.
 - shall not transact business at a meeting unless the quorum fixed by the local government is present.
 - is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Policy Implications

Council Policy Manual

Section 5 – Fire Control

5.1 Bush Fire Brigades – Establishment

Financial Implications

2023/2024 Statutory Budget – Law Order and Public Safety.

Strategic Implications

1. COMMUNITY AND SOCIAL

1.2 A healthy and safe community is planned for

Volunteers and community groups feel supported and empowered

1.4 Support emergency services planning, risk mitigation, response, and recovery

Recommendation

That Council:

1. Receive the minutes of the Shire of Cunderdin Bush Fire Advisory Committee held on 7th April 2025.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost: _____

9.5 MOU for Reserve 31433 – No 3 Pump Station Site

Location:	Shire of Cunderdin
Applicant:	Museum Manager
Date:	8 th April 2025
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil.
Attachments:	Attachment 9.5.1 - MOU-NTWA Shire Cunderdin v3

Proposal/Summary

For Council to review, consider and endorse the Memorandum of Understanding between the Shire of Cunderdin and National Trust of Western Australia for the continued co management of Reserve 31433 Cunderdin.

Background

The site is a state-owned Crown Land Reserve for heritage purposes. The National Trust of Western Australia and Shire of Cunderdin have had a joint Management Order for the No 3 Pump Station site since 2000. The land boundary includes the public park to the west of the Pump Station building.

The No 3 Pump Station was included on the State Register of Heritage Places on 2 July 1999: It is also included in the national listing for the Goldfields Water Supply Scheme in 2011 and the state listing of the scheme in 2022.

Reserve 31433 Cunderdin encompasses the Cunderdin Museum grounds including the heritage listed pump station, ancillary buildings and site and includes O'Connor Park to the west of the museum.



Location Plan (Source: Landgate)

Comment

The MOU formalises the ongoing co-management arrangement between the Shire of Cunderdin and the National Trust of Western Australia.

The attached MOU once signed will be for a five-year period. It will be formally reviewed and ratified by each party annually. After the adoption of the MOU each party will appoint a Liaison Officer to assume primary responsibility for the implementation of the aims of the document and to be primary contact in relation to the MOU and refer any unresolved issues that may arise to their respective Chief Executive Officers.

Consultation

Stuart Hobley, Chief Executive Officer
Hayley Brynes, Deputy Chief Executive Officer
Michelle Samson, Cunderdin Museum Manager
Julian Donaldson, NTWA Chief Executive Officer
Kelly Rippingale, NTWA Senior Manager Asset Management

Statutory Implications

Heritage Act 2018

Policy Implications

Shire of Cunderdin Policy Manual
Policy 7.3 Cunderdin Museum

Financial Implications

The Shire provides annually budget allocations for the operation and maintenance programs for the museum site and O'Connor Park respectively.

Strategic Implications

Shire of Cunderdin Strategic Community Plan 2022-2032

3. Built Environment

3.4 Protect and preserve heritage - promotion and improved awareness of the Cunderdin Museum and Pump Station.

5. Civic Leadership

5.1 Implement systems and process that meet legislative and audit obligations.

Recommendation

That Council,

1. Accept the MOU for reserve 31433 Cunderdin as presented;
2. Authorise Chief Executive Officer to sign and return the Memorandum of Understanding between the Shire of Cunderdin and National Trust of Western Australia for the co management of Reserve 31433 Cunderdin;
3. Nominate Liaison Officer as _____ to act as primary contact in relation to MOU agreement.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost: _____

9.6 Community Emergency Services Manager Transaction Card

Location:	Shire of Cunderdin
Applicant:	Governance and Administration Officer
Date:	8 th April 2025
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil.
Attachments:	Nil.

Proposal/Summary

For Council to acknowledge the issue of a transaction card to the Community Emergency Services Manager.

Background

Community Emergency Services Manager(CESM), John Idland, commenced employment with the Shire of Cunderdin on 31st March 2025.

The CESM role and incurred expenses are shared between the Department of Fire and Emergency Services and the Shire's of Cunderdin, Tammin and Quairading.

Comment

Due to the nature of the CESM position, incurrence of expenditure is often outside of normal Administrative Office Hours. This hinders the ability of the CESM to perform required employee duties. This problem will be alleviated by issuing a transaction card to the CESM.

Transaction cards are currently held by:

- Stuart Hobley, Chief Executive Officer
- Hayley Byrnes, Deputy Chief Executive Officer
- Rob Bell, Manager of Works and Services

All transactions on these cards are listed and presented to Council each month as required by the Act and its associated regulations. Once a card has been issued to the CESM, transactions on the card will also be presented to Council in the same manner as transactions cards held by the above-mentioned officers.

Consultation

Stuart Hobley, Chief Executive Officer

Hayley Brynes, Deputy Chief Executive Officer

Statutory Implications

Local Government Act 1995

s6.10 Financial management regulations

Regulations may provide for —

- a) the security and banking of money received by a local government; and
- b) the keeping of financial records by a local government; and
- c) the management by a local government of its assets, liabilities and revenue; and
- d) the general management of, and the authorisation of payments out of —
 - i) the municipal fund; and
 - ii) the trust fund,
of a local government.

Local Government (Financial Management) Regulations 1996

Part 2 — General financial management — s. 6.10

r5. CEO's duties as to financial management

- 1) Efficient systems and procedures are to be established by the CEO of a local government —
 - e) to ensure proper authorisation for the incurring of liabilities and the making of payments; and

Policy Implications

Shire of Cunderdin Policy Manual
3.3 Transaction Cards

Financial Implications

CESM Expenses allowed for in the Shire's Budget.

Strategic Implications

Shire of Cunderdin Strategic Community Plan 2022-2032

3. Built Environment

5. Civic Leadership

5.1 Implement systems and process that meet legislative and audit obligations.

Recommendation

That Council,

1. Acknowledge the allocation of a transaction card to the Community Emergency Services Manager.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost: _____

9.7 Conduct of 2025 Local Government Election

Location:	Shire of Cunderdin
Applicant:	Governance and Administration Officer
Date:	8 th April 2025
Author:	Samantha Pimlott
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil.
Attachments:	Attachment 9.7.1 - Cost Estimate Cunderdin Attachment 9.7.2 - LG Ordinary Election Process Final

Proposal/Summary

For Council to consider how they would like to conduct the 2025 Local Government Elections; declaring the Electoral Commissioner responsible for the election or conducting the election in house.

Background

The WAEC has sent a cost estimate to conduct the 2025 Local Government Election scheduled for 18 October 2025, as seen in Attachment 9.7.1. The Shire of Cunderdin has not historically engaged the WAEC for this purpose.

The cost estimate assumes:

- i. Postal method of election;
- ii. Four (4) Councillor(s) vacancies;
- iii. 900 electors;
- iv. Approximately 50% response rate;
- v. Appointment of a local Returning Officer (by the WAEC); and
- vi. Election count conducted at the Shire offices using CountWA.

The previous 2023 Local Government Elections were completed by the Shire.

There has been no election process conducted in the Shire of Cunderdin since 2015. All vacancies in 2017, 2019, 2021 and 2023 have been filled unopposed.

Four (4) Elected Members positions are up for vacancy during the 2025 election. These positions are currently occupied by:

Shire President, Cr AE (Alison) Harris
Cr N (Natalie) Snooke
Cr NW (Norm) Jenzen
Cr HN (Holly) Godfrey

Comment

If Council wish to appoint the WAEC to facilitate the Ordinary 2025 Election process, by way of a postal election, a formal request to the WAEC is required for the commitment to be confirmed prior to the election cycle commencing. Engaging the WAEC to conduct of elections ensures a professional and impartial election process.

The quote provided from the WAEC, as seen in Attachment 9.7.1, for four (4) Elected Members is estimated cost to the Shire \$13,781 (ex GST).

This cost includes conduct of the election, as postal ballots, with an on-site count at the Shire Administration office and all statutory advertising.

If Council choose to conduct the 2025 Election to "in-person" by Shire staff, Council should be aware that the staff time committed during the timeline of the election process, as seen in Attachment 9.7.2, will be large, and other projects may experience delays. If the WAEC facilitate the process it will allow Council and staff to maintain required separation from the process.

Consultation

Stuart Hobley, Chief Executive Officer

Samantha Pimlott, Governance & Administration Officer

Statutory Implications

Local Government Act 1995, Division 3 — Ordinary elections

S4.4 Ordinary elections

S4.5 Frequency of ordinary elections

S4.6 Election day for ordinary elections

S4.7 Ordinary elections day usually third Saturday in October

S4.20 CEO to be returning officer unless other arrangements made

- 1) Subject to this section the CEO is the returning officer of a local government for each election.
- 2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —
 - a) an election; or
 - b) all elections held while the appointment of the person subsists.

* Absolute majority required.

- 3) An appointment under subsection (2) —
 - a) is to specify the term of the person's appointment; and
 - b) has no effect if it is made after the 80th day before an election day.
- 4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.
* Absolute majority required.
- 5) A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.
- 6) (6) A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.

S4.61 Choice of methods of conducting election

- 1) The election can be conducted as a —
postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or
voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.
- 2) The local government may decide* to conduct the election as a postal election.
* Absolute majority required.
- 3) A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.
- 4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.
- 5) A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.

- 6) For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.
- 7) Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.

Local Government (Elections) Regulations 1997

Specifies cost recovery requirements for elections conducted by the WAEC.

Policy Implications

Nil.

Financial Implications

If Council chooses to have the 2025 Election facilitated by the WAEC, the cost quoted of \$13,781 (ex GST).

Should Council not proceed with the WAEC quotation, staff time allocated to the process and advertising costs will still be incurred.

Strategic Implications

Shire of Cunderdin Strategic Community Plan 2022-2032

3. Built Environment

5. Civic Leadership

5.1 Implement systems and process that meet legislative and audit obligations.

Recommendation

That Council, with respect to the conduct of the 2025 Shire of Cunderdin Ordinary Local Government Election:

1. Accept the quotation provided by the Western Australian Electoral Commission of \$13,781 (ex GST) to conduct the election for four (4) Councillors, and ensure this amount is provided for in the 2025/26 Budget;
2. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the Election together with any other elections or polls which may be required; and
3. Decide, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election will be as a postal election.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost: _____

9.8 Move Behind Closed Doors

Recommendation

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: _____

9.9 Lot 50 Vanzetti Street – Lease

9.10 Stakeholder Working Group Membership – Better Regions Round 2 Project

9.11 Move From Behind Closed Doors

Recommendation

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: _____

9.12 Chief Executive Officers Report

Location:	Shire of Cunderdin
Applicant:	Chief Executive Officer
Date:	20 th March 2025
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

Cunderdin Industrial Lot Development

Development WA have advised the subdivision works have commenced and should be completed by mid-May 2025.

The road works including enlarging the cul-de-sac have been completed and so has much of the utilities works.

Council has advised the Geographic Names Committee (Landgate) about its decision regarding changing the name of a portion of Centenary Place and this is still being considered.

Watts Street Subdivision

Council has appointed LPD Surveys to re-survey and peg the new lots. Porter Consulting Engineers have been appointed to provide engineering services. These engineers will provide drawings for the connection of power, water and telecommunications/NBN, assist with any technical issues and help assess quotes from contractors from the provision of the services.

It has been advised that it will be at least six months before designs will be received and approved by Western Power. The works will then have to be tendered and completed.

Mitchell Street and Yilgarn Street Housing Update

Yilgarn Street

Construction has commenced on the Yilgarn Street dwelling. The external brick walls and internal stud walls have been erected, the windows and frames have been installed and the roof trusses erected.

Mitchell Street

Modular WA have advised that the two dwellings will be delivered to site in mid to late April 2025. As the soil underneath the dwellings is clay, concrete footings have to be installed under both dwellings. Unfortunately, rock was encountered during this process and new footings have been designed and installed.

The rear dwelling should be delivered on Monday 14th April 2025.

Quotes have been sought for the fencing and a landscaping design is being prepared.

Cunderdin Bowling Green Replacement

The reticulation works at the bowling greens have been completed. Works on the replacement of the bowling green will commence in late April 2025.

Public Sector Reform

The Premier of Western Australia announced reform of some public sector agencies to align with his vision for the future of Western Australia.

Nine departments, out of a total of 25, were impacted, including the Department of Local Government, Sport and Cultural Industries (DLGSC).

It has been advised this reform aims to drive the Government's goals of job creation through economic diversification, local manufacturing and energy transition. It supports the delivery of hospitals and other major infrastructure; and building houses across WA – and brings together public sector expertise to achieve this.

A full overview of the reform is on [WA.gov.au](https://www.wa.gov.au).

From 1 July:

- DLGSC will be known as the Department of Creative Industries, Tourism and Sport.
- Our reshaped department includes the portfolios of Creative Industries, Tourism, Sport and Recreation, and Multicultural Interests, and relevant statutory authorities.
- The portfolios of Local Government, and Racing and Gaming (Liquor) will join the reshaped Department of Local Government, Commerce, Industry Regulation and Safety, which replaces DEMIRS. This agency will harness the expertise of regulators across the public service.
- The new names and the assigning of staff will commence on 1 July 2025.
- Full implementation of the reform – including some of the more complex operational arrangements such as systems and accommodation – is expected by 1 January 2026.

Comment

Nil.

Consultation

Nil.

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

Recommendation

That the Chief Executives Officers Report be received.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost: _____

10 Environmental Health and Building

Nil.

11 Planning & Development

Nil.

12 Works & Services

Nil.

13 Urgent Items**14 Scheduling of Meeting****14.1 May 2025 Ordinary Meeting**

The next ordinary meeting of Council is scheduled to take place on Wednesday 28th May 2025 commencing at 6:00pm 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 16th April 2025, as shown, were confirmed at the ordinary meeting of Council held on Wednesday 28th May 2025.

Signed: _____

Date: _____