



## Shire of Cunderdin

### Minutes of the Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 16<sup>th</sup> March 2023** in the Cunderdin Shire Council Chambers, WA, 6407 **5.00pm**.

Stuart Hobley  
**Chief Executive Officer**  
16<sup>th</sup> March 2023

1.	Declaration of Opening .....	3
2.	Record of Attendance, Apologies and Approved Leave of Absence .....	3
3.	Public Question Time .....	4
4.	Petitions, Deputations & Presentations .....	4
5.	Applications for Leave of Absence .....	4
6.	Confirmation of the Minutes of Previous Meetings .....	4
6.1	Ordinary Meeting of Council held on 16 <sup>th</sup> February 2023.....	4
7.	Declaration of Members and Officers Interests .....	4
8.	Announcements by President without Discussion .....	4
9.	Finance & Administration.....	5
9.1	Financial Reports for February 2023 .....	5
9.2	Accounts Paid – 28 <sup>th</sup> February 2023 .....	6
9.3	Council Investments – As at 28 <sup>th</sup> February 2023 .....	8
9.4	Shire of Cunderdin Quarterly Risk Management Report- December 2022 .....	11
9.5	Shire of Cunderdin Compliance Audit Return 2022.....	13
9.6	Request to Reverse Non-Compliant Bushfire Infringement – AYB Nominees Pty Ltd .....	15
9.7	Speed Zone Relocation – Cubbine St.....	17
10.	Environmental Health and Building .....	24
11.	Planning & Development.....	24
12.	Works & Services .....	24
13.	Urgent Items.....	24
13.2	CSRFF Small Grants Application – Cunderdin Bowling Club.....	25
14.	Scheduling of Meeting.....	28
14.1	April 2023 Ordinary Meeting.....	28
15.	Closure of meeting.....	28
16.	Certification .....	28

## AGENDA

### 1. Declaration of Opening

The Shire President declared the meeting open at 5pm.

The Shire of Cunderdin disclaimer will be 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 B (Bernie) Daly	
Cr N (Natalie) Snooke	
Cr NW (Norm) Jenzen	(Left meeting at 5.45pm)

##### In Attendance

Stuart Hobley	Chief Executive Officer
Hayley Byrnes	Deputy Chief Executive Officer
Samantha Pimlott	Governance & Administration Officer

##### Guests of Council

Nil

##### Members of the Public

Nil

#### 2.2 Apologies

Cr W (Sam) Stewart

#### 2.3 Leave of Absence Previously Granted

Nil

### 3. Public Question Time

Nil

### 4. Petitions, Deputations & Presentations

Nil

### 5. Applications for Leave of Absence

#### **Resolution 5.1 OCM March 2023**

That Council approve Leave of Absence for Cr W (Sam) Stewart from 16<sup>th</sup> March 2023 to 19<sup>th</sup> May 2023 inclusive

Moved: Cr TE (Todd) Harris

Seconded: Cr A (Tony) Smith

Vote – Simple majority

Carried: 6/0

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

#### **6.1 Ordinary Meeting of Council held on 16<sup>th</sup> February 2023**

#### **Resolution 6.1 OCM March 2023**

That the Minutes of the Ordinary Council Meeting held on Thursday 16<sup>th</sup> February 2023 be confirmed as a true and correct record.

Moved: Cr N (Natalie) Snooke

Seconded: Cr NW (Norm) Jenzen

Vote – Simple majority

Carried: 6/0

#### **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

Cr AE (Alison) Harris, President, extended her thanks to everyone for their efforts on the Back 2 Cunderdin Weekend. All facets of the weekend were very well executed and provided a perfect setting for many people to reunite as a community.

## 9. Finance & Administration

### 9.1 Financial Reports for February 2023

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Date:</b>	7 March 2023
<b>Author:</b>	Hayley Byrnes
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.1.1 – February 2023 Monthly Financial Report Attachment 9.1.2 - Rates Details February 2023

#### **Proposal/Summary**

The financial reports as at 28<sup>th</sup> February 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 March 2023**

That Council receives the monthly financial reports for the periods ending 28<sup>th</sup> February 2023.

Moved: Cr A (Tony) Smith

Seconded: Cr NW (Norm) Jenzen

Vote – Simple majority

Carried: 6/0

## 9.2 Accounts Paid – 28<sup>th</sup> February 2023

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Hayley Byrnes
<b>Report Date:</b>	7th March 2023
<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 9.2.1 – February Creditors Listing Attachment 9.2.2 - Credit Card Statement February 2023

### **Proposal/Summary**

Council is requested to confirm the payment of Accounts totalling:

Total for Municipal -	\$771,296.87
Total for Trust -	\$0.00
TOTAL -	\$771,296.87

For February 2023 as listed in the Warrant of Payments for the period 1<sup>st</sup> to 28<sup>th</sup> February 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.

<u>Resolution 9.2 OCM March 2023</u>		
1. That Council’s payments of accounts amounting to \$771,296.87 being from Municipal Account for February 2023, as follows:		
Municipal Account	\$	Total
Electronic Funds Transfer: EFT 6926 - 6993	\$748,175.54	
Direct Debit (Inc Bank Charges):	\$15,954.52	
Cheques: 11845 - 11846	\$7,166.81	
Trust Account		
	\$0.00	
TOTAL		\$771,296.87
Moved: Cr B (Bernie) Daly	Seconded: Cr TE (Todd) Harris	
Vote – Simple majority	Carried: 6/0	

### 9.3 Council Investments – As at 28<sup>th</sup> February 2023

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Hayley Byrnes
<b>Report Date:</b>	7th March 2023
<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 9.3 - Bank Statements February 2023

#### Proposal/Summary

To inform Council of its investments as at 28<sup>th</sup> February 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 28<sup>th</sup> February 2023.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$587,666.09	Municipal- 0000030	\$587,666.09		
Bendigo Bank	\$1,116,695.36	Municipal- 155971377	\$1,116,695.36		
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 3.10% Exp 28 Jun 2023		\$1,252,487.09	
Bendigo Bank	\$2,000,000.00	Term Deposit -4.00% Exp 10 May 2023	\$2,000,000.00		
Bendigo Bank	\$504,347.95	Term Deposit -3.45% Exp 09 June 2023	\$504,347.95		
Bendigo Bank	\$500,000.00	Term Deposit -3.65% Exp 10 March 2023	\$500,000.00		
<b>TOTAL INVESTMENTS</b>	<b>\$5,963,986.27</b>		<b>\$4,708,709.40</b>	<b>\$1,252,633.87</b>	<b>\$2,643.00</b>

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**  
**28 February 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**  
**28 February 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 March 2023**

That the report on Council investments as at 28<sup>th</sup> February 2023 be received and noted.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 6/0

#### 9.4 Shire of Cunderdin Quarterly Risk Management Report- December 2022

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	22nd February 2023
<b>Author:</b>	Hayley Byrnes
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	9.4.1 –Quarterly Risk Management Report- December 2022

#### **Proposal/Summary**

For Council to note the results of the Risk Dashboard review of the Risk Management Governance Framework.

#### **Background**

The Shire of Cunderdin Risk Management Policy in conjunction with the components of the Shire of Cunderdin Risk Management Framework sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks. All components of the Shire of Cunderdin Risk Management Framework are based on AS/NZS ISO 31000:2018 risk Management – Guidelines.

The Risk Management Framework is to be reviewed for appropriateness and effectiveness at least every three years.

The Shire of Cunderdin endorse the Risk Management Framework at the Ordinary Council Meeting in October 2021, with the following resolution;

#### **Resolution 9.12 OCM OCTOBER 2021**

*That council endorses the Shire of Cunderdin Risk Management Framework.*

#### **Comment**

The Framework is a comprehensive overview of how the Shire identifies risks that are likely to impact the operations of the Shire and reflect the appropriateness and effectiveness of the Shire's systems in regard to risk management, internal control and legislative compliance.

The Local Government (Audit) Regulations 1996 prescribes the requirements for local governments in relation to the engagement of auditors, the annual compliance Audit Return and the functions of the Audit Committee.

The amendments extend the responsibilities of the Audit Committee and Chief Executive Officer of the local government in relation to the reviewing and reporting of the local government's systems and procedures in regard to risk management, intern control and legislative compliance.

The Risk Management Framework, developed by LGIS, is in response to the requirements of Reg. 17 of the Local Government (Audit) Regulations 1996 and encapsulates those requirements.

A review had been completed on the Shire's systems in relation to risk management, internal control and legislative compliance and considers that they are appropriate and effective with the exception of those identified on the attached Dashboard Report.

The key controls that presented as Inadequate when the review was completed are as follows;

Asset Sustainability Practices

- Most assets photographed – this process has commenced

Business & Community disruptions

- Generator
- I.T. Disaster Recovery Plan – This was included as part of the IT Tender completed in 2021.

Environment management

- Environment Management Plan

IT or communications systems and infrastructure

- I.T. Disaster Recovery Plan - This was included as part of the IT Tender completed in 2021.

**Consultation**

Stuart Hobley, Chief Executive Officer

Hayley Byrnes, Deputy Chief Executive Officer

**Statutory Implications**

*Local Government (Audit) Regulations 1996*

17. CEO to review certain systems and procedures

1. The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –
  - a) risk management; and
  - b) internal control; and
  - c) legislative compliance.
2. The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
3. The CEO is to report to the audit committee the results of that review.

[Regulation 17 inserted in Gazette 8 Feb 2013 p. 868.]

**Policy Implications**

Shire of Cunderdin Policy Manual

Policy 1.11 – Organisation Risk Management

**Financial Implications**

Nil

**Strategic Implications**

Shire of Cunderdin Strategic Community Plan 2022 -2032

**Resolution 9.4 OCM March 2023**

That Council accept the review of the Risk Dashboard Report identifying current and potential risks.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr A (Tony) Smith

Vote – Simple majority

Carried: 6/0

## 9.5 Shire of Cunderdin Compliance Audit Return 2022

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Governance and Compliance Officer
<b>Date:</b>	7 <sup>th</sup> March 2023
<b>Author:</b>	Samantha Pimlott
<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 9.5 - Compliance Audit Report

### **Proposal/Summary**

The Council is required to review and give consideration to the Shire of Cunderdin Compliance Audit Return 2022, as presented.

### **Background**

It is a requirement of all Local Governments to complete the annual Compliance Audit Return as part of its regulatory obligations to the Department of Local Government, Sport and Cultural Industries.

The Compliance Audit Return (CAR) is completed for the period 1 January to 31 December, and is required to be submitted to the Audit Committee for review prior to being presented to Council.

### **Comment**

The Compliance Audit Return (CAR) for the Shire of Cunderdin for period 1 January 2022 to 31 December 2022 has been completed and a copy available to view as Attachment 9.5 - Compliance Audit Report. The CAR is to be submitted to the Department of Local Government by 31 March each year.

While completing the Compliance Audit it was noted that the Shire has not complied with the following part of the Compliance Audit:

#### *Finance, Question 3:*

#### *Reference – S7.9(1)*

*Was the auditor's report for the financial year ended 30 June 2022 received by the local government by 31 December 2022?*

*Response: No*

*Comments: Audit report is yet to be received as of 8<sup>th</sup> March 2023.*

### **Consultation**

Mr Stuart Hobley, Chief Executive Officer  
Mrs Hayley Byrnes, Deputy Chief Executive Officer  
Mrs Samantha Pimlott, Governance and Administration Officer

### **Statutory Implications**

*Local Government Act 1995, section 7.13 (1)(i)*

#### ***7.13. Regulations as to audits***

***(1) Regulations may make provision —***

***(i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —***

***(i) of a financial nature or not; or***

***(ii) under this Act or another written law.***

*Local Government (Audit) Regulations 1996, clauses 13, 14 & 15*

- 13. Prescribed statutory requirements for which compliance audit needed (Act s. 7.13(1)(i))**  
*For the purposes of section 7.13(1)(i) the statutory requirements set forth in the Table to this regulation are prescribed.*
- 14. Compliance audits by local governments**
- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
  - (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
  - (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
  - (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
    - (a) *presented to the council at a meeting of the council; and*
    - (b) *adopted by the council; and*
    - (c) *recorded in the minutes of the meeting at which it is adopted.*
- 15. Compliance audit return, certified copy of etc. to be given to Executive Director**
- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
    - (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
    - (b) *any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*
  - (2) *In this regulation —*

**certified** *in relation to a compliance audit return means signed by —*

    - (a) *the mayor or president; and*
    - (b) *the CEO.*

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Shire of Cunderdin Strategic Community Plan 2022 -2032

**5. Civic Leadership**

- 5.3 Implement systems and processes that meet legislative and audit obligations.
- External Audits and Reviews confirm compliance with relevant legislation.

**Resolution 9.5 OCM March 2023**

That Council adopts the Audit Committees recommendation of;

1. Receives the Shire of Cunderdin Compliance Audit Return for the period 1 January 2022 to 31 December 2022, as prepared; and,
2. Recommends to Council that the Shire of Cunderdin Compliance Audit Return 2022, as prepared, be adopted and submitted to the Department of Local Government

Moved: Cr NW (Norm) Jenzen

Seconded: Cr B (Bernie) Daly

Vote – Simple majority

Carried/Lost: 6/0

## 9.6 Request to Reverse Non-Compliant Bushfire Infringement – AYB Nominees Pty Ltd

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Finance Officer
<b>Date:</b>	9 <sup>th</sup> March 2023
<b>Author:</b>	Ashlei Otway
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	A55467 & A55468
<b>Attachment/s:</b>	Attachment 9.6.1 – Request to Reverse Non-Compliant Bushfire Infringement – AYB Nominees Pty Ltd Attachment 9.6.2 – Firebreak Notice 2022/23 Attachment 9.6.3 - Photo Lot 1 & Lot 100 Hodgson Street Cnr GEH Attachment 9.6.4 – Map

### **Proposal/Summary**

For Council to consider the reversal of two (2) infringements issued for non compliance to the Shire of Cunderdin Firebreak Notice.

### **Background**

On 1<sup>st</sup> August 2022, rates notices for the Shire of Cunderdin were distributed to land owners. Enclosed with the rates notices were several information brochures as a means of direct and effective communication with ratepayers. One of these brochures was the Firebreak Notice 2022/23. This notice stipulates the fuel reduction and firebreak requirements, the penalties for non compliance, the dates that firebreaks are required to be installed and the period for which they should be maintained.

Inspection of properties for compliance to the Firebreak Notice 2022/23 were completed on Thursday 22<sup>nd</sup> September 2022 by WA Contract Rangers. This date is two (2) days past the due date specified in the Firebreak Notice 2022/23 being the 20<sup>th</sup> September of any calendar year.

During this inspection numerous properties within the Shire of Cunderdin were reported to be non-compliant. Correspondence was sent to all non compliant land owners on 27<sup>th</sup> September 2022. This letter advised the land owners of their responsibilities to adhere to the Firebreak Notice and very generously gave a period of extension, allowing time to complete fuel reduction and firebreak requirements and avoid receiving an infringement for non compliance of the Firebreak Notice 2022/23.

A second inspection of properties within the townsites of Cunderdin and Meckering, was completed on 9<sup>th</sup> November 2022. Any properties found to be non-compliant on this date were issued with a \$250.00 infringement penalty for noncompliance to the Shire of Cunderdin Firebreak Notice 2022/23.

### **Comment**

Jonathan Ayoub a director of the company AYB Nominees Pty Ltd who is the owner of the properties located on assessment number A55467, 2 Great Eastern Highway and A55468 , Lot 100 Hodgson Street, contacted the Shire Administration, on the 15<sup>th</sup> November 2022 via phone requesting contacts for contractors that may be able to assist him with the work required to bring the aforementioned properties into compliance with the Firebreak Order.

Malcolm Ayoub, Jonathon's father, co director of AYB Nominees Pty Ltd, owner of the properties, A55467, 2 Great Eastern Highway and A55468 , Lot 100 Hodgson Street, made contact via phone with the administration office in December prior to the Christmas closing period requesting that the infringements he received for non compliance of the Firebreak Notice be written off as the firebreaks had now been completed. I advised Malcom that he would need to make a written request to Council in order for the reversal of his infringement to be considered.



Correspondence from Malcom, director of AYB Nominees Pty Ltd, requesting the reversal of his infringement was received on 7<sup>th</sup> February 2023.

AYB Nominees Pty Ltd have owned the above mentioned properties since 1<sup>st</sup> May 2022 and have not previously needed to attend to any fuel reduction or firebreak requirements as per the annual Shire of Cunderdin Firebreak Notices.

**Consultation**

WA Contract Rangers  
Stuart Hobley, Chief Executive Officer.

**Statutory Implications**

Bush Fires Act 1954  
*Part III – Prevention of Bush fires*  
*Division 6 – General Restrictions, prohibitions and offences*  
*Section 33*

**Policy Implications**

Council Policy Manual  
*5.2 Firebreaks and Fuel Hazard Reduction – Inspection and Prosecution*

**Financial Implications**

Unpaid infringements have an impact on the Council’s outstanding debtors.

**Strategic Implications**

Strategic Community Plan 2022 – 2023  
*Community and Social*  
*1.4 Support emergency services planning, risk mitigation, response and recovery.*

**Resolution 9.6 OCM March 2023**

That Council declines the request to reverse the \$250.00 infringement penalty for noncompliance to the Shire of Cunderdin Firebreak Notice 2022/23.

Moved: Cr B (Bernie) Daly

Seconded: Cr NW (Norm) Jenzen

Vote – Simple majority

Carried: 6/0



## 9.7 Speed Zone Relocation – Cubbine St

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	8 <sup>th</sup> March 2023
<b>Author:</b>	Stuart Hobley
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachments:</b>	Attachment 9.7 – Map of Current Speed Signs

### **Proposal/Summary**

To consider moving the 50km per hour and 80km per hour speed zone signs on Cubbine Street further south.

### **Background**

Council has received complaints requesting that the speed signs on Cubbine Street (coming off the Cunderdin Quairading Road) be moved further north to slow traffic down as it comes into town. It has been requested that the 50km/hr sign replace the 80km/hr sign and the 80km/hr sign move further south.

It is not the first time that Council has received complaints about this section of road, especially at the intersection of Figert Road, where there is limited vision north, and vehicles are coming over the hill at 80km/hr. there have been several near misses on this road.

Main Roads are the ultimate decision maker when it comes to speed changes, however they have advised that in this case it would be possible to move the signs. It is proposed that the Manager of Works liaise with Main Roads to move the speed signs further out of Town to reduce the speed of traffic coming into Town.

### **Comment**

This matter was considered in the Chief Executive Officers Report in December 2022 and Council supported this notion in principle and requested that the MOW liaise with Main Roads to relocate the signs.

Main Roads have advised that this decision is required to be a resolution of Council.

### **Consultation**

Main Roads WA.  
Craig Robertson, Manager of Works & Services  
Stuart Hobley, Chief Executive Officer

### **Statutory Implications**

Nil.

### **Policy Implications**

Nil.

### **Financial Implications**

Nil.

### **Strategic Implications**

Nil.

**Resolution 9.7 OCM March 2023**

That Council advise Main Roads Western Australia that it supports the relocation of the 50km/hr sign to the current location of the 80km/hr sign and that the 80km/hr sign be relocated further south.

Moved: Cr B (Bernie) Daly

Seconded: Cr A (Tony) Smith

Vote – Simple majority

Carried: 5/1

Cr TE (Todd) Harris voted against Item 9.7

Cr NW (Norm) Jenzen left the meeting at 5.45pm and did not return.

## 9.8 Chief Executive Officers Report

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	8 <sup>th</sup> December 2022
<b>Author:</b>	Stuart Hobley
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachments:</b>	Attachment 9.8.1 - Cunderdin Bush Fire Brigade Local Law Attachment 9.8.2 - CEO Report - Bushfire Risk Mitigation Coordinator Attachment 9.8.3 - CEO Report - BRMC Business Plan Template Attachment 9.8.4 - CEO Report - Email RE Bushfire Risk Mitigation Coordinator position Attachment 9.8.5 - CEO Report - LG Grant Agreement - BRMC Template 20220408 v3.0 Attachment 9.8.6 - CEO Report BRMC Overview Attachment 9.8.7 - Private & Confidential - WEROC

### **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**

Earthworks on the lawned area, gardens, playground, drainage and skate are underway. The ninja warrior course has been installed, the footpaths are being laid and the skate park is being formed. The contractor has advised that there are currently no significant delays with the equipment or materials. Project is expected to be completed in May 2023.

##### **Meckering Earthquake Memorial Garden**

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

##### **Cunderdin Golf Club – Shed**

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

##### **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.

### Community Emergency Services Manager (CESM)

The CESM has requested that the Shire consider using a digital format for the issuing of burning permits. The digital burning permits have many advantages over the paper copies that are currently used.

Under the current system most residents call the Shire and request a permit to burn giving the Shire the location numbers. The permit is then electronically sent out to the land resident. The resident is then expected to comply with all of the conditions on the permit, however in many cases the resident would not even look at the permit.

With electronic permits the resident can access it online and is responsible for “ticking” all the boxes acknowledging they have read and understood the conditions of the permit.

The permit is then approved by an officer and the resident is sent a copy of the sign permit.

The Chief Bush Fire Control Officer (Mr Ash Burges) has advised that he supports the move to electronic permits.

It is suggested that the Shire implement electronic permits for a trial period from Monday 20<sup>th</sup> March 2023 to the end of the Restricted Burning Period. The trial can then be discussed at the April BFAC Meeting.

### Cunderdin Industrial Lot Development

Development WA are preparing the final plans for the industrial development and have entered into negotiations with adjoining land holders who have expressed an interest in purchasing a Lot.

It is expected that contracts for the utility works will be let before the end of the financial year.

### Local Government Amendment Bill 2023

The first tranche of the local government reforms will focus on strengthening local democracy, providing greater transparency and accountability by:

- introducing optional preferential voting, bringing local government elections more in line with State and Federal elections
- requiring public election of mayor or president for all larger councils
- abolishing the use of wards for smaller local governments
- aligning the size of councils with the size of the population of each local government area
- enabling reforms to the owners and occupiers roll to prevent the use of ‘sham leases’, addressing critical findings of the City of Perth Inquiry
- setting State-wide caretaker periods during ordinary council elections
- setting standardised council meeting procedures
- mandating live streaming and recording of council meetings
- establishing mandated communications agreements between council members and the local government administration
- enabling reforms to require all local governments to publish information through online registers, including registers that disclose information about local government leases, grants, and goods and services contracts
- introducing new requirements for the publication of performance indicators and results for all local government Chief Executive Officers, with provision for limited exemptions for sensitive matters.

A copy of the Bill, the Second Reading speech, Explanatory Memorandum and a blue bill showing the proposed amendments to the Local Government Act 1995 can be sourced from the [WA Parliament website](#).

This Bill incorporates consultation feedback received from the local government sector, including changing the voting system to optional preferential voting from full preferential voting and adjusting the maximum number of councillors for smaller councils from five (5) to seven (7).

### Establishment of Bush Fire Brigades - Bush Fire Local Law

At the February 2023 Council received correspondence from the Department of Fire and Emergency Services (DFES) that advised that if the Shire had a Bush Fire Brigade that was not established under a Local Law then the Brigade may not be lawful.

Investigations have found that the Shire does have a Bush Fire Local Law that was Gazetted in 1989 (See Attachment). This means that the Shire's Brigades are lawful. The Shire does not have to expediate a new Local Law as it is understood that the new Emergency Services Act that is expected to be ratified in 2023 will remove the need for this requirement.

This issue will be monitored and will come back to Council if required.

*As you are aware, a local government (LG) may establish and maintain bush fire brigades (BFB) as a*

### Bush Fire Risk Mitigation Officer

DFES have advised Council that the Bushfire Risk Management Branch are looking at appointing additional Bushfire Risk Mitigation Coordinators in the 2023-24.

Bushfire Risk Mitigation Coordinators (BRMC) plan, implement and evaluate LG mitigation programs. (MAF) Responsibilities include:

- Prepare and complete annual and long-term mitigation programs.
- Manage grant applications to secure funding for LG mitigation works. Coordinate the completion of treatments with contractors and Brigades.
- Report to LGs on the status and success of their mitigation program. Attached is an overview of the BRMC position.

Council has been advised that its Bush Fire Risk Mitigation Plan is 95% complete and will be completed before the Officer is appointed.

The Job Description, Grant Agreement and Business Plan are attached for Councillors information.

The Goldfields Midlands Region are looking at three LGs sharing the position for the three years. The LGs being Cunderdin, Wongan-Ballidu and Tammin.

DFES have advised that the, Business Development Manager Bushfire Risk Management Branch, is happy to travel to the Region to take you through the BRMC package in more detail if needed.

### Wheatbelt Tourism MOU

The Shire of Cunderdin has been a part of an MOU with the Wheatbelt East Regional Organisation of Councils (WERO) regarding the delivery of tourism services in the region.

At a recent WERO Meeting it was requested the Shire of Merredin (the Shire) develop a proposal for expanding tourism services at the Central Wheatbelt Visitors Centre (CWVC).

The WERO Strategic Plan prioritises tourism product development, and as part of this priority, WERO conducted a Tourism Audit in 2021 to assess options going forward.

Discussions about how to progress the identified actions from the Audit occurred and it was determined that without a dedicated resource, similar to the arrangement NEWROC have with NEWTravel, it would be very difficult to progress any collaborative tourism projects focused on the WERO Shires.

In response, the Shire of Merredin was asked to present a proposal for expanded service offerings at the CWVC. The Shire has met with various WERO Chief Executive Officers (CEOs), had conversations with the WERO Executive Officer, tourism stakeholders and conducted research on possible options for WERO to consider.

There are varied views on the depth of investment which would generate an economic benefit of value. Therefore, to capture the range of views, five options have been identified and costed in this paper for WEROC's consideration. The options range from low cost and low investment, through to high cost and high investment for the region.

The recommended option for consideration, is for the WEROC Executive Officer to work with NEWROC / NEWTravel and investigate the possibility of the WEROC Shires joining Wheatbelt Way. Wheatbelt Way is an established brand with website, app and marketing materials.

Ultimately, the recommendation has been made in the effort towards the long-term sustainable commitment to tourism region wide, without the organisations of Council boundaries. As a single brand and collective effort for tourism in the Wheatbelt, it is the most effective and sustainable option for local government resources; and the most effective way to communicate with our visitors. Further details of the recommendation can be found in both the options section and recommendation section.

Further to this, the recommendation outlines undertaking Option 4 as an interim measure to start investing in itinerary and content development for the WEROC Shires while negotiations take place with NEWROC. The investment in itineraries as an interim will best position WEROC local governments to join Wheatbelt Way.

Lastly, in addition to the WEROC Councils, the Shire of Cunderdin are part of the current MoU with the CWVC. Throughout this document there are references to the tourism option for the WEROC Shires and costing based on the six WEROC Shires. If the Shire of Cunderdin have the appetite to be included in the options in this paper, it is recommended that they continue to be part of the arrangements, and an appropriate contribution is negotiated dependent on the deliverables for Cunderdin in the identified preferred option by WEROC following the consideration of this paper.

The CEO attended a Meeting of the WEROC Councils in Kellerberrin and although no decisions were made at this meeting it was evident that the group has a desire to change from the current model. The CEO will continue to attend WEROC Meetings and will update Council as required.

#### Western Australian Gliding Club

Staff meet with the Western Australian Gliding Club during the month and were updated on the Clubs plans for the future. The Club would like to meet with Council at the April 2023 Council Meeting to discuss their future plans.

#### Cunderdin Bowling Club

The CEO met with Mr Clive Gibson of the Cunderdin Bowling Club to discuss the renewal of the synthetic surface on the "A Green". It is suggested that the Shire appoint a small working group to meet with the Bowling Club to progress this project in a timely manner.

#### **Comment**

Nil.

#### **Consultation**

Nil.

#### **Statutory Implications**

Nil.

#### **Policy Implications**

Nil.

**Financial Implications**

Nil.

**Strategic Implications**

Nil.

**Resolution 9.8 OCM March 2023**

That the Chief Executives Officers Report be received.

Moved: Cr N (Natalie) Snooke

Seconded: Cr B (Bernie) Daly

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 March 2023**

That Council move to accept the late Agenda Items.

Moved: Cr TE (Todd) Harris

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 5/0



### 13.2 CSRFF Small Grants Application – Cunderdin Bowling Club

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	16 <sup>th</sup> March 2023
<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>	Nil
<b>Attachment/s:</b>	Nil

#### **Proposal/Summary**

For council to consider supporting the Community Sports and Recreation Facility Funding Small Grants (CSRFF) Application for the reconstruction of the Bowling Greens at the Cunderdin Bowling Club.

#### **Background**

During the 2022/23 Budget deliberations the Cunderdin Bowling Club requested that Council give consideration to reconstruct Bowling Greens at the Cunderdin Bowling Club.

The bowling greens were constructed as a part of the new Cunderdin Recreation Project in 2012/13. As part of this project Shire of Cunderdin did receive funding from CSRFF – Forward Planning 2011/12 of \$585,000 for construction of eight rink bowling green with lighting, three synthetic tennis courts including lighting and new clubroom facility.

The Bowling Club have advised that they have had issues with the greens from almost day one and the company that installed the greens went out of business soon after finishing the Cunderdin project.

The main issue is the unevenness and cracking in the base course. The Club was advised when the greens were installed that they did not require watering, however due to the extreme temperatures experienced in the Wheatbelt the lack of water has led to the base layer forming significant cracks.

The Shire has had one attempt in 2019 to fix the greens, however this was only partly successful and cost \$16,998.00.

#### **Comment**

The Club has advised that both the “A” and “B” greens are deteriorating at a concerning rate, with “A” green being the worst as it receives the most use. The state of the greens is now meaning that Cunderdin is no longer being considered for League, Zone and State events and an interleague event planned for February 2024 may be relocated from Cunderdin due to the State of the greens.

Due to its location, excellent facilities and the availability of accommodation Cunderdin has been considered for many of these events in the past, but this will not be the case going forward. These events usually attract over 100 visitors to the Club and our town.

Both Greens are not used on a normal bowls day however they are still used for Men’s pennants, Community Bowls and the Golden Pipeline Carnival.

In 2012/13 when the original surface was being installed synthetic greens were still in an experimental phase. Many clubs and communities have suffered a similar fate to that of Cunderdin.

Reticulation will be installed in conjunction with the new surface so that the issue experienced with the base layer are not repeated.

## **Consultation**

Liezl De Beer, Community Development Officer  
Cunderdin Bowling Club  
Department of Sports and Recreation Regional Manager – Sam Cornthwaite

Several meetings have been held between the President of the Bowling Club and the Shire administration.

## **Statutory Implications**

Nil

## **Policy Implications**

Nil

## **Financial Implications**

Council has budgeted \$75,000 in 2022/23 for the replacement of one green. After receiving the quotes for the replacement of the greens there are some savings if it is decided to replace both greens at the same time.

It is estimated that the cost of the project will be approximately \$300,000. The funding from CSRFF is a maximum of one third of the total project cost, with the Shire and the community groups to contribute the remaining amount. This is a maximum of \$100,000 from CSRFF.

As this is a resurfacing project these are not looked upon favourably by CSRFF and the project has already received funding from CSRFF and the facility managers should have sinking funds established for the replacement of the surfaces. Council may wish to apply for less than the maximum amount allowed in order to give it an advantage over other applications.

The budget to replace the greens is as follows

### **Expenditure**

New base layer and synthetic greens	\$250,000
Reticulation	\$20,000
In-kind labour/plant (Shire / Bowling Club)	<u>\$30,000</u>
Total	\$300,000

<u>Income</u>	<u>1/6 CSRFF</u>	<u>¼ CSRFF</u>	<u>1/3 CSRFF</u>
Shire	\$110,000	\$97,500	\$85,000
Bowling Club	\$110,000	\$97,500	\$85,000
In-kind labour/plant (Shire / Bowling Club)	\$30,000	\$30,000	\$30,000
CSRFF	<u>\$50,000</u>	<u>\$75,000</u>	<u>\$100,000</u>
Total	\$300,000	\$300,000	\$300,000

The Shire and the Bowling Club will be able to contribute in kind labour on this project due to its nature.

The Bowling Club has advised that they would be able to fund their contribution to the project. The Shire has budgeted \$75,000 in 2022/23, but would need to allocate a further maximum of \$35,000 in the 2023/24 Budget for a total of \$110,000.

### **Strategic Implications**

#### **Cunderdin Community Strategic Plan**

1.2 A healthy and safe community is planned for

Sport and recreation facilities are upgraded in a planned, cohesive and timely manner

#### **Resolution 13.2 OCM March 2023**

That Council:

1. Endorses the Grant Application for the Reconstruction of the Bowling Greens at the Cunderdin Bowling Club.
2. Submits the grant application to the Department of Sport and Recreation Community Sports and Recreation Facility Funding Small Grants Program for consideration.
3. If grant is successful, will allocate a total of up to \$110,000 in the 2023/24 Budget to complete the project.
4. Appoints Cr NW (Norm) Jenzen, Cr TE (Todd) Harris and the Chief Executive Officer to a working Committee to liaise with the Bowling Club on this project.

Moved: Cr A (Tony) Smith

Seconded: Cr B (Bernie) Daly

Vote – Simple Majority

Carried: 5/0

**14. Scheduling of Meeting**

**14.1 April 2023 Ordinary Meeting**

The next ordinary meeting of council is scheduled to take place on Thursday 27<sup>th</sup> April 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 declared the meeting closed at 6:26pm.


**16. Certification**

**DECLARATION**

I, Alison Harris, certify that the minutes of the Ordinary Council Meeting held on 16<sup>th</sup> March 2023, as shown, were confirmed at the ordinary meeting of Council held on 27<sup>th</sup> April 2023.

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

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



27.4.2023.