



Shire of Cunderdin

Notice of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 18th August 2022** in the Cunderdin Shire Council Chambers, WA, 6407 **commencing at 5.00pm.**

Stuart Hobley
Chief Executive Officer
19th August 2022

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AGENDA

1. Declaration of Opening

The Shire President declared the meeting open at 5:02 pm

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 NW (Norm) Jenzen	
Cr N (Natalie) Snooke	

In Attendance

Stuart Hobley	Chief Executive Officer
Hayley Byrnes	Deputy Chief Executive Officer

Guests of Council

Members of the Public

2.2 Apologies

Cr W (Sam) Stewart

2.3 Leave of Absence Previously Granted

Nil.

3. Public Question Time

Declaration of public question time opened at:

Nil.

Declaration of public question time closed at:

4. Petitions, Deputations & Presentations

Nil.

5. Applications for Leave of Absence

Recommendation 5.1

That Council approve Leave of Absence for Cr N (Natalie) Snooke from 15th September 2022 to 15th September 2022 inclusive

Moved: Cr TE (Todd) Harris

Seconded: Cr NW (Norm) Jenzen

Vote – Simple Majority

Carried: 6/0

6. Confirmation of the Minutes of Previous Meetings

6.1 Ordinary Meeting of Council held on 21st July 2022

Recommendation 6.1

That the Minutes of the Ordinary Council Meeting held on Thursday 21st July 2022 be confirmed as a true and correct record.

Moved: Cr B (Bernie) Daly

Seconded: Cr N (Natalie) Snooke

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

Cr AE (Alison) Harris and Cr TE (Todd) Harris declared a Financial and Proximity Interest in Item 9.10

8. Announcements by President without Discussion

Nil.

9. Finance & Administration

9.1 Financial Reports for July 2022

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	5 th August 2022
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	1 attachment – Monthly Report July 2022

Proposal/Summary

The financial reports as at 31st July 2022 are presented for Councils consideration.

Background

The financial reports have been circulated to all Councillors.

Comment

Nil.

Consultation

Nil.

Statutory Environment

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

Policy Implications

Nil.

Financial Implications

All financial implications are contained within the reports.

Strategic Implications

Nil.

Resolution 9.1

That Council receives the monthly financial reports for the periods ending 31st July 2022.

Moved: Cr A (Tony) Smith

Seconded: Cr NW (Norm) Jenzen

Vote – Simple Majority

Carried: 6/0

9.2 Accounts Paid – 31st July 2022

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	5 th August 2022
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	2 attachments – Accounts paid July 2022 & Credit Card Statement July 2022

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling:

Total for Municipal -	\$227,927.56
Total for Trust -	\$0.00
TOTAL -	\$227,927.56

For June 2022 as listed in the Warrant of Payments for the period 1st to 31st July 2022.

Background

Nil.

Comment

Nil.

Consultation

Nil.

Statutory Environment

In accordance with Financial Management Regulations 12 & 13, a List of all accounts paid or payable shall be presented to Council (Refer Warrant of Payments attached).

Financial Management Regulations 12 & 13.

Policy Implications

Nil.

Financial Implications

All financial implications are contained within the reports.

Strategic Implications

Nil.

Resolution 9.2

1. That Council's payment of accounts amounting to \$227,927.56 being from Municipal Account for July 2022, as follows:

Municipal Account	\$	Total
Electronic Funds Transfer: EFT 6330 - 6394	\$194,722.12	
Direct Debit (Inc Bank Charges):	\$19,961.52	
Cheques: 11810 - 11811	\$13,243.92	
TOTAL		\$227,927.56

be confirmed and noted; and,

2. That the Payments List as presented be incorporated in the Minutes of the Meeting.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr N (Natalie) Snooke

Vote – Simple Majority

Carried: 6/0

9.3 Council Investments – As at 31st July 2022

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Author:	Hayley Byrnes
Report Date:	5 th August 2022
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	1 Attachment- Bank Statements July 2022

Proposal/Summary

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

Background

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

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

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

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

Comment

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

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$495,437.58	Municipal- 0000030	\$495,437.58		
Bendigo Bank	\$2,862,940.64	Municipal- 155971377	\$2,862,940.64		
Westpac Bank	\$146.78	Business Cash Reserve 22-3647 0.50%		\$146.78	
Bendigo Bank	\$2,643.00	Bendigo Trust Account 164 488 686			\$2,643.00
Westpac Bank	\$1.00	Trust Working Account 12-2981			\$1.00
Bendigo Bank	\$1,231,978.86	Term Deposit 3.10% Exp 10 Jan 2023		\$1,231,978.86	
TOTAL INVESTMENTS	\$4,593,147.86		\$3,358,378.22	\$1,232,125.64	\$2,644.00

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

CUNDERDIN COMMUNITY TRUST DETAILS		
<u>INTEREST ACCOUNT</u>		
31 July 2022		
Opening Balance as per Bank Statement & Term Deposits		
	Term Deposit# 3864655	169,855.00
	TOTAL	169,855.00
Credits		340.64
Debits		0.00
Closing Balance as Per Bank Statements & Term Deposits		
	TOTAL	170,195.64
INCOMING		
		0.00
		0.00
OUTGOING		
		0.00
Balance as at end of month		
	TOTAL	170,195.64

CUNDERDIN COMMUNITY TRUST DETAILS		
<u>CAPITAL ACCOUNT</u>		
31 July 2022		
Opening Balance as per Bank Statement & Term Deposits		
	Term Deposit# 3864633	369,862.05
	TOTAL	369,862.05
Credits		741.75
Debits		0.00
Closing Balance as Per Bank Statements & Term Deposits		
	TOTAL	370,603.80
INCOMING		
		0.00
		0.00
OUTGOING		
		0.00
Balance as at end of month		
	TOTAL	370,603.80

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

That the report on Council investments as at 31st July 2022 be received and noted.

Moved: Cr B (Bernie) Daly

Seconded: Cr TE (Todd) Harris

Vote – Simple Majority

Carried: 6/0

9.4 Shire of Cunderdin Quarterly Risk Management Report

Location:	Shire of Cunderdin
Applicant:	Administration
Date:	10 th August 2022
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	1 x Attachment

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 endorsed 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

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 Goldfields Water Supply Scheme – Heritage Listing

Location:	Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	5 th August 2022
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	Attachment 9.4 – Fact Sheet

Proposal/Summary

This report seeks Council's support for the proposed listing of the Goldfields Water Supply Scheme on the Register of Heritage Places as proposed by the Department of Planning, Lands & Heritage.

Background

The Heritage Council of Western Australia recently considered the draft assessment, including a proposed Statement of Significance, for Goldfields Water Supply Scheme and resolved that:

- the place has cultural heritage significance pursuant to s.38 of the Heritage Act 2018; and,
- consultation should be undertaken on the proposal to enter the place in the Register of Heritage Places and the content of the draft Statement of Cultural Heritage Significance.

Comment

A Fact Sheet with details of the proposal have been attached for Councillor information.

Consultation

Nil.

Statutory Implications

Local Government Act 1995

Policy Implications

Council does not have a policy in relation to this matter.

Financial Implications

Nil.

Strategic Implications

Nil.

Resolution 9.5

That Council not support the proposed listing of the Goldfields Water Supply Scheme on the register of Heritage Places as proposed by the Department of Planning, Lands & Heritage as it would be too restrictive for future use.

Moved: Cr A (Tony) Smith

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 6/0

9.6 Shire of Cunderdin BFAC meeting minutes

Location:	Cunderdin
Applicant:	Bush Fire Advisory Committee
Date:	5 th August 2022
Author:	Hayley Byrnes
Item Approved By:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 9.6 BFAC minutes

Proposal/Summary

Council to receive the minutes of the Bush Fire Advisory Committee (BFAC) Meeting held on Wednesday 29th June 2022.

Background

A copy of the Bush Fire Advisory Committee Minutes have been circulated to all Councillors.

Comment

Under the Regulation of the Bush Fires Act 1954, The Bush Fire Advisory Committee meets twice a year, once pre-season, and another post season.

Consultation

Stuart Hobley – Chief Executive Officer

Statutory Environment

Bush Fire Act 1954

Policy Implications

Shire of Cunderdin Policy Manual – Fire Control (Section 5)

Financial Implications

There are no financial implications in considering this item.

Strategic Implications

There are no strategic implications in considering this item.

Resolution 9.6

That the Minutes of the Bush Fire Advisory Committee held on 29th June 2022, be received.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr B (Bernie) Daly

Vote – Absolute majority

Carried: 6/0

9.7 Transfer land to Local Government – 24 Moore North Road Meckering and 20 Watts Street Meckering

Location:	Cunderdin
Applicant:	Finance and Property Assistant - Executive Services
Date:	9 th August 2022
Author:	Brooke Davidson
Item Approved by:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	NIL
File Reference:	A53675 & A54849
Attachment/s:	MAPS

Proposal/Summary

For Council to review and approve the transfer of Assessment A53675, known as 24 Moore North Road Meckering and being lot 245 on Plan 222787 and Assessment A54849, known as 20 Watts Street Meckering and being lot 247 on Plan 222787 to the Shire of Cunderdin.

Background

Council, at its Ordinary Council Meeting 15th February 2018, resolved;

1. That Council, pursuant to Section 6.64 (1)(b) of the *Local Government Act 1995*, proceed to sale of assessments A53560, A53602, A53614, A53616, A53667, A53669, **A53675**, **A54849** and A53679.

The properties are owned by Mr Damian Renshaw. Legal action commenced with AMPAC Debt Recovery in 2018 and a Judgement Debt for each property was obtained on the 12th July 2018. Due to Councils Budget, the matter was held at Judgement stage.

In October 2020, advice was sought from McLeods Lawyers in relation to the sale of the properties. A Skip Trace was carried out confirming Mr Renshaw's current whereabouts and a letter confirming the Judgement Debt was sent to his address.

A Search of the Certificate of Titles showed Memorials lodged by the Department of Justice under the *Fines, Penalties and Infringement Notices Enforcement Act 1994*. The outstanding debt owed to the Department of Justice from Mr Renshaw is \$71,840.10. In the event of a successful sale, any surplus funds remaining after the Shire has covered its outstanding costs, are to be transferred to the Department of Justice.

The required steps were undertaken under the *Local Government Act 1995* and a Form 2, 3, 4 and 5 were issued by the Shire to take possession of the properties.

An appraisal of the land was arranged by Landmark Livestock & Land, which determined that the land value is between \$5,000 - \$8,000.

Council, at its Ordinary Meeting held 20th May 2021, resolved;

1. To set a reserve for A53675, being 24 Moore North Road, Meckering at \$5,000 for the auction to be held 9th June 2021; and
2. To set a reserve for A54849, being 20 Watts Street, Meckering at \$5,000 for the auction to be held 9th June 2021.

An auction date was set for the 9th June 2021, where the property was offered by public auction for sale. The land was passed in at auction.

Comment

Under the powers of the *Local Government Act 1995*, if at the expiration of 12 months and a contract for sale of the land, has not been entered into by the local government, it may transfer the land to itself.

A Transfer of Land document is required to be completed by the President and Chief Executive Officer, with the Common Seal to be affixed.

Council would also be required to write off the outstanding debt associated with the properties, currently at a combined \$28,251.04

The Shire has recently contacted the Department of Justice to advise that the land was passed in at auction 9th June 2021 and of the Shires intent to transfer the land to the local government. The Department of Justice approved to have the Memorials withdrawn from the title and executed the required documentation. The Withdrawal documentation has been sent to McLeods Barristers and Solicitors to lodge with Landgate.

Consultation

AMPAC Debt Recovery
McLeods Barristers and Solicitors
Landmark Livestock and Land
Department of Justice

Statutory Implications

LOCAL GOVERNMENT ACT 1995 - SECT 6.64

6.64 . Actions to be taken

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
 - (a) from time to time lease the land; or
 - (b) sell the land; or
 - (c) cause the land to be transferred to the Crown; or
 - (d) cause the land to be transferred to itself.
- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
- (3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

6.71. Power to transfer land to Crown or to local government

- (1) If under this Subdivision land is offered for sale but at the expiration of 12 months a contract for the sale of the land has not been entered into by the local government, it may by transfer, where the land is subject to the provisions of the *Transfer of Land Act 1893*, and by deed, where the land is not subject to the provisions of that Act, transfer or convey the estate in fee simple in the land to —
 - (a) the Crown in right of the State; or
 - (b) the local government.
- (2) When a local government exercises the power referred to in subsection (1)(a) in relation to any land all encumbrances affecting the land are, by virtue of this section of no further force or effect against that land and the Registrar of Titles or the Registrar of Deeds and Transfers, as the case requires, is to give effect to this section.

- (3) When exercising the power referred to in subsection (1)(b) the local government is required to pay the sum secured by, or payable under, a mortgage, lease, tenancy, encumbrance or charge in favour of the Crown in right of the State or a department, agency, or instrumentality of the Crown in right of the State.
- (4) Schedule 6.3 has effect in relation to the exercise of the power referred to in subsection (1).

Policy Implications

Nil.

Financial Implications

The Assessments currently have outstanding rates and charges as below, which are required to be written off when transferred to the Shire.

A53675 – 24 Moore North Road: \$14,278.08

A54849 – 20 Watts Street: \$13,972.96

Strategic Implications

Cunderdin Community Strategic Plan

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

Social

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

Environmental

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

Economic

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

Resolution 9.7

That Council authorises the Chief Executive Officer:

1. Accept the land being assessment A53675, known as 24 Moore North Road, Meckering and being Lot 245 on Plan 222787; and,
2. Accept the land being Assessment A54849, known as 20 Watts Street, Meckering and being Lot 247 on Plan 222787; and,
3. Write off all outstanding rates and charges associated with the property, including accumulated interest; and,
4. That the President and Chief Executive Officer be authorized to sign and affix the Common Seal to the Transfer of Land documents.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr TE (Todd) Harris

Vote – Simple majority

Carried: 6/0

9.8 Proposed RAV Upgrade

Location:	Shire of Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	11 th August 2022
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	RAV Assessment Vehicle

Proposal/Summary

Council is requested to consider the proposed RAV upgrade of the Shire of Cunderdin's road network as detailed below:

Background

Heavy Vehicle Services (HVS) has received an application to add the following section of roads onto the Restricted Access Vehicle (RAV) Network RAV N7.3:

Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
4060007	Woonwooring Rd	(0.00)	(15.61)	RAV 6	RAV 7
4060005	Mt Anne Rd	(12.13)	(13.70)	RAV 6 *	RAV 7
4060105	Moore North Rd	(0.00)	(1.44)	RAV 4	RAV 7
4060117	Wilson St	(0.00)	(1.63)	Nil	RAV 7
4060051	Coline Rd	(0.00)	(8.10)	RAV 4	RAV 7
4060002	Goomalling_ Meckering Rd	(0.00)	(9.43)	RAV 4	RAV 7
4060015	Antonio Rd	(0.00)	(11.68)	RAV4	RAV 7

* Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.

The applicant has advised Main Roads the requested RAV Network 7 access is for Agriculture Haulage.

If the road is deemed unsuitable to be added to the relevant RAV network when assessed it may be considered for a Restricted Local Access Permit (RLAP). This permit is for individual access to a road with a specific combination and with suitable conditions to mitigate any risk.

Comment

Main Roads HVS have asked if the Shire will support amending the classification of this road under the Restricted Access Vehicle (RAV) Network.

For the process to move ahead the Shire will need;

- Support to have the road assessed with the view to upgrading the RAV classification of these road;
- or
- Decline the request

1. If the Shire is in favour of supporting the request, HVS will assess the mentioned road and a condition report will be sent to the Shire on its findings.

2. If the road is suitable and is to the RAV requirements it then will be added to the network as per the requested RAV rating.
3. Any road that requires maintenance or works will not be added to the network until the condition of the road is to the requirements of the assessment. (Noting that either the applicant or the shire will need to get the road to the required standard) for it to be upgraded to the RAV rating.

Any upgrade will require increased on-going maintenance.

Craig Robertson, Manager of Works and Services has provided below comment on the conditions of the roads:

Woonwooring Road : the T Section kerbs will need to be moved, there is also a sealed floodway along the gravel section that is narrow and may cause concern with on coming traffic.

Mt Anne Road : Nothing too serious.

North Road : I believe is the road leading to CBH in Meckering , nothing too serious.

Wilson Street : is a town Street and feel as such shouldn't be used by heavy vehicles due to turning radius at both ends of this road, not to mention some angled trees that maybe and issue.

Coline Road : goes to paddocks , some tight curves and minimal gravel coverage.

Goomalling – Meckering Road : is ok.

Antonio Road : is ok with although there is minimal sight distance around some areas.

Consultation

Main Roads Heavy Vehicle Service (HVS)
Mr Stuart Hobley, Chief Executive Officer
Mr Craig Robertson, Manager of Works and Services

Statutory Implications

Road Traffic (Vehicles) Act, 2012

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Environmental – roadside vegetation
Infrastructure – appropriate for local business operations

Resolution 9.8

That Council:

1. Accept the request for the amendment of the RAV rating of Woonwooring Road (0.00slk – 15.61slk) for the purpose of the Restricted Access Vehicle (RAV) Network;
2. Accept the request for the amendment of the RAV rating of Mt Anne Road (12.13slk – 13.70slk) for the purpose of the Restricted Access Vehicle (RAV) Network;
3. Accept the request for the amendment of the RAV rating of Moore North Road (0.00slk – 1.44slk) for the purpose of the Restricted Access Vehicle (RAV) Network;
4. Decline the request for the amendment of the RAV rating of Wilson Street (0.00slk – 1.63slk) for the purpose of the Restricted Access Vehicle (RAV) Network;
5. Accept the request for the amendment of the RAV rating of Coline Road (0.00slk – 8.10slk) for the purpose of the Restricted Access Vehicle (RAV) Network;
6. Accept the request for the amendment of the RAV rating of Goomalling-Meckering Rd (0.00slk – 9.43slk) for the purpose of the Restricted Access Vehicle (RAV) Network;
7. Accept the request for the amendment of the RAV rating of Antonio Road (0.00slk – 11.68slk) for the purpose of the Restricted Access Vehicle (RAV) Network;
8. Advise Main Roads – Heavy Vehicle services that it supports having the above mentioned road assessed.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr B (Bernie) Daly

Vote – Simple majority

Carried: 6/0

9.9 Move Behind Closed Doors

Resolution 9.9 OCM August 2022

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

Moved: Cr B (Bernie) Daly

Seconded: Cr A (Tony) Smith

Vote – Simple Majority

Carried: 6/0

Cr AE (Alison) Harris and Cr TE (Todd) Harris left the room at 5:42pm

9.10 Confidential Item- Purchase Land- Lots 45,46,47 & 48 Hodgson Street, Cunderdin

Location:	Shire of Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	11 th August 2022
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Agenda Item and attachments were dispersed to Councillors without an Interest, individually.
	Minutes for this item including recommendation will be released at a later date.

9.11 Move from Behind Closed Doors

Resolution 9.11 OCM August 2022

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

Moved: Cr A (Tony) Smith

Seconded: Cr N (Natalie) Snooke

Vote – Simple Majority

Carried: 4/0

Cr AE (Alison) Harris and Cr TE (Todd) Harris returned to the room at 5:53pm

9.12 Chief Executive Officers Report

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	17 th June 2022
Author:	Stuart Hobley
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

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

Background

Old Hospital Site and Ian Roberts Lodge

Demolition has been completed without incident at the Old Hospital Site.

There has been several parties interested in using Ian Roberts Lodge. Shire staff are meeting with contractors to obtain quotes to complete the necessary renovation work before they are ready to be leased out.

Local Roads and Community Infrastructure Program Projects

Round 1 Projects

All projects Completed.

Round 2 Projects

All aspects of the LRCIP funding have been completed.

Cunderdin Industrial Lot Development

Development WA have advised that following a thorough review of the application, the Development WA Board has approved the business cases for Cunderdin Light Industrial Area Stage 2.

The project will now progress to the next stage, which includes securing access to the land and obtaining all necessary statutory approvals and finalising detailed engineering design. Once all these approvals are in place, we will tender and deliver the works to align with available RDAP funds.

Regional Airports Development Scheme (RADS)

The airport lights have been installed and the night testing has been completed. The project was completed on budget and two months ahead of time.

Meckering Sporting Club Roof

The replacement of the Meckering Sports Club Roof will commence in the week of the 18th July 2022. The project is expected to be completed within 4 weeks. The Shire has been liaising with the Meckering Sporting Club throughout this process.

Local Government Reform

The State Government has announced the final package of reforms to the Local Government Act 1995, following a review of public submissions.

The announcement, made on 3 July 2022 is the most significant package of reforms for WA local government since the Local Government Act 1995 was passed more than 25 years ago.

The reforms are based on six themes:

- Earlier intervention, effective regulation and stronger penalties
- Reducing red tape, increasing consistency and simplicity
- Greater transparency and accountability
- Stronger local democracy and community engagement
- Clear roles and responsibilities
- Improved financial management and reporting.

The Department of Local Government, Sport and Cultural Industries has developed a series of fact sheets to guide local governments and community members through the reform package, available on the website.

Further information on the impact of the reforms will be provided to Council in the future.

Cunderdin Waste Transfer Station (CWTS) Gates

The installation of the new automatic gates at the CWTS is complete. There was a technical issue with the installation of the software and this will be finalised shortly.

New pass cards for the CWTS will be issued with the rates notices so residents which will allow residents to access the CWTS at times when the CWTS is not manned. The attendant will remain at the CWTS for at least two months to deal with any issues that arise with the new system.

Comment

Nil.

Consultation

Nil.

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

Resolution 9.12

That the Chief Executives Officers Report be received.

Moved: Cr A (Tony) Smith

Seconded: Cr NW (Norm) Jenzen

Vote – Simple majority

Carried: 6/0

10. Environmental Health and Building

Nil Items.

11. Planning & Development

Nil Items.

12. Works & Services

Nil Items.

13. Urgent Items

13.1 2022/2023 Stabilising Program

Location:	Cunderdin
Applicant:	Manager of Works and Services
Date:	12 th August 2022
Author:	Hayley Byrnes, Craig Robertson
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	1 x Attachment

Proposal/Summary

For Council to consider the five (5) supplier responses for the Shire of Cunderdin 2022/2023 Stabilising Programme as per eQuotes completed via Vendor Panel VP314210.

Background

The Shire of Cunderdin has called for Tenders via the WALGA Preferred Supplier eQuote for the 2022/23 Stabilising Programme.

At the 21st July 2022 Ordinary Council Meeting, Council resolved to adopt the Shire of Cunderdin Budget for 2022/23. This includes upcoming scheduled road works on Goldfields Rd, Meckering-Goomalling Rd and Minnivale Rd.

Tenders were completed via the WALGA Preferred Supplier eQuote system and closed on the 5th August 2022 at 4pm.

Comment

The works and specifications are as follows:

Goldfields Rd – 5.00slk to 9.46slk Various pavement repairs via stabilisation to assist with base course correction ready for sealing , ready for March 2023.

Meckering-Goomalling Rd – 6.25slk to 0.00slk correction of current base course failures and stabilisation practices to help stiffen the newly imported material readying a base for sealing .

Minnivale Rd- 11.34slk to 16.34slk correction to some small areas to assist with a suitable sealing area.

Gabbity place 0.00 – 0.300slk provide a stabilising treatment to assist with strengthening the base course ready for sealing.

The Shire received 5 Supplier Responses with 5 submissions, being from;

- Downer infrastructure
- Western Stabilisers Pty Ltd
- Stabilised Pavements of Australia
- WCP Civil Pty Ltd
- MACA

After reviewing and assessing the submission in accordance with *Local Government (Functions and General) Regulations 1996*, the scoring on the selection criteria was undertaken by Council Staff.

Consultation

Stuart Hobley, Chief Executive Officer
Craig Robertson, Manager of Works and Services.
WALGA preferred supplier panel.

Statutory Environment

Local Government (Functions and General) Regulations 1996
Regulations 11 to 24 deals with tenders for providing goods and services in detail.

Policy Implications

Shire of Cunderdin Policy
3.1 Purchasing Framework

Financial Implications

Refer to the eQuote summary attachment.

Strategic Implications

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

Resolution 13.1 OCM August 2022

That Council:

1. Accepts the Tender submitted by Downer as per the attached schedule.
2. That the President and Chief Executive Officer be authorised to sign and affix the Common Seal to the Contract Agreement for eQuote VP314210 – 2022/2023 Stabilising Programme
3. That all other tenders be advised of (1) above.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr TE (Todd) Harris

Vote – Simple majority

Carried: 6/0

14. Scheduling of Meeting

14.1 September 2022 Ordinary Meeting

The next ordinary meeting of council is scheduled to take place on Thursday 15th September 2022 commencing at 5:00pm at the Cunderdin Shire Council Chambers, Cunderdin, WA 6407.


15. Closure of meeting

There being no further business the Shire President will declare the meeting closed at 6:19 pm.

16. Certification

DECLARATION

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

Signed: 

Date: 15/9/2022