



Shire of Cunderdin

Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 20th May 2021** in the Council Chambers, Lundy Avenue, Cunderdin WA, 6407 **commencing at 5.00pm**

Stuart Hobley
Chief Executive Officer
20th May 2021

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MINUTES

1. Declaration of Opening

The President declared the meeting open at 5:01 pm

The Shire of Cunderdin disclaimer was read aloud by Cr Todd 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 DA (Dennis) Whisson	Shire President
Cr AE (Alison) Harris	Deputy President
Cr TE (Todd) Harris	
Cr NW (Norm) Jenzen	
Cr W (Sam) Stewart	
Cr A (Tony) Smith	

In Attendance

Stuart Hobley	Chief Executive Officer
Hayley Byrnes	Deputy Chief Executive Officer
Lauren Cole	Governance and Compliance Office

Guests of Council

Nil

Members of the Public

Nil

2.2 Apologies

Nil

2.3 Leave of Absence Previously Granted

Cr B (Bernie) Daly

3. Public Question Time

Nil.

4. Petitions, Deputations & Presentations

Nil.

5. Applications for Leave of Absence

Nil.

6. Confirmation of the Minutes of Previous Meetings

6.1 Ordinary Meeting of Council held on 15th April 2021

Resolution 6.1 OCM May 2021

That the Minutes of the Ordinary Council Meeting held on Thursday 15th April 2021 be confirmed as a true and correct record.

Moved: Cr AE (Alison) Harris

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.

6.2 Bushfire Advisory Committee Meeting Minutes held on 13th April 2021

Resolution 6.2 OCM May 2021

That the Minutes of the Bushfire Advisory Committee Meeting Minutes held on Tuesday 13th April 2021, be noted.

Moved: Cr TE (Todd) Harris

Seconded: Cr NW (Norm) Jenzen

Vote – Simple Majority

Carried: 6/0

7. Declaration of Members and Officers Interests

- Cr Alison Harris declared an Financial Interest on item 9.15 Justice of the Peace application.
Disclaimer from Cr Alison Harris: The Justice of the Peace is a Voluntary position. I am required to declare a Financial Interest to enable me to leave the room for discussion and voting. There is not financial benefit for a Justice of the Peace.
- Cr Todd Harris declared a Financial Interest on item 9.15 Justice of the Peace application.

8. Announcements by President without Discussion

Nil

9 Finance & Administration

9.1 Financial Reports for April 2021

Location:	Cunderdin
Applicant:	Manager of Corporate Services and Finance
Date:	11 May 2021
Author:	Hayley Byrnes
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	2 attachments – Monthly Report April 2021 and Rates Report

Proposal/Summary

The financial reports as at 30 April 2021 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 OCM May 2021

That Council receives the monthly financial reports for the periods ending 30 April 2021.

Moved: Cr AE (Alison) Harris

Seconded: Cr A (Tony) Smith

Vote – Simple Majority

Carried: 6/0

9.2 Accounts Paid – April 2021

Location:	Cunderdin
Applicant:	Manager of Corporate Service and Finance
Author:	Hayley Byrnes
Report Date:	11 May 2021
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	2 attachments – Creditors list of payments April 2021 Credit Card Statement April 2021

Proposal/Summary

Council is requested to confirm the payment of Accounts totalling:

Total for Municipal - \$641,701.01

Total for Trust - \$0.00

TOTAL - \$641,701.01

For April 2020 as listed in the Warrant of Payments for the period 1st to 30th April 2021.

Background

Nil.

Comment

Nil.

Consultation

Nil.

Statutory Environment

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

Financial Management Regulations 12 & 13.

Policy Implications

Nil.

Financial Implications

All financial implications are contained within the reports.

Strategic Implications

Nil.

Resolution 9.2 OCM May 2021

1. That Council's payment of accounts amounting to \$641,701.01 being from Municipal Account for April 2021, as follows:

Municipal Account	\$	Total
Electronic Funds Transfer: EFT 5000 – 5088	\$587,948.75	
Direct Debit (Inc Bank Charges): DD2153.1-DD2154.10	\$13,002.02	
Cheques: 11713-11721	\$40,750.24	
TOTAL		\$641,701.01

be confirmed and noted; and,

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

Moved: Cr W (Sam) Stewart

Seconded: Cr AE (Alison) Harris

Vote – Simple Majority

Carried: 6 /0

9.3 Council Investments – As at 30th April 2021

Location:	Cunderdin
Applicant:	Manager of Corporate Services
Author:	Hayley Byrnes
Report Date:	11 May 2021
Item Approved By:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	1 Attachment- Bank Statements April 2021

Proposal/Summary

To inform Council of its investments as at 30th April 2021.

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 30th April 2021.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$402,701.65	Municipal- 0000030	\$402,701.65		
Bendigo Bank	\$1,150,702.41	Municipal- 155971377	\$292,403.40	\$858,299.01	
Westpac Bank	\$146.78	Business Cash Reserve 22-3647 0.50%		\$146.78	
Bendigo Bank	\$992.00	Bendigo Trust Account 164 488 686			\$992.00
Westpac Bank	\$1.00	Trust Working Account 12-2981			\$1.00
Bendigo Bank	\$252,248.27	Bendigo Term Deposit 0.20% Expires:28/06/2021	\$252,248.27		
Westpac Bank	\$252,246.54	Westpac Term Deposit 0.10% Expires:28/06/2021	\$252,246.54		
TOTAL INVESTMENTS	\$505,634.59		\$504,494.81	\$146.78	\$993.00

In addition to the above Shire funds, the Shire administers the Cunderdin Community Centre Trust Account being Westpac Account 000 073 - \$ 96,974.42 and Bendigo Account Ref: 3030072 – \$ 451,547.58.

CUNDERDIN COMMUNITY TRUST DETAILS		
30th April 2021		
Opening Balance as per Bank Statement & Term Deposits	INVESTMENT ACC	96,974.42
	TERM DEPOSIT	451,547.58
	TOTAL	548,522.00
Credits		0.00
Debits		0.00
Closing Balance as Per Bank Statements & Term Deposits	TOTAL	548,522.00
INCOMING		
<i>Interest (Investment account)</i>		0.00
		0.00
OUTGOING		
		0.00
Balance as at end of month	TOTAL	548,522.00

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 May 2021

That the report on Council investments as at 30th April 2021 be received and noted.

Moved: Cr TE (Todd) Harris

Seconded: Cr A (Tony) Smith

Vote – Simple Majority

Carried: 6/0

9.4 Budget Amendment – Sale and purchase of properties

Location:	Cunderdin
Applicant:	Administration
Date:	31 st March 2021
Author:	Lauren Cole
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

For Council to review the Budget amendment for;

- Sale of Lots 159,160 and 161 on DP 222359.
- Sale of 81 Mitchell Street
- Purchase of 30 Mitchell Street

Background

At the Ordinary Council Meeting February 2020, Council resolved to purchase Lots 159,160 and 161 from Department of Planning, Lands and Heritage for \$70,000.

The Shire received the Certificate of Titles on the 14th September 2020 and resolved at the November 2020 Ordinary Council Meeting to dispose of the asset and advertise via expression of interest.

Council received an offer to purchase the property and reviewed the matter at the Ordinary Council Meeting March 2021, and resolved the following;

Resolution 13.5 OCM March 2021

That Council authorises the Chief Executive Officer:

- 1. To accept the offer of \$353,000 and the associated contract of sale.*
- 2. Authorise the CEO and President to sign the contract of sale for Lots 159,160 and 161 on Deposited Plan 222359;*
- 3. Mr Draffin be advised that the Shire would be required to comply with section 3.58 of the Local Government Act, before any contract for sale is entered into.*
- 4. That the net proceeds from the sale of the building be transferred into the Building Reserve, and that a future budget item be presented to Council to detail the amendment.*

Council also resolved at the March Ordinary Council Meeting;

Resolution 9.8 OCM March 2021

That Council authorises the Chief Executive Officer:

1. To accept the offer of \$115,000.00 and the accepted contract of sale.
2. Authorise the CEO and President to sign the contract of sale for 81 Mitchell Street.
3. Mrs Halse be advised that the Shire would be required to comply with section 3.58 of the Local Government Act, before any contract for sale is entered into.
4. Council agree to rent the property at a weekly rental for \$200/week from acceptance of offer.

And;

Resolution 9.9 OCM March 2021

That Council authorises the Chief Executive Officer:

1. To accept the offer from Ms Naomi Paraskov and Ms Suzanne Wilson of \$40,000 to purchase their property at 30 Mitchell Street, Cunderdin; and,
2. Agree to pay all costs associated with the settlement of the property; and,
3. That the President and Chief Executive Officer be authorised to sign and affix the Common Seal to the Transfer of Land documents.

Comment

Council, in the 2020/2021 Budget allowed for;

- \$40,000 to demolish the building at 81 Mitchell Street.
- It was not budgeted to purchase 30 Mitchell Street.
- It was not budgeted to sell 81 Mitchell Street.
- It was not budgeted to sell Lots 159,160 and 161 on DP 222359.

Consultation

Mr Stuart Hoble, Chief Executive Officer

Mrs Hayley Byrnes, Deputy Chief Executive Officer

Statutory Environment

Section 3.58 of the *Local Government Act 1995* describes the requirement of Disposing of Property.

Policy Implications

Nil.

Financial Implications

Lots 159, 160 and 161 on DP 222359

The funds received from the sale are not budgeted for. It is recommended that the net proceeds from the sale of the building be placed into the Building Reserve to be used to construct new housing in the 2021/2022 Budget.

Finalised Funds:

Sale price	\$353,000.00
Fees	\$ 7,283.05
Replace Locks	\$ 1,000.00

Net proceeds: **\$344,716.95**

81 Mitchell Street & 30 Mitchell Street

Council had budgeted to demolish 81 Mitchell Street at a cost of \$40,000.00. With the house not being demolished the income could be used to fund another project or placed in the Building Reserve.

Council had not budgeted to purchase 30 Mitchell Street, however are planning to use the funds received from the Sale of 81 Mitchell Street to fund the purchase and demolition require. As per the costs below.

Finalised Funds:

Sale of 81 Mitchell St	\$115,000.00
Purchase of 30 Mitchell St	\$ 40,000.00
Demolish of 30 Mitchell St	\$ 20,000.00
Fees and Charges for both settlements	\$ 5,925.00
Subdivision and Development Costs	\$ 10,000.00

Estimated Net proceeds: \$ 39,075.00

Strategic Implications

Shire of Cunderdin Strategic Community Plan

Civic Leadership

CL5 – Objective 1

Deliver sustainable governance through transparent and robust policy and processes.

CL5 – Objective 2

Undertake the civic duties of Council with the highest degree of ethics.

CL5 – Objective 5

Improve organisational planning, processes and systems.

Resolution 9.4 OCM May 2021

That Council transfer \$380,000.00 into the Shire of Cunderdin Building Reserve.

Moved: Cr AE (Alison) Harris

Seconded: Cr A (Tony) Smith

Vote – Absolute majority

Carried: 6/0

9.5 Property and Rates – 3 Year Sale: Lot 296 Cameron Street and Lot 285 Collins Street, Meckering

Location:	Cunderdin
Applicant:	Finance Officer
Date:	5 th May 2021
Author:	Brooke Davidson
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	NIL
File Reference:	A53602 & A53614
Attachment/s:	Attachment – Map Lot 285 Collins Street Attachment – Map Lot 296 Cameron Street

Proposal/Summary

Pursuant to section 6.64(1)(c) of the Local Government Act 1995, utilise McLeods Lawyers to cause the land contained within assessment A53602, known as Lot 296 on Plan 222787, Cameron Street Meckering and A53614, known as lot 285 on Plan 222787, Collins Street Meckering, which have rates and services unpaid for at least 3 years, to be transferred to the Crown.

Background

Council, at its Ordinary Meeting February 2018, resolved that;

Resolution 9.4

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

Legal action commenced shortly after on the two assessments owned by Mr Mark Nugent. A Judgement Order was awarded September 2018 on both properties for the debt, however further action was paused at this stage, due to budget.

Council, at its Ordinary Meeting October 2020, resolved that;

Resolution 9.4 OCM October 2020

That Council:

- 1. Accept the land offer from Mr Mark Nugent being Assessment A53602, Lot 296 on Plan 222787, and Assessment A53614, Lot 285 on Plan 222787 and in return agree to write off all rates and charges associated with the property; and,*
- 2. Accept the land offer from Ms Evelyn Parnell being Assessment A53543, Lots 248 & 281 on Plan 222787, and in return agree to write off all rates and charges associated with the property; and,*
- 3. Accept the land offer from Mr Robert Young being Assessment A53600, Lot 291 on P222787, and Assessment A53601, Lot 292 on P222787 and in return agree to write off all rates and charges associated with the property; and*
- 4. Agree to pay all fees and costs associated with the settlement of these property's; and*
- 5. That the President and Chief Executive Officer be authorised to sign and affix the Common Seal to the Transfer of Land documents.*

Mr Nugent completed an Offer and Acceptance document and returned it to the Shire. There was a caveat on the title from the Official Trustee in Bankruptcy, who agreed to withdraw their caveat.

There was also a private mortgage on the title. One of the mortgagees completing the required discharge of mortgage documents, however one of the mortgagees was deceased. Contact was made with the deceased

mortgagees son, who was executer of his father's estate and also completed the discharge of mortgage documents.

Unfortunately, the Settlement agent and McLeod's Lawyers advised that as the mortgagee's son had never registered for Probate for his father's estate, he could not legally complete the discharge of mortgage forms. The son was also not willing to register for probate. This meant that the Shire was unable to proceed with the sale of the property.

Comment

Further advice was sought from McLeod's Lawyers if there was any way to finalise the sale process, however there was not. The only option that remained was for the Shire to commence the 3 Year Sale process to have the land revested in the Crown.

As the Shire commenced legal action in 2018, and the Judgement was awarded in September 2018, the Shire is still within the requirements of Section 6.68 of the *Local Government Act 1995*:

6.68. Exercise of power to sell land

- (1) Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the ***power of sale***) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.

Mr Nugent's blocks are located in the catchment of the Mortlock River and are prone to flooding in winter, are very hard to access and have no surveying or fencing.

Consultation

AMPAC Debt Recovery

McLeods Lawyers

Official Trustee in Bankruptcy

Statutory Implications

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.

6.68. Exercise of power to sell land

- (1) Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the ***power of sale***) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.

Policy Implications

Nil.

Financial Implications

There is likely to be approximately \$5,000 in lawyers costs associated with the assistance in carrying out the sale process of this block.

When the property is revested to the Crown, all rates, charges and associated legal costs will be written off. The current outstanding charges for the properties are;

A53062	\$21,418.02
A53614	\$18,902.87

Strategic Implications

CL5-Objective 4 Ensure sound long term financial management and deliver value for money. IT5.5.4 Risk Management

Resolution 9.5 OCM May 2021

That Council authorises the Chief Executive Officer:

1. Pursuant to section 6.64(1)(c) of the Local Government Act 1995, utilise McLeods Lawyers to cause the land contained within assessment A53602, known as Lot 296 on Plan 222787, Cameron Street Meckering and A53614, known as lot 285 on Plan 222787, Collins Street Meckering, which have rates and services unpaid for at least 3 years, to be transferred to the Crown.

Moved: Cr AE (Alison) Harris

Seconded: Cr W (Sam) Stewart

Vote – Simple majority

Carried: 6/0

9.6 Move Behind Closed Doors

Resolution 9.6 OCM May 2021

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

Moved: Cr TE (Todd) Harris

Seconded: Cr W (Sam) Stewart

Vote – Simple Majority

Carried: 6/0

9.7 Subdivision and Sale of Apex Park Meckering

Note, the resolution in respect to item 9.7 Subdivision and Sale of Apex Park Meckering, will be available following price negotiations.

9.8 Reserve Price – 24 Moore North Road Meckering and 20 Watts Street Meckering

Note, the resolution in respect to item 9.8 Reserve Price – 24 Moore North Road Meckering and 20 Watts Street Meckering, will be available following the auction on the 9th June 2021.

9.9 Move from behind closed doors

Resolution 9.9 OCM May 2021

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

Moved: Cr TE (Todd) Harris

Seconded: Cr NW (Norm) Jenzen

Vote – Simple Majority

Carried: 6/0

9.10 Shire of Cunderdin Long Term Financial Plan 2021-2035

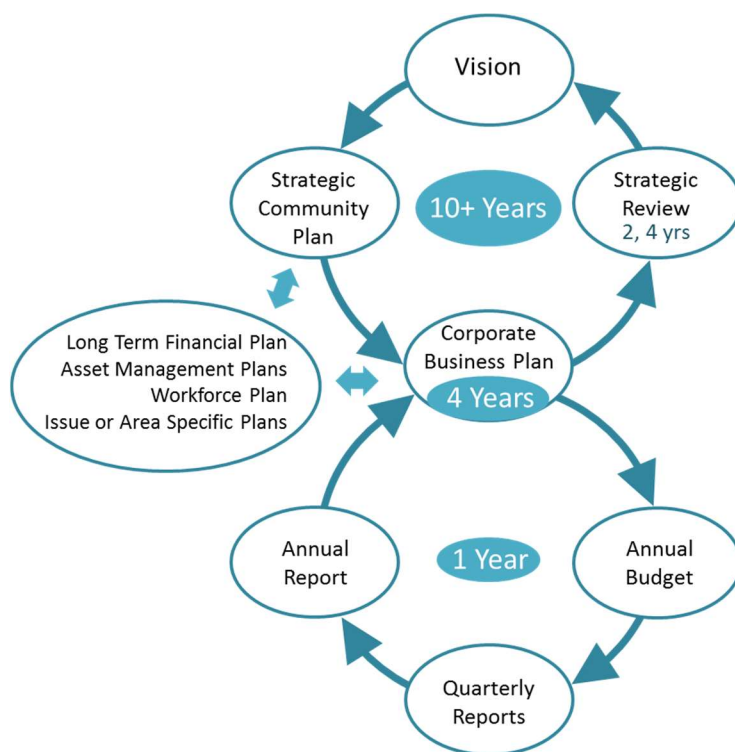
Location:	Shire of Cunderdin
Applicant:	Deputy Chief Executive Officer
Date:	13 May 2021
Author:	Martin Whitely, LG Corporate Solutions
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	1 attachments – Shire of Cunderdin Long Term Financial Plan 2021-2035

Proposal/Summary

This report recommends that Council considers the adoption of the Shire of Cunderdin Long Term Financial Plan 2021-2035.

Background

The Long Term Financial Plan (LTFP) is a key component of the Integrated Planning and Reporting Framework (IPRF) requirements that were introduced in 2013. The intent of the IPRF is to ensure improved strategic, financial and asset management planning across Western Australian Local Governments.



The LTFP is a 15 year rolling plan for the period 2020/21 to 2034/35 which aligns with the Corporate Business Plan to progress priorities identified in the Community Strategic Plan. The process essentially drives the annual budget and the LTFP will be reviewed on an annual basis to accommodate any changes in economic forecasts, community input and organisational requirements.

The LTFP is also designed to indicate long term financial viability and identification of issues that may have a long term impact on the Council's finances. Linkages with other key Council planning documents is also an essential component of the LTFP.

Comment

The LTFP covers the period from 1 July 2020 to 30 June 2035, incorporating the 2020/21 Annual Budget Review and will continue to be updated on an annual basis.

The objectives of the LTFP include;

- Achieve long term community objectives in a financially sustainable manner
- Establishing a 15 year rolling plan that aligns with the Corporate Business Plan
- Provide guidance in the preparation of the Annual Budget
- Provide a means of assessing financial performance
- Aiming to achieve standard (or greater) financial ratios in line with the Department of Local Government, Sport and
- Cultural Industries Advisory Standard Guidelines

Flowing from the Shire's Strategic Community Plan, the following key projects have been identified as some of the priorities within the 15 year plan;

- Road Infrastructure Renewal Program
- Airport Runway Upgrade
- Shire Administration / Visitors Centre
- Town Hall Restoration
- Sandalwood Village Aged Accommodation
- O'Connor Park Upgrade
- Meckering Memorial Earthquake Garden
- Cunderdin Main Street Beautification
- Heritage Building Restorations

Preparation of the plan also requires a number of key assumptions which ultimately provide guidance to subsequent reviews of the Corporate Business Plan and Annual Report. The following assumptions are therefore proposed in the subject plan;

- Existing service levels are maintained. The LTFP does not plan for an expansion or reduction in the current activities of the Shire of Cunderdin
- Sourcing funding opportunities to assist with new and renewed infrastructure
- Maintaining existing infrastructure in line with service level reviews
- Maintaining a fair and equitable rating strategy that is sustainable into the future
- Fees & charges maintained at same level of increase as rates
- Employee costs, utilities, insurance and materials and contracts all increase at same rate as CPI

It should be highlighted that the Shire's ability to fund some of the projects identified in the LTFP are reliant on the Shire's ability to obtain various sources of grant funding. As such, some of projects within the LTFP may be either deferred or not implemented in the event that funding cannot be obtained.

The LTFP is based on the Shire operating a balanced budget for all years with an operating surplus shown in 2033/34 and 2034/35. While the LTFP shows Unrestricted Cash fluctuating over the course of the plan, Council acknowledge that the Shire's optimum Unrestricted Cash target is in the vicinity of \$500,000. From an annual cash flow perspective, this target amount of \$500,000 allows the Shire to have the capacity to comfortably meet all financial commitments in the months leading up to the collection of rates each financial year.

Consultation

Shire Councillors

Stuart Hobley, Chief Executive Officer

Hayley Byrnes, Deputy Chief Executive Officer

Shire Staff

Statutory Environment

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 1996

19DA. 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.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

Policy Implications

Nil.

Financial Implications

The LTFP aligns with the following objectives from the Shire of Cunderdin Strategic Community Plan 2017-2027;

- IT5.1.1 - Governance Framework - Provide a fully integrated robust governance framework with annual reviews of the Shire's governance framework, policies, management practices, delegations, risk management framework and periodic reviews of the Code of Conduct and Local Laws.
- IT5.2.2 - Financial Sustainability and capacity
- IT5.4.1 - Ensure sound long term financial management and deliver value for money.

Strategic Implications

Nil.

Resolution 9.10 OCM May 2021

That Council adopt the Shire of Cunderdin Long Term Financial Plan 2021-2035 as per the attached document.

Moved: Cr TE (Todd) Harris

Seconded: Cr AE (Alison) Harris

Vote – Simple Majority

Carried: 6/0

9.11 Shire of Cunderdin – Strategic Community Plan

Location:	Shire of Cunderdin
Applicant:	Governance and Compliance Officer
Date:	11 th May 2021
Author:	Lauren Cole
Item Approved by:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

For Council to consider approving the engagement of a consultant to complete a major review of the Strategic Community Plan.

Background

All local governments are currently 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.

The Corporate Business Plan is designed to activate items identified in the Strategic Community Plan by responding to Council's broad objectives and prioritisation of the community's short, medium and long term goals.

The process by which the Corporate Business Plan is developed incorporates:

- Activating the Strategic Community Plan
- Operations Planning
- Annual reviews and reprioritisation of the Corporate Business Plan.

A revised Strategic Community Plan for the period 2017-2026 was adopted by Council in November 2018 following extensive Community Engagement as a part of a Major Review.

Aligned with the strategies and priorities in the Strategic Community Plan, a Corporate Business Plan was developed for the period 2018-2022.

Comments

Council completed a desktop review of the Corporate Business Plan at the December 2020 Ordinary Council Meeting. Many of the items listed in the Corporate Business Plan have been completed or unable to be completed due to various reasons.

After review of the Corporate Business Plan it was discussed to complete a major review of the Strategic Community Plan (and then the Corporate Business Plan) for better guidance in regards to Community directions.

It has also been discussed at recent Tourism Meetings to ensure all Councils decisions such as re-branding align with the Strategic direction of the community before commencing any projects.

Consultation

Nil.

Statutory Implications

Local Government Act 1995 :-

Section 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

Policy Implications

Shire of Cunderdin - Purchasing Policy

Financial Implications

Council has requested quotes back from multiple consulting agencies to ensure compliance with the purchasing policy.

All quotes will be presented to the next Ordinary Council Meeting.

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 9.11 OCM May 2021

That Council approves commencing the process to complete a major review of the Strategic Community Plan.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr TE (Todd) Harris

Vote – Simple Majority

Carried: 6/0

9.12 Shire of Cunderdin Meeting Dates for 2021/2022

Location:	Shire of Cunderdin
Applicant:	Governance and Compliance Officer
Date:	4 th May 2021
Author:	Lauren Cole
Item Approved by:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Calendar

Proposal/Summary

For Council to consider the Council and Committee meetings dates and times for the 2021/22 financial year.

Background

Each year Council is required to set the dates for their Ordinary and Committee meetings for the next financial year.

Currently Ordinary Meetings of Council are held on the third (3rd) Thursday of each month, with the exception of the month of January (when there is no scheduled meeting), commencing at 5:00pm.

Comments

The current meeting schedule has been in place for some time, this year Council staff encounter some difficulty ensuring reports were presented in a timely manner due to when the first of the month falls and public holidays. It is proposed to extend some Council Meeting until the fourth Thursday on particular months to ensure adequate time for staff to complete the reporting requirements.

The Proposed dates are:

Month	Meeting Date
July 2021	Thursday 22 July 2021
August 2021	Wednesday 18 August 2021
September 2021	Thursday 16 September 2021
October 2021	Thursday 21 October 2021
November 2021	Thursday 18 November 2021
December 2021	Thursday 16 December 2021
January 2022	No meeting
February 2022	Thursday 17 February 2022
March 2022	Thursday 24 March 2022
April 2022	Thursday 21 April 2022
May 2022	Thursday 19 May 2022
June 2022	Thursday 23 June 2022

The requested changes are for the following months;

- From the 15th July to the 22nd July 2021
The first of the month falls on a Thursday, extending for an additional week allows longer for end of financial year and budget preparations.
- From the 19th August to the 18th August 2021
Currently the WALGA Golf Day is scheduled for that day.

- From the 17th March to the 24th March 2022
The first of the month fall on a Tuesday, with a public holiday included in the week of preparing Council Agenda. This only allowing staff seven working days to complete all end of month requirements before agenda is disbursed.
- From 16th June to the 23rd June 2022
The first of the month falls on a Wednesday, it is proposed to extend till the 23rd to allow additional time to complete end of month and any additional agenda items required for end of financial year.

In accordance with Regulation 12 of the Local Government (Administration) Regulations 1996, Council must give local public notice of the times, dates and place for Ordinary and Committee meetings.

Consultation

Nil.

Statutory Implications

Local Government Act 1995 – section 5.3 Ordinary and Special Meetings of Council

5.3. Ordinary and special council meetings

- (1) *A council is to hold ordinary meetings and may hold special meetings.*
- (2) *Ordinary meetings are to be held not more than 3 months apart.*
- (3) *If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.*

Local Government (Administration) Regulations 1996 – Regulation 12 Public Notice of Council and Committee meetings

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
 - (a) *the ordinary council meetings; and*
 - (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,**are to be held in the next 12 months.*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*
- (3) *Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.*
- (4) *If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.*

Policy Implications

Nil.

Financial Implications

Nil.

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 9.12 OCM May 2021

That Council adopts and provides Local Public Notice for the following Ordinary Council and Committee Meeting dates, time and places for the 2021/2022 financial year:

1. The date for Ordinary Council Meetings to be as follows, commencing at 5:00pm and being held in the Council Chambers, Lundy Avenue, Cunderdin:

Month	Meeting Date
July 2021	Thursday 22 July 2021
August 2021	Wednesday 18 August 2021
September 2021	Thursday 16 September 2021
October 2021	Thursday 28 October 2021
November 2021	Thursday 18 November 2021
December 2021	Thursday 16 December 2021
January 2022	No meeting
February 2022	Thursday 17 February 2022
March 2022	Thursday 24 March 2022
April 2022	Thursday 21 April 2022
May 2022	Thursday 19 May 2022
June 2022	Thursday 23 June 2022

2. Audit Committee meetings will be held as and when required with local public notice given on those occasions where the public are invited to attend.
3. Local Emergency Management Committee (LEMC) meetings are to be held four (4) times per year in, August, November, February & May, commencing at 5:30pm in the Council Chambers, Lundy Avenue, Cunderdin.

Moved: Cr AE (Alison) Harris

Seconded: Cr NW (Norm) Jenzen

Vote – Simple Majority

Carried: 6/0

9.13 Shire of Cunderdin 2021/2022 Fire Break Notice

Location:	Shire of Cunderdin
Applicant:	Shire of Cunderdin
Date:	5 th May 2021
Author:	Governance and Compliance Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	BFAC
Attachment/s:	Current Government Gazette – Published 2 nd September 2011 Proposed Firebreak notices

Proposal/Summary

Council are to consider adopting recommended changes to the Firebreak Notice to clarify the specific requirements for fire hazard abatement to be undertaken by all residents within the Shire.

Background

The Shire of Cunderdin's Firebreak notice is issued annually to all ratepayers under the legislative requirement of Section 33 of the Bush Fire Act 1954. Council staff are currently completing a review on the notices, this review was presented to the BFAC Meeting on the 13th of April 2021 for discussion before presenting to Council.

Council last adopted an amendment to the Firebreak notice on the 23rd August 2012, however these changes were not Government Gazetted as per the legislative requirements.

The Shire of Cunderdin last completed the Government Gazette on the 2nd of September 2011.

Comment

Council staff have investigated and reviewed the Firebreak notices that have been sent out annually. A new Firebreak notices was presented to the Bushfire Advisory Committee on the 13th April 2021, for adoption before being presented to Council.

Following discussion regarding the firebreak notice, the Bushfire Advisory Committee made some minor changes to the proposed notice and adopted the following;

RECOMENDATION: BFAC7– 20/21

MOVED Mr Todd Harris SECONDED Mr Norm Jenzen

That the Bush Fire Advisory Committee recommend to Council, to endorse and gazette the Section 33, Firebreak Notice in the Local Government Gazette.

CARRIED

Consultation

Shire of Cunderdin Bushfire Advisory Committee
Chief Executive Officer – Stuart Hobley
Community Emergency Services Manager – Simon Bell

Statutory Implications

Bush Fire Act 1954-

Section 33 -

Local government may require occupier of land to plough or clear fire-break

- (1) Subject to subsection (2) a local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the Government Gazette and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the notice to do or to commence to do at a time so specified all or any of the following things —*
- a) to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the fire-breaks clear of inflammable matter;*
 - b) to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire, and the notice may require the owner or occupier to do so —*
 - c) as a separate operation, or in co-ordination with any other person, carrying out a similar operation on adjoining or neighbouring land; and*
 - d) in any event, to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice.*
- (2) A notice in writing under subsection (1) may be given to an owner or occupier of land by posting it to him at his last postal address known to the local government and may be given to an owner of land by posting it to him at the address shown in the rate record kept by the local government pursuant to the Local Government Act 1995, as his address for the service of rate notices.*
- (2a) The provisions of subsection (2) are in addition to and not in derogation of those of sections 75 and 76 of the Interpretation Act 1984.*
- (3) The owner or occupier of land to whom a notice has been given under subsection (1) and who fails or neglects in any respect duly to comply with the requisitions of the notice is guilty of an offence. Penalty: \$5 000.*
- (4) Where an owner or occupier of land who has received notice under subsection (1) fails or neglects to comply with the requisitions of the notice within the time specified in the notice —*
- a) the local government may direct its bush fire control officer, or any other officer of the local government, to enter upon the land of the owner or occupier and to carry out the requisitions of the notice which have not been complied with; and*
 - b) the bush fire control officer or other officer may, in pursuance of the direction, enter upon the land of the owner or occupier with such servants, workmen, or contractors, and with such vehicles, machinery, and appliances as he deems fit, and may do such acts, matters and things as may be necessary to carry out the requisitions of the notice.*

- (5) *The amount of any costs and expenses incurred by the bush fire control officer or other officer in doing the acts, matters, or things provided for in subsection (4) —*
- a) shall be ascertained and fixed by the local government and a certificate signed by the mayor or president of the local government shall be prima facie evidence of the amount; and*
 - b) may be recovered by the local government in any court of competent jurisdiction as a debt due from the owner or occupier of land to the local government.*
- (5a) *A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 —*
- a) requiring owners and occupiers of land in its district to clear fire-breaks in such manner, at such places, at such times, of such dimensions and to such number, and whether in parallel or otherwise, as are specified in the local laws and to maintain the fire-breaks clear of inflammable matter;*
 - b) providing that things required by the local laws to be done shall be done to the satisfaction of the local government or its duly authorised officer.*
- (5b) *Where an owner or occupier of land fails or neglects in any respect to comply with the requirements of local laws made under subsection (5a) the provisions of subsections (3), (4) and (5) apply mutatis mutandis as if those requirements were the requisitions of a notice given under subsection (1).*
- (5c) *Nothing in subsection (5a) affects the power of a local government to give notice under subsection (1) nor its duty to do so if so required by the Minister.*
- (5d) *Where the provisions of local laws made under subsection (5a) are inconsistent with those of a notice given under subsection (1) or under section 34 or 35, the provisions of that notice shall, to the extent of the inconsistency, prevail.*
- (6) *A local government may, at the request of the owner or occupier of land within its district, carry out on the land, at the expense of the owner or occupier, any works for the removal or abatement of a fire danger, and the amount of the expense, if not paid on demand, may be recovered from the owner or occupier by the local government in a court of competent jurisdiction as a debt due from the owner or occupier to the local government.*
- (7) *Nothing in this section authorises a local government —*
- a) to set fire to the bush, or to require an owner or occupier of land to set fire to the bush, contrary to the provisions of section 17; or*
 - b) to make local laws authorising or requiring bush to be set on fire contrary to the provisions of section 17.*
- (8) *Any amount recoverable by a local government under this section as a debt due from the owner or occupier of land is, until paid in full —*
- a) a debt due from each subsequent owner in succession; and*
 - b) a charge against the land with the same consequences as if it were a charge under the Local Government Act 1995 for unpaid rates; and*
 - c) recoverable by the local government in the same manner as rates imposed in respect of the land are recoverable under that Act. (9) In this section — owner or occupier of land includes a prescribed department of the Public Service that occupies land or a prescribed State agency or instrumentality that owns or occupies land.*

Policy Implications

Shire of Cunderdin Policy Manual – Section 5, Fire Control

- 5.2 Firebreak and Fuel Hazard Reductions – Inspection & Prosecution
- 5.3 Harvest & Movement of Vehicles Ban
- 5.4 FCO Duties
- 5.5 Shire Plant use in Emergencies

Some of these policies will need to be reviewed and amended to reflect current changes to Staff, legislation and procedures. Will be completed before the next BFAC meeting.

Financial Implications

There are no financial implications in relation to this item.

Strategic Implications

Outcome 1.2 A growing, healthy and safe community

- 1.2.1 Maintain and enhance sport and recreation facilities
- 1.2.2 Improve recreation for all ages
- 1.2.3 Support provision of emergency services and encourage community volunteers

Resolution 9.13 OCM May 2021

That with respect to the requirements of Section 33 of the Bush Fire Act 1954, Council adopt the attached Shire of Cunderdin Firebreak Notice.

Pursuant to Section 33(1) of the Bush Fire Act 1954, request the Chief Executive Officer to ensure Government Gazettal and advertising of the adopted Firebreak Notice.

Moved: Cr TE (Todd) Harris

Seconded: Cr A (Tony) Smith

Vote: Simple Majority

Carried: 6/0

9.14 Singapore Flying College Pty Ltd – Memorandum of Understanding

Location:	Shire of Cunderdin
Applicant:	Governance and Compliance Officer
Date:	11 th May 2021
Author:	Lauren Cole
Item Approved by:	Stuart Hobley, Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Draft MOU

Proposal/Summary

For Council to consider the adoption of the Memorandum of Understanding between the Shire of Cunderdin and Singapore Flying College Pte Ltd.

Background

The Singapore Flying College has been operating out of Cunderdin airfield since early 1990s, they mainly use the airfield for 'touch and goes'. Council held a goodwill verbal agreement with the College for an annual fee that increased by the CPI each year. In 2019, the Singapore Flying College paid \$11,638.00.

Council on the 12th August 2020 received communication from the College advising that in recent years there training in Cunderdin has significantly dropped off and due to the impact of the Covid-19 pandemic to the whole aviation industry, they will no longer be able to contribute these annual fees.

On the 3rd September 2020 Cr Dennis Whisson and Mr Stuart Hobley attended a Video Conference with the Singapore Flying College to review the existing arrangement with the Shire.

Council resolved at the Ordinary Meeting on the 17th September 2020 to reduce the annual fee from \$11,638.00 to \$5,000.00 and enter into a Memorandum of Understanding with the Singapore Flying College.

Comments

The aviation industry and Singapore Flying College has been severely impacted by the pandemic crisis. Captain Christopher Chan, General Manager of Singapore Flying College advised during the video conference that the training by the college has recently dropped off by more than half and will further reduce to zero for at least the next 3 years as there parent company is no longer recruiting any trainees.

Consultation

Mr Stuart Hobley, Chief Executive Officer
Capt Christopher Chan, General Manager Singapore Flying College
Mr Clement Seah, Chief Instructor Singapore Flying College
Mr Anthony Lim, Operational and Admin Manager, Singapore Flying College

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Council already resolved to amend the annual fee from \$11,824.21 to \$5000.00 at the Ordinary Council Meeting on the 17th September 2020.

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 9.14 OCM May 2021

That Council enter into a Memorandum of Understanding with the Singapore Flying College with the annual fee amount set at \$5,000.00.

Moved: Cr W (Sam) Stewart

Seconded: Cr NW (Norm) Jenzen

Vote – Simple Majority

Carried: 6/0

Cr Alison Harris declared a Financial Interest on item 9.15 and exited the Chamber at 6.01pm.

Cr Todd Harris requested under section 5.68 (1)(b) under the Local Government Act that he be permitted to remain in the Chambers and participate, as he believes the Financial interest is insignificant in nature due to it being voluntary position and will not influence his conduct in relation to this matter.

Cr Todd Harris declared a Financial Interest on Item 9.15 and exited the Chambers at 6.01pm.

Resolution OCM May 2021

That Council approved Cr Todd Harris to remain in Council Chambers, participate in the debate and vote on Item 9.15 – Justice of the Peace Application.

It is believed his Financial Declaration is insignificant in nature due to the Justice of the Peace being a voluntary positions.

Moved: Cr A (Tony) Smith

Seconded: Cr NW (Norm) Jenzen

Vote – Simple Majority

Carried: 4/0

Cr Todd Harris re-entered the Chamber at 6.04 pm.

9.15 Justice of the Peace Applications

Location:	Cunderdin
Applicant:	Administration
Date:	14 th May 2021
Author:	Lauren Cole
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	2 x Attachment

Proposal/Summary

It is proposed that Council consider and endorse the application for appointment as a Justice of the Peace from both Caroline Whitelock and Alison Harris.

Background

Council have received correspondence from Hon Mia Davies MLA requested comments regarding the nominations for appointment as Justice of the Peace.

It is standard procedure to include Councils comments about the suitability of the applicant with the application to the Attorney General.

An application for appointment as a Justice of the Peace must satisfy the following criteria:

1. Australian citizen with a minimum of 12 months residence in Western Australia.
2. Enrolled on the State electoral roll.
3. Of good character and reputation, including (preferably) a record of community service.
4. Demonstrate a willingness and capacity to fulfil all the duties of a JP when called upon.
5. Not insolvent under administration.

If applications are approved they are required to complete a course designed to prepare them for the required community work involved before being authorised.

Such things a Justice of the Peace (once authorised) is approved to complete are:

- Issuing search warrants
- Processing bail, and surety applications
- Arresting documents including affidavits and statutory declarations.

Comment

Currently within the Shire of Cunderdin there is a lack of availability of Justice of the Peace, to complete tasks such as witnessing documents for people.

Several of the current JP's have reached an age at which they are no longer able to sign off or certificate documents for the police. This means the police are required to travel to York or Northam to get documents signed.

Ms Caroline Whitelock currently holds the position as Principal at the Meckering Primary School, she is well known and respected in the Meckering Community.

Mrs Alison Harris is a highly respected community member of Cunderdin that works and lives in the community and is involved with many community groups. She has held a Councillor positions for 6 years and is currently Deputy President.

Consultation

Hon Mia Davies MLA

Stuart Hobley, Chief Executive Officer

Statutory Environment

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Shire of Cunderdin Strategic Community Plan

Civic Leadership

CL5 – Objective 1

Deliver sustainable governance through transparent and robust policy and processes.

CL5 – Objective 2

Undertake the civic duties of Council with the highest degree of ethics.

CL5 – Objective 5

Improve organisational planning, processes and systems.

Resolution 9.15 OCM May 2021

That Council support and endorse the application for appointment as a Justice of the Peace for both Caroline Whitelock and Alison Harris.

Moved: Cr W (Sam) Stewart

Seconded: Cr NW (Norm) Jenzen

Vote – Simple majority

Carried: 5/0

Cr Alison Harris re-entered the Chamber at 6.06pm.

9.16 Chief Executive Officers Report

Location:	Cunderdin
Applicant:	Chief Executive Officer
Date:	7 th April 2021
Author:	Stuart Hobley
Item Approved by:	Stuart Hobley, Chief Executive Officer
File Reference:	Nil
Attachment/s:	2 x attachments

Proposal/Summary

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

Background

Land Sales Update

The sales of both the Doctors House and Surgery and 81 Mitchell Street have been finalised with no public submissions received.

Council's offer to purchase 30 Mitchell Street has been accepted. There have been some minor holdups with the transfer but the sale should be completed by the end of May 2021. The estimated costs to develop the block are as follows:

- Subdivision for multiple dwellings \$10,000 - \$15,000.
- Demolition \$20,000.
- Utilities \$10,000.

These projects will be completed as soon as possible in able to commence the construction of the dwellings in early 2021/22.

Local Roads and Community Infrastructure Program Projects

Round 1 Projects

Basketball Courts – Retaining Wall and Fencing \$30,000

The construction of the retaining wall and fencing at the basketball courts has been completed.

AAA Garden - \$160,000

Council have accepted a quote from Oasis Outdoor Structures to complete the garden at the Sandalwood Village. The project will commence towards the end of May and will take approximately 4 weeks. Council is liaising with Oasis on the type of plants to be included in the garden. The project has come in on budget and will be completed before 30 June 2021.

Oval Lights - \$270,000 (\$180,000 LRCIP)

The concrete footings and cabling works have been completed and Greenlite have reported that the light poles will be delivered in mid May. Greenlite also advised the project will be completed by the first week in June. This project will be completed before the 30 June 2021 and is on budget.

Round 2 Projects

Cunderdin Swimming Pool

One quote has been received and the cost to repair the cracks in the pool is \$160,000. After discussions with Contract Aquatics it was been decided to complete an Request for Quote (RFQ) We are still waiting on further quotes from suitably qualified contractors.

This project is time critical and further information will be provided at the meeting.

Lotteries West Expression of Interest - COVID Projects

The Shire submitted an EOI to Lotteries West for \$600,000 for the upgrade of O'Connor Park under its COVID projects funding round. The application was unsuccessful however Council will continue to explore its options to upgrade the park.

Citizen of the Year

Council has a Citizen of the Year award that it presents at Australia Day each year. In previous years there has been significant debate on how this process is conducted. Councils Policy 7.1 Shire of Cunderdin Australia Day awards is attached. If Council is considering making any changes to the Policy the process needs to commence now.

Pool

Royal Surf Lifesaving has recently completed the Safety Assessment and Improvement Plan for the Cunderdin swimming pool.

There were several issues that have been identified and need to be addressed, these include:

- Closure of the diving board – the depth of the pool does not meet the minimum depth required for a diving board.
- Earthing of metal objects – Metal objects within the pool are required to be earthed.
- Size of depth Markings – the size of the depth markings needs to be increased to meet the minimum standard. The current depth markings are laser cut into the tiles.
- Signage – Upgrading signage around the pool area
- Chemical shed and pump room – minor changes to plant and improve signage.
- Procedures – Improved documentation for pool procedures.

The Shire will work with the pools operator, Contract Aquatics to ensure the works are completed in time for the upcoming pool season and included in the 2021/22 draft budget. Some of these items will be included in the scope of works for the LRCIP pool upgrade.

Co-operative Bulk Handling (CBH) – Emergency Grain Storage

CBH has advised the Shire that the Cunderdin CBH storage facility has been identified as a site for emergency grain storage for the 2021/22 harvest. Based on early rainfall and long range forecasts CBH are predicting a significant increase in the amount of grain received at the Cunderdin facility.

They have advised they are planning to construct an additional three open bulk heads holding approximately 120,000 tonnes on the area of land owned by CBH to the east of the existing facility. CBH have advised the bulkheads are a temporary solution however they will require planning approval.

Mining Exploration - Anglo America

Anglo American (Exploration) has recently received mineral tenements over around 60% of the Shire and propose to undertake aerial surveys and drilling this year. The Shire met with representatives of Anglo and they provided the background and details of the proposed work.

The Shire provided feedback on how it thought the exploration would be received in the community. They are expecting to begin exploration in August September which would include low level aerial surveying completed by helicopter and on ground drilling.

It is anticipated that representatives from Anglo will meet with Council at the May 2021 Council Meeting.

Budget

It is planned to have a draft budget meeting at the Council Information Session scheduled to be held on the 3rd June 2021. If any Councillors have any requested to be included in the budget could they please forward them in as soon as possible.

The Shire is meeting with community groups and organisation prior to the presentation of the draft budget to obtain an understanding of their wants and needs in the upcoming years.

Comment

Nil.

Consultation

Nil.

Statutory Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

Resolution 9.16 OCM May 2021

That the Chief Executives Officers Report be received.

Moved: Cr A (Tony) Smith

Seconded: Cr W (Sam) Stewart

Vote – Simple majority

Carried: 6/0

10. Environmental Health and Building

Nil.

11. Planning & Development

Nil.

12. Works & Services

Nil.

13. Urgent Items

Nil.

14. Scheduling of Meeting

14.1 June 2021 Ordinary Meeting

The next ordinary meeting of council is scheduled to take place on Thursday 17th June 2021 commencing at 5pm 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 6.44 pm.

16. Certification

DECLARATION

I, Dennis Whisson, certify that the minutes of the Ordinary Council Meeting held on 20th May 2021 as shown were confirmed at the ordinary meeting of Council held on 17th June 2021.

Signed: _____

Date: _____