



## Shire of Cunderdin

### Minutes of an Ordinary Council Meeting

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Thursday 21st April 2022** in the Cunderdin Shire Council Chambers, WA, 6407 **commencing at 5.00pm.**

Stuart Hobley  
**Chief Executive Officer**  
14<sup>th</sup> April 2022

<b>1.</b>	<b>Declaration of Opening .....</b>	<b>3</b>
<b>2.</b>	<b>Record of Attendance, Apologies and Approved Leave of Absence .....</b>	<b>3</b>
<b>3.</b>	<b>Public Question Time .....</b>	<b>4</b>
<b>4.</b>	<b>Petitions, Deputations &amp; Presentations .....</b>	<b>4</b>
<b>5.</b>	<b>Applications for Leave of Absence .....</b>	<b>4</b>
<b>6.</b>	<b>Confirmation of the Minutes of Previous Meetings .....</b>	<b>4</b>
6.1	Ordinary Meeting of Council held on 24th March 2022 .....	4
<b>7.</b>	<b>Declaration of Members and Officers Interests .....</b>	<b>4</b>
<b>8.</b>	<b>Announcements by President without Discussion .....</b>	<b>4</b>
<b>9.</b>	<b>Finance &amp; Administration.....</b>	<b>5</b>
9.1	Financial Reports for March 2022 .....	5
9.2	Accounts Paid – 31 <sup>st</sup> March 2022 .....	6
9.3	Council Investments – As at 31 <sup>st</sup> March 2022.....	8
9.4	RSPCA WA Pet Sterilisation Program .....	11
9.5	Shire of Cunderdin Quarterly Risk Management Report .....	13
9.6	Chief Executive Officers Report.....	16
<b>10.</b>	<b>Environmental Health and Building .....</b>	<b>18</b>
<b>11.</b>	<b>Planning &amp; Development.....</b>	<b>18</b>
<b>12.</b>	<b>Works &amp; Services .....</b>	<b>18</b>
<b>13.</b>	<b>Urgent Items.....</b>	<b>18</b>
<b>14.</b>	<b>Scheduling of Meeting.....</b>	<b>18</b>
14.1	May 2022 Ordinary Meeting.....	18
<b>15.</b>	<b>Closure of meeting .....</b>	<b>18</b>
<b>16.</b>	<b>Certification.....</b>	<b>18</b>

## MINUTES

### 1. Declaration of Opening

**The Shire President declared the meeting open at 5.00pm**

**The Shire of Cunderdin disclaimer will be read aloud by**

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 W (Sam) Stewart	
Cr NW (Norm) Jenzen	
Cr N (Natalie) Snooke	

##### In Attendance

Stuart Hobley	Chief Executive Officer
Emma McMiles	Governance and Administration Officer

##### Guests of Council

Nil.

##### Members of the Public

Nil.

#### 2.2 Apologies

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

### 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 24th March 2022

##### Resolution 6.1

That the Minutes of the Ordinary Council Meeting held on Thursday 24th March 2022 be confirmed as a true and correct record.

Moved: Cr B (Bernie) Daly

Seconded: Cr W (Sam) Stewart

Vote – Simple Majority

Carried: 7/0

##### **Note to this item:**

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

### 7. Declaration of Members and Officers Interests

Nil.

### 8. Announcements by President without Discussion

Nil.

## **9. Finance & Administration**

### **9.1 Financial Reports for March 2022**

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Date:</b>	11th April 2022
<b>Author:</b>	Hayley Byrnes
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	2 attachments – Monthly Report March 2022 & March 2022 Rates Report

#### **Proposal/Summary**

The financial reports as at 31<sup>st</sup> March 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 31<sup>st</sup> March 2022.

Moved: Cr A (Tony) Smith

Seconded: Cr N (Natalie) Snooke

Vote – Simple Majority

Carried: 7/0

## 9.2 Accounts Paid – 31<sup>st</sup> March 2022

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Hayley Byrnes
<b>Report Date:</b>	11th April 2022
<b>Item Approved By:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	2 attachments – Creditor’s list of payments March 2022 Credit Card Statement March 2022

### **Proposal/Summary**

Council is requested to confirm the payment of Accounts totalling:

Total for Municipal -	\$1,059,937.01
Total for Trust -	\$0.00
TOTAL -	\$1,059,937.01

For February 2022 as listed in the Warrant of Payments for the period 1<sup>st</sup> to 28th February 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 \$1,059,937.01 being from Municipal Account for March, as follows:

<b>Municipal Account</b>	<b>\$</b>	<b>Total</b>
Electronic Funds Transfer: EFT 5916 - 6009	\$975,941.47	
Direct Debit (Inc Bank Charges):	\$16,571.50	
Cheques: 11783 - 11787	\$67,424.04	
<b>TOTAL</b>		<b>\$1,059,937.01</b>

be confirmed and noted; and,

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

Moved: Cr TE (Todd) Harris

Seconded: Cr A (Tony) Smith

Vote – Simple Majority

Carried: 7/0

### 9.3 Council Investments – As at 31<sup>st</sup> March 2022

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Hayley Byrnes
<b>Report Date:</b>	11th April 2022
<b>Item Approved By:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 Attachment- Bank Statements April 2022

#### Proposal/Summary

To inform Council of its investments as at 31<sup>st</sup> March 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 31<sup>st</sup> March 2022.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$510,157.00	Municipal- 0000030	\$510,157.00		
Bendigo Bank	\$1,972,888.80	Municipal- 155971377	\$1,972,888.80		
Westpac Bank	\$146.78	Business Cash Reserve 22-3647 0.50%		\$146.78	
Bendigo Bank	\$2,578.00	Bendigo Trust Account 164 488 686			\$2,578.00
Westpac Bank	\$1.00	Trust Working Account 12-2981			\$1.00
Bendigo Bank	\$1,228,299.01	Term Deposit 0.45% Exp 28 June 2022		\$1,228,299.01	
<b>TOTAL INVESTMENTS</b>	<b>\$3,714,070.59</b>		<b>\$2,483,045.80</b>	<b>\$1,228,445.79</b>	<b>\$2,579.00</b>



In addition to the above Shire funds, the Shire administers the Cunderdin Community Centre Trust Accounts being Bendigo Term Deposits# 3864633 \$369,862.05 & # 3864655 - \$169,855.00

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

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

**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 31<sup>st</sup> March 2022 be received and noted.

Moved: Cr B (Bernie) Daly

Seconded: Cr TE (Todd) Harris

Vote – Simple Majority

Carried: 7/0

#### 9.4 RSPCA WA Pet Sterilisation Program

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	5 <sup>th</sup> February
<b>Author:</b>	Emma McMiles
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 x Attachment

#### **Proposal/Summary**

For Council to review the correspondence received from RSPCA WA regarding their Pet Sterilisation Program. RSPCA WA are seeking partnership with the Shire of Cunderdin as part of their innovative pilot. They are also seeking support in the form of the Shire offering free lifetime registration to those pet owners who participate in the Pet Sterilisation Program.

#### **Background**

Correspondence was received via email on the 17<sup>th</sup> March 2022, regarding Pet Sterilisation Program.

The RSPCA advised that they are launching a pilot Pet Sterilisation program, which offers reduced sterilisation costs, free microchipping and (where supported by the Local Government) lifetime pet registration for pet owners who hold a WA Seniors Card, Pensioner Concession Card or Health Care Card.

Sterilisation and microchipping are carried out by veterinary practices whom RSPCA WA is partnering with to deliver these services to the community.

The program claims to:

- Help community members meet requirements to register and sterilise their pets.
- Support local veterinary business.
- Enable those experiencing financial hardship to better care for their pets.
- Assist cat owners to comply with the Cat Act 2011.
- Assist dog owners to comply with sterilisation requirements introduced under the Dog Amendment (Stop Puppy Farming Bill 2021), at a reduced cost when the Bill becomes law.
- Reduce local government workload by reducing number of unwanted litters and, consequently, the number of strays and incoming animals in local pounds.

#### **Comment**

The majority of pet owners within the Shire are extremely responsible. This program is aimed at those who may not have the means to sterilise and microchip their pets.

In theory, the program will reduce the number of stray cats and dogs within the Shire and will make it easier to determine the owners of lost pets.

It will however reduce the amount of fees received each year for the registration of dogs and cats.

#### **Consultation**

Shire Staff

Ranger

#### **Statutory Implications**

Cat Act 2011

Dog Act 1976 (Stop Puppy Farming Bill 2021)

### **Policy Implications**

Nil

### **Financial Implications**

This financial year, the Shire has received \$2,277.00 from dog registrations and \$477.00 from cat registrations. If the Council were to agree to the proposal, the amount would decrease. It is unknown what amount it will decrease by.

### **Strategic Implications**

Shire of Cunderdin Strategic Community Plan 2022 -2032

5.1 Shire communication is consistent, engaging, and responsive.

5.1.1 Residents and community groups

#### **Resolution 9.4**

That Council advise RSPCA that it supports the Pet Sterilisation Program and will offer free lifetime pet registration for owners who hold a WA Seniors Card, Pensioner Concession Card or Health Care Card, if they are enrolled in the program.

Moved: Cr A (Tony) Smith

Seconded: Cr W (Sam) Stewart

Vote – Simple majority

Carried: 7/0

## 9.5 Shire of Cunderdin Quarterly Risk Management Report

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Administration
<b>Date:</b>	2 <sup>nd</sup> February 2022
<b>Author:</b>	Lauren Cole / Hayley Byrnes
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	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.

**Employment practices**

- Workforce Plan – this process has commenced and is expected to be presented to Council in March 2022.

**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

Lauren Cole, Governance and Compliance 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 9.5**

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

Moved: Cr B (Bernie) Daly

Seconded: Cr W (Sam) Stewart

Vote – Simple majority

Carried: 7/0

## 9.6 Chief Executive Officers Report

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	10 <sup>th</sup> November 2021
<b>Author:</b>	Stuart Hobley
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 x attachments

### 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

The gardens at the Old Hospital Site have been tidied up as requested.

WACHS have advised that the connection of the utilities to Ian Roberts Lodge are separate to the hospital connections. A draft expression of interest has been developed and will be advertised in the near future.

#### Local Roads and Community Infrastructure Program Projects

##### Round 1 Projects

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

AAA Garden - \$160,000 – Completed.

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

##### Cunderdin Irrigation Project (Part 1) \$20,000

This project has commenced and expected to be completed before the end of June 2022. Manager of Works is liaising with contractors.

##### Round 2 Projects

##### Cunderdin Swimming Pool - \$170,000

The contractor has mobilisation of equipment and will commence works in the near future. It is intended to hold an on site inspection for Councillors prior to the May 2022 Council Meeting.

##### Cunderdin Irrigation Project (Part 2) \$40,000

This project has commenced and expected to be completed before the end of June 2022. Manager of Works is liaising with contractors.

##### Round 3 Projects

Project nominations have been submitted we are waiting on confirmation before works can commence.

#### Prohibited Burning Period - Easter

In consultation with the Chief and Deputy Fire Control Officers the Shire has advised that no burning will be permitted on Good Friday or Easter Sunday. This decision was made in early April to allow for advertising and prior to the recent rain events.

#### Bushfire Risk Mitigation Plan

In 2019 the Shires of Cunderdin, Toodyay, Goomalling and Wongan Hills entered into an agreement with the Department of Fire and Emergency Services (DFES) to receive support to develop Bushfire Risk Mitigation (BRM) plans for the Shires. The objective of the BRM is to identify high risk areas with the Shire



and develop plans to mitigate the bushfire risk. The plan will be used to obtain grant funding to complete the mitigation identified in the plan.

Council was advised at the February 2022 Council Meeting that the Shire had been advised that work on their plan was about to commence. The Shire was also advised that the funding for the position and the agreement expires on the 30 June 2022. It has since been advised that the Bush Fire Risk Mitigation Officer who was scheduled to complete our plan has resigned.

DFES have advised that they have appointed a contractor to complete the plan at no cost to Council.

#### Light Industrial Land – Stage 2

No further update on the development of the Industrial Land.

#### Grants Commission

The WA Local Government Grants Commission conducted an online Grants Commission hearing with the Shire on Wednesday 30 March 2022. Both Councillors and Staff attended the online hearing.

The Grants Commission have forwarded a copy of their presentation which is included in the Attachments. Copies of questions asked by Councillors during the hearing were also forwarded to the Commission however a response has not yet been received.

#### Regional Airports Development Scheme (RADS)

The contractor has conducted a site visit and has met with Council's staff. The project will commence in the near future and will take approximately 8 weeks to complete.

#### **Comment**

Nil.

#### **Consultation**

Nil.

#### **Statutory Implications**

Nil.

#### **Policy Implications**

Nil.

#### **Financial Implications**

Nil.

#### **Strategic Implications**

Nil.

#### **Resolution 9.6**

That the Chief Executives Officers Report be received.

Moved: Cr NW (Norm) Jenzen

Seconded: Cr N (Natalie) Snooke

Vote – Simple majority

Carried: 7/0

**10. Environmental Health and Building**

Nil Items

**11. Planning & Development**

Nil Items

**12. Works & Services**

Nil Items

**13. Urgent Items**

Nil Items

**14. Scheduling of Meeting**

**14.1 May 2022 Ordinary Meeting**

The next ordinary meeting of council is scheduled to take place on Thursday 19<sup>th</sup> May 2022 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 5.41 pm.

**16. Certification**

**DECLARATION**

I, Alison Harris, certify that the minutes of the Ordinary Council Meeting held on 21<sup>st</sup> April 2022 as shown were confirmed at the ordinary meeting of Council held on 19<sup>th</sup> May 2022.

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

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