



## Shire of Cunderdin

### Ordinary Council Meeting Minutes

Dear Council Member,

The Ordinary Meeting of the Cunderdin Shire Council was held on **Wednesday 24 September 2025** in the Cunderdin Shire Council Chambers, WA, 6407 **commencing at 6.00pm.**

Stuart Hobley  
**Chief Executive Officer**

24 September 2025

## CONTENTS

1	Declaration of Opening .....	3
2	Record of Attendance, Apologies and Approved Leave of Absence .....	3
3	Public Question Time .....	4
4	Petitions, Deputations & Presentations .....	4
5	Applications for Leave of Absence .....	4
6	Confirmation of the Minutes of Previous Meetings .....	4
	6.1 Minutes of Ordinary Council Meeting held 27 <sup>th</sup> August 2025 .....	4
7	Declaration of Members and Officers Interests .....	4
8	Announcements by President without Discussion .....	4
9	Finance and Administration.....	4
	9.1 Financial Reports for July 2025 and August 2025.....	6
	9.2 Accounts Paid August 2025 .....	7
	9.3 Council Investments 31 August 2025 .....	9
	9.4 Receive Minutes of the Bush Fire Advisory Committee .....	12
	9.5 Shire Policy Manual – Community use of Shire of Cunderdin Bush Fire Brigade Appliances.....	19
	9.6 Younegin Police Outpost.....	21
	9.7 Appointment of Fire Control Officers.....	25
	9.8 Mitchell Street Shared Path Activation – WA Bicycle Network Grant .....	29
	9.9 Move Behind Closed Doors .....	33
	9.10 Private & Confidential – Tender Consideration – Design & Construct Multi-purpose Play Surface.....	33
	9.11 Move From Behind Closed Doors.....	33
	9.12 Chief Executive Officers Report .....	34
10	Environmental Health and Building .....	37
11	Planning & Development.....	37
12	Works & Services .....	37
13	Urgent Items.....	37
14	Scheduling of Meeting.....	37
	14.1 October 2025 Ordinary Meeting.....	37
15	Closure of meeting .....	37
16	Certification .....	37

## AGENDA

### 1 Declaration of Opening

The Shire President declared the meeting open at 6.00pm.

The Shire of Cunderdin disclaimer was read aloud by Cr B (Bernie) Daly.

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 HN (Holly) Godfrey	

##### In Attendance

Stuart Hobley	Chief Executive Officer
Kay Squibb	Deputy Chief Executive Officer

##### Guests of Council

##### Members of the Public

Nil.

#### 2.2 Apologies

Cr N (Natalie) Snooke

#### 2.3 Leave of Absence Previously Granted

Nil.

### 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 Minutes of Ordinary Council Meeting held 27<sup>th</sup> August 2025

Attachment 6.1.1 - Unconfirmed Minutes OCM – 27<sup>th</sup> August - Public Copy

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#### Resolution 6.1

Moved Cr B Daly                      Seconded Cr A Smith

1. That the Minutes of the Ordinary Council Meeting held on Wednesday 23<sup>rd</sup> August 2025 be confirmed as a true and correct record.
2. The President to sign the minute declaration on the previous minutes.

Carried 6/0

Vote – Simple majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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### 7 Declaration of Members and Officers Interests

Nil.

### 8 Announcements by President without Discussion

It is with great sadness that I acknowledge the passing of former Cunderdin Shire Clerk and CEO, Norm Alcock. Norm served as Cunderdin Shire Clerk from 1971 to 1996 and then as Shire CEO from 1996 to 1999 - a total of 28 years. Norm stamped his authority on his role and leaves a legacy that is still felt throughout our Shire to this day. A talented sportsman, (I had the great pleasure of partnering him on the tennis court many years ago), and an engaging character, Norm led a prosperous and successful time in our community and helped to forge the good foundations we enjoy today. With a flair for always having the last word, Norm will be remembered for his significant contribution to our Shire, which cannot be underestimated. He carried out his duties with great diligence, aplomb and style. And was awarded Freeman of the Shire in 1999. I send our sincerest sympathies to Norm's wife Margaret, their children Camille, Dacre and Anthony and their grandchildren. Vale Norm Alcock- a true statesman.

It is also my very sad duty to announce the all too early passing of previous Cunderdin resident, Nat Beard. Diagnosed as a young Mum with an aggressive cancer more than a decade ago, Nat fought a with a relentless disease that simply would not loosen its grip. Hers was a life interrupted. Former CDHS P and C President, and School Board Chair, I have no doubt that had she been able, Nat would have gone on to become a leader amongst our community.

Nat ran her race in her own way-with brave dignity. We send our love and sympathy to Nat's family, and particularly to her children, Charlotte, Isabelle and Finn, who I hope can find some small comfort in the knowledge that their loving and loved Mum is finally free from pain. Rest in peace, Nat.

And while things always seem to happen in threes, I am also saddened to acknowledge the passing of Cunderdin stalwart, Brian Reading.

The son of a shearing contractor, a shearer himself, who also worked many years at the CBH weighbridge, then semi-retiring into local handyman, Brian and his wife, Pam, who sadly also passed away a short time ago, raised their family in Cunderdin and immersed themselves in the many activities on off in the community. Golf, and later, Men's Shed were just 2 of Brian's interests. His passion for the Cunderdin Historical Society led to the recording and archiving of important local stories that are now preserve for posterity. Always ready with a joke or a quip, Brian's friendly countenance and speedy gopher will be greatly missed. We offer our sincere sympathy to Brian and Pam's daughters and their families.

And with those sad announcements, I'd now like to take this opportunity to recognise two Councillors who are retiring from Council, with this being their last meeting.

Firstly, to Councillor Norm Jenzen, thank you for the twelve years you've spent serving your community. Innovative, and at times provocative, your left of centre approach in thinking outside the box, and search for ways to do things not just differently, but more efficiently, has often been refreshing and thought provoking. I thank you for your contribution and wish you the very best in your future endeavours.

To Councillor Holly Godfrey, who is retiring from Council after dipping her toes in for two years, thank you for being prepared to move out of your comfort zone and take on a role not generally known for attracting a younger demographic. Council has benefitted from your fresh perspective, and I'm buoyed that you may re-visit your Shire Councillor career somewhere down the track. I thank you for putting your hand up, connecting with your community and exploring the role of a Shire Councillor. All the best for the future.

I'd also like to recognise the resignation of our Governance and Administration Officer, Sam Pimlott, to take up her new role as Shire of Cunderdin Councillor. Sam was a welcome addition to our admin team from the Shire of Tammin, with her local knowledge and care for her community always at the forefront of her work. While we shall miss her as an employee, we value the experience and dedication she will now bring to her new Councillor position when she is sworn in next month. And I hope you very much enjoy the transition.

And while acknowledging the contribution of our retiring Councillors, and our enthusiastic new elected members, I'll also take this opportunity to commend all of my Councillors, who've recently been on the receiving end of some wholly undeserved and uninformed criticism, slander and abuse, from a recalcitrant rabble of keyboard warriors posting on a poorly administrated social media page. Council will not be dictated to, or intimidated by, those who choose to participate in cowardly, abusive or bullying behaviour. Council will, however, always be open to engaging in constructive, meaningful and respectful dialogue to continue providing sound decision-making, growth and progress to our community.

To all of our Shire staff, who were also the butt of unjustified abuse, I wish to say thank you for the continuing dedication and commitment you apply to your roles on a daily basis. The wider community sees and appreciates the work you do, and together with Council, combine to form one of the premier Local Governments in this State.

To our CEO, Stuart Hobley, I sincerely thank you for your advice, guidance and leadership during this time. It has proven invaluable, particularly to me, as Shire President, and has provided great stability and strength.

I wish to reassure our community that The Shire of Cunderdin will always act with integrity and respect, is united, harmonious and committed, and will continue providing good governance to the communities of Cunderdin and Meckering.

## **9 Finance and Administration**

### **9.1 Financial Reports for July 2025 and August 2025**

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Date:</b>	18 September 2025
<b>Author:</b>	Kay Squibb
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.1.1 – July Financial Report Attachment 9.1.2 – August Financial Report

#### **Proposal/Summary**

The financial reports as at 31 July 2025 and 31 August 2025 are presented for the Council's consideration.

#### **Background**

The *Local Government (Financial Management) Regulations 1996* require a statement of financial activity to be prepared each month and prescribe the contents of that report and accompanying documents. The report is to be presented at an Ordinary Council Meeting within two months after the end of the month to which the report relates.

#### **Comment**

The reports are presented prior to the completion of all 2024/2025 year-end adjustments and audit processes and as a result, the opening balances contained in the statement of financial activity are preliminary and may be subject to change as part of the finalisation of the annual financial statements.

#### **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**

The report represents the financial position of the Shire at the end of each reporting period.

#### **Strategic Implications**

Nil.

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#### **Resolution 9.1**

Moved Cr N Jenzen      Seconded Cr B Daly

That Council receives the monthly financial reports for the period ending 31 July 2025 and 31 August 2025.

Carried 6/0

Vote – Simple majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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## 9.2 Accounts Paid August 2025

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Kay Squibb
<b>Report Date:</b>	18 September 2025
<b>Item Approved By:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.2.1 – August Creditors Listing Attachment 9.2.2 – Credit Card Statements

### **Proposal/Summary**

Council to consider the list of payments made from the Municipal and Trust funds during August 2025.

### **Background**

The *Local Government (Financial Management) Regulations 1996* prescribe that a list of accounts paid under delegated authority by the CEO is to be prepared each month, providing sufficient information to identify the transactions. The list is to be presented to the Council at the next Ordinary Council Meeting after the list is prepared and recorded in the minutes of that meeting.

### **Comment**

A summary of the total payments made during the month are:

Total Municipal fund -	\$723,967.14
Total Trust fund -	\$0.00
Total Credit Cards -	\$2,934.22
<b>TOTAL</b>	<b>\$726,901.36</b>

### **Consultation**

Nil.

### **Statutory Environment**

*Local Government (Financial Management) Regulations 1996*

r13. Lists of accounts

- (1) If the local government has delegated authority to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared—
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.

r13A. Payments by employees via purchasing cards

- (1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment;
  - (d) sufficient information to identify the payment.

### **Policy Implications**

Nil.

### **Financial Implications**

The list of payments reports the payments made during the reporting period from the Municipal and Trust funds, and purchases made using Shire credit cards.

### **Strategic Implications**

Nil.

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### **Resolution 9.2**

Moved Cr A Smith      Seconded Cr H Godfrey

That Council receive the list of payments made for the period ending 31 August 2025, as listed below

<b>Municipal fund</b>	\$
Electronic Funds Transfer: EFT 9669 - 9747	\$695,495.41
Direct Debits (Inc Bank Charges):	\$23,527.75
Cheques: 12000 to 12003	\$4,943.98
<b>Trust fund</b>	\$0.00
<b>Credit Cards</b>	\$2,934.22
<b>TOTAL</b>	<b>\$726,901.36</b>

Carried 6/0

Vote – Simple majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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### 9.3 Council Investments 31 August 2025

<b>Location:</b>	Cunderdin
<b>Applicant:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Kay Squibb
<b>Report Date:</b>	18 September 2025
<b>Item Approved By:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.3.1 – Bank Statements

#### Proposal/Summary

To inform Council of its investments as at 31 August 2025.

#### Background

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

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

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

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

#### Comment

In addition to the Shire's Municipal Operating accounts, the investment accounts below are held as at 31 August 2025.

COUNCIL ACCOUNTS					
Institution	Amount	Investment type/ Account details	Municipal Funds	Reserve Funds	Trust Funds
Westpac Bank	\$1,053,882.49	Municipal- 0000030	\$1,053,882.49		
Bendigo Bank	\$1,548,981.38	Municipal- 155971377	\$1,548,981.38		
Westpac Bank	\$364,059.07	Business Cash Reserve 22-3647 0.80%		\$364,059.07	
Bendigo Bank	\$12,247.86	Bendigo Trust Account 164 488 686			\$12,247.86
Westpac Bank	\$0.00	Trust Working Account 12-2981			\$0.00
Bendigo Bank	\$1,833,836.36	Term Deposit -4.05% Matures 21 Nov 2025		\$1,833,836.36	
<b>TOTAL INVESTMENTS</b>	<b>\$4,813,007.16</b>		<b>\$2,602,863.87</b>	<b>\$2,197,895.43</b>	<b>\$12,247.86</b>

In addition to the above Shire funds, the Shire administers following accounts for the Cunderdin Community Centre Trust Accounts being Bendigo Term Deposits & operating Ac#000073 - \$4,163.08.

<b>CUNDERDIN COMMUNITY TRUST DETAILS</b> <b><u>INTEREST ACCOUNT</u></b> <b>31 August 2025</b>			
Opening Balance as per Bank Statement & Term Deposits			
Term Deposit# 5152882			
Maturing 4 Nov 2025 (4.25%)			
			270,936.53
	<b>TOTAL</b>		<b>270,936.53</b>
Credits:			0.00
Debits:			0.00
Closing Balance as Per Bank Statements & Term Deposits	<b>TOTAL</b>		<b>270,936.53</b>
<b>INCOMING</b>			0.00
			0.00
<b>OUTGOING</b>			0.00
<b>Balance as at end of month</b>	<b>TOTAL</b>		<b>270,936.53</b>
<b>CUNDERDIN COMMUNITY TRUST DETAILS</b> <b><u>CAPITAL ACCOUNT</u></b> <b>31 August 2025</b>			
Opening Balance as per Bank Statement & Term Deposits			
Term Deposit# 5152883			
Maturing 4 Nov 2025 (4.25%)			
			369,862.05
	<b>TOTAL</b>		<b>369,862.05</b>
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
<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.

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**Resolution 9.3**

Moved Cr T Harris      Seconded Cr B Daly

That the report on Council investments as at 31 August 2025 be received.

Carried 6/0

Vote – Simple majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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#### 9.4 Receive Minutes of the Bush Fire Advisory Committee

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Governance and Administration Officer
<b>Date:</b>	8 <sup>th</sup> September 2025
<b>Author:</b>	Samantha Pimlott
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.4.1 - September 2025 BFAC Minutes Attachment 9.4.2 - Meckering BFB AGM Minutes 25.08.2025 Attachment 9.4.3 - Cunderdin and Ygnattering BFB AGM Minutes 08.09.25 Attachment 9.4.4 - Policy Item 5.1 Bush Fire Brigades – Establishment Attachment 9.4.5 - Bush Fires Act Gazette 2021 Attachment 9.4.6 - Policy Manual Item 5.3 Harvest & Movement of Vehicles

##### **Proposal/Summary**

For Council to receive September 2025 Bush Fire Advisory Committee (BFAC) Minutes, Meckering Bush Fire Brigade (BFB) Annual General Meeting (AGM) Minutes, Cunderdin and Ygnattering Bush Fire Brigade AGM Minutes, and to consider the recommendations contained within.

##### **Background**

BFAC is an advisory committee of Council formed under Regulation of the *Bush Fires Act 1954*, the BFAC meets twice a year, once pre-season, and another post season.

Copies of the minutes for the BFAC Minutes, Cunderdin and Ygnattering BFB AGM and Meckering BFB AGM are located in the attachments.

##### **Comments**

Extensive discussions were held on agenda items which resulted in the meeting requesting that Council receive and consider the motions and recommendations carried by the BFAC members.

##### **Burning Restrictions**

It is common practice for burning restrictions to be put in place over the Easter public holiday period. The dates of Easter 2026 fall from Friday 3<sup>rd</sup> April to Monday 6<sup>th</sup> April, which is in the Shires open burning period. Section 17 of the *Bush Fires Act 1954* makes provision for Local governments for vary prohibited burning times.

BFAC have requested that Council consider the motion below:

At the BFAC meeting held in April 2025 the following notice of motion was put and carried:

*Moved David Beard.*

*Burning to be restricted on Friday 3<sup>rd</sup> April, Saturday 4<sup>th</sup> April and Sunday 5<sup>th</sup> April 2026.*

*Seconded: Jeff Snooke.*

*Carried.*

The reason for imposing this burning restriction is for the safety of the community as a whole. Many residents use this long weekend as an opportunity to get away for the weekend which may impact available volunteer numbers.

### Bush Fire Exercise/Training

Training on Bush Fire Safety and Awareness and Firefighting Skills held in Meckering Thursday 18th September and Friday 19th September.

### Use of "Cunderdin Fire Alerts" WhatsApp messages

At the BFAC meeting held in April 2025 the following notice of motion was put and carried:

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

*Moved: David Beard*

*Seconded: Jeff Snooke*

The intention of this notice of motion was for Fire Control Officers (FCO) to take the proposal back to their brigades for discussion and to involve all members of the BFB in the decision-making process.

FCO's from the Meckering BFB advised that at their AGM held 25th August 2025 the notice of motion was discussed and voted on. Results of the vote were that the Meckering BFB were not in favour of the WhatsApp message service being used to communicate when and where burns under permit are being conducted.

Cunderdin and Ynattering BFB AGM's had not held their AGM prior to the BFAC meeting, and their members had not had an opportunity to discuss the notice of motion. The BFAC decided to put the motion on hold until the other BFB's to have an opportunity to discuss and vote on the motion.

Ygnattering and Cunderdin held a combined AGM on Monday 8<sup>th</sup> September. The brigades discussed the WhatsApp notification process and motion. These members voted at the meeting and resolved that they were in favour of the WhatsApp messenger service being used when permit holders are conducting their burns during the restricted burning period.

At the conclusion of all three BFB AGM's and the BFAC it is noted that the voting falls in favour of the WhatsApp messenger service being used when permit holders are conducting their burns during the restricted burning period.

### Recommendation that Captains of Bush Fire Brigades to also be appointed as Bush Fire Control Officers.

Attached is policy item 5.1 Bush Fire Brigades - Establishment for Council to review.

Recommended amendment to the policy is under the application section where - *Volunteers elected as Captain's of any Shire of Cunderdin Bush Fire Brigade shall also be appointed by Council as a Shire of Cunderdin Fire Control Officer.*

This change to the policy will ensure that functions and systems of the brigades are consistent throughout the Shire.

### Policy for use of BFB trucks for community events.

A policy for the use of BFB trucks at community events was presented to the BFAC meeting. A draft of the policy can be found in the attachments.

The intention of the policy is to implement guidelines surrounding use of truck for community events for busy bees etc. Use of the appliances at these events is beneficial for training and public relation purposes. Stipulations in the policy will ensure that the asset is operated by qualified personnel reducing any risk of mechanical failures.

The BFAC meeting was in agreeance with contents of the policy. This policy is presented to Council for consideration in Agenda Item 9.5.

#### Applications for permit to burn

Burning Permits are currently issued for a period of 7 days. Discussions at the Meckering BFB AGM have resulted in a motion to extend burning permits to a period length of 28 days.

At the Meckering BFB AGM it was discussed to extend the application period from 14 days to 28 days. The reasons sighted for this motion, at both the Meckering BFB AGM and the BFAC meeting, were due to the changes in the Fire Danger Rating parameters it has resulted in the number of days in a seven day period available to burn being very limited and the task of reapplying the permit on a weekly basis is not considered to be time efficient for the Shire administration and the permit applicant.

The following motion was passed at the BFAC meeting:

*Motion*

*That we recommend to the Shire that burning permits can be issued to a maximum of 28 days.*

*Moved: Jeff Snooke*

*Seconded: Mal Patton*

*Carried: 5/1*

Discussions held between Shire administration including Community Emergency Services Manager, John Idland, have suggested that moving from a 7 day permit to 28 day period is a significant change and that Council should entertain a less significant time period extension to be from 7 days to 14 days.

Examples of surrounding local government permit periods:

Shire of York                      28 days

Shire of Northam                7 days

Shire of Quairading            14 days

The community members affected by this change are majority farmers who use burning as a tool to prepare for seeding.

#### Wind Strength on Permits

During restricted burning periods of previous seasons, it has come to the attention of administration and fire control officers that permits had been issued stating that burning was prohibited if the wind speed was above 15km/hr.

This has caused a lot of confusion amongst the community. Department of Fire and Emergency services Burn SMART, A planned burning guide for small landholders states that "wind speeds should be less than 20 kilometres per hour."

The following motions was put and carried at the BFAC meeting:

*Wind strength on permits to be a maximum of 20 km/hr.*

*Moved: Jeff Snooke*

*Seconded: Todd Harris*

*Carried: 6/0*

This will result in landholders being permitted to burn under permit until wind speeds reach 20km/hr. There are a number of other conditions on permits that may cause burning under permit to be prohibited. These conditions are in place for the safety of the community.

### Restricted burning periods

The Shire's Restricted Burning Periods were gazetted in June 2021. These current dates are:

Non-Restricted Burning Period

1st April – 19th September (No Permits Required)

Restricted Burning Period

1st October – 1st November (Permits Required)

Prohibited Burning Period

2nd November – 14th February

No Burning Allowed

Restricted Burning Period

15th February – 31st March (Permits Required)

These dates are subject to change in accordance with the Bush Fire Act 1954 legislation.

On September 1, 2022 Western Australia adopted the simplified Australian Fire Danger Rating System (AFDRS) changing from six ratings - Low-Moderate, Moderate, High, Very High, Severe, and Extreme, to four - Moderate, High, Extreme, and Catastrophic, plus a "No Rating" category for low-risk days.

On the previous fire behaviour index rating system that would have resulted in permits not permitted for use can be found in the data below:

Year	Very High Fire Danger Days in March
2020	25
2021	22
2022	26

Data relating to the current AFDRS rating systems that would have resulted in permits not being used can be found below:

Year	High Fire Danger Days in March
2023	20
2024	24
2025	22

With the changing of farming practices and seasonal changes it is becoming increasingly difficult for the practice of stubble burning to be achieved in the open burning period. Before the start of seeding which traditionally would not have begun until the end of April but is now commencing mid-April. This short window of time means that an extremely large portion of the district is being burnt at the same time. Increasing the risks of fires becoming uncontrollable and no volunteers available to aid any escaped burns.

As a result of conversations held at BFAC and the BFB AGM's it has been recommended that Council consider the following proposal:

BFAC recommend to the Shire to change the end of the restricted burning period to 15th March of each year and that an application to enact this change to be presented to the commissioner.

To make these changes Council will be required to make an application to the Minister, as per the *Bush Fires Act 1954 part three, division two, section 17(2)*, to revoke the current Gazetted Restricted Burning Periods and request that the Restricted Burning Period 15th February – 31st March be changed to Restricted Burning Period 15th February – 15th March (Permits Required).

#### Harvest Bans

Shire of Cunderdin Policy Manual Item 5.3 Harvest & Movement of Vehicles Bans as seen in attachments to this item state that - *A harvest vehicle movement ban (HVMB) will be called when an FBI reading of 40 has been recorded anywhere within the Shire of Cunderdin.*

To alleviate controversy of when and where in the district this reading is taken, Norm Jenzen has spoken to Origo Ag for information on collecting data from any local weather stations within the Shire. This platform will allow BFCO's to make informed and transparent decisions that are in the best interests of all community members within the Shire. Members of the BFAC and brigades were all in agreement of this platform being arranged.

The policy also states that a HVMB will be imposed immediately when any of the following conditions occur:  
Fire Incidents within the Shire of Cunderdin

- a. Upon notification of any fires occurring within the Shire of Cunderdin and the Fire Behaviour Index is over 30, this is overridden in the event of (d) below.

It was moved by DCBFCO that the policy be changed to – when a fire is reported in any part of the Shire of Cunderdin a HVMB will be imposed. This motion was not supported by the Cunderdin Ynattering BFB AGM.

By amending the policy to take in consideration of the DBFCO's motion, it would give FCO's responsible for fire management the opportunity to assess the active fires control and risk of escalation while also preventing any further risk of fire incidents in opposing areas of the district which could have severe impacts on BFB resources. Lifting of a HVMB is the decision of the CBFCO and or DCBFCO or CESM or CEO.

#### Deputy Chief Bush Fire Control Officer

David Beard advised the BFAC meeting that he was resigning from the position of Deputy Chief Bush Fire Control Officer.

An expression of interest was received from Alan Mills-Heath to fill the vacated DCBCO position.

The following recommendation was made to be presented to Council:

BFAC recommend to the Shire that Alan Mills-Heath be appointed as the Deputy Chief Bush Fire Control Officer.

This recommendation is included in item 9.7 of the agenda.

A sincere thank you was extended to David Beard from all attendees of the BFAC for dedicating his time to fulfilling the position of Deputy Chief Bush Fire Control Officer for the Shire of Cunderdin.

#### Consultation

Stuart Hobley, Chief Executive Officer

Shire of Cunderdin Bush Fire Brigades

John Idland, Community Emergency Services Manager

Fire Control Officers

## **Statutory Implications**

### *Local Government Act 1995*

#### *Bush Fires Act 1954*

#### *Part III — Prevention of bush fires, Division 2 — Prohibited burning times, s17 - Prohibited burning times may be declared by Minister*

- 1) The Minister may, by declaration published in the Gazette, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the declaration and may, by subsequent declaration so published, vary that declaration or revoke that declaration either absolutely or for the purpose of substituting another declaration for the declaration so revoked.
- 2) Where by declaration made under subsection (1) prohibited burning times have been declared in respect of a zone of the State then, subject to such variations (if any) as are made under that subsection from time to time, those prohibited burning times shall have effect in respect of that zone in each year until that declaration is revoked.

#### *s67*

- 1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.
- 4) A committee appointed under this section —
  - a) may from time to time meet and adjourn as the committee thinks fit.
  - b) shall not transact business at a meeting unless the quorum fixed by the local government is present.
  - c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

#### *Division 2 — Prohibited burning times*

#### *s17. Prohibited burning times may be declared by Minister*

- 7) Subject to subsection (7B), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district the local government may, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by —
  - a) shortening, extending, suspending or reimposing a period of prohibited burning times; or
  - b) imposing a further period of prohibited burning times.

#### *20 Regulations as to restricted burning times*

#### *Bush Fire Regulations 1954*

r15B. Permit to burn holder, duties of

r15C. Local government may prohibit burning on certain days

## **Policy Implications**

### Council Policy Manual

### Section 5 – Fire Control

#### 5.1 Bush Fire Brigades – Establishment

## **Financial Implications**

2025/2026 Statutory Budget – Law Order and Public Safety

## **Strategic Implications**

Shire of Cunderdin Strategic Community Plan.

5.2 Forward planning and implementation of plans

5.3 Implement systems and processes that meet legislative and audit obligations

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### **Resolution 9.4**

Moved Cr H Godfrey    Seconded Cr N Jenzen

That Council:

- 1) Approve the Bush Fire Advisory Committee motion being –
  - a) Burning to be restricted on Friday 3<sup>rd</sup> April, Saturday 4<sup>th</sup> April and Sunday 5<sup>th</sup> April 2026.
  - b) Will advertise the burning restrictions in place for this period.
- 2) Recommendation that Captains of Bush Fire Brigades to also be appointed as Bush Fire Control Officers.
- 3) Have considered and accept the Bush Fire Advisory Committee motion for burning under permit to be allowed this wind speeds to a maximum of 20km/hr.
- 4) Make an application to the Minister, as per the Bush Fires Act 1954 part three, division two, section 17(2), to revoke the current Gazetted Restricted Burning Periods and request that the Restricted Burning Period 15th February – 31st March be changed to Restricted Burning Period 15th February – 15th March (Permits Required), and that these changes be published in the Local Government Gazette.

Carried 6/0

Vote – Absolute majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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## 9.5 Shire Policy Manual – Community use of Shire of Cunderdin Bush Fire Brigade Appliances

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Executive Assistant
<b>Date:</b>	15 <sup>th</sup> September 2025
<b>Author:</b>	Samantha Pimlott
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.5.1 - Community Usage of Shire of Cunderdin BFB Appliances - DRAFT Policy

### **Proposal/Summary**

For Council to consider the adoption of Draft Community Use of Shire of Cunderdin Bush Fire Brigade (BFB) Appliances Policy as presented.

### **Background**

The Shire owns three (3) of the Bush Fire Trucks which are located in Cunderdin Townsite, Meckering Townsite and Ygnattering.

Historically the trucks have been permitted to be used by brigade members, community groups and sporting groups for busy bees and community events and other burn offs.

Recently there have been queries regarding this use so a policy has been developed to provide clarification to Council, BFB members and the community.

The attached policy has been presented and endorsed by the Bush Fire Advisory Committee (BFAC) at their recent meeting.

### **Comments**

The concerns that were raised over the community use revolved around the truck not being operated by trained personnel, damage that may occur to the pump systems, and that the truck would not be returned in the state that it left in, prepared and ready turnout in the occurrence of an emergency.

Allowing use of trucks to be used at community events for busy bees etc. will be beneficial for training of BFB members and public relation purposes. Stipulations in the policy will ensure that the asset is operated by qualified personnel reducing any risk of mechanical failures.

### **Consultation**

Stuart Hobley, Chief Executive Officer  
John Idland, Community Emergency Services Manager  
Fire Control Officers

### **Statutory Implications**

*Local Government Act 1995*  
*Bush Fires Act 1954*

### **Policy Implications**

Shire of Cunderdin Council Policy Manual  
Delegations Register

### **Financial Implications**

Nil

### **Strategic Implications**

5. Civic Leadership

5.1 Shire communication is consistent, engaging and responsive.

5.3 Implement systems and processes that meet legislative and audit obligations.

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### **Resolution 9.5**

Moved Cr B Daly

Seconded Cr T Harris

That Council:

1. Receive and adopt the Draft Community use of Shire of Cunderdin Bush Fire Brigade Appliances Policy, as presented, to form part of the Shire of Cunderdin Council Policy Manual.
2. Request the CEO to:
  - a. Update the policy manual on the Shire's website
  - b. Advise Bush Fire Brigade Captains the policy has been endorsed and should be implemented.

Carried 6/0

Vote – Absolute majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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## 9.6 Youndegin Police Outpost

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Governance and Administration Officer
<b>Date:</b>	11 <sup>th</sup> September 2025
<b>Author:</b>	Samantha Pimlott
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.6.1 - Correspondence from current owners. Attachment 9.6.2 - Historic Information on Youndegin

### **Proposal/Summary**

For Council to consider proposal from land holders of Lot 35 Yilgarn Road, Youndegin, also known as the location of historic Youndegin police outpost.

### **Background**

The Old Youndegin Police Station is located on Goldfields Road in the gazetted townsite of Youndegin. The building is a historic landmark and important tourist attraction in the Shire of Cunderdin.

The building was constructed in 1865 as a Police Outpost. In 1880 Constable Alfred Eaton accompanied by his wife Mary Anne and family took up residence at the building and he commenced his policing duties.

The Eaton's became attached to the area, and bought farming land in the district including the old police station and established the Youndegin Arms Inn. Mary Eaton is considered to be the first pioneering woman of the district.

Unfortunately for the Youndegin townsite the railway and pipeline were directed through Cunderdin which saw the gradual demise of the Youndegin townsite. The Eaton's however remained in the district, and the building is now currently owned by Eddie and Sue Eaton who generously allow tourists to visit the building.

The Eaton's have offered to gift to Council the land and buildings (Attachment 9.6.1) under conditions. The correspondence is as follows:

1. We would like the Shire to consider taking over the ownership of the Youndegin Historic Police Outpost, due to its significant historical value to the local district.
2. It would be expected that the Shire would look after the ongoing maintenance of the building and site given the resources at your disposal.
3. Regarding the long term future of the Youndegin site, we feel it will be necessary to include a legal framework to protect the property to ensure it remains a historic site.

The building is listed on the Shire of Cunderdin's Municipal Heritage List but is not on the State Heritage List.

### **Comments**

Over the years staff have had several conversations with the Eaton's regarding the land buildings and their future. It was very unexpected and extremely generous of the Eaton's to offer to gift the land and buildings to the Shire at no cost.

The Old Police Station is extremely well preserved for a building of its age. It will need some work in the future to ensure its integrity, but this future work should not be seen as limiting.

The building and surrounding areas at Youndegin is an important link to our Shires pioneering history. Council have been developing its tourism locations within the Shire and the Youndegin Police Station and surrounding area is a very unique site that will complement the work Council has already completed.

The Eaton's offer, shown in attachments, contains conditions which will need further investigation.

The process that will need to be followed should Council resolve to enter negotiation with the Eaton's to take ownership of this property include:

- Consultation with the Heritage Council and negotiate of a Heritage Agreement.
- A future Council resolution to accept the land and any obligations of a potential Heritage Agreement.
- Registration of any agreements to be applied to the land title deeds.
- Compliance of the agreement will need to be monitored ensuring that the maintenance and preservation outcomes are being met.
- May require solicitor engagement to ensure compliance to all heritage and planning acts are being considered.

### **Consultation**

Stuart Hobley, Chief Executive Officer  
Edward and Sue Eaton, Landowners  
Michelle Samson, Museum Manager

### **Statutory Implications**

*Local Government Act 1995*

*Planning and Development (Local Planning Schemes) Regulations 2015*

#### **9. Designation of heritage areas**

- 1) If, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area to which this Scheme applies, the local government may, by resolution, designate that area as a heritage area.
- 2) If the local government designates an area as a heritage area the local government must adopt for the area a local planning policy that sets out the following —
  - a) a map showing the boundaries of the heritage area;
  - b) a statement about the heritage significance of the area;
  - c) a record of places of heritage significance in the heritage area.

*Heritage Act 2018*

#### **91. Land to which a heritage agreement may relate**

- 1) A heritage agreement may relate to land constituting the whole or any part of —
  - a) a registered place; or
  - b) a place in relation to which —
    - i) the Council has made a recommendation under section 40(2); and
    - ii) the Minister has not yet given a direction under section 41(1);
  - or
  - c) a place that is the subject of a protection order; or
  - d) a place included in —
    - i) a heritage list established or maintained under a local planning scheme; or
    - ii) a heritage area designated under a local planning scheme;
  - or

- e) any other place the Council has approved as the subject of a heritage agreement by reason of —
  - i) special interest, not necessarily amounting to significance, relevant to the cultural heritage the place possesses; or
  - ii) the relationship of the place to a registered place; or
  - iii) the nature of, or the potential relationship of the place to and its effect or potential effect upon, a particular environment meriting conservation

## **92. Form and content of heritage agreement**

- 2) A heritage agreement —
  - a) must, in so far as the interest of the owner of the subject land permits, provide for commitments by the owner and the obligations of the owner regarding conservation of the subject land; and
  - b) subject to the regulations, may include any other provision necessary or convenient for the purposes of carrying into effect the objectives of this Act.
- 3) Without limiting subsection (2), a heritage agreement may provide for —
  - a) requirements or restrictions regarding the conservation, interpretation, maintenance or management of the subject land, or of specimens or artefacts in, on or connected with the subject land; and
  - b) restrictions on the carrying out of specified works or works of a specified kind or standard; and
  - d) requirements or restrictions regarding the use of the subject land; and
  - e) requirements or restrictions regarding the conservation, interpretation, maintenance or management of the subject land, or of specimens or artefacts in, on or connected with the subject land; and

## **93. Implied and model provisions for heritage agreements**

- 1) Regulations may prescribe provisions relating to —
  - a) the terms used in heritage agreements and the interpretation of those terms; and
  - b) the scope, duration and termination of heritage agreements; and
  - h) any other matter connected with the formation, interpretation and enforcement of heritage agreements.

## **96. Record of heritage agreements**

- 1) The Council must maintain a record of the text of each heritage agreement, and each variation to a heritage agreement, in operation under this Act

### **Policy Implications**

Cunderdin, Quairading & Tammin Joint Local Planning Strategy  
Shire of Cunderdin Heritage Strategy  
Municipal Inventory  
Bush Fire Mitigation Plan

### **Financial Implications**

There will be a small cost associated with the acquisition of the land and building that can be accommodated in the budget.

Future costs will include maintenance of the building and surrounding grounds. If Council promotes the building as a tourist attraction there will be ongoing costs of cleaning, gardening and general tidying up of the area.

The building will need works in the future however, given the significance of the building it is believed that grant funding for works could be possible. These amounts are currently unknown.

### **Strategic Implications**

Shire of Cunderdin Strategic Community Plan.

#### **1. COMMUNITY AND SOCIAL**

1.1 Community members have the opportunity to be active, engaged and connected

The Shire supports positive leisure, learning and recreation outcomes

#### **2. ECONOMY**

2.2 Renew and improve the visibility of the Shire of Cunderdin brand

Improved online presence and awareness of what we have to offer

#### **3. BUILT ENVIRONMENT**

3.4 Protect and preserve heritage

#### **5. CIVIC LEADERSHIP**

5.2 Forward planning and implementation of plans

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### **Resolution 9.6**

Moved Cr N Jenzen      Seconded Cr A Smith

That Council:

1. Advise the Eaton's that it accepts the offer of Lot 35 Yilgarn Road, Youndegin (known as the Youndegin Police Station) at no cost to Council for the land and buildings.
2. That Council pay any costs associated with the transfer of the lot.
3. Maintains the building and surrounds.
4. Engage a heritage advisor to assist Council to establish a framework that will protect the building into the future.

Carried 6/0

Vote – Absolute majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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## 9.7 Appointment of Fire Control Officers

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Governance and Administration Officer
<b>Date:</b>	11 <sup>th</sup> September 2025
<b>Author:</b>	Samantha Pimlott
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 9.7.1 - Delegations Register 2024 Adopted 27.11.2024

### Proposal/Summary

For Council to review consider and appoint Shire of Cunderdin Bush Fire Control Officers.

### Background

*Bush Fire Act 1954* Local Governments are to appoint Fire Control Officers to assist with the management of the *Bushfires Act 1954*.

Bush Fire Control Advisory Committee (BFAC) meeting was held at the Shire of Cunderdin Council Chambers on Thursday, 4 September 2025. It was at this meeting that Deputy Chief Bush Fire Control Officer (DBFCO) David Beard resigned from his appointment.

A notice was sent out to brigades calling for nominations of any interested parties to fill this position. There was one nomination received from Allan Mills.

Allan has been an active member of the Cunderdin and Meckering Bush Fire Brigades (BFB) for a number of years and the consensus of the September BFAC meeting was that Allan is a suitable candidate and that they would recommend his appointment to Council.

A recommendation from the BFAC was that Captains of the brigades are to be appointed as Fire Control Officers. The Captains of the brigades are:

- Meckering BFB      Ashley Burges (CBFCO)
- Cunderdin BFB      Trevor Diver
- Ygnattering BFB      Nick Jenzen

### Comments

Whilst there were no formal recommendations from the BFAC meeting for the appointment of FCO's, it will be recommended to re-appoint current officers until they indicated that they would like to retire from their positions.

It will also be recommended to Council that Policy Manual Item 5.1 Bush Fire Brigades – Establishment be amended to include a requirement for Captains elected by the BFB's will also hold an FCO position forming part of the BFAC. This will help bridge communication gaps between the brigades and BFAC ensuring functions and systems of the brigades are consistent throughout the Shire. Currently appointed FCO's are:

Ashley Burges (CBFCO) (Captain Meckering BFB)  
David Smith  
Digby Wilmott (Captain Ygnattering BFB)  
Jeff Snooke  
David Fisher  
Darren Jasper  
CESM  
Hayley Byrnes (DCEO)

David Beard (DCBFCO)  
Todd Harris (Councillor)  
Norm Jenzen (Councillor)  
Philip Arnold  
Tim Ford (Captain Cunderdin VFRS)  
Mal Patton  
Stuart Hobley (CEO)

## **Consultation**

John Idland, Community Emergency Services Manager  
BFAC

## **Statutory Implications**

### *Bush Fires Act 1954*

#### **s38 Local government may appoint bush fire control officer**

- 1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- 2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
- 2C) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the FES Commissioner may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
- 2D) Where a local government that has been served with a notice pursuant to subsection (2C) fails or neglects to comply with the requirements of that notice, the FES Commissioner may appoint a person who is not employed in the Department to the vacant office.
- 2E) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the FES Commissioner, by the FES Commissioner.
- 3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- 4) A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for —
  - a) carrying out normal brigade activities;
  - d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
  - e) procuring the due observance by all persons of the provisions of Part III.

#### **s39 Special powers of bush fire control officers**

- 1) Subject to the provisions of this Act a bush fire control officer appointed under this Act by a local government may, in the exercise of his functions and the performance of his duties under this Act, do all or any of the following things — Please see act for specific information on duties.

#### **s48 Delegation by local governments**

- 1) A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.

#### **s50 Records to be maintained by local governments**

- 1) A local government shall maintain records containing the following information —
  - a) the names, addresses, and usual occupations of all the bush fire control officers and bush fire brigade officers appointed by or holding office under the local government;
  - b) where a bush fire control officer holds office in respect of part only of the district of the local government, descriptive particulars of that part of the district in respect of which the bush fire control officer holds office;
  - c) particulars of the nature, quantity, and quality of the bush firefighting equipment and appliances which are generally available within the district of the local government for use in controlling and extinguishing bush fires.

#### **s67 Advisory committees**

- 1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.
- 2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- 4) A committee appointed under this section —
  - a) may from time to time meet and adjourn as the committee thinks fit;
  - b) shall not transact business at a meeting unless the quorum fixed by the local government is present;
  - c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

#### *Bush Fires regulations 1954*

#### **Reg 41. Bush fire brigades, local government to keep register of –**

- 1) A local government shall keep a register of bush fire brigades established by it in the form of Form 12 in the Appendix.

#### **Policy Implications**

Delegations Register  
Council Policy Manual

#### **Financial Implications**

Nil.

### **Strategic Implications**

#### **1. COMMUNITY AND SOCIAL**

1.2 A healthy and safe community is planned for

Volunteers and community groups feel supported and empowered

#### **5. CIVIC LEADERSHIP**

5.3 Implement systems and processes that meet legislative and audit obligations

Capability of our organization is continually improved

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### **Resolution 9.7**

Moved Cr H Godfrey      Seconded Cr B Daly

That Council appoint the following members as Shire of Cunderdin Fire Control Officers:

1. Chief Bush Fire Control Officer – Ashley Burges
2. Deputy Chief Bush Fire Control Officer – Allan Mills
3. Fire Control Officers - David Beard, David Smith, Todd Harris, Digby Wilmott, Norm Jenzen, Jeff Snooke, Philip Arnold, David Fisher, Tim Ford, Darren Jasper, Malcom Patton, Nick Jenzen, Trevor Diver, John Idland (Community Emergency Services Manager), Stuart Hobley (Chief Executive Officer), Kay Squibb (Deputy Chief Executive Officer).
4. Delegation letters be sent to all appointed Fire Control Officer.

Carried 6/0

Vote – Absolute majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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## 9.8 Mitchell Street Shared Path Activation – WA Bicycle Network Grant

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Project Manager
<b>Date:</b>	12 September 2025
<b>Author:</b>	Liezl De Beer
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachments:</b>	Attachment 9.8.1 - Mitchell Street Art Proposal

### **Proposal/Summary**

For Council to consider the Cunderdin Youth Council's Mitchell Street Art Proposals as part of the Western Australian Bicycle Network Grant (WABN) Activation, Consultation and Evaluation Plan (ACE).

### **Background**

The WABN Grant requires that local governments develop and implement an Activation, Consultation and Evaluation Plan (ACE). This plan is a component of the WABN Grant. Activation measures included temporary (on-off activities), intermitted (pre/post surveys) and permanent (signage, landscaping, trip facilities) activities. There are five different approaches to complete activation activities which include:

- Information – Letting people know about the project through communications, promotions, publications and wayfinding/signage.
- Engagement – Directly engaging the community, key stakeholders, interest and user groups, and service providers through consultation, events and other participatory activities.
- Co-delivery – Mobilising and working with community groups. Collaborating with others helps make use of existing resource and networks, engages people through existing interest, and often broadens the impact of activities.
- Amenities – Providing trip facilities and amenities to enhance the attractiveness and accessibility of a project (e.g. bike parking, repair stations, shelters, art works and heritage displays)
- Heritage – Recognising local contexts, identifying and celebrating unique histories and providing opportunities for people to connect with their own and other cultures.

The Shire's four-year shared path project identified the following activation activities:

<b>Approach</b>	<b>Activity as identified in the ACE Plan:</b>	<b>Impact</b>
Information	Item 1: Announce commencement and completion of the project through regular means (website, newsletter & social media)	Intermitted
Amenities	Item 2: Providing rest areas (seating) on Forrest Street. Item 3: Bike maintenance station and bike racks (cost dependent) Item 4: Shared path art and interpretation signage.	Permanent Permanent Permanent
Co-Delivery	For the amenities and engagement approach, we are working with the Cunderdin Creative Towns Team (seating) and Cunderdin Youth Council (path art) to deliver the activation activities.	Temporary
Engagement	Item 5: Events – Walk to school day (youth/school), Walking event (seniors) as part of Road Safety week & Tour De Cunderdin (community wide). Item 6: Schools join Your Move School Program (emailed school) Item 7: LG sign up for Your Move LG Program Item 8: Activation Community Event at end of full project – invite key stakeholders (Minister of Transport, local Labour MLA, Councillors etc).	Temporary  Permanent Permanent Temporary
Heritage	Celebrating our local community through the community arts (seating & path art) activities.	Permanent

### **Comment**

Council is asked to consider the proposed art installation on the Mitchell Street shared path, assisting with achieving item 4 in the ACE Plan (Shared path art & interpretation signage).

The shared concrete path along Mitchell Street provides direct access to the rear entrance of the school and is the primary commuting route used by students. The Youth Council proposes art installation along this path to enhance its visual appeal and create a welcoming environment for young people on their way to and from school. The project is designed *by youth, for youth*, reflecting the creativity and community spirit of our local young people.

### **Design Development**

A dedicated Youth Council Committee sub-group, comprising four representatives from the Youth Council has collaborated to develop the proposed designs. After reviewing four initial concepts (geometric, abstract, words and games, and nature theme) the group selected a geometrical shape theme which offers a modern and vibrant aesthetic.

The chosen colour palette is bright and engaging without being overly bold or distracting, ensuring the artwork remains attractive to young people while complementing the streetscape. (Please refer to the attached document for the proposed design layouts and colour schemes.)

### **Installation Options for Council Consideration**

1. **Full Installation:** Artwork on shared paths located on both sides of Mitchell and Kennedy Street, with a small number of painted geometric shapes incorporated onto the road surface in between.
2. **Dual-Path Installation:** Artwork on shared paths located on both sides of Mitchell and Kennedy Street only (no road surface painting).
3. **School-Link Installation:** Artwork limited to the shared path section between Kennedy Street and the school (end of path), with a series of smaller painted sections to visually connect the two ends. No road surface painting.

### **Materials & Safety**

- **Paint:** Wattyl High-quality UV-resistant paint to ensure long-term colour retention.
- **Finish:** Dy-Mark Tread Rite Anti-slip coating applied over all painted surfaces to maintain pedestrian safety.

### **Implementation Process**

The Youth Council proposes a small community event to coincide with the installation. This will include Youth Council members and invited community members (this is to reduce the risk of poor art quality delivery or unsupervised youth participation). Design patterns will be drawn on the path with Youth Councillors completing the painting (paint-by-number).

Youth Development Officer will:

- Oversee paint application to ensure a professional, high-quality finish.
- Manage the site safely and avoid accidents during the installation.

The Youth Council would like to begin installation of the project in November 2025, dependant on shared path construction completion dates. Completion dates of the shared path construction is limited by the footpath contractor and NBN installation contractors. Both contractors have been contacted regarding their proposed completion timelines, and we are awaiting their feedback.

The Department of Communities grant funds that have been applied for require the project to be completed the end of October.

Please refer to the Attachment 9.10. for the proposed design layouts and colour schemes.

### **Consultation**

Stuart Hobley, Chief Executive Officer  
Liezl De Beer, Project Manager  
Amber Bell, Youth Development Officer  
Cunderdin Youth Council, Student Representatives

### **Statutory Implications**

Nil.

### **Policy Implications**

Shire of Cunderdin Policy  
3.1 Purchasing Framework

### **Financial Implications**

Financial implications for this project will be minimal with the majority of art materials and equipment provided by the Department of Communities Youth Engagement Grant - \$3,480.

Wattyl Vibrant Green	289.41	15 Litres	Dept of Communities
Wattyl Party Balloon Orange	289.41	15 Litres	Dept of Communities
Wattyl Yellow Pepper	289.41	15 Litres	Dept of Communities
Wattyl Blue Appetite	289.41	15 Litres	Dept of Communities
Wattyl Polka Pink	289.41	15 Litres	Dept of Communities
Wattyl Peerless Purple	289.41	15 Litres	Dept of Communities
Wattyl White x2	578.82	30 Litres	Dept of Communities
Wattyl Black	289.41	15 Litres	Dept of Communities
Paint Brushes, Containers, PPE & Other Resources	400		Dept of Communities
TreadRite Slip Resistant Coating 10 Litre x2 @ \$270ea	\$540	10 Litres	Shire Contribution
	\$3480.00		

The Shire will contribute towards staff time and small incidentals if necessary. Cunderdin Youth Council will volunteer their time towards the project.

### **Strategic Implications**

#### **Shire of Cunderdin Strategic Community Plan 2022 -2032:**

##### **1. Community and Social**

1.1 Community members have the opportunity to be active, engaged and connected.

Inclusive access to Shire facilities and services.

1.2 A healthy and safe community is planned for

Promotion and advocacy of community health and wellbeing

##### **3. Built environment**

3.3 Enhance public spaces and townscapes

##### **5. Civic Leadership**

5.2 Forward planning and implementation of plans

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**Resolution 9.8**

Moved Cr A Smith      Seconded Cr B Daly

That Council:

1. Approve design option 2, to be installed by the Cunderdin Youth Council on shared concrete path along Mitchell Street as shown in the attachment, as part of the WABN Grant ACE Plan implementation strategy.

Carried 6/0

Vote – Simple majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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## **9.9 Move Behind Closed Doors**

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### **Resolution 9.9**

Moved Cr T Harris      Seconded Cr H Godfrey

That Council move behind closed doors in accordance with s.5.23 of the Local Government Act at 6.21pm.

Carried 6/0

Vote – Simple majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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## **9.10 Private & Confidential – Tender Consideration – Design & Construct Multi-purpose Play Surface**

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### **Resolution 9.10**

Moved Cr B Daly      Seconded Cr T Harris

That Council:

1. Reject all tenders submitted due to price and advise all tenderers that they were unsuccessful.
2. Delegates authority to the Chief Executive Officer to negotiate the price and scope of works of the Tender with selected contractors to a contract amount of no greater than \$365,000.00.
3. Authorise the President and Chief Executive Officer to sign and affix the Common Seal to the Contract Agreement for RFT 02-25/26 Design & Construct Multi-Purpose Play Surface at Cunderdin Sport & Recreational Centre.

Carried 6/0

Vote – Absolute majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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## **9.11 Move From Behind Closed Doors**

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### **Resolution 9.11**

Moved Cr T Harris      Seconded Cr H Godfrey

That Council move from behind closed doors in accordance with s.5.23 of the Local Government Act at 6.22pm.

Carried 6/0

Vote – Simple majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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## 9.12 Chief Executive Officers Report

<b>Location:</b>	Shire of Cunderdin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	22 August 2025
<b>Author:</b>	Stuart Hobley
<b>Item Approved by:</b>	Stuart Hobley, Chief Executive Officer
<b>File Reference:</b>	Nil
<b>Attachments:</b>	Nil

### Proposal/Summary

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

### Background

#### Cunderdin Industrial Lot Development

The Industrial Lots have gone on the market. They are currently being advertised on the Development WA website. The Shire has also advertised the Lots on behalf of development WA on its social media pages.

#### Watts Street Subdivision

Waiting on Western Power for design costings.

Design and Planning for Stage 2 has commenced. It is expected that this could take up to 12 months to complete the initial planning works as this will be more complicated and include internal road construction and deep sewerage connections.

Porter Consulting Engineers have advised they are waiting on UPD (power and communication design contractor) to create the plans, that are to be lodged with Western Power. Porters have draft plans; they are discussing with UPD this may include the need for a new transformer.

Once the plans are finalised (about 2 weeks) they will be forwarded to Council and lodged with Western Power and NBN.

After the plans are lodged, tenders will be called for the works. It is expected that we will not hear back from Western Power for quite some time, and that it is not uncommon for the works to start prior to hearing back from Western Power. UPD speak with Western Power before drafting the plans, so they are confident there will be no issues.

#### Mitchell Street and Yilgarn Street Housing Update

##### Yilgarn Street

Works at the house have slowed as they are waiting on the cabinet makers.

##### Mitchell Street

The landscaping has commenced and will be completed in the near future.

#### Palliative Care Unit

The painters have completed their work in the unit, and a flooring contractor has been appointed to complete the flooring.

#### Play Our Way Basketball Court Shelter and Upgrade

The Shed builder has been appointed and will commence in December 2025. This will allow for a shortened basketball season.

See agenda Item 9.10 for the update on the court surface.

#### Growing Regions – Aquatic & Wellness Hub

Council is still waiting for the Community Sport and Recreation Facility Fund (CSRFF) to open so a grant application can be submitted. Sport and Recreation have advised that they are unsure as to when the round will open.

The Lotterywest grant has been submitted.

The plans for the buildings have been completed by Donovan and Payne and will be available for inspection at the Council Meeting.

#### Pathways Construction

The pathway construction on Mitchell has been put on hold for four weeks due to the wet weather and the NBN works that have commenced in the Cunderdin Townsite. Staff are in talks with Genus who are completing the NBN works to ensure that new footpaths do not have to be ripped up to make way for the NBN upgrades. This has been advertised locally.

#### General Practitioner (GP) Services Tender

The GP Services Tender was awarded to Livingston Medical. Livingston have advised that they will commence in Cunderdin on the 22<sup>nd</sup> September 2025. In the mean time they are offering Cunderdin patients phone and telehealth appointments.

They have also advised that the new Doctor will live in the Mithcell Street house. It is anticipated that he will arrive in mid-October.

#### Staffing

The Shire has advertised for a new Finance Officer and an apprentice mechanic. The Finance Officer is the replacement of an existing position while the apprentice mechanic is a new position that was approved in the 2025/26 Budget.

#### Election

At the close of nominations, we received four nominations for four vacancies. This means that Council does not have to conduct an election and is no longer in the Caretaker period.

#### Comment

Nil.

#### Consultation

Nil.

#### Statutory Implications

Nil.

**Policy Implications**

Nil.

**Financial Implications**

Nil.

**Strategic Implications**

Nil.

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**Resolution 9.12**

Moved Cr N Jenzen      Seconded Cr H Godfrey  
That Council receive and accept the CEO report as presented.

Carried 6/0

Vote – Simple majority

For: Cr A Harris, Cr T Smith, Cr B Daly, Cr T Harris, Cr N Jenzen, Cr H Godfrey

Against: Nil

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**10 Environmental Health and Building**

Nil.

**11 Planning & Development**

Nil.

**12 Works & Services**

Nil.

**13 Urgent Items**

Nil.

**14 Scheduling of Meeting****14.1 October 2025 Ordinary Meeting**

The next ordinary meeting of Council is scheduled to take place on Wednesday 22<sup>nd</sup> October 2025 commencing at 6:00pm at the Cunderdin Shire Council Chambers, Cunderdin, WA 6407.

**15 Closure of meeting**

The President again thanked retiring Councillors, Cr Norm Jenzen and Cr Holly Godfrey for their commitment and service on Council.

There being no further business the Shire President declared the meeting closed at 6.24pm.

**16 Certification****DECLARATION**

I, Alison Harris, certify that the minutes of the Ordinary Council Meeting held on 24<sup>th</sup> September 2025, as shown, were confirmed at the Ordinary Meeting of Council held on Wednesday 22<sup>nd</sup> October 2025.

Signed: 

Date: 22-10-2025