



Shire of Mukinbudin

AGENDA

Ordinary Meeting of Council

Meeting to be held in Council Chambers at
15 Maddock Street, Mukinbudin
Commencing at 1.00pm Tuesday 21st November 2023

****** DISCLAIMER ********Disclaimer:**

The Shire of Mukinbudin assumes no responsibility for any act, omission, statement, or implication arising during Council or Committee meetings. The Shire of Mukinbudin explicitly disclaims any liability for any loss incurred as a result of reliance on such acts, omissions, statements, or implications by any individual or legal entity. Any person or legal entity who chooses to act or refrain from acting based on statements, acts, or omissions made during Council or Committee meetings does so at their own risk.

In particular, it should be noted that in discussions pertaining to planning applications or license applications, any statements or implications of approval made by members or officers of the Shire of Mukinbudin during meetings should not be construed as official notice of approval from the Shire of Mukinbudin. The Shire of Mukinbudin advises that individuals with pending applications must obtain written confirmation of the application's outcome and should only rely on such written confirmation, including any attached conditions determined by the Shire of Mukinbudin.

Ethical Decision Making and Conflicts of Interest:

Council adheres to a code of conduct and ensures that all decisions are based on an honest assessment of the matter, ethical decision-making, and personal integrity. Councillors and staff members comply with statutory requirements to disclose financial, proximity, and impartiality interests. Once declared, they abide by the relevant legislation.



Dirk Sellenger
CHIEF EXECUTIVE OFFICER

Vision Statement

To assist our community towards a prosperous future by providing a positive environment in which to work and live.

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10.1

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11.1

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12.1 Closure of Meeting

AGENDA

Agenda of the Ordinary Meeting of Council to be held in Council Chambers, Maddock Street, Mukinbudin on Tuesday 21st November 2023.

1. Declaration of Opening

The Shire President to declare the Meeting open at 1.____pm

2. Record of attendance, apologies, and approved leave of absence

2.1 Present:

Cr G Shadbolt	Shire President
Cr R Nicoletti	Deputy President

Cr G Bent
Cr A Farina
Cr C McGlashan
Cr A Walker

2.2 Staff:

Dirk Sellenger	Chief Executive Officer
Renee Jenkin	Manager of Corporate and Community Services

2.3 Visitors:

2.4 Apologies:

Cr S Ventris

2.5 On leave of absence:

2.6 Applications for leave of absence:

3. Public Question Time (min 15 minutes)

3.1 Response to previous questions taken on notice.

Nil

3.2 Declaration of public question time opened (minimum 15 mins)

The Shire President to declare public question time open at ____pm.

3.3 Declaration of public question time closed

The Shire President to declare public question time closed at ____pm.

4. Declarations of Interest

5. Petitions, deputations, and presentations

5.1 Petitions

5.2 Deputations

5.3 Presentations

6. Announcements by the Presiding person without discussion

7. Confirmation of the Minutes of previous meetings

7.1 Confirmation of Minutes for the Ordinary Meeting of Council held on the 24th October 2023.

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That the Minutes of the following meetings be accepted as a true and correct record of proceedings.

- **Ordinary Meeting of Council held on 24 October 2023**

Carried /

8. Committee Meetings

8.1 Receipt of Minutes of Committee Meetings

8.1.1 Newtravel Annual General Meeting held 26th October 2023

[Newtravel Annual General Minutes](#)

8.1.2 Newtravel General Meeting held 26th October 2023

[Newtravel General Meeting Minutes](#)

8.1.3 Bonnie Rock Bush Fire Brigade Annual General Meeting held 8th October 2023

[Bonnie Rock BFB AGM Minutes](#)

8.1.4 Kununoppin Medical Practice Committee Meeting held 26th October 2023

[KMPC Meeting Minutes](#)

8.1.5 NEWROC Council Meeting held 31st October 2023

[NEWROC Council Meeting Minutes](#)

[NEWROC November Newsletter](#)

8.1.6 CEACA Annual General Meeting held 6th November 2023

[CEACA Annual General Meeting Minutes](#)

8.1.7 CEACA Management Committee Meeting held 6th November 2023

[CEACA Management Committee Meeting Minutes](#)

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That the Minutes of the following committee meetings be received.

- Newtravel Annual General Meeting held 26th October 2023
- Newtravel General Meeting held 26th October 2023
- Bonnie Rock Bush Fire Brigade Annual General Meeting held 8th October 2023
- Kununoppin Medical Practice Committee Meeting held 26th October 2023
- NEWROC Council Meeting held 31st October 2023

Carried /

8.2 Recommendations from Committee Meeting for Council Consideration

9.1 Monthly Information Report

9.1.1 November 2023 Information Report	
Location:	Mukinbudin
File Ref:	ADM 360
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	14 th November 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	November Information Report
Documents Tabled	Nil

Summary

The purpose of this communication is to enable the Council to receive the Monthly Information Report, which includes reports from key personnel, namely the Caravan Park Manager, Acting Manager of Works, Community Resource Centre Coordinator, Manager of Corporate and Community Services, and the Chief Executive Officer.

Background Information

The Monthly Information Report serves as a means to provide Council with updates on various operational matters within the Shire of Mukinbudin. These reports offer valuable insights into the performance and progress of the respective areas under the purview of the aforementioned personnel.

Officer Comment

Refer to November Information Report.

Consultation

Tania Sprigg - Caravan Park Manager
 Bob Edwards – Acting Manager of Works
 Jessica McCartney – Community Resource Centre Coordinator
 Renee Jenkin – Manager of Corporate and Community Services
 Dirk Sellenger – Chief Executive Officer

Statutory Environment Nil

Policy Implications Nil

Financial Implications Nil

OFFICER RECOMMENDATION**Council Decision Number –****Moved: Cr****Seconded: Cr****That Council receive the November 2023 Information Report.****Carried /**

9.2 Finance Reports

9.2.1 List of Payments – October 2023	
Location:	Mukinbudin
File Ref:	ADM 007
Applicant:	Edward Nind – Finance Manager
Date:	10 th November 2023
Disclosure of Interest:	Nil
Responsible Officer:	Edward Nind – Finance Manager
Author:	Lucia Scari – Senior Finance Officer
Voting Requirements	Simple Majority
Documents Attached	List of Payments – Municipal Account (5 pages) List of Payments – Restricted Muni Account (2 pages) Corporate Credit Card Statement - October 2023 (7 pages) Credit Card Summary - October 2023 (1 page) Fuel Cards Statement – October 2023 (3 pages)
Documents Tabled	Nil

If a Councillor has any questions regarding the enclosed finance report, please see the Finance Manager prior to the meeting so that a researched answer may be provided.

Summary

List of payments made in October 2023 for endorsement by Council.

Background Information

A list of payments submitted to Council on 21st November 2023, for confirmation in respect of accounts already paid or for the authority to those unpaid. (Please refer to Payment listing attached).

Officer Comment

Standard process of obtaining Council endorsement of payments.

Strategic & Social Implications

N/A

Consultation

N/A

Statutory Environment

A list of payments is required to be presented to Council as per section 13 of the Local Government (Financial Management) Regulations 1996.

Policy Implications

Council Policy No. 1.6.5 (e) states that a list of payments is required to be presented to Council each month in accordance with Financial Management Regulations 13(1) for recording in the minutes.

Financial Implications

All payments have been made in accordance with the 2023/2024 Budget.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That the list of payments made in October 2023, be endorsed for payment.

Municipal Fund:

Muni EFTs	EFT 8487	to	EFT 8579	\$357,216.53
Muni Cheques	Chq 31961	to	Chq 31963	\$13,802.70
Muni Direct Debits (Superannuation, loans, leases)	DD 11026.1	to	DD 11083.9	\$32,163.64
Pays on (Not included on payment listing)	11/10/2023 & 25/10/2023			\$93,935.02
Total Municipal Funds				\$497,117.89

Restricted Muni Fund:

RMF EFTs	EFT 8486	to	EFT 8554	\$552.56
RMF Cheques	Chq -	to	Chq -	\$0.00
RMF Direct Debits	DD 11011.1	to	DD 11120.1	\$21,817.40
Total Restricted Muni Funds				\$22,369.96

Carried /

9.2.2 Monthly Statement of Financial Activity Report – 31 October 2023	
Location:	Mukinbudin
File Ref:	ADM 005
Applicant:	Edward Nind – Finance Manager
Date:	16 November 2023
Disclosure of Interest:	Nil
Responsible Officer	Edward Nind – Finance Manager
Author:	Edward Nind – Finance Manager
Voting Requirements	Simple Majority
Documents Attached	Statement of Financial Activity – For the period ended 31 October 2023 (23 Pages) Schedules 2 to 14 For the period 1 July 2023 to 31 October 2023 (98 Pages)
Documents Tabled	Nil

If a Councillor has any questions regarding the enclosed finance report, please discuss these queries with the Finance Manager so that a researched answer may be provided for you.

Summary

This information is provided to Council on a monthly basis in accordance with provisions of the *Local Government Act 1995 and Local Government (Financial Management Regulations 1996)*.

The Monthly Statement of Financial Activity Report attached for consists of;

Statement of Financial Activity comprising:

1. Acquisition of Assets
2. Disposal of Assets
3. Information on Borrowings
4. Reserves
5. Net Current Assets
6. Rating Information
7. Restricted Municipal and Trust Funds
8. Operating Statement
9. Statement of Financial Position
10. Financial Ratios
11. Grants Revenue
12. Bank Balances & Investment Information

Schedules 2 - 14

Background Information

Unspent grants and prepayments received are identified in Note 5. "Net Current Assets " in the Statement of Financial Activity. However at the time of writing they may be impacted by adjustments instigated by the audit for at 30 June 2023.

The "Actual" brought forward surplus from 2022/2023 is \$2,377,255. End of year accounting adjustments are completed however this figure as is subject to audit.

The 2023-2024 budget was adopted on 24 August 2023 and was based on a carried forward surplus of \$2,360,165. The budgeted surplus is \$17,090 less than the 2022/2023 surplus reported at this time.

In June 2023 we received \$1,927,705 as Advance Grants for 2023-2024. \$1,254,521 was General Purpose Funding and \$673,184 was Road funding.

Without these advance payments of \$1,927,705 the brought forward amount would be \$449,551.

Officer Comment

At 31 October 2023 the end of month position is a surplus of \$2,872,660, this includes 2023-2024 Rates that were raised in August 2023 and the \$1,297,671 advance Financial Assistant Grant payments for the 2022-2023 financial year.

Without these advance payments of \$1,297,671 the end of month position would be reduced.

Strategic & Social Implications N/A

Consultation N/A

Statutory Environment

General Financial Management of Council, Council 2022/23 Budget, *Local Government (Financial Management) Regulations 1996, r34, Local Government Act 1995, section 6.4.*

Policy Implications

Council is required annually to adopt a policy on what it considers to be material as far as variances that require to be reported for Council.

Council adopted a policy on 24 August 2023 that the material variation be set at \$11,000 and 10%.

Financial Implications

There is no direct financial implication in relation to this matter.

OFFICER RECOMMENDATION**Council Decision Number –****Moved:****Seconded:****That Council:****Adopt the Monthly Financial Report for the period ending 31 October 2023.****Carried /**

CONFIDENTIAL ITEM

9.2.3 Write off Sundry Debtor #265	
Location:	All of Shire
File Ref:	Sundry Debtors
Applicant:	Ed Nind, Finance Manager
Date:	15 th November 2023
Disclosure of Interest:	Nil
Responsible Officer	Ed Nind, Finance Manager
Author:	Lucia Scari, Senior Finance Officer
Voting Requirements	Absolute Majority
Documents Attached	Nil
Documents Tabled	Nil

Statutory Environment**5.23. Meetings generally open to public**

- (1) Subject to subsection (2), the following are to be open to members of the public —
- (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
- (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,

where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or

- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;

And

- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That in accordance with section 5.23 (2) (a) of the Local Government Act 1995 that the meeting be closed to members of the Public as Agenda item 9.3.7 is deemed to be

- (b) the personal affairs of any persons:**

Carried /

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That the meeting be reopened to members of the public.

Carried /

9.3 Chief Executive Officer's Reports

9.3.1 Community Chest Applications 2023/2024	
Location:	All of Shire
File Ref:	ADM 375
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	14 th November 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	2023-2024 CCF Applications
Documents Tabled	Nil

Summary

Council is requested to consider the applications that have been submitted for the 2023/2024 Community Chest in alignment with the guidelines established for the Community Chest program.

Background Information

At the Special Council Meeting conducted on August 24, 2023, the Council officially approved the 2023/2024 Budget, which included a dedicated allocation of \$10,000 (ten thousand dollars) for the Community Chest program.

This financial provision was made to support eligible not for profit organisations. They were encouraged to seek funding, either in cash or in-kind, of up to \$1,500 for initiatives, projects, or events that offer benefits to the broader Mukinbudin community. All funded projects must be concluded and accounted for by June 30, 2024.

Seven applications were received for a range of projects including projects/events and equipment.

Officer Comment

These applications total approximately \$6,990.00 in kind and cash

Bonnie Rock Book Club – 30 th Reunion	\$ 640.00
Mukinbudin Junior Cricket Club – Equipment Purchases	\$ 600.00
Mukinbudin Swimming Club – Equipment Purchases	\$1,505.00
	(maximum funding \$1,500.00)
Mukinbudin Football Club – Winter Sports 2024 Season Opening	\$1,500.00
Mukinbudin Netball Club – Equipment Purchases	\$1,000.00
Mukinbudin Church of Christ, Youth Group – Equipment Purchases	\$ 250.00
Mukinbudin Church of Christ – Father's Day Community Event	\$1,500.00

Consultation

Community Chest applicants
Dirk Sellenger, Chief Executive Officer

Strategic & Social Implications

Shire of Mukinbudin 2018-2028 Strategic Community Plan
Outcome 1.3 – Align infrastructure and facilities to community needs
1.3.2 Effectively plan, develop and manage infrastructure and facilities
1.4.4 Provide high quality recreation facilities and public open space
Outcome 1.4 – A quality lifestyle
1.4.2 Encourage positive community participation in events and facilities
1.4.5 Promote and encourage community services and organisations delivered by volunteers
Outcome 3.1 – Protect and enhance the natural environment
3.1.2 Encourage and support community environmental projects

Statutory Environment

Nil

Policy Implications

Policy 2.3 Community Chest Grants Scheme

Financial Implications

Expenditure in the 2023/2024 Budget totals \$10,000 (ten thousand dollars) for community projects. These applications total approximately \$6,990.00 in kind and cash. This results in an under budget spend of approximately \$3,010.00.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Community Chest Funding be approved for the following applications:

Bonnie Rock Book Club	\$ 640.00
Mukinbudin Junior Cricket Club	\$ 600.00
Mukinbudin Swimming Club	\$1,500.00
Mukinbudin Football Club	\$1,500.00
Mukinbudin Netball Club	\$1,000.00
Mukinbudin Church of Christ, Youth Group	\$ 250.00
Mukinbudin Church of Christ	<u>\$1,500.00</u>
	\$6,990.00

Carried /

9.3.2 Council Meeting Dates 2024	
Location:	All of Shire
File Ref:	ADM 031
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	27 th October 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Renee Jenkin, Manager of Corporate & Community Services
Voting Requirements	Absolute Majority
Documents Attached	Nil
Documents Tabled	Nil

Summary

To present to Council the list of proposed Council Meeting dates for 2024.

Background Information

Council is required to set the meeting dates for the next twelve months and advertise locally. Council Meetings are held on the third Tuesday of every month. Council does not meet in January.

The Local Government (Administration) Regulations 1996 Reg 12 states:

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

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
- (a) *the ordinary council meetings; and*
 - (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*
- are to be held in the next 12 months.*

Copy of draft advert below:

Shire of Mukinbudin

2024 Council Meeting Dates

Tuesday 13 February
 Tuesday 19 March
 Tuesday 16 April
 Tuesday 21 May
 Tuesday 18 June
 Tuesday 16 July
 Tuesday 20 August
 Tuesday 24 September
 Tuesday 15 October
 Tuesday 19 November
 Tuesday 10 December

All meetings will be held in Council Chambers, 15 Maddock Street Mukinbudin, commencing at 1pm.

Meetings are open to the public and a 15-minute period is set aside at the commencement of each meeting for Public Question Time.

Enquiries should be directed to the Shire Administration Office.

Dirk Sellenger
CHIEF EXECUTIVE OFFICER



Officer Comment

Meetings have historically been held at 1.00pm with an Officers' briefing session commencing at 10.00am. Council is free to change the meeting day or commencement time as deemed necessary during the year subject to the necessary advertising of this change.

Due to the requirements of the Review of Councillor Representation timeline the February meeting has been moved forward to allow time for the Public submissions to be received and adopted prior to the 13th February deadline.

Consultation

Nil

Strategic & Social Implications

Nil

Statutory Environment

Local Government Act 1995,
Local Government (Administration) Regulations 1996 Reg 12

Policy Implications

Nil

Financial Implications

Nil

OFFICER RECOMMENDATION**Council Decision Number –**

Moved: Cr

Seconded: Cr

That Council adopts the dates as listed for the next twelve months and the Shire advertises in accordance with the Local Government Act 1995.

13 February 2024

19 March 2024

16 April 2024

21 May 2024

18 June 2024

16 July 2024

20 August 2024

24 September 2024

15 October 2024

19 November 2024

10 December 2024

Carried /

9.3.3 Disconnection of Telstra 3G Network	
Location:	All of Shire
File Ref:	ADM 312
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	16 th November 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

Summary

To enable the Council to consider the recent notification from Telstra of the intention to discontinue the 3G Network throughout Australia on 30th June 2024 and the potential implications this may have on mobile coverage throughout the Shire of Mukinbudin, particularly in the northern part of the Shire where coverage is already marginal and expected to decrease significantly unless the existing 4G network is expanded.

Background Information

The following email was recently received by Telstra advising of the switching off of the 3G network, extract from email as follows:

[View online](#)



Goodbye 3G - Hello to a better network experience!

Hi Dirk,

We're evolving our mobile network to ensure you always have the best possible experience. This means that on **30 June 2024**, we're switching off our 3G network. Redefine your business with a new generation of

technology. Enjoy faster network speeds, more dependability and lower latency with 4G, 5G and other advanced solutions.

What you need to do

With only one year remaining, it is important that you begin your migration to another technology as soon as possible. If you have devices that are only able to connect to 3G, those devices will no longer be able to connect after the closure date. You will need to upgrade your devices to alternatives that are 4G and/or 5G compatible before **30 June 2024**. Telstra will work with you to assist in migration planning and discuss suitable alternatives for your business.

If you have *High-Risk Services* reliant on the 3G Network, please ensure you allow additional time to migrate them. These services are high risk if used by vulnerable customers, emergency services or medical alert devices. Please get in touch with us as soon as possible if you require additional support in migrating these services.

If your 3G service/s are no longer required, please arrange cancellation via our self-service portal, your Telstra Partner or engage us for further support.

If you are not the end customer or user of Telstra 3G-only products and services, please notify your customers about Telstra's 3G network closure.

What's Next



Visit our website at [Telstra 3G Network Closure](#) for more about Telstra 3G closure and advanced network options for your business or for up to date coverage maps please go to our [coverage & rollout maps - Telstra](#).

For any additional support or guidance including obtaining an updated view of your updated services, please contact your Telstra Partner or reach out to us at 3gnetworkclosure@team.telstra.com

In summary, Telstra's 3G network closure is fast approaching, and it is important for your business to have a roadmap to help ensure you and your customers are not adversely affected.

Please disregard this notice if you've recently cancelled or migrated your services.

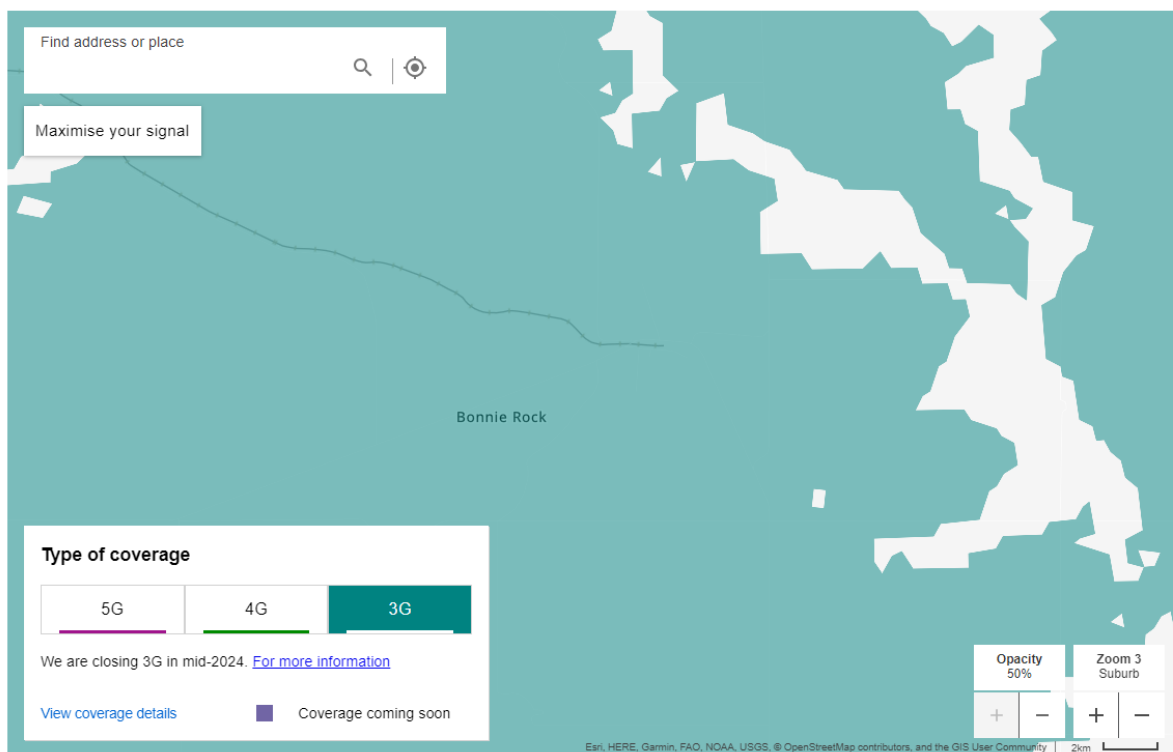
Kind regards,

Your Telstra Team

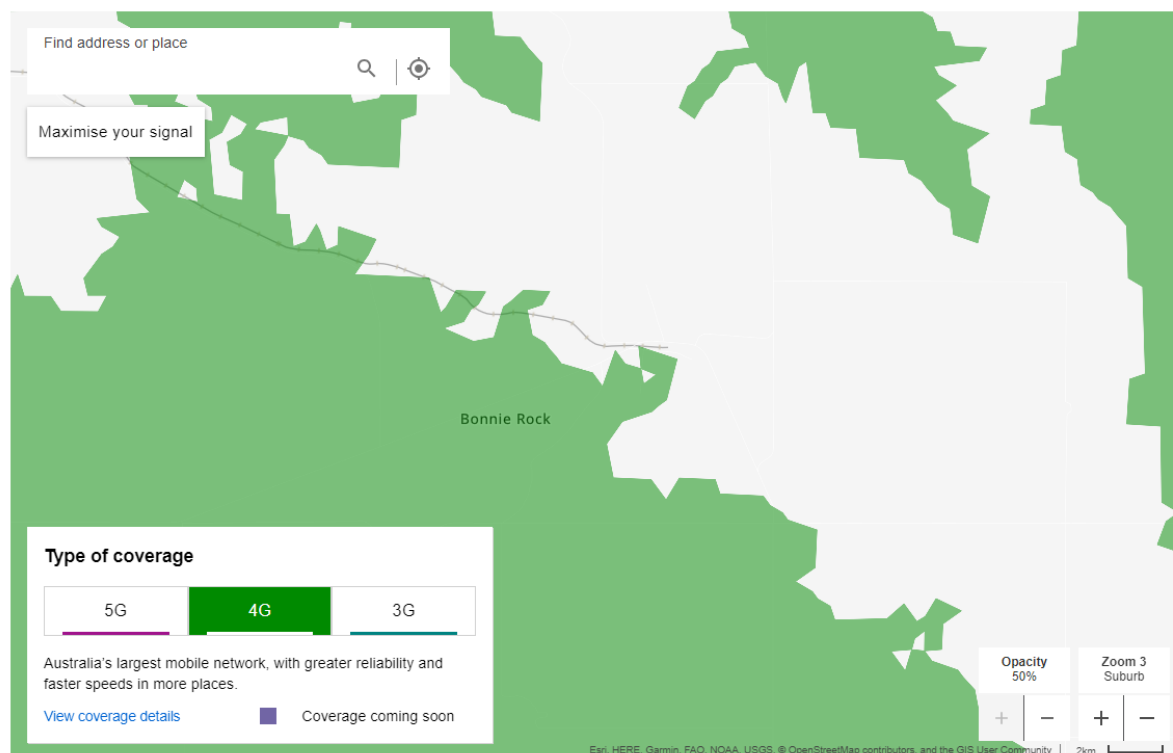
"While the information suggests that people need to ensure they upgrade from 3G to 4G prior to 30th June 2024, what isn't spoken about is how they plan to address the significantly reduced coverage area. The following example from the Telstra Coverage Mapping page clearly shows a significant reduction in the coverage area around the Bonnie Rock townsite from the existing 3G to the 4G network only. It is estimated that this snapshot demonstrates a reduction in the coverage area of approximately 40%."

Enter your address to check coverage in your area

Navigate the map with keyboard by using the arrow keys to pan and the +/- keys to zoom in and out, respectively



Above: Telstra 3G Coverage Map (3G network only)



Above: Telstra 4G Coverage Map (4G network only) same area.

Officer Comment

While coverage areas in the northern area of the Shire vary significantly from location to location, a reduction in service of an estimated 40% in identified areas, with no communicated network expansion proposal provided by Telstra, suggests that areas which have enjoyed mobile network coverage for many years will cease to have coverage after 30th June 2024 when the 3G Network is switched off at this stage.

Consultation

NEWROC Member Councils – Informal Discussion

Mukinbudin Council – Informal Discussion

Various Ratepayers – based in northern area of the Shire

Strategic & Social Implications

Statutory Environment Nil

Policy Implications Nil

Financial Implications Nil

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council refers to the concerns raised by the significant reduction in mobile coverage areas throughout rural WA when the 3G Telstra Mobile Network is switched off on 30th June 2024, as advised by Telstra, to the West Australia Local Government Association (WALGA) to encourage Telstra to continue to maintain and operate the 3G Network until necessary 4G and 5G Network coverage has been rolled out to ensure no reduction in existing coverage areas throughout WA.

Carried /

9.3.4 CEO – Request for Annual Leave	
Location:	Mukinbudin
File Ref:	EMP 122
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	14 th November 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

Summary

To allow Council to consider the request for Annual Leave for the CEO.

Background Information

The CEO is seeking to take Annual Leave over the Christmas school holiday period. The exact dates for the Annual Leave are not known at this point in time and the CEO is seeking approval to take a period Annual leave between Monday 25th December and Friday 12th January, when time permits (availability of other members of staff etc).

Officer Comment

The CEO will ensure the absence does not cause the organisation and remaining staff operational difficulties.

Consultation

Bob Edwards – Acting Manager of Works

Lucia Scari – Senior Finance Officer

Renee Jenkin – Manager of Corporate and Community Services

Strategic & Social Implications

Nil

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Council has made an appropriate Budget allowance for costs associated with staff Annual leave costs in the ordinary Salaries and Wages account.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council approve the CEO's request for up to three (3) weeks Annual Leave between Monday 25th December and Friday 12th January 2024.

That the CEO email the Council prior to taking leave and when returning from leave so the Council is aware when the CEO will be at work and when he will be on leave.

Carried /

9.3.5 New Fee & Charge - Water Access and Usage Fees	
Location:	All of Shire
File Ref:	ADM 299
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	15 th November 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Absolute Majority
Documents Attached	Nil
Documents Tabled	Nil

Summary

For Council to consider the creation of new fees for water access and consumption associated with the water from the Barbalin Water Supply (Tanks).

Background Information

The Barbalin water supply project has been delivered over the past few years. The first stage involved establishing a water access agreement between the Shire of Mukinbudin and the WA Water Corporation. Once this agreement was reached, funding was secured for the installation of a 90mm diameter pipeline between the existing Barbalin Water supply and the townsite through a 15,500mtr line pipeline. After establishing this connection, the final stages included the installation of a solar pump and the installation of 2 x 280KL tanks and a swipe card Standpipe system. Photos of the infrastructure as of November 15, 2023, follow:



Officer Comment

Now that the Standpipe has been installed, commissioned, and is ready for use, it is necessary for Council to create appropriate fees and charges to allow for controlled access and use of the water.

Consultation

Dirk Sellenger – Chief Executive Officer

Lucia Scari – Senior Finance Officer

Renee Jenkin – Manager of Corporate & Community Services

Strategic Implications

Agricultural Sustainability: The establishment of a strategic southern water supply using water from the Barbalin Water Reserve can contribute to the sustainability of agricultural activities in the region.

Economic Development: Providing water at very cost-effective prices for farmers and contractors may stimulate economic development in the area. It can attract new agricultural ventures, encourage existing farmers to expand their operations, and potentially attract contractors and businesses reliant on water resources.

Fire Management: The availability of water for firefighting purposes can significantly enhance the region's capacity to manage and respond to bushfires. This strategic water supply can serve as a valuable resource in fire prevention and control efforts.

Infrastructure Development: Establishing a water supply system involves infrastructure development, including pipelines, pumps, and storage facilities. This can lead to improved infrastructure in the region, benefiting not only the water supply initiative but also enhancing overall connectivity and accessibility.

Community Resilience: The strategic water supply contributes to the resilience of the community by addressing water needs for agricultural practices and firefighting. A resilient community is better equipped to face challenges and adapt to changing conditions.

Social Implications

Agricultural Community Support: The availability of cost-effective water can foster a sense of community among farmers, as they benefit from shared resources. Collaboration and support within the agricultural community may increase, leading to shared knowledge and experiences.

Enhanced Livelihoods: Access to affordable water for farmers and contractors can enhance livelihoods in the region. This is particularly important for rural communities dependent on agriculture and related industries.

Fire Safety and Preparedness: The provision of water for firefighting purposes enhances fire safety and preparedness. This can contribute to a sense of security among residents and mitigate the impact of wildfires on both property and lives.

Community Engagement: The establishment of the water supply system provides an opportunity for community engagement. Public consultations, information sessions, and involvement in decision-making processes can foster a sense of ownership and inclusivity.

Environmental Considerations: Social implications also involve considering the environmental impact of establishing the water supply system. This includes evaluating potential effects on local ecosystems, wildlife, and the overall environmental balance.

In summary, the establishment of a strategic southern water supply has the potential to positively impact agricultural sustainability, economic development, community resilience, and overall social well-being. However, careful consideration of environmental factors and community engagement is essential for the initiative's success.

Statutory Environment

Setting of Fees and Charges General Financial Management of Council, Council 2019/20 Budget, *Local Government (Financial Management) Regulations 1996*, r34, *Local Government Act 1995*, section 6.17, 6.19

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

* *Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
 - (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications

Nil

Financial Implications

Any financial income from the water access is insignificant in the total scheme of the Annual Shire Budget revenue, the priority is not financial benefit but to provide the community with a reliable water supply and service previously only available with the use of precious scheme water.

OFFICER RECOMMENDATION**Council Decision Number –****Moved: Cr****Seconded: Cr**

That Council make an amendment to the 2023/2024 Fees & Charges schedule to include a new fee for the Water Usage Charges and FOB token fee as follows:

- **Water Access Fee (including FOB Token) \$50.00inc GST**
- **Water Charge \$0.55inc GST per kilolitre**

That the new fee be advertised in accordance with section 6.19 of the Local Government Act 1995.

Carried /

9.3.6 NEWROC Regional Waste Project	
Location:	All of Shire
File Ref:	ADM 236
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	16 th November 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

Summary

To allow Council to consider supporting the NEWROC Regional Waste project.

Background Information

Member Councils and the NEWROC have identified the need to enhance waste infrastructure and services in the district. Several members have either identified the need to expand their current landfill sites or are likely to need expansion or a new site in the future, along with improvements to meet compliance.

Across NEWROC, landfill sites are unmanned and have 24/7 public access. Some towns provide general bin pickup, while others operate both general and recycling bin pickups.

A Regional Landfill Strategy was commissioned in 2020. Ask Waste Management completed the report. The NEWROC Council received the report and identified a preferred option going forward, which is Option 4: Transfer stations in each Shire and one staffed Regional Landfill.

In 2021, NEWROC members visited the Narembeen Waste Transfer Station and requested information from ROEROC regarding their waste governance structure, infrastructure, and fee arrangements (five waste transfer sites, one regional landfill).

Tip closure plans have been commissioned for Shires, with some plans already completed. This is a necessary requirement under state legislation, regardless of this project.

A site within the Shire of Wyalkatchem was originally identified as a preferred site for a regional landfill, and a capacity and site assessment was completed – the Wyalkatchem Capacity Assessment Report. The Shire of Wyalkatchem also completed a DEWR assessment on the site to determine its 'fit' against site criteria and end-of-life expectancy.

The Shire of Wyalkatchem recently suggested NEWROC investigate alternative greenfield sites central to all members for further consideration.

Ask Waste Management completed a Landfill Site Identification Report in July 2023, which identified several sites that may be suitable for siting a regional landfill to service the NEWROC region. The Landfill Site Identification Report was received by the NEWROC Council.

Officer Comment

To progress the waste project and improve each member Council's waste sites, NEWROC is considering an application to the Regional Precincts funding. An outline of the funding is summarized below.

Regional Precincts and Partnership Program

Funding opened in August 2023. Noncompetitive process; can apply at any time.

Objectives:

Facilitate place-based approaches to planning, characterized by collaborative partnerships.

Engage in shared design, stewardship, and accountability of planned outcomes.

Provide targeted benefits related to productivity, equity, and resilience for the people of regional, rural, or remote Australia.

Support community priorities for regional cities, rural or remote centers and areas.

Reflect the Government's approach to regional investment as outlined under the Regional Investment Framework.

Outcomes (including but not limited to):

Demonstrate the value of partnerships between governments, communities, and businesses for effective planning, coordination, and delivery of regional infrastructure.

Develop and deliver regional precincts comprised of multiple infrastructure components, which provide benefits related to productivity, equity, and resilience.

Contribute to the Australian Government's current policy priorities, including but not limited to Closing the Gap, transition to a net-zero economy, Australia's emission reduction goals, social and affordable housing, and National Cultural Policy.

What are Precincts? User-defined, geographic area with specific shared need or theme.

They will be located in renewal and growth areas in regional centres, regional corridors, regional cities, etc.

Needs to be based on community need and demonstrated partnerships.

NEWROC intends to apply for Stream One: Precinct development and planning. Grants of between \$500,000 to \$5 million will be available for master planning, consultation, design, business cases, and partnership establishment (\$500,000 - \$5 million). A summary of the grant and NEWROC's eligibility against the criteria can be found in the NEWROC October 2023 Council minutes. This is a significant project for member Councils and requires additional planning and community consultation. Should NEWROC be successful in Stream One, the group may proceed to Stream Two of the Regional Precincts funding for precinct delivery, subject to each member Council's decision.

NEWROC will be required to contribute a cash and in-kind contribution towards the grant application. This will be resourced from NEWROC, not individual member Councils.

The requested deliverables of the grant will include:

An update of the original Business Case

Development of a business case for internal waste services (bin pick up and transfer by NEWROC)

Community consultation across each of the seven Shires regarding the fees and proposed services

Development of a Master Plan for a Regional Waste Site and identification of a location
 Development of a Master Plan for Waste Transfer Stations in each town (Dowerin, Wyalkatchem, Yelbini, Trayning, Beacon, Bencubbin, Koorda, Nungarin and Mukinbudin)
 Governance Arrangements for the group
 Planning approval preparation

Presentations to Councils for discussion and consideration

This funding suggestion is being put forward to each member Council to consider due to the limited funding opportunities available for waste infrastructure at an individual level. The following resolution was passed at the NEWROC October meeting.

Consultation

NEWROC Member Shires

RESOLUTION

NEWROC will distribute information relating to the Regional Precincts Funding (for waste management planning purposes) for consideration at each member's next Council meeting.

Moved by Cr Sachse, Seconded by Cr Shadbolt, CARRIED 7/0

Strategic & Social Implications

Strategic Implications:

Waste Management Infrastructure: The closure and opening of tips impact the overall waste management infrastructure in the Shire of Mukinbudin. Strategic planning is required to ensure that the waste generated in Mukinbudin is efficiently managed with the new regional tip.

Logistics and Transportation: The transportation of waste to the new regional tip may require strategic planning for logistics and transportation routes. This involves considerations for cost, environmental impact, and efficiency.

Collaborative Regional Approach: The decision reflects a collaborative regional approach to waste management within the NEWROC alliance. It implies that member Shires are working together to address waste management needs on a larger scale, potentially sharing resources and expertise.

Resource Allocation: The closure of the existing tip and the opening of a new regional tip require strategic resource allocation, including financial resources, staff, and equipment. This may impact budgeting and resource planning for the Shire of Mukinbudin.

Environmental Impact Assessment: A strategic evaluation of the environmental impact of the new regional tip is necessary. This involves considerations for land use, potential pollution, and adherence to environmental regulations.

Social Implications:

Community Access to Waste Facilities: The closure of the existing tip may affect the convenience and accessibility of waste disposal for residents in the Shire of Mukinbudin. The new regional tip's location and accessibility become critical for the community.

Community Engagement and Consultation: Social implications include the need for effective community engagement and consultation regarding the closure and opening of tips. This ensures that community concerns and preferences are considered in the decision-making process.

Employment Opportunities: The opening of a new regional tip may bring employment opportunities to the region where it is situated. Conversely, the closure of the existing tip may impact local employment in Mukinbudin.

Cultural and Community Impact: Consideration should be given to any cultural or community impacts of the closure and opening of tips. This includes understanding and respecting the cultural significance of the land and involving the community in decision-making processes.

Education and Awareness: Social implications involve the need for education and awareness programs to inform residents about the changes in waste management practices. This ensures a smooth transition and compliance with new waste disposal procedures.

In summary, the closure and opening of waste tips within the NEWROC alliance involve strategic planning to address logistical, environmental, and resource allocation considerations. Social implications highlight the importance of community engagement, accessibility, and addressing potential impacts on employment and local culture.

Statutory Environment Nil

Policy Implications Nil

Financial Implications

The financial implications are unknown at this stage; however, the closure of the existing refuse site and the establishment of a transfer station, along with costs associated with the operation of a regional tip, are expected to be significant both in the short and long term.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council supports NEWROC in applying for Regional Precincts Funding for waste management planning.

Carried /

CONFIDENTIAL ITEM

9.3.7 Annual Performance Review – Chief Executive Officer	
Location:	Mukinbudin
File Ref:	Personnel
Applicant:	N/A
Date:	15 th November 2023
Disclosure of Interest:	Dirk Sellenger – Financial Interest
Responsible Officer	Cr Gary Shadbolt, Shire President
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirement:	Simple Majority
Documents Attached:	CEO Dirk Sellenger, Annual Performance Review
Documents Tabled:	Nil

Statutory Environment**5.23. Meetings generally open to public**

- (1) Subject to subsection (2), the following are to be open to members of the public —
- (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
- (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,
 where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;

And

- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That in accordance with section 5.23 (2) (a) of the Local Government Act 1995 that the meeting be closed to members of the Public as Agenda item 9.3.7 is deemed to be

(b) the personal affairs of any persons:

Carried /

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That the meeting be reopened to members of the public.

Carried /

10. Elected Members Motions of which previous notice has been given

10.1 Nil

11. Urgent Business Approved by Person Presiding or by Decision

11.1 Nil

12. Closure of Meeting

12.1 The Chairperson thanked Elected Members and Staff for attending and declared the meeting closed at ____pm.