UNCONFIRMED MINUTES

Ordinary Meeting of Council








Meeting held in Council Chambers at
15 Maddock Street, Mukinbudin
Commencing at 2.30pm Tuesday 17th November 2026

****** 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.



Tanika McLennan
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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11.1 Nil

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MINUTES

Unconfirmed Minutes of the Ordinary Meeting of Council held in Council Chambers, Maddock Street, Mukinbudin on Tuesday 17th November 2026.

1. Declaration of Opening

The Shire President declared the Meeting open at 2.30pm and noted that this meeting is being recorded for publishing on the Shire's website.

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

2.1 Present:

Cr G Shadbolt	Shire President
Cr A Walker	Deputy Shire President
Cr G Bent	
Cr A Brandis	
Cr A Dagelet	
Cr C McGlashan	
Cr S Ventris	

2.2 Staff:

Tanika McLennan	Chief Executive Officer
Renee Jenkin	Deputy Chief Executive Officer
Lucia Scari	Manager of Corporate Services

2.3 Visitors:

Nil

2.4 Apologies:

Nil

2.5 On leave of absence:

Nil

2.6 Applications for leave of absence:

Nil

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 (maximum 15 mins)

The Shire President declared public question time open at 2.31pm.

3.3 Declaration of public question time closed

The Shire President declared public question time closed at 2.32pm.

4. Declarations of Interest

Nil

5. Petitions, deputations, and presentations

5.1	Petitions	Nil
5.2	Deputations	Nil
5.3	Presentations	Nil

6. Announcements by the Presiding person without discussion

Nil

7. Confirmation of the Minutes of previous meetings

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on 20th October 2026.

7.2 Confirmation of Minutes of Special Meeting of Council held on 30th October 2026.

Voting Requirement Simple Majority

OFFICER RECOMMENDATION

Council Decision Number – 01 11 2026

Moved: Cr Brandis **Seconded: Cr Ventris**

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

- **Ordinary Meeting of Council held on 20th October 2026**
- **Special Meeting of Council held on 30th October 2026**

Carried 7 / 0

8. Minutes of Committees and External Organisations

8.1 Receipt of Minutes of Council Committees

Nil

8.2 Recommendations from Council Committees for Consideration

Nil

8.3 Receipt of Minutes from External Organisations

8.3.1 NEWROC Executive Meeting held 6th October 2026
NEWROC Minutes

8.3.2 NEWTRAVEL Annual General Meeting held 6th October 2026
NEWTRAVEL AGM Minutes

8.3.3 NEWTRAVEL General Meeting held 6th October 2026
NEWTRAVEL GM Minutes

OFFICER RECOMMENDATION

Council Decision Number – 02 11 2026

Moved: Cr Ventris **Seconded: Cr Brandis**

That the Minutes of the following External Organisation be received:

- **NEWROC Executive Meeting held on 6th October 2026**
- **NEWTRAVEL Annual General Meeting held 6th October 2026**
- **NEWTRAVEL General Meeting held 6th October 2026**

Carried 7 / 0

9.1 Monthly Information Report

9.1.1 November 2026 Information Report	
Location:	Mukinbudin
File Ref:	ADM 360
Applicant:	Tanika McLennan, Chief Executive Officer
Date:	28th October 2026
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan, Chief Executive Officer
Author:	Renee Jenkin, Deputy Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	November Information Report

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, Aquatic Centre Manager, Works Supervisor, Community Resource Centre Assistant Manager, Deputy Chief Executive Officer and 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
Larry Garlett – Aquatic Centre Manager
Craig Powell – Works Supervisor
Karla Spark – Assistant Community Resource Centre Manager
Renee Jenkin – Deputy Chief Executive Officer
Tanika McLennan - Chief Executive Officer

Statutory Environment Nil

Policy Implications Nil

Financial Implications Nil

OFFICER RECOMMENDATION

Council Decision Number – 03 11 2026

Moved: Cr Walker **Seconded: Cr Bent**

That Council receive the November 2026 Information Report.

Carried 7 / 0

9.2 Finance Reports

9.2.1 List of Payments – October 2026	
Location:	Mukinbudin
File Ref:	ADM 007
Applicant:	Juliet Nixon, Finance Officer
Date:	11th November 2026
Disclosure of Interest:	Nil
Responsible Officer:	Tanika McLennan, Chief Executive Officer
Author:	Juliet Nixon, Finance Officer
Voting Requirements	Simple Majority
Documents Attached	List of Payments - Municipal Account (5 pages) List of Payments - Restricted Municipal Account (1 page) Corporate Credit Card Statement - October 2026 (7 pages) Credit Card Summary - October 2026 (1 page) Fuel Cards Statement - October 2026 (3 pages)
Documents Tabled	Nil

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

Summary
List of payments made in October 2026 for endorsement by Council.

Background Information
A list of payments submitted to Council on 17th November 2026, 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
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
Nil.

OFFICER RECOMMENDATION

Council Decision Number – 04 11 2026

Moved: Cr Dagelet **Seconded: Cr McGlashan**

That the list of payments made in October 2026 be endorsed for payment.

Municipal Fund:

Muni EFTs	**EFT**	**11890**	**to**	**EFT**	**11974**	**$607,673.06**
Muni Cheques	**Chq**	**32026**	**to**	**Chq**	**32029**	**$14,509.06**
Muni Direct Debits (Superannuation, loans, leases)	**DD**	**15217.1**	**to**	**DD**	**15305.1**	**$58,106.38**
Pays on (Not included on payment listing)		**08/10/2026 & 22/10/2026**				**$117,594.22**
Total Municipal Funds						**$797,882.72**

Restricted Muni Fund:

RMF EFTs	**EFT**	**-**	**to**	**EFT**	**-**	**$0.00**
RMF Cheques	**Chq**	**-**	**to**	**Chq**	**-**	**$0.00**
RMF Direct Debits	**DD**	**15202.1**	**to**	**DD**	**15314.1**	**$43,075.36**
Total Restricted Muni Funds						**$43,075.36**

Carried 7 / 0

9.2.2 Monthly Statement of Financial Activity Report - October 2026	
Location:	Mukinbudin
File Ref:	ADM 005
Applicant:	Lucia Scari, Manager of Corporate Services
Date:	11th November 2026
Disclosure of Interest:	Nil
Responsible Officer	Lucia Scari, Manager of Corporate Services
Author:	Lucia Scari, Manager of Corporate Services
Voting Requirements	Simple Majority
Documents Attached	Statement of Financial Activity – October 2026
Documents Tabled	Nil

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

Summary

The Monthly Financial Report for October 2026 is presented for Councils consideration.

Background Information

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

Officer Comment

The Shire prepares the monthly financial statements in the statutory format along with other supplementary financial reports consisting of:

(a) Statement of Comprehensive Income by Function/Program;
(b) Statement of Comprehensive Income by Nature/Type;
(c) Statement of Financial Activity by Nature/Type;
(d) Statement of Financial Activity by Function/Program;
(e) Summary of Net Current Asset Position;
(f) Statement of Material Variances;
(g) Statement of Financial Position;
(h) Statement of Cash Flows;
(i) Capital acquisitions;
(j) Disposal of Assets;
(k) Statement of Capital Grants and Contract Liabilities;
(l) Statement of Cash Back Reserves;
(m) Loan Borrowings Statement;
(n) Restricted Cash Statement;
(o) Detailed Operating and Non-Operating Schedules.

The Regulations require local governments to prepare annual budget estimates and month by month budget estimates so that comparatives can be made to Year to Date (YTD) Actual amounts of expenditure, revenue and income and materials variances can be commented on.

Strategic & Social Implications
N/A

Consultation
Bob Waddell – Financial Consultant

Statutory Environment

Local Government Act 1995
Section 6.4–Specifies that a local government is to prepare such other financial reports as are prescribed.

Local Government (Financial Management) Regulations 1996:
Regulation 34 states:
(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:
(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
(b) budget estimates to the end of month to which the statement relates;
(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
(d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
(e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4,and 5 prescribe further details of information to be included in the monthly statement of financial activity.

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 that the material variation be set at $12,000 and 10% for the 2026/2027 budget.

Financial Implications
Nil

OFFICER RECOMMENDATION

Council Decision Number – 05 11 2026

Moved: Cr Walker **Seconded: Cr Bent**

That Council receive the Monthly Financial Report for the period ending 31st October 2026.

Carried 7 / 0

9.3 Chief Executive Officer's Reports

9.3.1 Council Meeting Dates 2027	
Location:	All of Shire
File Ref:	ADM 031
Applicant:	Tanika McLennan, Chief Executive Officer
Date:	28th October 2026
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan, Chief Executive Officer
Author:	Tanika McLennan, Chief Executive Officer
Voting Requirements	Absolute Majority
Documents Attached	Nil
Documents Tabled	Nil

Summary

To present to Council the proposed schedule of Ordinary Council Meeting dates for the 2027 calendar year for formal adoption and subsequent public notice.

Background Information

Council is required to determine and publicly advertise its meeting dates for the forthcoming twelve months in accordance with the Local Government (Administration) Regulations 1996, Regulation 12.

Copy of draft advert below:



Shire of Mukinbudin

2026 Council Meeting Dates

9 February 2027 - Annual Electors Meeting
16 February 2027
16 March 2027
20 April 2027
18 May 2027
15 June 2027
27 July 2027
24 August 2027
21 September 2027
19 October 2027
16 November 2027
21 December 2027

All meetings will be held in Council Chambers, 15 Maddock Street Mukinbudin, commencing at 2.30pm.

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.

Tanika McLennan
CHIEF EXECUTIVE OFFICER

MUKINBUDIN

Officer Comment

Council Meetings are ordinarily held on the third Tuesday of each month at 2.30pm, with an Officers' Briefing commencing at 10.00am. No Ordinary Meeting of Council is scheduled for January due to the holiday period.

Council may amend the scheduled meeting dates or commencement times as required throughout the year, provided any changes are advertised in accordance with legislative requirements.

The proposed meeting schedule for July and August deviates from the standard third Tuesday timeframe to accommodate key end of financial year and budgetary processes. The July meeting is scheduled to allow Officers additional time to complete end of year financial processes and prepare the Annual Budget, with the aim of presenting the Budget to Council for adoption at the July Ordinary Meeting and avoiding the need for a Special Council Meeting.

The August meeting is similarly scheduled outside the standard timeframe to provide Officers with sufficient time to undertake the annual rates levy following adoption of the Annual Budget and to finalise the associated financial processes arising from the adoption of the Budget.

Consultation

Nil

Strategic & Social Implications

Integrated Strategic Plan 2025–2035

Pillar 4: Civic Leadership

Outcome 11 – Compliant governance and responsible financial management

- Strategy 11.3: Decision making of Council is supported by up to date and clear policies and procedures.

Statutory Environment

Local Government Act 1995,

Local Government (Administration) Regulations 1996 Reg 12

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.

Policy Implications

Nil

Financial Implications

Nil

OFFICER RECOMMENDATION

Council Decision Number – 06 11 2026

Moved: Cr Ventris **Seconded: Cr Dagelet**

That Council adopts the following Ordinary Council Meeting Dates for the next twelve months and authorises the Chief Executive Officer to give local public notice in accordance with Regulation 12 of the Local Government (Administration) Regulations 1996.

9 February 2027 – Annual Electors Meeting
16 February 2027
16 March 2027
20 April 2027
18 May 2027
15 June 2027
27 July 2027
24 August 2027
21 September 2027
19 October 2027
16 November 2027
21 December 2027

Carried 7 / 0

9.3.2 NewTravel Memorandum of Understanding	
Location:	All of Shire
File Ref:	ADM 295
Applicant:	Linda Vernon, NewTravel Executive Officer
Date:	28th October 2026
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan, Chief Executive Officer
Author:	Tanika McLennan, Chief Executive Officer
Voting Requirements	Absolute Majority
Documents Attached	2025-2030 Memorandum of Understanding
Documents Tabled	Nil

Summary

Council is requested to consider the updated North Eastern Wheatbelt Travel Association Inc. (NEWTRAVEL) Memorandum of Understanding (MoU) for execution, noting the previous agreement has expired.

Background Information

The NEW Travel MoU establishes the collaborative framework between the participating local governments for tourism, collective promotion of the Wheatbelt Way and implementation of the strategic and marketing plans.

Participating Councils are:
Dowerin, Koorda, Mt Marshall, Mukinbudin, Nungarin, Trayning, Westonia and Wyalkatchem.

The current MoU expired on 30 June 2025. At the NEW Travel Annual General Meeting, held 6 October 2026, member Councils were advised that the agreement had reached end of term and that a renewed MoU is required to maintain membership and continued participation in the regional group.

Officer Comment

Execution of the new MoU will enable the Shire of Mukinbudin to remain a member of NEW Travel and continue to participate in the collective promotion of the Wheatbelt Way and implementation of the tourism strategic and marketing plans.

The renewed term proposed is 1 July 2025 to 30 June 2030.

Membership contributions, governance structure and operational functions are outlined in the attached MoU.

Consultation

Linda Vernon – NEWTRAVEL Executive Officer
NEWTRAVEL Member Councils

Strategic & Social Implications

Integrated Strategic Plan 2025–2035
Pillar 1: Economy
Outcome 2. Enhance the local visitor experience
Strategy 2.1 Active participation in NEW Travel

Statutory Environment
Nil – NEWTRAVEL is a voluntary regional collaboration under a Memorandum of Understanding, not a statutory regional council.

Policy Implications
Nil

Financial Implications
Nil – Annual Membership has been budgeted

OFFICER RECOMMENDATION

Council Decision Number – 07 11 2026

Moved: Cr Brandis **Seconded: Cr Ventris**

That Council:

1. **Endorses the updated NEWTRAVEL Memorandum of Understanding for the period 1 July 2025 – 30 June 2030; and**
2. **Authorises the Shire President and Chief Executive Officer to execute the document as required.**

Carried 7 / 0

9.3.3 Property Use Agreement – Mukinbudin Hotel	
Location:	Mukinbudin Hotel – 23-25 Shadbolt Street, Mukinbudin
File Ref:	ADM 299
Applicant:	Mukinbudin Hotel
Date:	11th November 2026
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan, Chief Executive Officer
Author:	Tanika McLennan, Chief Executive Officer
Voting Requirements:	Simple Majority
Documents Attached:	Property Use Agreement with Mukinbudin Hotel dated 1 July 2024
Documents Tabled:	Nil

Summary

Council is requested to consider gifting the remaining Shire owned café equipment currently held by the Mukinbudin Hotel to the Hotel.

The equipment has been provided to the Hotel under a Property Use Agreement since 1 July 2024. The Hotel has advised that it no longer wishes to continue leasing the equipment, citing the Shire's decision not to repair or replace equipment that has failed.

Construction of the new Café is underway and expected to be operating by mid 2027. The new facility's construction contract includes the supply and installation of new café equipment so the existing equipment is not required for the future operation of the new café.

The Officer considers that gifting the remaining equipment to the Hotel is a practical outcome, avoiding the need for the Shire to retrieve, store and ultimately dispose of equipment that has no intended future use by the Shire.

Background Information

Following the conclusion of the previous café lease on 30 June 2024, Council resolved to enter into a Property Use Agreement with the Mukinbudin Hotel to allow the Hotel to utilise Shire owned equipment, furniture and other items from the Mukinbudin Café, effective 1 July 2024.

The arrangement was intended to support the Hotel in establishing a temporary café facility following the closure of the Shire's existing café, while the Shire progressed plans for the redevelopment of the café site.

Under the agreement, the equipment was provided at a cost of $50 per week irrespective of which items are used. The hotel agreed to maintain the equipment in good condition, undertaking reasonable care and cleaning to prevent damage. The Hotel shall be responsible for any damage caused by accident or malicious acts and agrees to repair or replace such damaged equipment at its own expense.

The Shire is responsible for any repairs or replacements required due to ordinary unexpected failures and normal wear and tear. When a failure occurs, the Shire is to be notified of this failure and will arrange for necessary inspection and repairs as deemed appropriate by the Owner. If the failure of a significant item is not considered in the best interest of the Shire, due to the cost of repairs or replacement, the item will be removed from the Hotel by Shire staff if convenient with the Hotel as well as the item removed updated on the items list on Addendum 1.

Since commencement of the arrangement, the Hotel has been invoiced a total of $6,128.57 for the equipment.

Several items have subsequently been removed or replaced:

- **Refrigerated Display Cabinet:** Replaced under insurance on 14 February 2025.
- **Large Bain Marie:** Removed on 15 September 2026 due to technical failure. Uneconomical to repair.
- **Double Deep Fryer:** Removed on 5 November 2026 due to technical failure. Uneconomical to repair.

On Thursday, 5 November 2026, the Hotel Proprietor, Romina Nicoletti, advised the Shire in writing that the Hotel would no longer pay for the equipment and invited the Shire to collect its items.

Following a telephone discussion with the Proprietor, it was explained that the Hotel had only originally intended to operate the café for approximately 12 months and no longer wished to continue with the arrangement due to the Shire's decision not to undertake repairs or replace the bain marie and deep fryer.

The Chief Executive Officer requested that the Hotel reconsider its decision and advised that a report would be presented to Council recommending that the remaining equipment be gifted to the Hotel.

Officer Comment

The original arrangement provided the Hotel with access to Shire owned café equipment to support the establishment of a temporary café service following the closure of the Shire owned café.

While the arrangement was initially intended to be temporary, it has continued for more than two years. During this time, a number of items have either required replacement or have become unserviceable.

The Hotel's concerns regarding the condition of the equipment are understood. The original agreement provided for the Shire to be responsible for repairs and replacements arising from normal wear and tear. However, it also notes that if the failure of a significant item is not considered in the best interest of the Shire, due to the cost of repairs or replacement, the item will be removed. Given the age and condition of the equipment, and the impending completion of the new café, further investment in the existing equipment is not considered warranted.

Construction of the Community Cultural Hub is expected to be completed early in the new year, with the café fully operational by mid 2027. The construction contract includes the supply and installation of new café equipment, which will be fit for purpose in the new facility. The existing equipment currently held by the Hotel will not be suitable for use in the new café.

Consequently, the Shire has no future operational requirement for the remaining equipment. If the equipment is returned, the Shire would need to determine how it is to be stored or disposed of, with no anticipated benefit from retaining it.

Gifting the equipment to the Hotel would provide an opportunity for the Hotel to continue its café operation using the existing items, while allowing the Shire to finalise the arrangement and avoid the costs and administrative burden associated with retrieving and disposing of the equipment.

The Officer considers that gifting the equipment is a reasonable and practical outcome. The remaining equipment has a total market value is less than $20,000, meaning the disposal is exempt from section 3.58 of the Local Government Act 1995 under regulation 30(3)(a) of the Local Government (Functions and General) Regulations 1996. If the market value was $20,000 or more, the Shire would need to undertake the local public notice process required under section 3.58(3) before the disposal can proceed.

Strategic & Social Implications:

Pillar 2 – Community

Strategic Outcome: Our community enjoys a healthy, safe and inclusive environment for all ages.

The Mukinbudin Hotel's café operation provides an additional food and beverage service within the town, benefiting residents and visitors. Gifting the equipment provides an opportunity for the Hotel to continue operating its café facility and contributes to maintaining local services while the Shire progresses construction of the new café.

Consultation

Romina Nicoletti – Mukinbudin Hotel Proprietor, written correspondence and telephone discussion.

Statutory Environment

Local Government Act 1995

- **Section 3.58 – Disposing of property:** Provides the requirements for the disposal of local government property other than by public auction or public tender, including local public notice and consideration of submissions.

Local Government (Functions and General) Regulations 1996

- **Regulation 30(3)(a):** A disposition of property other than land is exempt from section 3.58 of the Act if its market value is less than $20,000.

The market value of the remaining equipment has been established as less than $20,000 and the proposed gift is exempt from the requirements of section 3.58.

Policy Implications
Nil

Financial Implications
The Hotel has been invoiced a total of $6,128.57 for the use of the equipment since commencement of the Property Use Agreement.

The proposed gift would result in the Shire foregoing any future income from the equipment. However, the equipment is not required for the new café, which will be fitted out with new equipment under the construction contract.

The Shire would otherwise be required to retrieve and arrange for the storage or disposal of the equipment. Gifting the equipment avoids these potential costs and administrative requirements.

There is no proposed expenditure associated with the gift.

Voting Requirement Simple Majority

OFFICER RECOMMENDATION

Council Decision Number – 08 11 2026

Moved: Cr Walker **Seconded: Cr Ventris**

That Council:

1. **Gift the remaining Shire owned café equipment currently held by the Mukinbudin Hotel to the Hotel, recognising that:**
    a. **The equipment is no longer required for the Shire's future café operations.**
    b. **The new café will be fitted out with new equipment under the construction contract.**
    c. **The Shire would otherwise be required to retrieve and arrange for the storage or disposal of the existing equipment.**
2. **Authorises the Chief Executive Officer to terminate the existing Property Use Agreement upon completion of the gift and transfer of ownership of the equipment to the Mukinbudin Hotel.**
3. **Confirms that the gift is in full and final settlement of the property use agreement, with no further charges payable by the Hotel following the date of transfer.**

Carried 7 / 0

9.3.4 Planning Advice – Proposed Home-Based Firearms Dealer and Storer Business – 3 Calder Street, Mukinbudin	
Location:	Lot 62 on Plan D054240, 3 Calder Street, Mukinbudin
File Ref:	AS319
Applicant:	Troy Stoeckel – Troy's Triggers and Bolts
Date:	11th November 2026
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan, Chief Executive Officer
Author:	Tanika McLennan, Chief Executive Officer
Voting Requirements:	Simple Majority
Documents Attached:	Planning Advice Report – 3 Calder Street, Mukinbudin, prepared by Hansani Fernando, Town Planner, dated 23 October 2026.
Documents Tabled:	Nil

Summary

Council is requested to receive the attached planning advice report prepared by the Shire's contract Town Planner in response to an enquiry from Troy Stoeckel of Troy's Triggers & Bolts regarding a proposed home based firearms dealer and firearms storer business at 3 Calder Street, Mukinbudin.

The report considers the proposal against the Shire of Mukinbudin Town Planning Scheme No. 4 and relevant planning requirements. It identifies that the proposed business requires development approval and that the use is not specifically listed in the Scheme's Zoning Table.

The report does not constitute a development application or a determination of the proposal. Council is requested to consider whether it wishes to provide a preliminary view on the classification of the use at this stage and whether the Shire should provide a statement of no objection to WA Police.

The Officer recommends that Council defer any determination of the land use classification until a formal development application is lodged and assessed and that no statement of no objection be provided to WA Police at this stage.

Background Information

On 12 October 2026, the Shire received an enquiry from Troy Stoeckel regarding the proposed establishment of a home based firearms dealer and firearms storer business, trading as Troy's Triggers & Bolts, at 3 Calder Street, Mukinbudin.

The property is located within the Residential zone (R12.5/30) under the Shire of Mukinbudin Town Planning Scheme No. 4.

The enquiry was accompanied by a business plan prepared for WA Police Firearms Licensing. The applicant is seeking to establish a business involving firearms dealing, consignment sales, online sales, brokerage and the storage of firearms, including potentially firearms belonging to other dealers.

The enquiry sought planning advice regarding the permissibility of the proposed use and the development approval requirements. It was not submitted as a formal development application.

The Shire's contract Town Planner, Hansani Fernando, was requested to review the proposal and provide planning advice. The resulting report, dated 23 October 2026, is attached for Council's consideration.

Officer Comment
The Town Planner's report identifies several matters relevant to Council's consideration.

Land use and zoning
The property is within the Residential zone. The proposed business does not meet the Scheme's definition of a home business because it involves the retail sale of goods, including consignment sales, online sales and brokerage.

A firearms dealer or firearms storer is not specifically listed in the Scheme's Zoning Table. The nearest listed uses in the Residential zone are:

- Home business – Discretionary (D);
- Shop – Not permitted (X); and
- Office – Not permitted (X).

If the sales component of the business is classified as a shop, the use would not be permitted in the Residential zone. Alternatively, if the use is determined to be an unlisted use, clause 3.4 of the Scheme provides for Council to determine whether the use is consistent with the objectives of the zone, may be consistent subject to advertising, or is not consistent with those objectives.

The Town Planner's preliminary view is that the proposal is more appropriately considered as an unlisted use, rather than a shop, based on the appointment only nature of the business and the absence of walk in trade or display. However, the business plan contains inconsistencies regarding the sales model and the extent to which customers would attend the property. The final classification is a matter for Council.

Information required
The Town Planner has identified that the business plan does not contain sufficient information to assess the potential impacts of the proposal on residential amenity. In particular, further information would be required regarding:

- The floor area of the proposed dealer office, safe room and storage areas.
- The maximum quantities of firearms and ammunition to be held at the premises.
- Whether firearms belonging to other dealers would be stored at the property.
- The number and frequency of customer, dealer and courier visits.
- The vehicles to be used for collection and delivery, including their tare weight.
- Site and floor plans identifying the dwelling, office, storage areas, safes, parking and neighbouring properties.
- Clarification of the sales model, including the references to online sales only, a dedicated dealer office and appointment only customer visits.

The report also identifies that the proposed safes and secure storage area may require further consideration under the Building Act 2011, including advice regarding floor loading and building classification. Storage of ammunition is also subject to the Dangerous Goods Safety Act 2004.

Council's role and delegation

Under Delegation No. 45, the Chief Executive Officer does not have delegated authority to determine discretionary or unlisted uses under the Scheme. Any future application requiring a decision on the classification of an unlisted use would therefore be referred to Council for determination.

The Town Planner has identified two possible pathways for the applicant:

1. Lodge a development application for the proposed use at 3 Calder Street, supported by the additional information required to assess the proposal; or
2. Investigate relocating the business to land within the Town Centre or Industrial zone, where the surrounding land uses may be more compatible with the proposed commercial activity.

Preliminary classification

Council may choose to provide a preliminary view on the classification of the use at this stage. However, the Town Planner recommends that classification be left until a formal development application is lodged and assessed.

The Officer supports this approach. The current enquiry does not provide sufficient information to conclusively determine the nature and scale of the proposed business. Providing a preliminary classification at this stage could unnecessarily constrain Council's future consideration of the matter.

Deferring classification would allow Council to consider the complete proposal, including the operating arrangements, storage quantities, site layout and any submissions received through the advertising process.

Statement to WA Police

The Town Planner's report confirms that the Shire cannot provide a statement of no objection to WA Police at this stage, as no development application has been lodged and the proposed use has not been assessed.

The planning approval process is separate from firearms licensing and security requirements, which are matters for WA Police. The Shire should not provide a statement that could be interpreted as support for the proposed use before the relevant planning assessment has occurred.

The Officer therefore recommends that Council receive the planning advice and confirm that no statement of no objection will be issued unless and until the necessary planning assessment has been completed.

Strategic & Social Implications:
Pillar 4 – Civic Leadership
Strategic Outcome: Accountable, responsible and strong leadership.
Goal 11: Compliant governance and responsible financial management.
Priority Project 11.3: Decision making of Council is supported by up to date and clear policies and procedures.

Receiving independent planning advice and ensuring that any future application is assessed in accordance with the Town Planning Scheme and relevant statutory requirements supports transparent, consistent and accountable decision making.

Consultation
Troy Stoeckel – planning enquiry and supporting business plan dated 12 October 2026.
Hansani Fernando – Contract Town Planner, preparation of planning advice report dated 23 October 2026.

Statutory Environment
Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
- Schedule 2 – Deemed Provisions for Local Planning Schemes.
- Clause 64 – Advertising applications.
- Clause 67 – Matters to be considered by local government in determining an application.

Shire of Mukinbudin Town Planning Scheme No. 4
- Clause 3.2 – Residential zone objectives.
- Clause 3.3 and Table 1 – Zoning Table.
- Clause 3.4 – Unlisted uses.
- Schedule 1 – Definitions.

Shire of Mukinbudin Register of Delegations 2026
- Delegation No. 45 – Development Applications.

Policy Implications
The proposal is to be assessed in accordance with the Shire of Mukinbudin Town Planning Scheme No. 4 and the relevant provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

The Shire's Register of Delegations, including Delegation No. 45, establishes the decision-making authority for development applications and unlisted uses.

Financial Implications
The planning advice report has been prepared by the Shire's contract Town Planner. No additional expenditure is proposed as part of this item.

Should a development application be lodged, the applicant will be required to pay the applicable planning application fee. Further assessment and advertising costs may be incurred by the Shire in accordance with the applicable statutory and contractual arrangements.

Voting Requirement Simple Majority

OFFICER RECOMMENDATION

Council Decision Number – 09 11 2026

Moved: Cr Walker **Seconded: Cr McGlashan**

That Council:

1. **Receives the Planning Advice Report prepared by the Shire's contract Town Planner, Hansani Fernando, dated 23 October 2026, in relation to the proposed home based firearms dealer and firearms storer business (Troy's Triggers & Bolts) at 3 Calder Street, Mukinbudin.**
2. **Notes that the enquiry is not a development application and that the attached report provides planning advice only, with no determination of the proposed use having been made.**
3. **Defers determination of the land use classification until such time as a formal development application is lodged and the full details of the proposed use are available for assessment.**
4. **Resolves that the Shire will not provide a statement of no objection to WA Police in relation to the proposed business at 3 Calder Street, Mukinbudin, until a development application has been lodged and the planning assessment has been completed.**
5. **Authorises the Chief Executive Officer to advise the applicant in writing of Council's consideration and the requirement to obtain development approval before commencing the proposed use.**

Carried 7 / 0

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 President thanked Elected Members and Staff for attending and declared the meeting closed at 2.39pm.