



CONFIRMED MINUTES

Ordinary Meeting of Council



Meeting held in Council Chambers at
15 Maddock Street, Mukinbudin
Commencing at 1.00pm Friday 15th December 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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AGENDA

Agenda of the Ordinary Meeting of Council held in Council Chambers, Maddock Street, Mukinbudin on Friday 15th December 2023.

1. Declaration of Opening

The Shire President declared the Meeting open at 1.01pm

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 C McGlashan
Cr S Ventris
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 A Farina

2.5 On leave of absence:

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 (minimum 15 mins)

The Shire President to declare public question time open at 1.03pm.

3.3 Declaration of public question time closed

The Shire President to declare public question time closed at 1.04pm.

4. **Declarations of Interest**

- Cr Shadbolt Item number 9.3.2
Request for Tender – 2015 Ranger Ute P291
Impartiality Interest
- Cr Ventris Item Number 9.3.7
Australia Day Citizen of the Year Awards 2024
Impartiality 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 21st
November 2023.

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION

Council Decision Number – 03 12 2023

Moved: Cr Nicoletti

Seconded: Cr McGlashan

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

- **Ordinary Meeting of Council held on 21st November 2023**

Carried 6 / 0

8. Committee Meetings

8.1 Receipt of Minutes of Committee Meetings

8.1.1 Great Eastern Country Zone 20th November 2023

[Great Eastern Country Zone Minutes](#)

8.1.2 Local Health Advisory Group 24th November 2023

[LHAG Meeting Minutes](#)

8.1.3 NEWROC Council Meeting 4th December 2023

[NEWROC Meeting Minutes](#)

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION

Council Decision Number – 04 12 2023

Moved: Cr Walker

Seconded: Cr Ventris

That the Minutes of the following committee meetings be received.

- Great Eastern Country Zone Meeting held 20th November 2023
- Local Health Advisory Group Meeting held 24th November 2023
- NEWROC Council Meeting held 4th December 2023

Carried 6 / 0

8.2 Recommendations from Committee Meeting for Council Consideration

9.1 Monthly Information Report

9.1.1 December 2023 Information Report	
Location:	Mukinbudin
File Ref:	ADM 360
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	4 th December 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	December 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 Aquatic Centre Manager, 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 December Information Report.

Consultation

Simon Comerford – Aquatic Centre Manager
 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 – 05 12 2023****Moved: Cr Ventris****Seconded: Cr Walker****That Council receive the December 2023 Information Report.****Carried 6 / 0**

9.2 Finance Reports

9.2.1 List of Payments – November 2023	
Location:	Mukinbudin
File Ref:	ADM 007
Applicant:	Martin Whitely - Contractor
Date:	5 th December 2023
Disclosure of Interest:	Nil
Responsible Officer:	Martin Whitely - Contractor
Author:	Lucia Scari – Senior Finance Officer
Voting Requirements	Simple Majority
Documents Attached	List of Payments – Municipal Account (6 pages) List of Payments – Restricted Muni Account (1 page) Corporate Credit Card Statement - November 2023 (6 pages) Credit Card Summary – November 2023 (1 page) Fuel Cards Statement – November 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 November 2023 for endorsement by Council.

Background Information

A list of payments submitted to Council on 15th December 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 – 06 12 2023

Moved: Cr Bent

Seconded: Cr McGlashan

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

Municipal Fund:

Muni EFTs	EFT 8580	to	EFT 8686	\$371,288.77
Muni Cheques	Chq -	to	Chq -	\$0.00
Muni Direct Debits	DD 11130.1	to	DD 11179.10	\$19,412.44
(Superannuation, loans, leases)				
Pays on	08/11/2023 & 21/11/2023			\$92,921.90
(Not included on payment listing)				
Total Municipal Funds				\$483,623.11

Restricted Muni Fund:

RMF EFTs	EFT -	to	EFT -	\$0.00
RMF Cheques	Chq -	to	Chq -	\$0.00
RMF Direct Debits	DD 11112.1	to	DD 11226.1	\$27,177.03
Total Restricted Muni Funds				\$27,177.03

Carried 6 / 0

9.2.2 Monthly Statement of Financial Activity Report – 30 November 2023	
Location:	Mukinbudin
File Ref:	ADM 005
Applicant:	Martin Whitely, Contractor
Date:	6 December 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Martin Whitely, Contractor
Voting Requirements	Simple Majority
Documents Attached	Statement of Financial Activity – For the period ended 30 November 2023 (23 Pages) Schedules 2 to 14 For the period 1 July 2023 to 30 November 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. 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 \$2,360,166. The budgeted surplus is \$15,737 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 30 November 2023 the end of month position is a surplus of \$2,571,959.

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 – 07 12 2023****Moved: Cr Nicoletti****Seconded: Cr McGlashan****That Council:****Adopt the Monthly Financial Report for the period ending 30 November 2023.****Carried 6 / 0**

****LATE ITEM****

9.2.3 Audit Committee Minutes & Recommendations	
Location:	Mukinbudin
File Ref:	ADM 001
Applicant:	Martin Whitely, Contractor
Date:	14 th December 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Martin Whitely, Contractor
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Audit Committee Minutes

Summary

To present to Council minutes of the 15 December 2023 Shire of Mukinbudin Audit Committee Minutes for consideration and action.

Background Information

The Shire of Mukinbudin Audit Committee met on the 15 December 2023 to review the 2022/2023 Annual Report & Independent Audit Report (Please refer to the Audit Committee Minutes and separate attachments for information).

5.16. Delegation of some powers and duties to certain committees

- (1) Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.

**Absolute majority required*

5.17. Limits on delegation of powers and duties to certain committees

- (1) A local government can delegate —
 - (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
 - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
 - (ii) any other power or duty that is prescribed;
 and
 - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
 - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
 - (i) the local government's property; or
 - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

Officer Comment

The minutes and recommendations from the Audit Committee meeting dated 15 December 2023 are presented for Council consideration.

Strategic & Social Implications

N/A

Consultation

N/A

Statutory Environment

*Local Government Act 1995, Local Government (Administration) Regulations 1996 - Reg12),
Local Government (Financial Management) Regulations 1996,*

Policy Implications

Nil

Financial Implications

Nil

OFFICER RECOMMENDATION

Council Decision Number – 08 12 2023

Moved: Cr Nicoletti

Seconded: Cr Walker

That Council endorse the Audit Committee Minutes and Recommendations from the Audit Committee Meeting held 15th December 2023.

Carried 6 / 0

9.3 Chief Executive Officer's Reports

9.3.1 Request for Tender – Tecalemit Two Post Screw Hoist	
Location:	Mukinbudin
File Ref:	ADM 429
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	8 th December 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 Tenders for the sale of the Tecalemit Two Post Screw Hoist.

Background Information

When Council purchased the additional yard west of the current Shire Depot on September 26th, included as a fixture and included in the purchase was a two-post hoist. The hoist is deemed surplus to requirements and tenders were recently invited, closing on Friday 8th December 2023.

Officer Comment

At close of Tender on 8th December the following Tenders were received:

TENDER SUMMARY FORM



TENDER No:	RFT 02.202324 – Sale of Surplus Items – Two Post Screw Hoist	
CLOSING DATE/TIME:	08/12/2023 – 4:00pm	
DATE OPENED:	08/12/2023	
TIME OPENED:	4:01 PM	
LOCATION OPENED:	Shire Administration Office	
IN THE PRESENCE OF:	HILDA SCRIVENEE	
	DIRK SELLENGER	
	LUCIA SCARLETT	
	JUDET NIXON	

TENDER FROM	DETAILS	Price
PAGE VERNON	OUTRIGHT PURCHASE	\$1,500.00

Consultation

Nil

Strategic & Social Implications

Nil

Statutory Environment**3.58. *Disposing of property***

- (1) In this section —
 - dispose*** includes to sell, lease, or otherwise dispose of, whether absolutely or not;
 - property*** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

Policy Implications

Nil

Financial Implications

The Council has not made any provision for the sale of surplus items, except for various pieces of equipment. The income anticipated from the sale of the used hoist is expected to be minimal and is unlikely to affect the Shire's operations, either in the long or short term.

OFFICER RECOMMENDATION

Council Decision Number – 09 12 2023

Moved: Cr Nicoletti

Seconded: Cr Ventris

That Council accept the Tender from Pace Vernon for the outright sale of the Tecalemit Two Post Screw Hoist for a sale price of \$1,500.00 (one thousand five hundred dollars) including gst.

Carried 6 / 0

9.3.2 Request for Tender – 2015 Ranger Ute P291	
Location:	Mukinbudin
File Ref:	ADM 429
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	8 th December 2023
Disclosure of Interest:	Cr Shadbolt – Impartiality
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 Tenders for the sale of Plant No. P291 – 2015 Ford Ranger 4x2 Dual Cab Utility.

Background Information

Council recently called Tenders (Tender No. 03.202324) closing on Friday 13th December for the outright purchase of 4x2 2015 Ford Ranger Dual Cab utility - P291. Council made an allowance for a replacement vehicle and this vehicle was recently delivered and the old vehicle deemed surplus to requirements.

Officer Comment

At close of Tender on 8th December the following Tenders were received:

TENDER SUMMARY FORM



TENDER No:	RFT 03.202324 – Outright Purchase of Light Vehicle – 2015 Ford Ranger	
CLOSING DATE/TIME:	08/12/2023 – 4:00pm	
DATE OPENED:	08/12/2023	
TIME OPENED:	4:01 PM	
LOCATION OPENED:	Shire Administration Office	
IN THE PRESENCE OF:	HILDA SCRIVENER	
	DIRK SELLENGER	
	LUCIA SCAN	
	JOUET NIXON	

TENDER FROM	DETAILS	Price
PATERSON'S MUKINBUDIN	OUTRIGHT PURCHASE	\$14,200.00
GLENN CHAPMAN	OUTRIGHT PURCHASE	\$14,000.00
PATERSON'S MUKINBUDIN	OUTRIGHT PURCHASE	\$17,200.00
TIM PATERSON	OUTRIGHT PURCHASE	\$16,200.00

Consultation

Nil

Strategic & Social Implications

Nil

Statutory Environment**3.58. *Disposing of property***

- (1) In this section —
 - dispose*** includes to sell, lease, or otherwise dispose of, whether absolutely or not;
 - property*** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

Policy Implications

Nil

Financial Implications

Council have made an allowance of \$13,000 (thirteen thousand dollars) in the 2023/2024 Budget for the disposal of the existing 2015 Ford Ranger Dual Cab utility.

The preferred tender exceeds budgeted income amount by \$4,200.00 (four thousand two hundred dollars). This amount will be adjusted in the next Ordinary Budget Review by Council.

OFFICER RECOMMENDATION

Council Decision Number – 10 12 2023

Moved: Cr Bent

Seconded: Cr Walker

That Council accept the Tender from Paterson's Mukinbudin for the outright sale of 2015 Ford Ranger 4x2 Dual Cab Utility (P291) for a sale price of \$17,200.00 (seventeen thousand two hundred dollars) including gst.

Carried 6 / 0

9.3.3 Renaming of Whitehill Bypass	
Location:	Mukinbudin
File Ref:	ADM 252
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	8 th December 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 rescinding Council Decision Number 1216. Please find the Original Motion as follows, as adopted during the Ordinary Meeting of Council on March 18th, 2015:

Council Decision Number – 1216

Moved: Cr Lancaster

Seconded: Cr Sippe

That the Shire of Mukinbudin requests approval of the name Barbalin Bypass from Landgate for the new Blackspot bypass road alignment.

If this name is unsuccessful other names listed in priority are:

- 1. Whitehill Bypass**
- 2. Marsden Bypass**
- 3. Butterfly Bypass**

Carried 7/1

Cr Seaby against

Background Information

Please find an extract from the March 2015 Ordinary Meeting of Council below which outlines the reasoning and origin of the Whitehill Bypass:

8.4.7 Barbalin Blackspot bypass naming - Geographic Names Committee

Location:	Barbalin
File Ref:	ADM
Applicant:	Stuart Billingham – CEO
Date:	12 March 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Background

The Shire of Mukinbudin has received an email request from the Paul Kraft Surveying to name the new section of the Barbalin Blackspot bypass road realignment. The name will need to go to the Geographic Names Committee at Landgate for approval.

Comment:

The CEO in discussions with Mr Paul Kraft, the Shire Surveyor have agreed that the Shire should currently not hand back the old road alignment due to various issues, including but limited to Public Utilities infrastructure being located within the old road reserve alignment. In view of the old road alignment will continue to be named the Koorda Bullfinch Road , the new Blackspot bypass will now require a new name.

Suggestions to name the new section of road may include but are not limited to:

- *Butterfly Drive,*
- *Whitehill Drive*
- *Pioneer Drive*
- *Seaby Drive*

Consultation:

Surveyor Mr Paul Kraft

Statutory Environment

*Geographic Names Committee Policies.
Local Government Act 1995*

Financial Implications

Possible Gazettal fees

Voting Requirements

Simple Majority Vote Required

Officer recommendation:

That the Shire of Mukinbudin requests approval of the name Barbalin Bypass from Landgate for the new Blackspot bypass road alignment. If this name is unsuccessful other names listed in priority are:

1. Whitehill Bypass
2. Marsden Bypass
3. Butterfly Bypass

Recommendation:

Council Decision Number – 1216

Moved: Cr Lancaster Seconded: Cr Sippe

That the Shire of Mukinbudin requests approval of the name Barbalin Bypass from Landgate for the new Blackspot bypass road alignment.

If this name is unsuccessful other names listed in priority are:

- 1. Whitehill Bypass**
- 2. Marsden Bypass**
- 3. Butterfly Bypass**

Carried 7/1

Cr Seaby against

Officer Comment

The CEO was until recently unaware of the fact this section of road was named anything other than the Koorda Bullfinch Road and it is recommended for the sake of maintaining consistency and avoiding public confusion, the Council should consider renaming the existing Whitehill Bypass to Koorda Bullfinch Road. It is recommended to retain the current section of the Unnamed Road without any alterations, considering its disuse this section will remain an unused road reserve into the future. See Geographic approval granted by Landgate, Geographical names below:



Reference: 01790-2021

Geographic Naming Approval

The Shire of Mukinbudin in their correspondence at Record number 2023-19639 and related correspondence, has agreed to the unnamings of a portion of road adjacent to Lot 28462 on Deposited Plan 217824, Reserve 31715 and the railway.

Due to the realignment of the Whitehill Bypass, a portion of Koorda-Bullfinch Road has been unnamed.

This naming proposal is considered appropriate.

Accordingly, your approval is requested for the following:

Unname Road Name – Locality of Barbalin

Unname portion of **Koorda-Bullfinch Road** as shown on the map at page 2 by Ministerial Order.

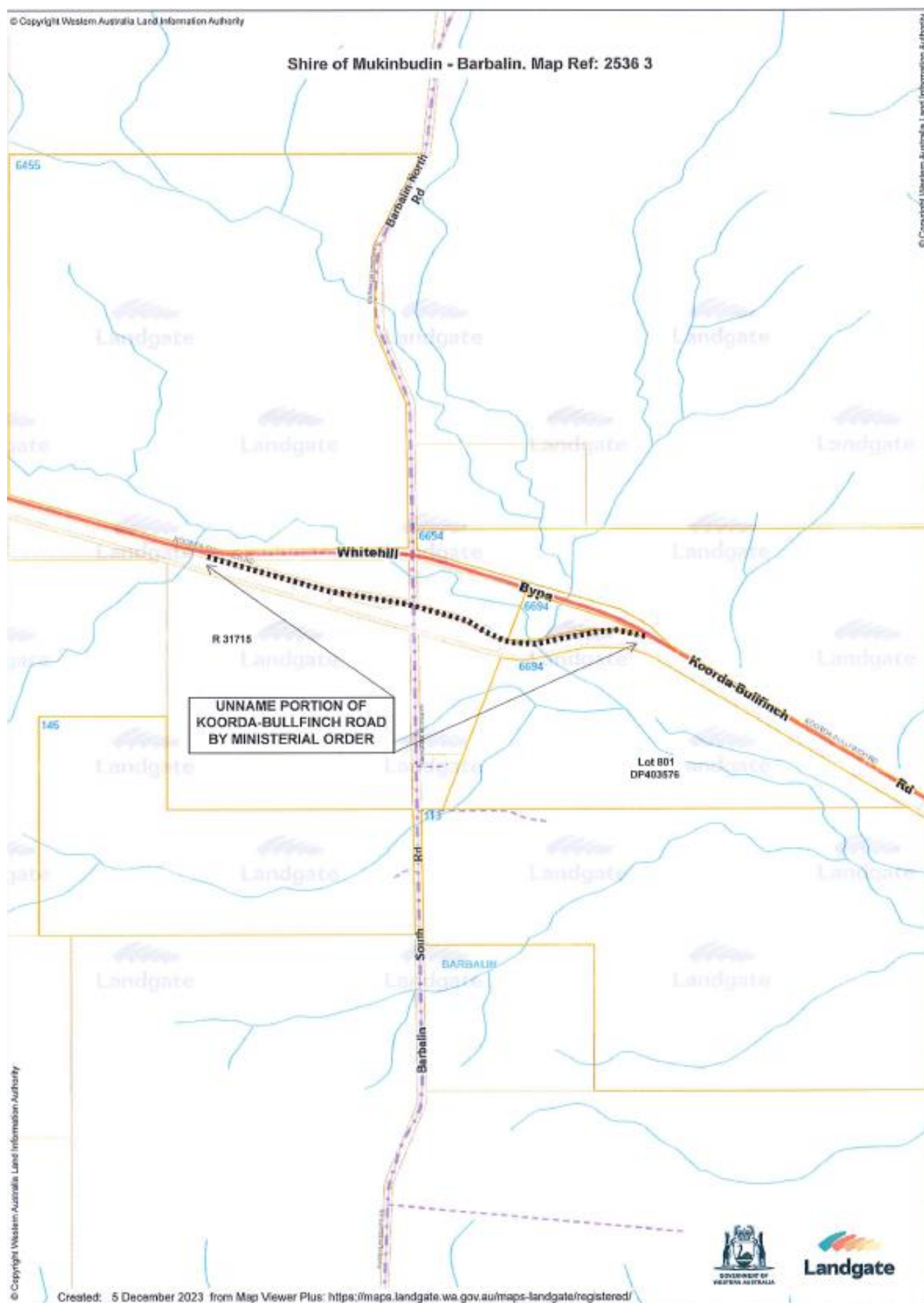


T.M. Hoelzel

Land Definition
Location Services
2023 Job 4001 (TMH/GHC)
5 December 2023

Glenn Christie
Glenn Christie (Dec 5, 2023 12:08 GMT+8)

APPROVED
under delegated authority
by Order of the Minister for Lands
Land Administration Act 1997
section 26 & 26A



Consultation

Therèse Hadland – Senior Spatial Officer – Names and Addressing
 Land Definition – Location Services, Landgate
 Council – Informal discussion – November 2023

Strategic & Social Implications

Nil

Statutory Environment

Geographic Names Committee Policies.
Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Cr Ventris departed the meeting at 1.20pm

Part A**OFFICER RECOMMENDATION**

Council Decision Number – 11 12 2023

Moved: Cr Walker

Seconded: Cr McGlashan

That Council rescinds the following motion of Council from the March 2015 Ordinary Meeting as follows:

Council Decision Number – 1216

Moved: Cr Lancaster Seconded: Cr Sippe

That the Shire of Mukinbudin requests approval of the name Barbalin Bypass from Landgate for the new Blackspot bypass road alignment.

If this name is unsuccessful other names listed in priority are:

- 1. Whitehill Bypass***
- 2. Marsden Bypass***
- 3. Butterfly Bypass***

ABSOLUTE MAJORITY REQUIRED

Part B (requires the passing of Part A to be considered)

Carried 5 / 0

OFFICER RECOMMENDATION

Council Decision Number – 12 12 2023

Moved: Cr Walker

Seconded: Cr Bent

That Council request the approval from Landgate Geographical Names, section of road named Whitehill Bypass be renamed Koorda Bullfinch Road.

Carried 5 / 0

9.3.4 SAM Trailer Hire Fee	
Location:	All of Shire
File Ref:	ADM 299
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	5 th December 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:

For Council to consider hire fees for the SAM Trailer, newly acquired through a transfer orchestrated by NEWROC from the Shire of Mount Marshall to the Shire of Mukinbudin.

Background:

During the October 2023 NEWROC Council meeting, a decision was made to transfer ownership of the SAM Trailer from the Shire of Mount Marshall to the Shire of Mukinbudin. Please refer to the NEWROC motion provided below for more details.:



NEWROC Council Meeting 31 October 2023 - MINUTES

9. GENERAL UPDATES

9.1. SAM Trailer

RESOLUTION

NEWROC transfers ownership of the SAM Trailer to the Shire of Mukinbudin. NEWROC reimburse the Shire of Mukinbudin for its travel costs in its trip to Perth for maintenance and repairs.

Moved Cr De Lacy

Seconded Cr Trepp

CARRIED 7/0

This resolution was reached with the understanding that the Shire of Mukinbudin will be responsible for the maintenance and programming of the trailer, making it available for use by other Local Governments for a nominal fee.

Officer Comment:

Dave Waters, the Technical Officer of the Shire, will be assigned the responsibility of programming the Trailer, being the most appropriately trained and qualified personnel within the organisation for this task.

Consultation

Dirk Sellenger – Chief Executive Officer

Lucia Scari – Senior Finance Officer

Renee Jenkin – Manager of Corporate & Community Services

NEWROC Council

Strategic & Social Implications

Nil

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 hire of the SAM Trailer will be insignificant in the total scheme of the Annual Shire Budget revenue, the priority is not financial benefit but to provide a community service not otherwise available in Mukinbudin or neighbouring communities.

OFFICER RECOMMENDATION

Council Decision Number – 13 12 2023

Moved: Cr Nicoletti

Seconded: Cr McGlashan

That Council make an amendment to the 2023/2024 Fees & Charges schedule to include a new fee for the hire of the formerly owned NEWROC SAM Trailer as follows:

- **\$11.00 (eleven dollars) per day inc GST**

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

Carried 5 / 0

9.3.5 LRCIP Phase 4 Funding Allocation	
Location:	All of Shire
File Ref:	ADM 392
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	7 th December 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

Council is requested to consider the allocation of \$592,497 (five hundred and ninety-two thousand four hundred and ninety seven dollars) from the LRCIP program (Phase4) for the proposed project to pipe water from the Barbalin dam to the Mukinbudin townsite.

This is the Grantee's Phase 4 Allocation and is comprised of:

Part A - \$375,754 for approved local road and community infrastructure projects; and where applicable,

Part B - \$216,743 for approved road projects in regional, rural and outer-urban areas only, unless otherwise agreed by the Department.

Construction activity on Eligible Projects must be undertaken between 1 July 2023 and 30 June 2025, other costs associated with Eligible Projects may continue to 31 December 2025.

Background Information

Following the Budget adoption which includes the entirety of Part A towards the building of new infrastructure, in the form of the Community Hub, as this project will likely be funded from Federal, Growing the Regions (GTR) Funding if it not possible to utilise other federal funding towards a project which is funded from the GTR and as a result it is necessary to carry out a Budget amendment to ensure compliance with funding guidelines.

Officer Comment

As per the existing Budget, funding is as follows:

Capital Expenses

Acc No. 4110360 – Parks & Ovals – Upgrade to Football Oval Lighting	\$50,000
Acc No. 4110365 – Infrastructure Other – Lion Park Shade and BBQ	\$50,000
Acc No. 4110255 – Aquatic Centre – Roof Structure Changerooms	\$100,000
Acc No. 4120170 – Footpath – Various town streets	\$230,000
Total	\$430,000

Capital Expense – Local Roads and Community Infrastructure

Acc No. 41306820 – Building Works – Community Hub (subject to funding) \$375,000

It is recommended the following changes be made to the Budget as follows:

Phase 4 LRCI Funding Projects

Capital Expenses

Acc No. 4110360 – Parks & Ovals – Upgrade to Football Oval Lighting	\$50,000
Acc No. 4110365 – Infrastructure Other – Lion Park Shade and BBQ	\$50,000
Acc No. 4110255 – Aquatic Centre – Roof Structure Changerooms	\$100,000
Acc No. 4120170 – Footpath – Various town streets (stage 2)	\$90,000
Acc No. 4110150 – Town Hall Capital improvements	\$85,754

Total \$375,754

Note the original Footpath Budget of \$230,000 included a breakup as follows:

Stage 1 (2023 works) OSF	\$140,000
Stage 2 (2024 works) LRCI	\$90,000
Total	\$230,000

Own Source Funding

Acc No. 41306820 – Building Works – Community Hub (subject to funding) **\$375,754**

Consultation

Tammy King – Grant Empire

Renee Jenkin – Manager of Corporate and Community Services

Lucia Scari – Senior Finance Officer

Martin Whitely – Acting Finance Manager

Strategic & Social Implications

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

1.3.4 Provide high quality recreation facilities and public open space

Outcome 3.1 – Protect and enhance the natural environment

3.1.3 Actively seek partnerships for landcare projects, salinity, drainage, and natural resource management initiatives

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The proposed changes are equal in value and make no difference to the already budgeted income and expenses. The change to the own source funding is offset by the other projects being funded by the LRCIP funding (Phase 4).

OFFICER RECOMMENDATION

Council Decision Number – 14 12 2023

Moved: Cr Bent

Seconded: Cr Walker

That Council amend the adopted 2023/2024 Budget as follows:

Phase 4 LRCI Funding Projects**Capital Expenses**

Acc No. 4110360 – Parks & Ovals – Upgrade to Football Oval Lighting	\$50,000
Acc No. 4110365 – Infrastructure Other – Lion Park Shade and BBQ	\$50,000
Acc No. 4110255 – Aquatic Centre – Roof Structure Changerooms	\$100,000
Acc No. 4120170 – Footpath – Various town streets (stage 2)	\$90,000
Acc No. 4110150 – Town Hall Capital improvements	\$85,754

Total	\$375,754
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Own Source Funding

Acc No. 41306820 – Building Works – Community Hub (subject to funding) \$375,754

Carried 5 / 0

Cr Ventris returned to the meeting at 1.24pm

9.3.6 Proposed Scheme Amendment to Create a Lifestyle Estate	
Location:	Lots 66 and 66 Bent Street, Lot 90 and 91 Koorda-Bullfinch Road, Mukinbudin
File Ref:	ADM 343
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	11 th December 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Paul Bashall – Planwest (WA) Pty Ltd
Voting Requirements:	Absolute Majority
Documents Attached:	Scheme Amendment Document
Documents Tabled:	Nil

Summary

A Scheme Amendment (No 3) has been prepared for the Council's adoption to create a new lifestyle estate immediately east of Mukinbudin townsite as shown in **Figure 1** below.

FIGURE 1 – LOCATION PLAN



Source: Planwest, ESRI, Landgate

The whole area subject of the Amendment is about 43.7 hectares and includes 4 separate lots. Lots 90 and 91 Koorda-Bullfinch Road, have areas of 1.68 hectares and 42.8 hectares respectively, whilst the two Lot 66s have areas of 307m² and 1,705m².

The subject land as shown in **Figure 1** consists of 40.5 hectares proposed to be Rural Residential, and three portions to be Town Centre zone totalling 3.19 hectares.

Background Information

The majority of the land, (Lot 91) is owned by the Shire of Mukinbudin, and is proposed to provide a variety of larger residential lots in a less formal arrangement than the existing townsite lots located immediately west of Kununoppin-Mukinbudin Road (also named Bent Street).

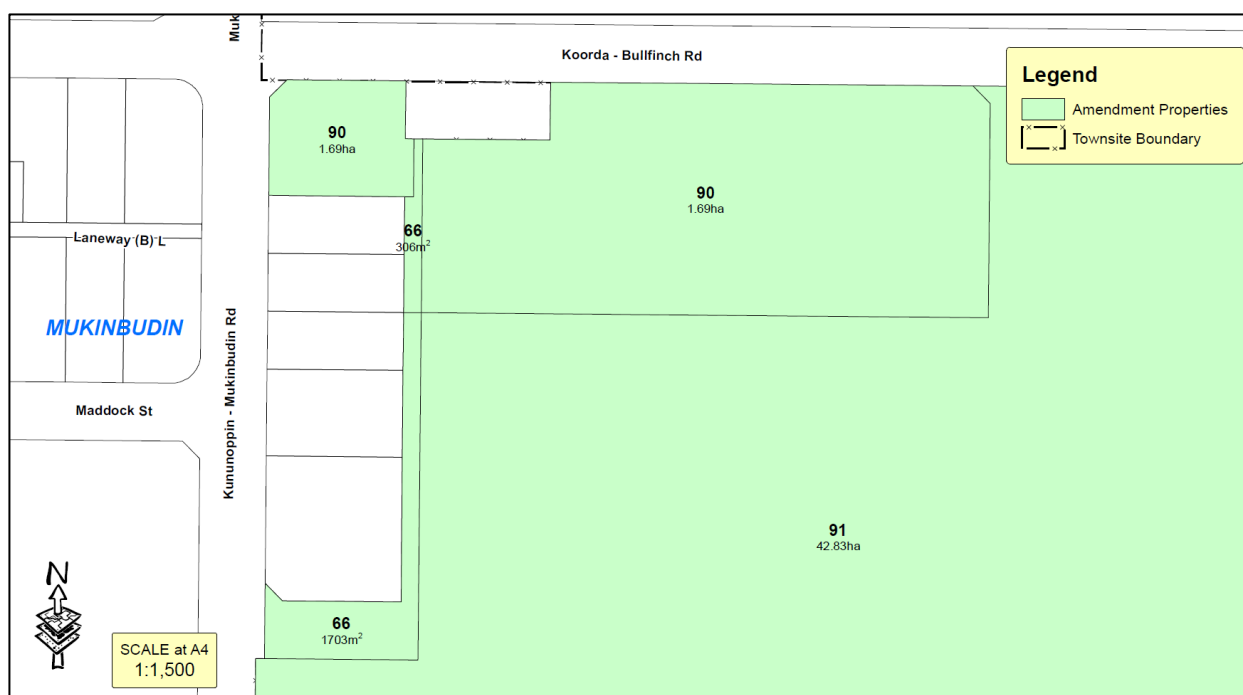
The three other areas are to be rezoned from Road to Town Centre to formalise an existing situation of land uses.

The Council has received several inquiries over the years regarding the availability of larger properties around Mukinbudin, however, the Council has not been in a position to offer a choice of residential options.

Land use and Site Area

Figure 2 shows the northern detail of these lots. Although there are 2 Lot 66s, one is owned by the Shire (the northernmost), the other is owned by the State of WA.

FIGURE 2 – DETAIL OF NORTHERN PART OF AMENDMENT LOTS



Source: Planwest, Landgate.

These Lots are contained in 4 certificates of title as shown in the table below. A copy of these titles are attached in **Schedule 1**.

TABLE 1 – LAND DETAILS

LOT	PLAN/DIAG	OWNER	AREA	VOLUME	FOLIO
66 Bent St	D31338	State of WA	1,705m ²	2771	802
66 Bent St	D29815	Shire of Mukinbudin	307m ²	2907	510
90 Kununoppin-Mukinbudin Rd	P424339	Magical Jessica P/L	1.69ha	4025	256
91 Kununoppin-Mukinbudin Rd	P424339	Shire of Mukinbudin	42.84ha	4025	257

Source: Planwest, Landgate

Following this amendment, the southernmost Lot 66 (owned by the State of WA) will need to be transferred from the Crown to respective adjacent owners as a completely separate process. A portion of this lot will be designated as a road reserve off Bent Street when the rural residential estate is created.

About 0.7 hectares at the eastern end of Lot 90 is to be rezoned to Town Centre – consistent with the balance of this Lot.

The majority of Lot 91 is proposed for the Rural Residential estate. Only two small portions of Lot 91 will be rezoned to Town Centre, one as part of the rationalisation involving Lot 66 and several lots facing Bent Street.

Another portion (2.03ha) will also be zoned Town Centre as this is the remaining northeast area of Lot 91 that is considered less attractive for rural residential purposes due its proximity to, and view over, the industrial area north of the railway and Koorda-Bullfinch Road.

Figure 3 provides a Google Earth Street View of Lot 91 from Kununoppin-Mukinbudin Road near the Earl Drive intersection.

FIGURE 3 – STREET VIEW FROM KUNUNOPPIN-MUKINBUDIN ROAD

Source: Planwest, Google Earth.

The land is currently cropped under contract and is relatively flat with the only vegetation being a tree-lined border on the Kununoppin-Mukinbudin Road boundary. **Figure 4** is a Landgate aerial photograph of the amendment area showing the existing development in the areas to be zoned Town centre.

FIGURE 4 – AERIAL PHOTOGRAPH OF NORTHERN PART OF AMENDMENT AREA



Source: Planwest, Landgate

Services and Amenities

The subject land has access to all the necessary town services including water, power and communications. As the land is located adjacent to the Mukinbudin townsite it has easy access to all the other social, recreation, commercial and administration services.

LOCAL PLANNING CONTEXT

Regional Planning Context

Although there was a draft Wheatbelt Regional Strategy prepared in 2015, this has not been finally adopted. The proposed amendment is not considered to be a significant change that would be impacted by any proposals set out in any regional strategy.

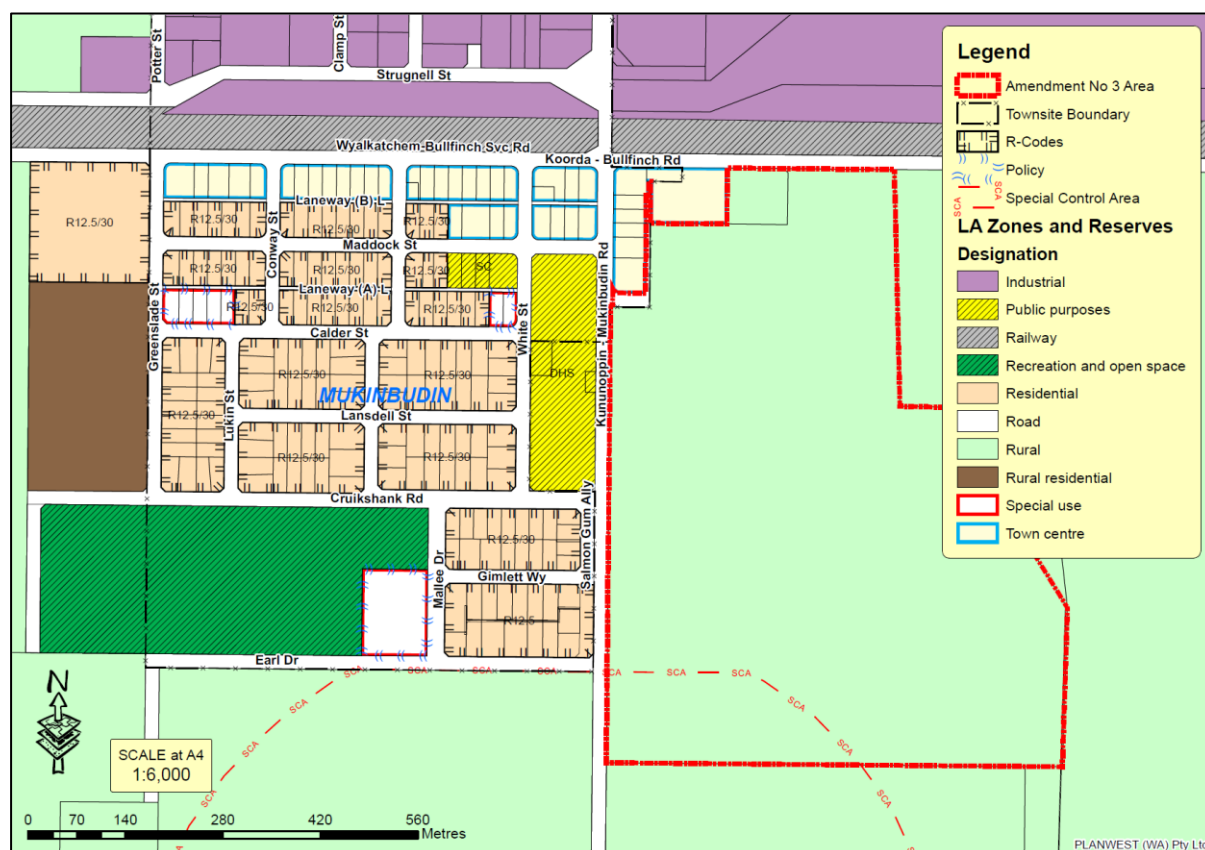
Local Planning Strategy

The Shire of Mukinbudin has no Local Planning Strategy.

Local Planning Scheme

The Shire of Mukinbudin Local Planning Scheme No 4 (the Scheme) was gazetted on 29th April 2003. An extract from the Scheme mapping is shown in **Figure 5**.

The Scheme was updated in April 2016 (Amendment No 1) to ensure that the Scheme was aligned with the deemed provisions of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

FIGURE 5 – EXTRACT FROM SCHEME MAP

Source: Planwest, DPLH, Landgate

The southwest portion of the proposed estate is affected by a 500m buffer from the Council's wastewater treatment plant. Any affected lots in this area will require a notification on title advising of the proximity to this facility.

Local Planning Policies

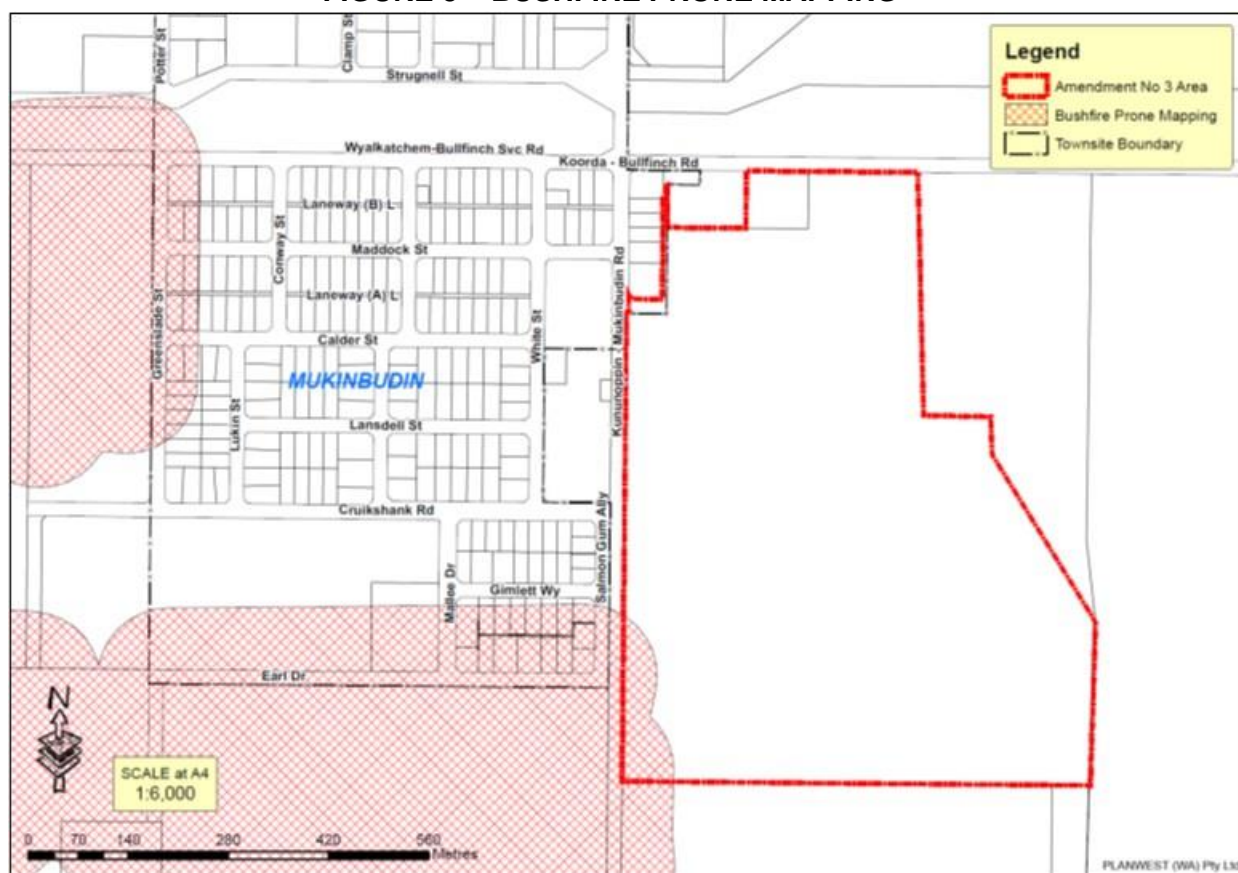
There are no Local Planning Policies adopted under the provisions of the Scheme that relate to, or effect, the amendment area. The Council has adopted other building/planning/health type policies in its Policy & Procedures Manual, however, none of these policies relate to this Scheme Amendment.

Bushfire Prone Mapping

The subject land is only affected by the Bushfire Prone Mapping in the southwest corner of the property because the area is within 100 metres of the golf course vegetation.

This affected area is separated from the bush source by the main road (Kununoppin-Mukinbudin Road). The new lots affected by this bushfire mapping will require a Bushfire Attack Level (BAL) prior to development.

Figure 5 shows the extent of the Bushfire Prone Mapping.

FIGURE 5 – BUSHFIRE PRONE MAPPING

Source: Planwest, DFES, Landgate

Strategic & Social Implications

There are no strategic implications of initiating the proposed zoning and development. The land is currently used for rural purposes that is not part of the Council's core business. Providing a variety of living environment options near town is consistent with the Council's objective to attract population to the district without increasing the servicing costs of more remote locations.

Policy Implications

There are no policy implications that relate to the current proposal.

Financial Implications

The creation of new lots is not a simple or cheap process. The advantage the Council has is that it owns the land. The development cost of services like roads, drainage and landscaping can be reduced by using Council's existing resources. However, the cost of water and power to each lot will probably be the greatest single cost. Once the rezoning is initiated and supported by the EPA and WA Planning Commission more detailed designs and costings can occur.

Landform Description

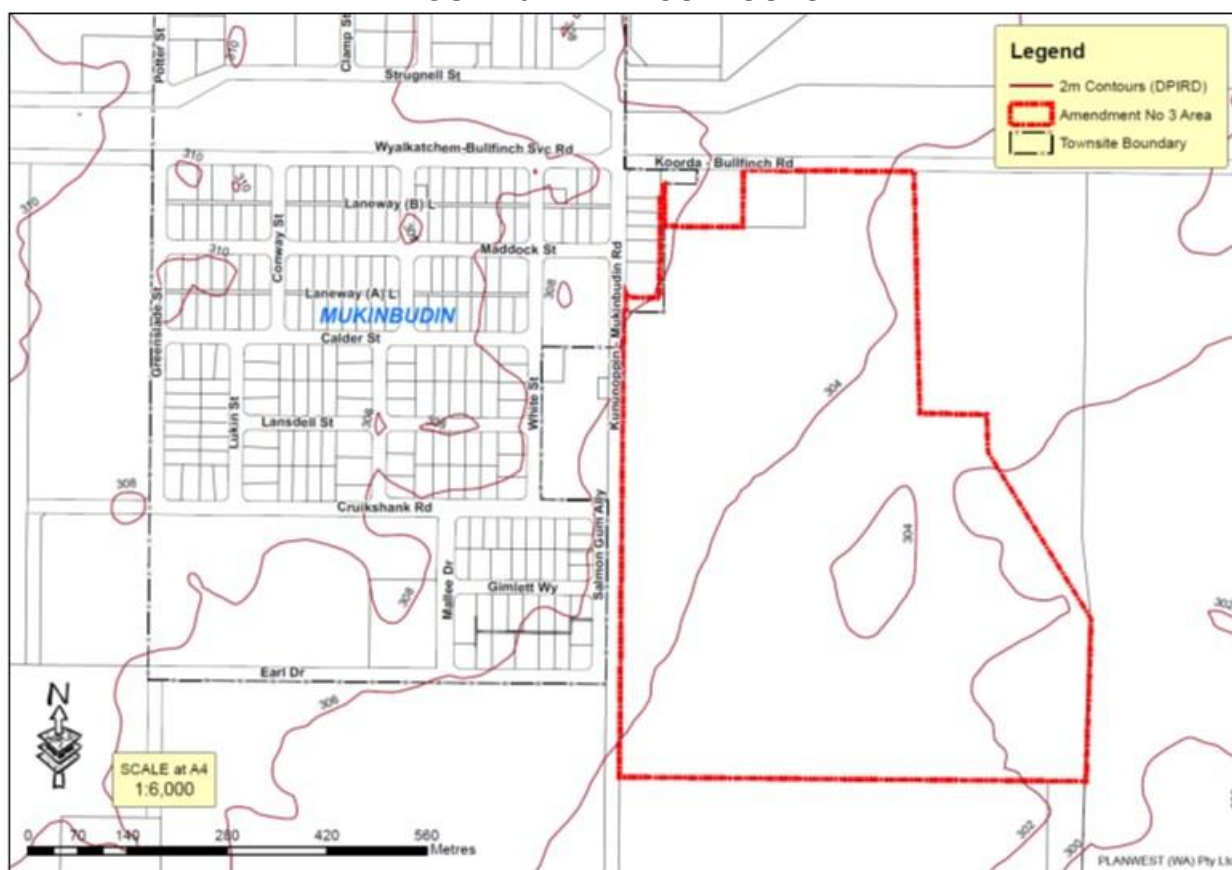
The land has been cropped for many years with very little remnant vegetation remaining. There is a lineal buffer along the boundary with Kununoppin-Mukinbudin Road that partially screens the land from the main road.

There is no evidence of a high water table, erosion, wetlands or acid sulphate soils on the property. The land consists of part of an ancient plain over weathered granite typical of conditions in the district.

There is no record of previous uses that may have created contaminated soils, and there are no cultural or historic records over the land that impact this proposal.

The land is relatively flat with a slight downward slope from the north west towards the south east corner of the property. This equates to a slope of about 1m in every 100m horizontal metre. These contours are shown in **Figure 6**.

FIGURE 6 – LAND CONTOURS



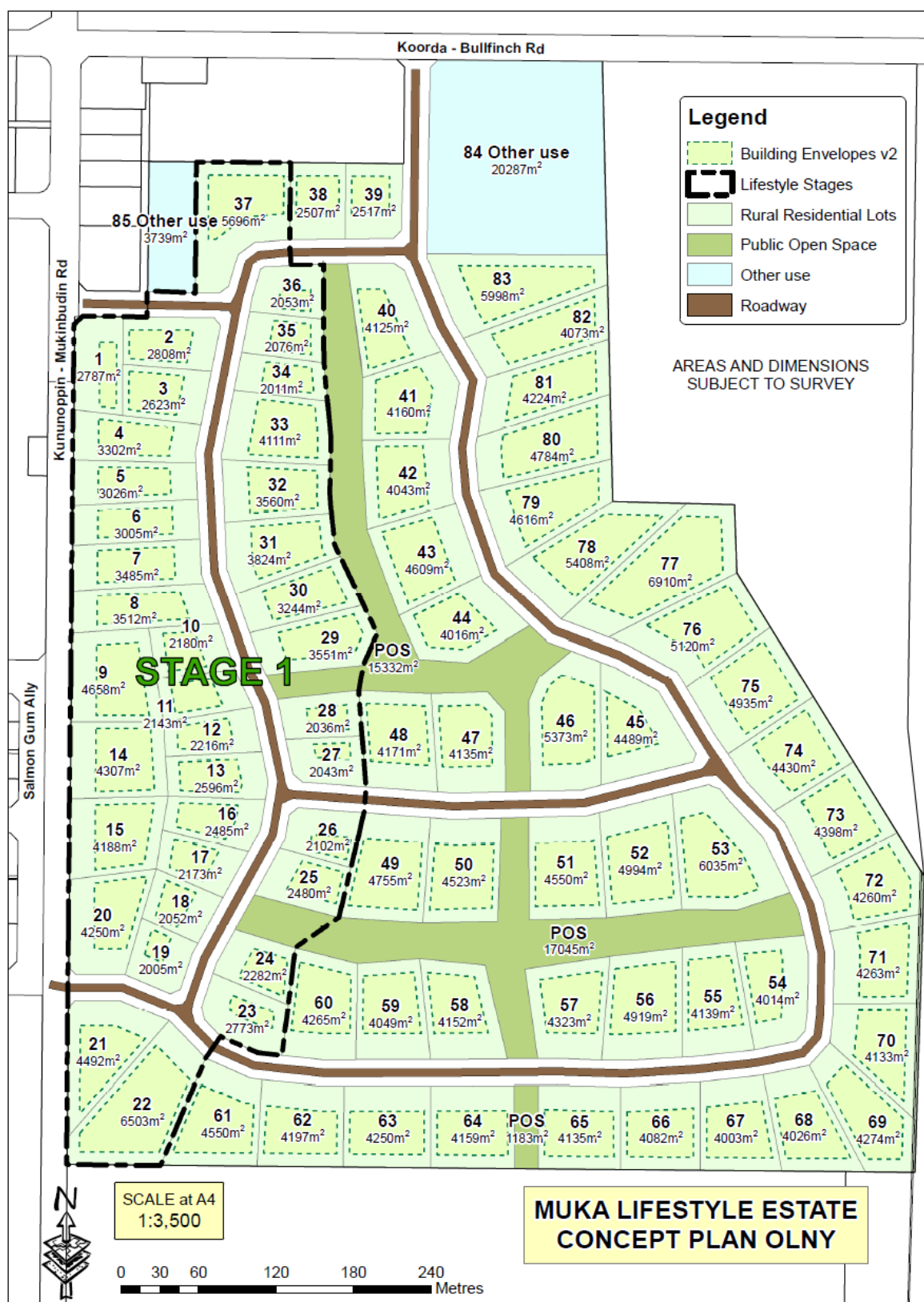
Source: Planwest, Landgate

Lifestyle Proposal

Other than other minor changes, the Scheme amendment simply proposes to rezone the subject land from 'Rural' to 'Rural Residential' zone for a lifestyle estate (see **Figure 7**).

The Council has prepared a draft plan of subdivision that seeks to create a variety of lot sizes to cater for a range of choices. It is anticipated that the estate will be created in two stages.

FIGURE 7 – LIFESTYLE ESTATE PRELIMINARY DESIGN



The plan in **Figure 7** is only indicative, however it shows building envelopes based on setbacks for development of 20 metres from the street, 10 metres from secondary streets and rear boundaries, and 5 metres to side boundaries.

The main design creates a circuit with three access points; two to the Kununoppin-Mukinbudin Road and the third northwards to the Koorda-Bullfinch Road.

Once the Council has determined the most appropriate lot size range to reflect the current demand, it is likely that a simple Structure Plan will be prepared to guide development to the building envelopes.

The Council will independently, and as a separate process, seek to modify the existing townsite boundary to reflect this Amendment.

OFFICER RECOMMENDATION

Council Decision Number –

Moved:

Seconded:

That Council:

1. Adopts the resolution to prepare Scheme Amendment No 3 (see Resolution on Page 1 of the Amendment document), and thereby forwarding a copy of the Scheme Amendment documents to the Department of Planning, Lands and Heritage for consent to advertise and the Environmental Protection Authority (EPA) for clearance under Section 81 of the Planning and Development Act 2005.
During advertising, the documents will be forwarded to servicing agencies and nearby residents for comment. At the close of advertising (after 42 days), the Council will assess the submissions received and decide whether to proceed with Amendment, modify the proposal, or decide not to continue with the proposal.
2. Negotiates the sale of the northernmost Lot 66 (Figure 2) (owned by the Shire) to the adjoining owners of Lots 90, 3 and 4 Bent Street on condition that the respective land areas adjacent to each lot are amalgamated with that lot.
3. Initiate action with Landgate to transfer Lot 66 (Figure 2) (the southernmost Lot 66) Bent Street from the State of WA to the Shire.

OFFICER DECISION

Council Decision Number – 15 12 2023

Moved: Cr Bent

Seconded: Cr Ventris

That the matter lay on the table, due to multiple changes required to the Preliminary Design (Figure 7), to be considered at the February 2024 Ordinary Meeting of Council.

Carried 6 / 0

****CONFIDENTIAL ITEM****

9.3.7 Australia Day Citizen of the Year Awards 2024	
Location:	Mukinbudin
File Ref:	ADM 278
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	8 th December 2023
Disclosure of Interest:	Cr Ventris - Impartiality
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirement:	Simple Majority
Documents Attached:	Confidential Nominations
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 – 16 12 2023

Moved: Cr Ventris

Seconded: Cr McGlashan

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 6 / 0

OFFICER RECOMMENDATION

Council Decision Number – 18 12 2023

Moved: Cr Walker

Seconded: Cr Bent

That the meeting be reopened to members of the public.

Carried 6 / 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 Chairperson thanked Elected Members and Staff for attending and declared the meeting closed at 2.03pm.