



Mukinbudin - Classic, Dry, Red

Shire of Mukinbudin

Ordinary Council Meeting

MINUTES

WEDNESDAY 15 June 2016



Floral Emblem
Eucalyptus erythronema (Red Flowering Mallee)

Notice of Meeting

Councillors

The next meeting of Council will be an Ordinary Meeting to be held on Wednesday 15th June 2016 commencing at 10.00am.

Thank you

Stuart Billingham
Chief Executive Officer

9th June 2016

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Mukinbudin for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Mukinbudin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Mukinbudin during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Mukinbudin. The Shire of Mukinbudin warns that anyone who has any application lodged with the Shire of Mukinbudin must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Mukinbudin in respect of the application.

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

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 - 10.1 Nil
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1. Declaration of Opening

1.1 The Shire President to declare the Meeting open at 10.03am

2. Public Question Time (min 15 minutes)

2.1 Response to previous questions taken on notice.
Nil

2.2 Declaration of public question time opened (min 15 mins)

The Shire President will declare public question time open.

2.3 Declaration of public question time closed

The Shire President will declare public question time closed.

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

3.1 Present:

3.1.1 Cr Shadbolt (Shire President)
Cr Comerford
Cr O'Neil
Cr Palm (11.45am)
Cr Seaby
Cr Junk
Cr Poultney

3.2 Apologies:

3.2.1 Cr Ventris (Shire Deputy President)
Cr Paterson

3.3 On leave of absence:

3.3.1

3.4 Staff:

3.4.1 Stuart Billingham - Chief Executive Officer
Ann Brandis - Manager Finance
Keith Mills - Works Supervisor

3.5 Visitors:

3.6 Gallery:

3.7 Applications for leave of absence:

3.7.1 Request for leave of absence

Council Decision Number – 1486

Moved: Cr O'Neil

Seconded: Cr Poultney

That leave of absence be granted for Cr Seaby for the July meeting.

Carried 6/0

4. Petitions, deputations and presentations

4.1 Petitions
Nil

4.2 Deputations
Nil

4.3 Presentations
Nil

5. Announcements by the Presiding person without discussion

5.1

6. Confirmation of the Minutes of previous meetings

6.1 Confirmation of Minutes for the Ordinary Meeting of Council held on the 18th May 2016. (Adjourned)

6.2 Confirmation of Minutes for the Special Meeting of Council held on the 25th May 2016.

Voting Requirement

Simple Majority

Recommendations

That the Minutes of the Ordinary Meeting of Council held on the 18th May 2016 and Special Meeting of Council held on the 25th May 2016 be accepted as a true and correct record of proceedings.

Council Decision Number – 1487

Moved: Cr Comerford

Seconded: Cr Poultney

That the Minutes of the Ordinary Meeting of Council held on the 18th May 2016 and Special Meeting of Council held on the 25th May 2016 be accepted as a true and correct record of proceedings.

Carried 6/0

6.1.1 Business Arising from Minutes

Nil

7. Matters for which the meeting may be closed

7.1 Nil

The Local Government Act 1995 Section 5.23 states the following:

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.

8.1 Work's Manager

8.1.1 Work's Manager's Report May 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Keith Mills - WM
Date:	09 May 2016
Disclosure of Interest:	Nil
Responsible Officer	Keith Mills – WM
Author:	Keith Mills - WM

MAINTENANCE GRADING

Works are continuing to head South.

KOORDA/BULLFINCH RD (Strugnell intersection)

Main roads have installed the holding lines and will complete the other white lines when line marking truck is available or in the area. Also need to get intersection RAV rated before installing heavy haulage signs.

CLEOMINE

Waiting on new tractor auger then signs and guide posts will be erected.

OUTSIDE STAFF

Town clean up and demolishing old house (10/12 Calder), then erecting fence at Blackspot rehabilitation site (old Barbalin intersection).

OSH

We had a visit from Worksafe W.A on Thursday 26.5.16, Kelly and I escorted them around while they did an inspection of Depot, Gardener's shed, Admin etc, all went reasonably well, we ended up with 6 x notices all together.

- 2 x trainings (Hep B and HIV, Chem training)
- Safety management plan for road works
- Ceiling needs to be replaced next to the archive room at the depot
- Fire extinguisher at the gardener's shed
- Asbestos register

With all the other shires that have been visited by Worksafe in the area, it's been reported that they were issued the same sort of notices, all Shire's received training and asbestos notices.

Voting Requirement

Simple Majority

Recommendation

That Council note the Works Supervisors Report.

Council Decision Number – 1484

Moved: Cr Comerford

Seconded: Cr Junk

That Council note the Works Managers Report.

Carried 6 /0

Plant Report as per policy

Plant Item	Plant Number	Comments	Odometer/Hours
2014 Toyota Prado 1MBL	P433	Dec 2015 had 40,000km service, March 50,000km service ,May 2016 60,000km service. New tyres fitted May 2016	60,562kms
2012 Ford Territory MBL1	P435	2 x new tyres fitted August 2015 120,000km service Jan 2016 new battery and spotlights fitted July 2015. Frt Headlights replaced	130,238kms
2015 Ford Ranger MBL2	P463	Replace 1 x Tyre , 30,000km service Oct 2015, 40,000km service Jan 2016	58,182kms
2015 Ford Ranger-Parks Super MBL1000	P291	Bull bar and spotlights fitted August 2015 Due for 15,000km service soon	13,338kms
2013 Holden Colorado Leading Hand MBL1071	P439	129,829km service Jan 2016	125,806kms
2002 Mitsubishi 6 wheeler MBL696	P279	New water pump July 2015 , 2 x steer tyres Sept 2015 Unit is performing well	333,326kms
2002 Coaster Community Bus OMBL	P281	100,000km service Jan 2016	103,752kms
2008 Kenworth DAF Prime Mover MBL250	P369	Rear axle noise/brakes, warning light, 210,000km service Sept 2015 install Bluetooth radio for phone, repair air leak, PTO repair not engaging	224,043kms
2004 Mitsubishi Triton MBL 1060 - Mtce Grader Driver	P288	To be traded in Jan 2016. Speedo not working, replaced gearbox in 2014 with second hand unit, Traded /Disposed Jan 2015	
2015 Isuzu Light Truck Mtce Grader Driver	P289	Delivered Jan 2015 Working well	8,146kms
2002 Komatsu Backhoe MBL1091	P317	Replaced leaking radiator Aug 2015 Working well, pins need replacing	7114hrs
2010 New Holland Tractor MBL1463	P403	This unit is operating well	215hrs
2014 John Deere Tractor MBL244	P198	Repair to tyre Oil and filter service .This unit is performing well	189.1hrs
2015 Toyota Hiace Van MBL180 -Mtce Officer	P464	Purchased Dec 2015. Two way radio installed and van fitted out with storage units. Unit working well	11,734kms
2004 CAT 10H Grader MBL100	P301	1000 hour service Oct 2015 carried out, blades nuts and bolts purchased new antennae installed	9763.7hrs
2014 CAT 12M Grader 1ESU054	P461	500 Hour service carried out coolant and oil loss investigated Turbo replaced under warranty at service by Westrac. Blades nuts bolts and teeth	1338.0hrs
2011 Hino 614 MBL 1070	P411	This unit is operating well, globes replaced	36,104kms
2011 Hino 816 MBL 150	P410	This unit is operating well, replaced flashing light globes, replaced waring light globes	94,127kms
2006 CAT 928 Frt End Loader MBL 1424	P344	500hour service carried out – coolant adj park brake. Replace driveshaft & centre bearing. This unit is operating well	10081hrs
2008 CAT Vibe Steel roller MBL1677	P420	4000 hour service Oct 2015 repair air cond replace leaking hoses and thermostat housing ,Unit is performing well, new UHF radio installed	4609.6hrs
2014 Atlas Copco Roller MBL811	P462	50hr service Sept 15 Replace flat tyre , repair tyre. Unit is performing well	379hrs
2011 CAT Skid Steer MBL1724	P449	500hr service reseal cab, Unit is performing well	1140.5hrs
1997 Duelvo Street Sweeper MBL1453	P227	Currently engine coil being repaired @ Geraghty's	Under repair

Keith Mills left the meeting at 11.00am

Nola Comerford entered the meeting at 11.01am

Rod Comerford left the meeting at 11.02 and returned at 11.03am

8.2 Community Development Officer

8.2.1 Community Development Officer's Report	
Location:	Shire of Mukinbudin
File Ref:	ADM
Applicant:	Nola Comerford-Smith
Date:	15 June 2016
Disclosure of Interest:	
Responsible Officer	Stuart Billingham
Author:	Nola Comerford-Smith

GRANT FUNDING PROJECTS:

Current Successful Projects:

- Wheatbelt Development Commission - Creating Age Friendly Communities in Small Towns Project - \$53,991.25
The grant includes disabled toilets at the Lion's Park (near current facilities behind Shire) and Gym, some seating and disabled parking bays.
- Community Pool Revitalisation Program - \$32,000. Part of a Future Capital Project to have pool repainted – the same amount can be applied for again next year to ensure the project is achievable.
- CBH Grass Roots Fund – \$1,000 funding for seniors events (\$552 remaining).
- Healthway – Spring Festival. \$11,500 - This grant requires naming rights so will once again be called the Act Belong Commit Mukinbudin Spring Festival.
- Lotterywest – Sandalwood Arts & Crafts. Their hot water system has not worked for some time (quite possibly the original system) and needs replacing, plus some other extra arts requirements.
- Writing WA – funding for travel and speaker component of annual Literary Lunch \$1,400.
- Lotterywest – Spring Festival. Planning & Development Group - \$11,124 funding for advertising, equipment and artist travel.
- Waste Authority Community Grants – a Community Garden project \$9,300.

Applications in Progress:

- Lotterywest – Community Events Kit.
- Our Neighbourhood Community Grants – additional workshops and resources for a community garden.
- Stay on Your Feet – an Expression of Interest for funding to be used for an exercise program for seniors.

Outstanding Acquittals:

- Wheatbelt Development Commission – Age Friendly Communities. Waiting for last component of the project to be completed before finalising report.

COMMUNITY PORTFOLIOS – OTHER PROJECTS

- **Mukinbudin Planning & Development Group** – a meeting is scheduled for Wednesday 22nd June to discuss the Act-Belong-Commit Spring Festival 2016. Entertainment has been booked for Wednesday, Friday and Saturday nights and varying events are been planned for the festival.

- **Creating Age Friendly Communities in Small Towns** – The disabled toilets have been installed at the Shire and Gym, but I am waiting on the plumbing and electrical works to be finalised before the acquittal can be completed.
- **Stay on Your Feet** – Eastern Wheatbelt Health Officer, Amber Durey, gave a presentation on Falls Risk in the Home on Wednesday 8th May. Peter Geraghty has organised a St John Ambulance volunteer to demonstrate how to use a defibrillator using a disabled unit. We were granted another defibrillator earlier in the year which is to be installed at IGA but community members and IGA employees had expressed concern about how to use it.
- **Community Garden** – funding has been sourced from Waste Authority WA and a meeting was held on 30th May with around 10 people attending. We are currently waiting for the funding to be deposited and then will call a busy-bee to start erecting garden beds/shed etc. The funding includes a couple of workshops, one of which we hope to incorporate into the Spring Festival.

Meetings Attended/Events Organised:

- Wednesday 25 May – Planning & Development Meeting
- Monday 30 May – Community Garden Meeting
- Monday 30 May – Performance Review
- Tuesday 31 May/Wednesday 1 June – Domestic Violence Response Training
- Wednesday 8 June – Stay on Your Feet presentation

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements

Absolute Majority

Recommendations

That Council note the above Community Development Officers Report.

Ann Brandis left the meeting at 11.15am and returned at 11.17pm

Nola Comerford left the meeting at 11.18pm

Council Decision Number – 1485

Moved: Cr Comerford

Seconded: Cr O'Neil

That Council note the above Community Development Officers Report.

Carried 6/0

8.3 Manager of Finance Reports

8.3.1 List of Payments – May 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Ann Brandis – MF
Date:	9 th May 2016
Disclosure of Interest:	Nil
Responsible Officer	Ann Brandis – MF
Author:	Ann Brandis – MF

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

Background

A list of payments submitted to Council on 15 June 2016, for confirmation in respect of accounts already being paid or for the authority to those unpaid. (Please refer to Payment listing submitted as a separate attachment)

Financial Implications

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.

Voting Requirements

Simple Majority

Recommendation

That the list of payments to today's meeting on Vouchers –

Direct Debits D/D2392.1-D/D 2453.1 (\$15,003.91) and

Muni Cheques 31339 to 31356 (\$42,110.91) and

Muni EFT's – EFT 1632 to EFT 1712, Payroll - Pay-2 (\$378,214.90) and

Trust D/D 2386.1 – D/D 2465.1, EFT 1686,1713 & 1714, Trust 271-274 (\$30,803.40)

Totalling (\$466,133.12)

for payments made in May 2016, be passed for payment.

Gary Shadbolt & Ruth Poultney left the room as 11.35am. Cr Comerford took the Chair and presided over the meeting.

Ruth Poultney re-entered the meeting at 11.36am

Gary Shadbolt re-entered the meeting at 11.38am and retook the chair.

Council Decision Number – 1488

Moved: Cr Junk

Seconded: Cr Palm

That the list of payments to today's meeting on Vouchers –

Direct Debits D/D 2392.1- D/D2453.1 (\$15,003.91) and

Muni Cheques 31339 to 31356 (\$42,110.91) and

Muni EFT's – EFT 1632 to EFT 1712 Payroll - Pay-2 (\$378,214.90) and

Trust D/D22386.1 – D/D22465.1, EFT 1686, 1713 & 1714, Trust 271-274 (\$30,803.40)

Totalling (\$466,133.12)

for payments made in May 2016, be passed for payment.

Carried 7/0

8.3.2 Monthly Statement of Financial Activity Report – 31 May 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Ann Brandis - MF
Date:	9 th June 2016
Disclosure of Interest:	Nil
Responsible Officer	Ann Brandis - MF
Author:	Ann Brandis - MF

Background

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 new format out of SynergySoft Monthly Statement of Financial Activity for the period ending 31st May **2016** are attached for Councillor Information, and consisting of;

Statement of Financial Activity

1. Acquisition of Assets
2. Disposal of Assets
3. Information on Borrowings
4. Reserves
5. Net Current Assets
6. Rating Information
7. Trust Funds
8. Operating Statement
9. Statement of Financial Position
10. Financial Ratios
11. Grants Report
12. Supplementary Information

Financial Implications

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

Statutory Environment

General Financial Management of Council, Council 2015/16 Budget, *Local Government (Financial Management) Regulations 1996*, r34, *Local Government Act 1995*, section 6.4

Policy Implication

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 policy is that the material variation be set at \$10,000 and 10%.

Voting Requirements

Simple Majority

Recommendation

That Council adopt the Monthly Financial Report for the period ending 31st May 2016 and note any material variances greater than \$10,000 and 10%.

Council Decision Number – 1489

Moved: Cr O'Neil

Seconded: Cr Seaby

That Council adopt the Monthly Financial Report for the period ending 31st May 2016 and note any material variances greater than \$10,000 and 10%.

Carried 7/0

8.4 Chief Executive Officer's Reports

8.4.1 Chief Executive Officer's Report – May 2016	
Location:	Shire
File Ref:	ADM 030
Applicant:	Stuart Billingham – CEO
Date:	9 th May 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Meetings – Past

May 2016

- 19-20 May CEO LGMA Mentoring - Leaders Conference Busselton
- 24 May NEWROC Executive Meeting Shire of Wyalkatchem
- 25 May Special Council Meeting
- 26 May KMPC Meeting Shire of Trayning Cr Shadbolt, Cr Ventris and CEO

June 2016

- 1 June Attended Beyond Gardens at Mukinbudin CRC
- 2 June LEMC Meeting and Exercise-CEO MF WM
- 3 June CEO RDO-Funeral Perth
- 6 June WA Day Public Holiday Office closed
- 8 June CEACA Meeting Merredin Cr Shadbolt and CEO
- 10 June Joint Commissioners Forum Perth
- 14 June CRC Committee Meeting
- 15 June Ordinary Council Meeting 10am start time
- 15 June Shire Draft Budget Workshop

1.2 Meetings – Future

June 2016

- 21-22 June First Aid Course CRC
- 27 June WNESRRG Meeting Cr Palm CEO and WM-Council Chambers
- 28 June Freeman Ceremony and NEWROC Council Meeting - Shire of Mukinbudin – District club 12pm start
- 30 June Great Eastern Country Zone Meeting Kellerberrin Rec Centre Cr Shadbolt

July 2016

- 8 July GECZ Ministerial Meeting Merredin
- 12 July CRC Committee Meeting
- 20 July Ordinary Council Meeting
- 25 July WNRRG Shire of Northam
- 26 July NEWROC Executive Meeting Shire of Mukinbudin

1.3. Staff Matters

SFO - Katharine Spencer to go on Maternity Leave in August/Sept 2016.
Mukinbudin Pool Manger position closed 3 June 2016 to be trained and qualified up ASAP
Admin Officer Jenny Heaney Annual Leave - 3 weeks 13 June – 24 June 2016.
New Customer Service Officer to be employed for SFO Maternity Leave.

1.4 Current/Emerging Issues

- 1.4.1 Beringbooding Tank – Funding for Roof and Conservation Plan meeting held 4 June 15 with Regional Manager Water Corporation-Sharon Broad, funding for roof removal unsuccessful in state Budget 2015/16. Possible 2 years before funding available.
- 1.4.2 Shire of Merredin has withdrawn Building Surveyor Services to the Shire of Mukinbudin from 31 March 2016. Koorda NEWHealth looking at options.

Voting Requirements

Simple Majority

Recommendation

That Council note the Chief Executive Officer's Report.

Cr O'Neil left the meeting at 12.16pm and returned at 12.18am

Council Decision Number – 1490

Moved: Cr Comerford

Seconded: Cr Seaby

That Council note the Chief Executive Officer's Report.

Carried 6/0

8.4.2 NEWROC Executive Meeting Minutes 22 March 2016	
Location:	NEWROC
File Ref:	ADM 236
Applicant:	Stuart Billingham – CEO
Date:	9 th June 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Background

An Executive Meeting of NEWROC was held on Tuesday 24th May 2016 at the Shire of Wyalkatchem Council Chambers. (The minutes from the meeting are submitted as a separate attachment Item 8.4.2 for Councillors information.)

Comment:

The following presentations were made to the meeting:

- Nil

The following items were discussed at the Council Meeting:

6. FINANCIAL MATTERS

- 6.1. LIST OF INCOME AND EXPENDITURE
- 6.2. BALANCE SHEET
- 6.3. DRAFT BUDGET

7. MATTERS FOR CONSIDERATION

- 7.1. STRATEGIC PLANNING
- 7.2. TELECOMMUNICATIONS BUSINESS CASE
- 7.3. KUNUNOPPIN MEDICAL SCHOLARSHIP

Next NEWROC Meeting dates:

The following dates have been adopted for NEWROC meetings during 2016.

28 June	Council	Shire of Mukinbudin
26 July	Executive	Shire of Mukinbudin
23 August	Council	Shire of Mt Marshall
27 September	Executive	Shire of Mt Marshall
25 October	Council	Shire of Koorda
22 November	Executive	Shire of Koorda
13 December	Council	Shire of Nungarin

Voting Requirements

Simple Majority

Officer recommendation:

That Council notes the report on the NEWROC Executive meeting minutes held on 24th May 2016.

Council Decision Number – 1491

Moved: Cr Junk

Seconded: Cr Comerford

That Council notes the report on the NEWROC Council meeting minutes held on 24th May 2016.

Carried 6/0

The meeting adjourned at 12.30pm for lunch and resumed at 1.34pm

8.4.3 Shire of Mukinbudin – Repeal Local Law 2016	
Location:	Mukinbudin
File Ref:	ADM 135
Applicant:	Stuart Billingham - CEO
Date:	8 June 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Stuart Billingham - CEO

Summary:

To present Council with a request to make a new Shire of Mukinbudin Repeal Local Law 2016. (Please refer to draft Shire of Mukinbudin Repeal Local Law 2016 is submitted as a separate attachment).

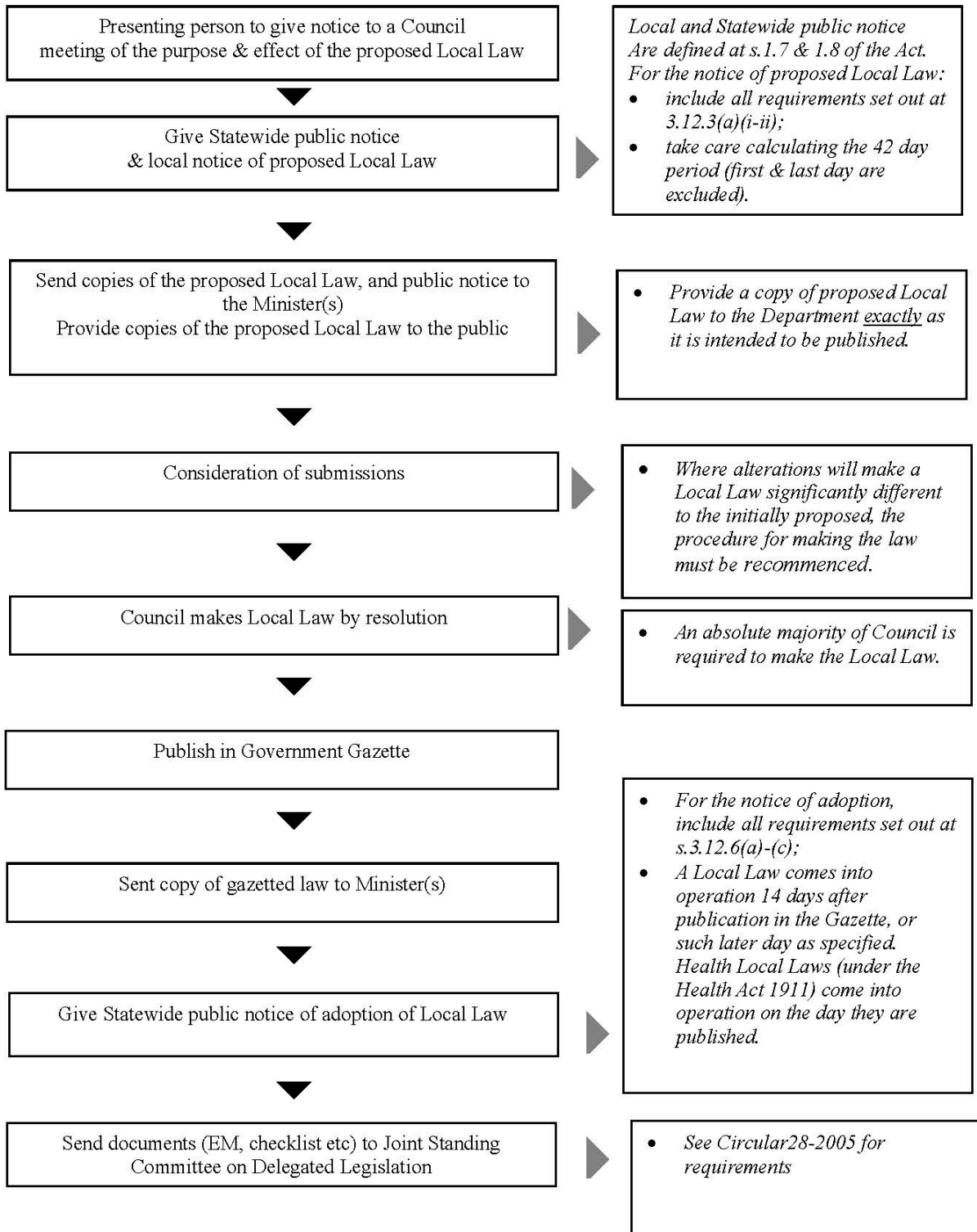
Background:

Council at its 17 February 2016 item 8.4.5 resolved

<u>Council Decision Number - 1418</u>	
Moved: Cr O'Neil	Seconded: Cr Ventris
<p>That Council gives 42 days state wide public notice and under section 3.12 of the <i>Local Government Act 1995</i> of intention to make the <i>Shire of Mukinbudin Repeal Local Law 2016</i> as submitted in Appendix 1.</p> <p>(NB: A copy of the Notice to be affixed to Council and Library notice boards for at least 7 days)</p>	
Carried	7 /0

The proposed local law was advertised in the West Australian Newspaper on Wednesday 6 April 2016 and the Muka Matter. Copies of proposed Local Law were sent to Minister for Local Government and Communities. No submissions have been received by the closing date of 4.30pm Friday 20 May 2016. Minor typographical errors were addressed as requested by the DLGC in their response to the draft Local Law.

Appendix 1.1 Local Law Making Flowchart



CEO Comments

No Submissions were received by the closing date on the 20 May 2016. The matter is now presented to Council to consider resolving to make the Repeal Local Law 2016.

Financial Implications

Yes – Advertising costs of the Government Gazette and West Australian Newspaper.

Statutory Environment

Local Government Act 1995

Policy Implication

Nil

Voting Requirements

Absolute Majority Vote Required.

Recommendation

That Council:

- Adopts and makes the Shire of Mukinbudin Repeal Local Law 2016 as presented in **Attachment 1** and
- authorise the Shire President and Chief Executive Officer to sign, date and affix the Shire common seal to the Shire of Mukinbudin Repeal Local Law 2016.

(NB: When signed and sealed the Shire of Mukinbudin Repeal Local Law 2016 is then to be presented to State Law Publishers for gazettal. Copies of Gazettal to Minister for Local Government and Communities, Give Statewide Public notice of adoption of Local Law, Send copies to Joint Standing Committee on Delegated legislation).

Council Decision Number – 1492

Moved: Cr Comerford

Seconded: Cr Poultney

That Council:

- * adopts and makes the Shire of Mukinbudin Repeal Local Law 2016 as presented in Attachment 1 and**
- * authorise the Shire President and Chief Executive Officer to sign, date and affix the Shire common seal to the Shire of Mukinbudin Repeal Local Law 2016.**

(NB: When signed and sealed the Shire of Mukinbudin Repeal Local Law 2016 is then to be presented to State Law Publishers for gazettal. Copies of Gazettal to Minister for Local Government and Communities, Give Statewide Public notice of adoption of Local Law, Send copies to Joint Standing Committee on Delegated legislation.)

AMVR

Carried 6/0

8.5 Environmental Health/Building Surveyor Officer's Reports

Nil

NB: Shire of Merredin will be withdrawing Building Surveyor support to Shire of Mukinbudin at the end of March 2016 due to increasing workloads.

Shire of Koorda looking at options to move forward re Building Surveyor services as part of NEW Health

8.6 Mukinbudin Caravan Park Manager's Report

8.6.1 Mukinbudin Caravan Park Report – May 2016	
Location:	Mukinbudin
File Ref:	
Applicant:	Tania Sprigg
Date:	9 th June 2016
Disclosure of Interest:	NIL
Responsible Officer	Stuart Billingham
Author:	Tania Sprigg

Mukinbudin Caravan Park Report May 2016

Firstly, I would like to thank Keith and the work crew for the works on the West side of the extended park, also Dan Mori for raking and Wayne for tidying up trees. It all looks great!

Over the long weekend we had 12 vans from the Sandgroper Club. They had a great time sitting around the camp fire and hanging out at the camper's kitchen.

All of the S/C Units and Barracks also were well used over this weekend.

The Units are continuing to be well used during the week with different contractors and water crop workers.

We need to continue in the upgrade of the laundry (washer/dryer) capacity and look at upgrading the BBQ. Also, a reverse cycle air con in the camper's kitchen.

Since the upgrade on the West side and the removal of out of place trees, we are ready to have a new plan for the park.

Tania Sprigg

CEO Comment

The adoption of the 2015/16 Budget will see trees replanted around the Caravan Park and Main Street. Suitable Tree species seedlings have been purchased from Koorda tree farms and will be planted next the week as planting is possible with sub surface moisture available. Maytag Washer and Dryers overheating and being repaired in Perth. New Washing Machine for Tania and CVP users to be listed in the 2016/17 draft budget. Drive through caravan bays now completed and levelled up.

Recommendation

That Council note the above Caravan Park Managers Report.

Council Decision Number – 1493

Moved: Cr Palm

Seconded: Cr Junk

That Council notes the above Caravan Park Managers Report.

Carried 7/0

Mukinbudin Caravan Park Annual Income

	<i>Self Contained Units</i>	<i>Barracks</i>	<i>Sites</i>	<i>Washing Machine</i>	<i>House</i>	<i>Total</i>	<i>Total Expense</i>
2005/2006	19,358.08	11,082.32	10,521.76	1,171.16	N/A	42,133.32	
2006/2007	22,820.21	9,753.06	17,095.20	981.35	N/A	50,649.82	
2007/2008	27,304.76	5,422.75	11,244.47	678.16	N/A	44,650.14	
2008/2009	37,214.39	10,554.55	16,773.76	663.63	N/A	65,206.33	
2009/2010	33,567.84	9,096.35	15,504.70	1,036.36	N/A	59,205.25	
2010/2011	38,054.93	15,604.59	15,817.92	845.55	N/A	70,322.99	
2011/2012	34,724.53	11,056.46	18,753.08	773.19	N/A	65,307.26	
2012/2013	44,682.83	17,477.98	24,860.15	1,050.17	N/A	88,071.13	
2013/2014	45,332.87	16,194.44	26,393.17	1,278.53	N/A	89,199.01	88,695.34
2014/2015	42,590.61	21,760.04	25,554.90	1,404.95	15,747.32	107,057.82	109,829.90

Mukinbudin Caravan Park Income and Expenditure

	<i>Self Contained Units</i>	<i>Barracks</i>	<i>Sites</i>	<i>Washing Machine</i>	<i>House</i>	<i>Total Income</i>	<i>Expenditure</i>
July 15	5,527.29	2,985.45	2,087.71	0.00	1,636.36	12,236.81	8,796.07
Aug 15	6,436.38	1,489.07	2,425.46	476.82	2,063.63	12,891.36	9,847.18
Sept 15	7,310.02	1,809.11	7,790.54	209.09	1,718.18	18,836.94	14,631.78
Oct 15	4,354.55	1,298.18	1,768.18	0.00	272.72	7,693.63	12,902.65
Nov 15	3,672.74	1,069.09	352.27	0.00	681.80	5,775.90	6,017.75
Dec 15	3,052.27	1,527.26	908.17	132.73	3,818.18	9,438.61	9,861.97
Jan 16	2,054.56	2,745.44	1,178.62	0.00	818.19	6,796.81	8,630.18
Feb 16	900.02	1,441.81	350.92	33.95	1,077.27	3,803.97	7,240.51
Mar 16	7,681.83	1,943.63	1,333.65	0.00	1,363.63	12,322.74	10,416.36
Apr 16	3,490.92	2,025.44	2,641.36	214.55	272.72	8,644.99	12,139.84
May 16	3,310.92	1,977.80	3,981.04	300.00	1,254.54	10,824.30	10,009.93
Jun 16						0.00	
Total	47,791.50	20,312.28	24,817.92	1,367.14	14,977.22	109,266.06	110,494.22

8.7 Swimming Pool Manager's Report

8.7.1 Mukinbudin Swimming Pool Report May 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Shannon Seaby
Date:	09 June 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham
Author:	Shannon Seaby

Pool Manager Report

No Pool Manager Report this month as Pool Closed

CEO Comment

Shannon has indicated to the CEO she will not be seeking a new contract in 2016/17. Pool Closed Sunday 3 April 2016. Pool manager position advertised with 11 applicants. Interviews to be conducted soon.

2015/16 Budget listing \$32,000 Pool Grant from the Dept Sport and Rec approved.
To be quarantined to the Pool Reserve for Pool Bowl painting in 2016/17 approx \$64K.

	15/16 Budget	Actual YTD
Install Disabled Unisex Toilet	\$3,460	\$0 to be installed
Total	\$3,460	\$0

- New Disabled toilet to be installed listed in 2015/16 Budget.

Voting Requirements

Simple Majority.

Recommendation

That Council note the above Pool Managers Report.

Council Decision Number – 1494

Moved: Cr Seaby

Seconded: Cr Palm

That Council notes the above Pool Managers Report.

Carried 7/0

9. Information Report

9.1 Please refer to Correspondence and Information Report submitted as a separate attachment

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

10.1 Nil

11. Urgent Business without notice (with the approval of the president or meeting)

11.1 Nil

12. Confidential Items – Meeting to be closed to the Public in accordance with the provisions of the Local Government Act 1995.

12.1 KMPC Deed of agreement for supply of Medical Services-Dr Walker

Item 12.1 is Confidential in accordance with the Local Government Act 1995, Section 5.23

(2) *If a meeting is being held by a Council.....the Council 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;*
- (b) *the personal affairs of any person;*
- (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;*
- (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;*
- (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 the meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

Recommendation

That Council close the meeting to members of the public in accordance with the Local Government Act 1995, Section 5.23 as Item deals with matters contained under Section 5.23 (2)(c).

Council Decision Number – 1495

Voting Requirements – Simple Majority

Moved: Cr O’Neil

Seconded: Cr Seaby

That Council close the meeting to members of the public in accordance with the Local Government Act 1995, Section 5.23 as Items deals with matters contained under Section 5.23 (2)(c).

Carried 7/0

Meeting went behind closed doors at 2.07pm

Council is now required to re-open the meeting to the public.

Council Decision Number – 1496

Voting Requirements – Simple Majority

Moved: Cr Palm

Seconded: Cr Comerford

That Council reopen the meeting to members of the public in accordance with the Local Government Act 1995.

Carried 7/0

The meeting was reopened at 2.22 pm

Council Decision Number – 1497

Moved: Cr Palm

Seconded: Cr Junk

That Council accepts the recommendation in confidential item 12.1 as presented to Council.

Carried 7/0

Council Decision Number – 1498

Moved: Cr O'Neil

Seconded: Cr Poultney

That Council accepts the recommendation in confidential item 12.2 as presented to Council.

Carried 7/0

It was resolved that a vote of thanks be given to the Shire President Gary Shadbolt, for all of his hard work in securing the services of Dr Brian Walker. It was recognised that this had taken a lot of work and meetings along with the NEWROC Councils to achieve this great result.

12.3 Shire of Mukinbudin Health Amendment Local Law 2016 – Late Item	
Location:	Entire Shire
File Ref:	ADM 134
Applicant:	Stuart Billingham – CEO
Date:	14 th June 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Summary

To present Council with a request to make minor amendments to the Shire of Mukinbudin Health Amendment Local Law 2016. (Please refer to draft Shire of Mukinbudin Health Amendment Local Law 2016 is submitted as a separate attachment).

Background:

Council at its 16 September 2015 Council Meeting Item 8.5.1 resolved the following:

Council Decision Number – 1325

Moved: Cr Palm

Seconded: Cr Ventris

That Council gives 42 days state wide public notice and under section 3.12 of the Local Government Act 1995 of intention to make the Shire of Mukinbudin Health Amendment Local Law 2015 as submitted in Appendix 1.

(NB: A copy of the Notice to be affixed to Council and Library notice boards for at least 7 days)

CARRIED 7 / 0

Was advertised in the West Australian Newspaper on Saturday 7 November 2015. Copies of proposed Local Law was sent to Minister for Local Government and Communities and Minister for Health.

No Submissions received by the closing date of 4.00pm Monday 21 December 2015. On the 15 December 2015 the Department of Local Government and Communities requested minor changes as per the JSDL

Council at its 17 February 2016 Council Meeting Item 8.4.6 resolved the following:

Council Decision Number 1419

Moved: Cr Ventris

Seconded: Cr Palm

That Council:

*** adopts and makes the Shire of Mukinbudin Health Amendment Local Law 2016 as presented in Attachment 1 and**

*** authorise the Shire President and Chief Executive Officer to sign, date and affix the Shire common seal to the Shire of Mukinbudin Health Amendment Local Law 2016.**

(NB: When signed and sealed the Shire of Mukinbudin Health Amendment Local Law 2016 is then to be forwarded to the Executive Director of Public Health for his/her signature and then presented to State Law Publishers for gazettal. Copies of Gazettal to Ministers, Give Statewide Public notice of adoption of Local Law, Send copies to Joint Standing Committee on Delegated legislation)

AMVR

Carried 7/0

Mr Don Howell from the Department of Health has made the following comments:

SHIRE OF MUKINBUDIN HEALTH AMENDMENT LOCAL LAW 2016

The above local law has been reviewed and the following problems noted and recommendations made:

Three issues reported during the notification phase of the proposed local law have not been corrected.

1. Clauses 3 and 4 should be swapped so that the amendments to Clause **2.1.6** are described before the amendment to Clause **2.2.4** (4), so that they are kept in their proper numerical position.
2. The amendment in clause 11 should not be made. The proposed change to clause **8.1.2(b)** is incorrect and must not be made. Clause **8.1.2(b)** must refer to clause **8.1.4**.
3. In clause 12, why is Council proposing to increase the buffer distance for “Land used to dispose of effectively treated wastes” to be the same as that for “Land used to dispose of raw or partly treated wastes”? If the waste has been effectively treated it can have a smaller buffer distance than that for raw, untreated waste.
“50m” does not need to be changed to “1000m” in the sixth row of column B.

Dot point 1 has been addressed.

Dot point 2 is contrary to the Joint Standing Committee on Delegated Legislation’s request to use clause 8.1.3 where Mr Howell states to use 8.1.4 which is correct. It is now resolved that Mr Howell is correct and the JSCDL has erred.

Dot Point 3 has been amended to remove the last part of old Clause 12 leaving it at 50m.

Comment:

It is now requested that Council agree to the minor amendments being incorporated into the Health Amendment Local Law. It will then be up to the JSCDL to consider the new LL and if they consider the changes to be minor and not significant.

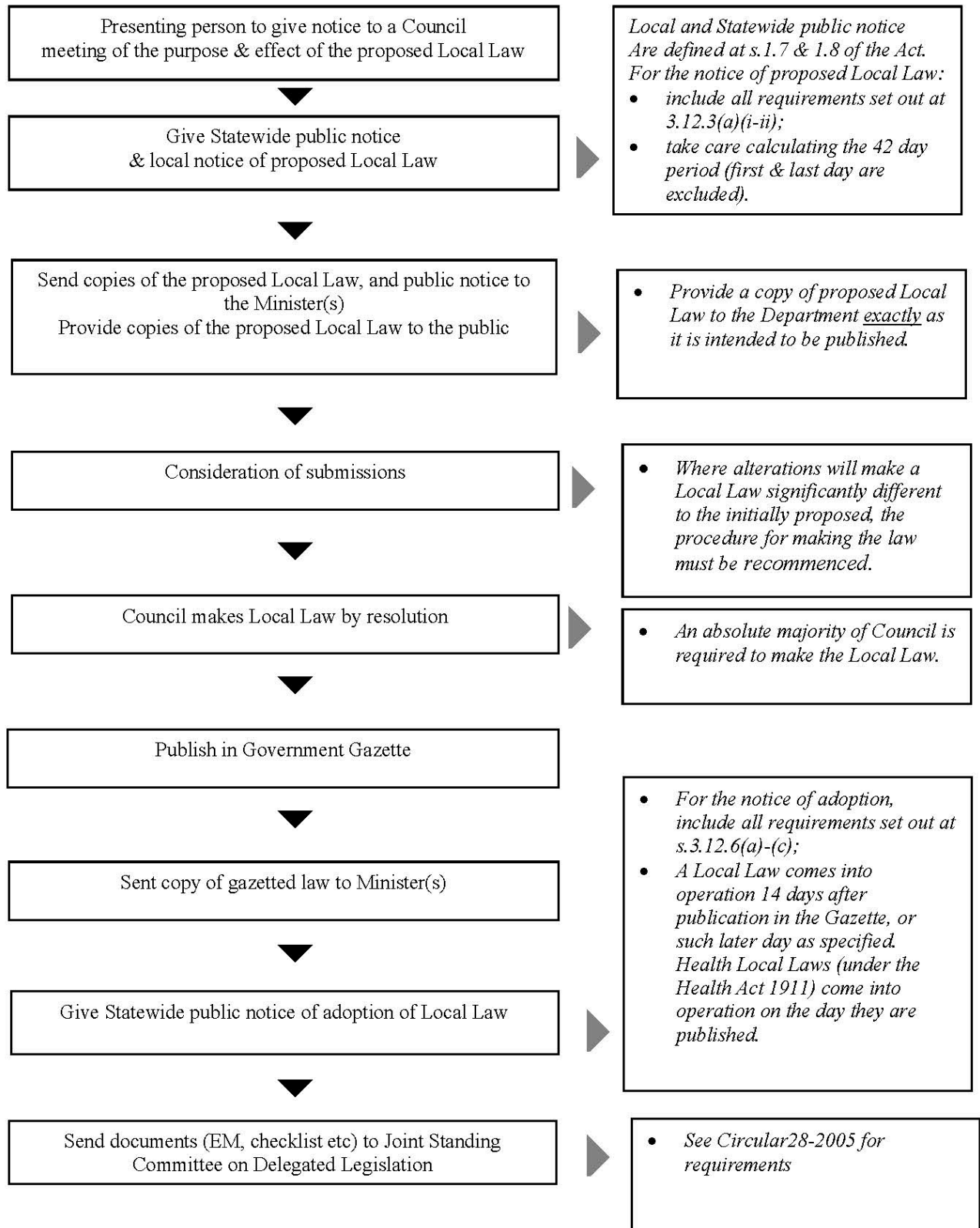
Statutory Environment

Local Government Act 1995

Voting Requirements

Absolute Majority Vote Required.

Appendix 1.1 Local Law Making Flowchart



Recommendation

That Council notes and approves the minor changes before Gazettal to the Shire of Mukinbudin Health Amendment Local Law 2016 as presented in **Attachment 1** and authorise the Shire President and Chief Executive Officer to sign, date and affix the Shire common seal to the Shire of Mukinbudin Health Amendment Local Law 2016.

(NB: When signed and sealed the Shire of Mukinbudin Health Amendment Local Law 2016 is then to be forwarded to the Executive Director of Public Health for his/her signature and then presented to State Law Publishers for gazettal. Copies of Gazettal to Ministers, Give Statewide Public notice of adoption of Local Law, Send copies to Joint Standing Committee on Delegated legislation).

Council Decision Number- 1499

Moved: Cr Junk

Seconded: Cr Palm

That Council notes and approves the minor changes before Gazettal to the Shire of Mukinbudin Health Amendment Local Law 2016 as presented in Attachment 1 and authorise the Shire President and Chief Executive Officer to sign, date and affix the Shire common seal to the Shire of Mukinbudin Health Amendment Local Law 2016.

(NB: When signed and sealed the Shire of Mukinbudin Health Amendment Local Law 2016 is then to be forwarded to the Executive Director of Public Health for his/her signature and then presented to State Law Publishers for gazettal. Copies of Gazettal to Ministers, Give Statewide Public notice of adoption of Local Law, Send copies to Joint Standing Committee on Delegated legislation)

AMVR

Carried 7/0

General Business

NB: 2016/17 Draft Budget Meeting to follow Council meeting closing

John O'Neil left the meeting at 2.47pm and returned at 2.48pm

Council Decision Number – 1500

Moved: Cr Poultney

Seconded: Cr O'Neil

That the Shire of Mukinbudin agrees to waive the hall hire fee for the School Production for 2016

Carried 7 / 0

13. Dates to Remember

13.1 Dates to Remember

ANNUALLY	
Date	Details
January	No Council Meeting this in January
February	Chief Executive Officer and Works Supervisor to inspect all plant evaluate and/or amend its plant replacement programme for recommendation to Council. Audit Committee to review Statutory Compliance Return, meet with Auditor and report to next full Council meeting Local Government Compliance Return 1 January to 31 December each year. Community Strategic Plan, Long Term Financial Plan and Asset Management Plans – commence review process (Every two years)
March	Buildings inspection Shire buildings with Property Manager and report to Council's March or April meeting Roads Inspection – Annual Road inspections to prioritise items of roadwork's for forthcoming year. Councillors to present road proposals to CEO for consideration prior to this inspection. Complete review of Annual Budget (FM Regulations (33A) Completion of Statutory Compliance Audit Return (LG Act 7.13, Audit Regulations 13-15) to be sent to Department of Local Government prior to 31 March. Arrange AGM Bush Fire Advisory Committee meeting with Chief Bush Fire Control Officer for April
April	Present any items Councillors or Community requests for Budget inclusion – Community & Recreation Grant Forms. (Advertise) Undertake Review of Delegation of Authority Register to Committee and CEO.(written confirmation to staff concerned) CEO to commence a full review of Delegations Register Policy / Procedures Manual Review – CEO to commence review process by including as last item on Council Agenda (if necessary)
May	Undertake Staff Annual Performance Reviews. National Volunteer Week Send out recoups of roads and other projects so grant funding can be received by 30 June Review Councils Fees and Charges for all Council services and facilities including rubbish service and charges MF to review and renew Council's insurance policies with LGIS
June	Sitting fees – Reminder to Councillors re: forthcoming years fees FOI Return (Note: not necessary if Nil return) FOI Statement – Review this month Works Supervisor to provide comments on RRG Submissions, which are due to go to Council in the August meeting. MF to conduct a Finance & Audit Committee meeting and meet with Auditor as per Committee Roles Council's Audit Committee to meet to discuss Interim Audit Every 4 years Financial Management Review due before 30 June WALGA Local Government Convention deadline for nominations 30 June each year – Public Interest Disclosure Return to be submitted for previous period 1/7 to 30/6. Chief Executive Officer's performance and remuneration review – commence this month
July	Draft Budget submitted by Chief Executive Officer and manager of Finance Issue Employee Group Certificates Councillors and Senior Staff issued with Annual Interest Returns for completion Issue eating house licence renewals CEO performance review
August	Councillors and Senior Staff – reminder of Annual Financial Interest Return to be completed to CEO prior to 31 August Completion/Adoption of budgets (absolute majority). Send copy to Department of Local Government within 30 days (LG Act 6.2, FM Regulations 33) Resolution regarding timing of Annual Electors Meeting
September	Completion of Annual Financial Report & submitted to Auditor. AFR sent Dept. of Local Government within 30 days (LG Act 6.5, FM Regulations 5.1)
October	Review of Council's Code of Conduct – Section 5.103 (if unable to complete full review at this meeting discuss with Council the need to convene a Special Meeting to finalise review at this meeting or simply complete review at December Ordinary Meeting) Local Govt is to review its Code of Conduct within 12 months after each ordinary election day & make such changes to the code as appropriate. Advise Council in the October Information Bulletin of the time, date and venue for the annual staff end of year function. Special Meeting (Election Years Only) advertise special meeting to swear in Councillors, Elect President, Deputy President, Committee etc. for Monday immediately after the Saturday elections.
November	Pensioner rates rebate claim to be lodged Call for nominations for Shire of Mukinbudin Citizens of the Year (Australia Day)
December	Annual Financial Report – Acceptance by Council within two months of receipt of the Auditors report Newsletter & Local Newspaper – advertise date, time and venue of all Council and Committee meetings for next calendar year (with delegated authority, if any) (S.5.251 (g) & Reg 12). Council's Audit Committee to meet to discuss Final Audit Report and Management Letter. Close of nominations for Shire of Mukinbudin Citizens of the Year (Australia Day)

14 Closure of Meeting

14.1 The Shire President declared the meeting closed at 3.02 pm

Next Ordinary Council Meeting – Wednesday 20th July 2016 commencing at 10.00am