



Mukinbudin - Classic, Dry, Red

Shire of Mukinbudin

Ordinary Council Meeting

Minutes

WEDNESDAY 16 December 2015



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 16th December 2015 commencing at 9.00am.

Thank you

Stuart Billingham
Chief Executive Officer

10th December 2015

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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 - 14.1 Closure of Meeting

Minutes of the Ordinary Meeting of Council held in Council Chambers, Maddock Street, Mukinbudin on 16th December 2015

1. Declaration of Opening

1.1 The Shire President to declare the Meeting open at 9.04am

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
Cr Comerford
Cr O'Neil
Cr Palm
Cr Ventris
Cr Seaby
Cr Junk
Cr Poultney

3.2 Apologies:

3.2.1 Nil

3.3 On leave of absence:

3.3.1 Cr Paterson

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 –

Moved: Cr

Seconded: Cr

That leave of absence be granted for Cr _____ for the _____ meeting.

Carried /

3.8 Attendance by Telephone or instantaneous communication - Cr Poultney

The Local Government (Administration) Regulations 1996 Reg 14A states:

14A. Attendance by telephone etc. (Act s. 5.25(1)(ba))

- (1) A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —
 - (a) the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and
 - (b) the person is in a suitable place; and
 - (c) the council has approved* of the arrangement.
- (2) A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person who was not physically present was taken to be present in accordance with this regulation.
- (3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.
- (4) In this regulation —

suitable place means a place that the council has approved* as a suitable place for the purpose of this regulation and that is located —

 - (a) in a townsite or other residential area; and
 - (b) 150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;

townsite has the same meaning given to that term in the *Land Administration Act 1997* section 3(1).

* Absolute majority required.

[Regulation 14A inserted in Gazette 31 Mar 2005 p. 1031.]

Council Decision Number – 1385

Moved: Cr Ventris

Seconded: Cr Junk

That Council approves Cr Poultney may attend Council meeting by Telephone or other instantaneous communication from Perth if required for the next 12 months due to medical treatment.

Carried 8/ 0

Absolute Majority Vote Required

Cr Poultney declared an interest affecting her impartiality in this matter.

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 November 2015.

Voting Requirement

Simple Majority

Recommendations

That the Minutes of the Ordinary Meeting of Council held on the 18th November 2015 be accepted as a true and correct record of proceedings.

Council Decision Number – 1386

Moved: Cr Palm

Seconded: Cr Comerford

That the Minutes of the Ordinary Meeting of Council held on the 18th November 2015 be accepted as a true and correct record of proceedings.

Carried 8 /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. Reports of Committees and Officers

8.1 Work's Supervisor

8.1.1 Work's Supervisor's Report	
Location:	Mukinbudin
File Ref:	
Applicant:	Keith Mills - WS
Date:	December 2015
Disclosure of Interest:	NIL
Responsible Officer	Keith Mills - WS
Author:	Keith Mills - WS

MAINTENANCE GRADING

Don Francis & Shane Markham are maintenance grading around the shire in the badly corrugated areas, commenced 4/12/15. & most if not all will be complete before the Christmas break.

OLD BLACKSPOT ROAD

I've had a meeting with Claire Baker (Natural Resource Management Officer) & Natasha Moore (DPAW Wildlife Officer) in regards to establishing a fenced area for the rare flora along a section of this road along with reticulation, I've told them that we probably wouldn't get started on this until late February, early March.

Also I've produced some Sub-grade material from here to lift the west side of the caravan park, for easier van movement and more van parking.

BARBALIN Nth ROAD

Finished resheeting on Wednesday 2/12/15, carted 5910m³ and completed 3.4kms. Some culvert extensions still need to be completed (nth end) along with some rock pitched headwalls (some headwall areas were either too wet or struck in-situ rock).

OUTSIDE STAFF REPLACEMENTS

I received a few applicants for our previously advertised full time position. Only two were really any good, so I decided that we will not continue to fill this position until next financial year.

GARDNERS REPORT

Wayne & I went to Bencubbin and saw the De-thatching crew that where employed to do their oval – I think our machine would have done a better job.

Wayne is still struggling with one of the pumps not filling the tank quick enough, but under my instruction is eliminating all possibilities before we get professional assistance.

OSH

Steve Taylor from Prompt Safety Solutions did a Toolbox meeting with all the depot guys & presented his SWMS folder to be kept in all the vehicles which will be implemented next year. Feedback I got from the guys was very positive.

MUKA/BONNIE ROCK ROAD (Nth Rd)

We will be commencing this on the 5/1/16, starting with the drainage, clearing AND Forming, and then onto the road construction.

Due to the distance of the previously designated gravel pit (A. Ventris) and the extended turnaround time for the trucks (34km one way), I would like to cart the material from M. Ventris' pit which is less than a quarter the travel distance (8km one way) and then use A. Ventris' pit for the shoulder widening on the N/East road when we commence that.

DEPOT XMAS BREAK

Our break was going to be finishing lunch time Thursday 24th December and resume works on the 5th January 2016, but it will now be that we will finish on the 23rd @ 4.00pm and resume on the 5th January 2016.

MERRY XMAS...

Plant Report as per policy

Plant Item	Plant Number	Comments	Odometer/Hours
2014 Toyota Prado 1MBL	P433	Just had 40,000km service	40,800kms
2012 Ford Territory MBL1	P435	2 new tyres fitted August 2015 90,000km service Sept 2015 new battery and spotlights fitted July 2015	116,000kms
2015 Ford Ranger MBL2	P463	30,000km service Oct 2015 Due for 40,000km service	42,000kms
2015 Ford Ranger-Parks Super MBL1000	P291	Bull bar and spotlights fitted August 2015 Due for 10,000km service soon	9,626kms
2013 Holden Colorado Leading Hand MBL1071	P439	105,000km service July 2015	120,000kms
2002 Mitsubishi 6 wheeler MBL696	P279	New water pump July 2015 , 2 x steer tyres Sept 2015 Unit is performing well	??kms
2002 Coaster Community Bus OMBL	P281	Due for 100,000km service	100,800kms
2008 Kenworth DAF Prime Mover MBL250	P369	Rear axle noise/brakes, warning light, 210,000km service Sept 2015	216,000kms
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	250,000kms
2002 Komatsu Backhoe MBL1091	P317	Replaced leaking radiator Aug 2015	??kms
2010 New Holland Tractor MBL1463	P403	This unit is operating well	??kms
2014 John Deere Tractor MBL	P216	Repair to tyre This unit is performing well	??kms
2015 Toyota Hiace Van MBL180 - Mtce Officer	P469	Two way radio installed and van fitted out with storage units	??kms
2004 CAT 10H Grader MBL100	P301	1000 hour service carried out	?? kms
2014 CAT 12M Grader MBL95	P461	500 Hour service carried out coolant and oil loss being investigated under warranty	??kms
2011 Hino 614 MBL 1070	P411	This unit is operating well	??kms
2011 Hino 816 MBL 150	P410	This unit is operating well	??kms
2006 CAT 928 Frt End Loader MBL 1424	P344	500hour service carried out – coolant This unit is operating well	??kms
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	??kms
2014 Atlas Copco Roller MBL811	P462	50hr service Sept 15 Unit is performing well	??kms
2011 CAT Skid Steer MBL1724	P449	500hr service Unit is performing well	??kms
1997 Duelvo Street Sweeper	P227	Currently not operational	??kms

Voting Requirement

Simple Majority

Recommendation

That Council note the Works Supervisors Report.

Council Decision Number – 1383

Moved: Cr O'Neil

Seconded: Cr Seaby

That Council note the Works Supervisors Report.

Carried 8 / 0

Keith Mills left the meeting at 9.54am

Nola Comerford-Smith entered the meeting at 9.55am

8.2 Community Development Officer

8.2.1 Community Development Officer's Report	
Location:	Shire of Mukinbudin
File Ref:	ADM 342
Applicant:	Nola Comerford-Smith
Date:	10 December 2015
Disclosure of Interest:	Nil
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.
- CBH Group Grants – Men's Shed – for sea container storage \$2,500.

Applications in Progress:

- Lotterywest – Spring Festival. Planning & Development Group still requires funding for advertising, equipment and artist travel.
- Lotterywest – Events Equipment Kit. The District Club funding application for equipment was unsuccessful, so I will proceed with this grant.
- Dept. of Local Government and Communities - Thank a Volunteer Day Celebration.
- 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. As the building belongs to the Shire of Mukinbudin, the funding proposal would be looked on more favourably if there was some contribution from Council. The total quote for hot water system and installation is \$1,500. Council have allocated \$2,000 towards funding contributions in the 2015/2016 Annual Budget.
- Community Pool Revitalisation Program - \$32,000. Part of a Future Capital Project to have pool repainted – the grant can be applied for again next year to ensure the project is achievable.

Completed Acquittals:

- Seniors Week 2015 Community Grants Program
- CBH Men's Shed grant.

Outstanding Acquittals:

- There are no outstanding acquittals.

COMMUNITY PORTFOLIOS – OTHER PROJECTS

- **Mukinbudin Spring Festival** – a Planning & Development meeting was held to discuss the 2016 Spring Festival which will focus on the Art Exhibition. It is also proposed to hold community workshops with school participation and an artist-in-residence.
- **Creating Age Friendly Communities in Small Towns** – The first stage of the project is underway, with street seating and disabled parking bays installed. The disabled toilets are held up by building regulations but will be proceeding shortly.

- **Seniors Events** – The proposed trip to Toodyay has been cancelled due to a lack of numbers, primarily because of the timing but interest is high to re-schedule for 2016.
- **Tampu Bin** – The sign has been ordered from Jason Sign Makers as per last Council meeting. I am waiting on a quote from Muka Electrical for solar lights.
- **Cleomine** – The signs have been ordered with original prints from the State Library of WA.
- **Premier's Australia Day Active Citizenship Award for a Community Group** – Please see attached confidential nominations which I ask Council to endorse for the recipients to be presented with the awards at the Australia Day celebrations in 2016.
- **Australia Day** – once again planning a community celebration at the swimming pool. I am waiting to hear from P&D regarding manning the barbecue. An ad will be in Muka Matters this week and a flyer distributed to households in January.

Meetings Attended/Events Organised:

- Friday 20 November – Age Friendly Communities PD, Melville
- Monday 30 November – Planning & Development Meeting, Mukinbudin CRC
- Wednesday 2 December – Regional Development Australia Funding Seminar, Northam
- Annual Leave – 29 December – 11 January

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements

Absolute Majority Vote Required

Recommendations

That Council

1. note the above Community Development Officers Report.
2. Agree to allocate \$300 to the Sandalwood Arts & Crafts Lotterywest funding proposal for the purpose of installing a hot water system in the Sandalwood Arts & Crafts building

Nola Comerford-Smith left the meeting at 10.08

Cr Comerford left the meeting at 10.08am and re-entered the meeting at 10.09am

Council Decision Number – 1384

Moved: Cr Junk

Seconded: Cr Poultney

That Council:

1. note the above Community Development Officers Report.
2. agree to allocate \$300 to the Sandalwood Arts & Crafts Lotterywest funding proposal for the purpose of installing a hot water system in the Sandalwood Arts & Crafts building

Carried

7 / 0

8.3 Manager of Finance Reports

8.3.1 List of Payments – November 2015	
Location:	Mukinbudin
File Ref:	ADM 007
Applicant:	Ann Brandis – MF
Date:	9 th December 2015
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 16 December 2015, 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/D 1859.1-D/D 1921.1	(\$28,578.67) and
Muni Cheques 31252 to 31271	(\$57,708.84) and
Muni EFT's – EFT 1204 to EFT 1308, Payroll - Pay-2	(\$638,474.81) and
Trust D/D1855.1 – D/D1936.1	(\$32,731.05)
Totalling	(\$757,493.37)

for payments made in November 2015, be passed for payment.

Council Decision Number – 1387

Moved: Cr Seaby

Seconded: Cr Junk

That the list of payments to today's meeting on Vouchers –	
Direct Debits D/D 1859.1-D/D 1921.1	(\$28,578.67) and
Muni Cheques 31252 to 31271	(\$57,708.84) and
Muni EFT's – EFT 1204 to EFT 1308, Payroll - Pay-2	(\$638,474.81) and
Trust D/D1855.1 – D/D1936.1	(\$32,731.05)
Totalling	(\$757,493.37)

for payments made in November 2015, be passed for payment.

Carried 8 /0

The meeting adjourned at 10.27am and resumed at 10.54am

Cr Ventris entered the meeting at 11.01am

8.3.2 Monthly Statement of Financial Activity Report – 30 November 2015	
Location:	Mukinbudin
File Ref:	ADM 204
Applicant:	Ann Brandis - MF
Date:	10 th December 2015
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 **30th November 2015** 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 30th November 2015 and note any material variances greater than \$10,000 and 10%.

Council Decision Number – 1388

Moved: Cr Seaby

Seconded: Cr Junk

That Council adopt the Monthly Financial Report for the period ending 30th November 2015 and note any material variances greater than \$10,000 and 10%.

Carried 8 / 0

8.3.3 Shire of Mukinbudin Bank Signatories	
Location:	Mukinbudin
File Ref:	ADM 290
Applicant:	Ann Brandis - MF
Date:	8 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Ann Brandis - MF
Author:	Ann Brandis - MF

Summary

To present to Council a request from the Manger of Finance to change the Bendigo Bank Signatories.

Background

As previous Councillors Brian Watson, Kylie Sippe & Dawn Lancaster were signatories on the Shire of Mukinbudin Bank Accounts and Kylie Sippe was a signatory on the Mukinbudin Sporting Club Inc Account. As new councillors have been appointed to Council we need to have Brian Watson, Kylie Sippe & Dawn Lancaster removed as signatories.

Our Senior Finance Officer is going on long service leave starting on the 1st February and returns to work on the 9th May 2015. This is for a period of 14 weeks, which is 13 weeks of long service leave, public holidays and a RDO. In Katharine's absence Bec Billingham is covering the payroll and Jenny Heaney is covering the rest of Katharine's role with the Manager of Finance's support. Kelly Onn will work full time to help cover Jenny's role. As Jenny will be responsible for completing the bank reconciliations she will require bank access for this period.

Comment

The Shire can have as many available signatories as they wish but only have ten active signatories. The difference between the available and active signatories is the access to internet banking.

Current Signatories

The list below is the current available signatories for the Shire accounts:

Gary John Shadbolt
Kathleen Dawn Lancaster
Stephen Richard Palm
Kylie Rae Sippe
Rodney James Comerford
Katharine Elizabeth Spencer
Brian Edward Watson
John Douglas O'Neil
Sandra Gaye Ventris
Stuart David Billingham
Ann Lesley Brandis
Jeffrey Neil Seaby

Signatories on the Mukinbudin Sporting Club Inc. Account are:

Cr Comerford, Katharine Spencer, Stuart Billingham, Ann Brandis & Kylie Sippe.

Financial Implications

Nil

Statutory Environment

Local Government Act 1995,

Policy Implication

Nil

Voting Requirements

Simple Majority.

Recommendation

That Council approves:

1. Mrs Kylie Sippe, and Mrs Dawn Lancaster be removed as signatories from all Shire of Mukinbudin bank accounts
2. That Cr Murray Junk, Cr Stephen Paterson & Cr Ruth Poultney be added as a signatory to all Shire of Mukinbudin bank accounts
3. That Miss Jenny Heaney be added as a signatory to all Shire of Mukinbudin bank accounts for a 14 week period starting from the 1st February 2016 finishing on the 9th May 2016 including full internet banking access.

Council Decision Number – 1389

Moved: Cr Poultney

Seconded: Cr Comerford

That Council approves:

- 1. Mrs Kylie Sippe, Mr Brian Watson and Mrs Dawn Lancaster are removed as signatories from all Shire of Mukinbudin bank accounts;**
- 2. that Cr Murray William Junk, Cr Stephen John Paterson and Cr Ruth Helen Poultney be added as signatories to all Shire of Mukinbudin bank accounts**
- 2. That Miss Jenny Heaney, Administration Officer be added as a signatory to all Shire of Mukinbudin bank accounts for a 14 week period starting from the 1st February 2016 finishing on the 9th May 2016 including full internet banking access.**

Carried 8/0

8.3.4 Establishment of New Reserves	
Location:	Mukinbudin
File Ref:	ADM 11
Applicant:	Ann Brandis - MF
Date:	8 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Ann Brandis - MF
Author:	Ann Brandis - MF

Summary

To present to Council a request from the Manger of Finance to establish two new reserve funds for Joint Venture Housing projects.

Background

Establishment of Reserve funds is covered by Section 6.11 of the *Local Government Act 1995*, which states:

6.11. Reserve accounts

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government —
 - (a) changes* the purpose of a reserve account; or
 - (b) uses* the money in a reserve account for another purpose,

it must give one month's local public notice of the proposed change of purpose or proposed use.

** Absolute majority required.*

As part of the 2015 final Audit the Auditor Manager has requested the shire establish two new reserve funds for Joint Venture Housing projects to ensure the funds are quarantined correctly under the Joint Venture Agreements.

The Shire has two Joint Venture in the Annual Report (see note 16) that now require new Reserve Funds to be establish as follows:

- Lot 64 (12) White St and Lot 69 (6) Lansdell St Houses - Families
- Lot 8 (42) Cruickshank Road - Familes & Singles

The purpose of both of these reserve funds will be to set aside funds under the Joint Venture agreement with Department of Housing for future repairs and maintenance.

NB: The existing Seniors Aged Housing Reserve to be broken down into a spreadsheet to account for the four Joint Ventures as per the annual report Notes 11 and 16.

- Lot 27 (20) Maddock St Units 1 & 2
- Lot 28 (18) and Part Lot 29 (16) Maddock St Units 3,4,5,6
- Part Lot 29 (16) Maddock St Units 7 & 8
- Lot 25 (24) Maddock St Units 9 & 10

Comment

The Shire has two Joint Venture in the Annual Report (see note 16) that now require new Reserve Funds to be establish as follows:

- Lot 64 (12) White St and Lot 69 (6) Lansdell St Houses - Families
- Lot 8 (42) Cruickshank Road - Families & Singles

Financial Implications

Yes future allocations to reserve in line with Joint Venture agreements.

Statutory Environment

Local Government Act 1995,

Department of Housing Joint Venture agreements

Policy Implication

Nil

Voting Requirements

Simple Majority.

Recommendation

That Council approves the establishment of the following reserve funds and their purposes:

1. Lot 64 (12) White St and Lot 69 (6) Lansdell St Houses – Families-purpose is to set aside funds under the Joint Venture agreement with Department of Housing for future repairs and maintenance
2. Lot 8 (42) Cruickshank Road - Families & Singles - purpose is to set aside funds under the Joint Venture agreement with Department of Housing for future repairs and maintenance

Council Decision Number – 1390

Moved: Cr O'Neil

Seconded: Cr Ventris

That Council approves the establishment of the following reserve funds and their purposes:

1.Lot 64 (12) White St and Lot 69 (6) Lansdell St Houses – Families-purpose is to set aside funds under the Joint Venture agreement with Department of Housing for future repairs and maintenance.

2.Lot 8 (42) Cruickshank Road - Families & Singles - purpose is to set aside funds under the Joint Venture agreement with Department of Housing for future repairs and maintenance.

Carried 8/0

8.4 Chief Executive Officer's Reports

8.4.1 Chief Executive Officer's Report – November 2015	
Location:	Shire
File Ref:	ADM
Applicant:	Stuart Billingham – CEO
Date:	9 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Meetings – Past

November 2015

20 Nov NEWTRAVEL AGM Dowerin Shire
24 Nov NEWROC Executive Meeting Mt Marshall
26 Nov Great Eastern Country Zone Meeting Merredin Rec Centre Cr Shadbolt
26 Nov CEACA Meeting

December 2015

1 Dec Meeting with David Shelton Western Power
3 Dec LEMC Meeting Cr Shadbolt
4 Dec RDO
11 Dec Shire Xmas Function District Club
15 Dec NEWROC Council Meeting and Xmas Function Cr Shadbolt
16 Dec Ordinary Council Meeting 9.00am start (No Meeting in January)

1.2 Meetings – Future

December 2015

24 Dec Office Closes 3.00pm for Christmas New Year Break

January 2016

4 Jan Admin Office reopens from Christmas, New Year Break 8.00am

NB: Dates of Administration Office Christmas Closure from 3.00pm Thursday 24th December 2015 and return to work on Monday 4th January 2016 at 8.00am.

1.3. Staff Matters

Kelly Onn appointed on 3 month fixed term contract as Admin Officer

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 Brookfield Rail Interface Agreement-Public Road and Rail Crossing at Grade Interfaces. Version 2.1 received by Shire to sign, as required by the *Rail Safety Act 2010*. Liaison with Mal Shervill at WALGA to progress. To be presented to Council in 2016 for consideration.

Voting Requirements

Simple Majority

Recommendation

That Council note the Chief Executive Officer's Report.

Council Decision Number – 1391

Moved: Cr Seaby Seconded: Cr Ventris

That Council note the Chief Executive Officer's Report.

Carried 8 /0

8.4.2 NEWROC Executive Meeting Minutes– 24th November 2015	
Location:	NEWROC
File Ref:	ADM 236
Applicant:	Stuart Billingham – CEO
Date:	9 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Background

An Executive Meeting of NEWROC was held on Tuesday 24th November 2015 at the Shire of Mt Marshall 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:

- 7.1. FUTURE PROJECT PRIORITY LIST
- 7.2. TELECOMMUNICATION BUSINESS CASE
- 7.3. ANNUAL NEWROC DINNER
- 7.4 NEWROC PUBLIC TRANSPORT
- 7.5 WORKFORCE DEVELOPMENT

Next NEWROC Meeting dates:

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

Note: No meeting in January

23 February	Council	Shire of Trayning
22 March	Executive	Shire of Trayning
26 April	Council	Shire of Wyalkatchem
24 May	Executive	Shire of Wyalkatchem
28 June	Council	Shire of Koorda
26 July	Executive	Shire of Koorda
23 August	Council	Shire of Mt Marshall
27 September	Executive	Shire of Mt Marshall
25 October	Council	Shire of Mukinbudin
22 November	Executive	Shire of Mukinbudin
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 November 2015

Cr Comerford left the meeting at 11.53am and returned at 11.54am

Council Decision Number – 1392

Moved: Cr Seaby

Seconded: Cr Junk

That Council notes the report on the NEWROC Executive meeting minutes held on 24th November 2015.

Carried 8 / 0

8.4.3 Council Meeting Dates 2016	
Location:	Shire
File Ref:	ADM 031
Applicant:	Stuart Billingham – CEO
Date:	9 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Background:

Council is required to set the meeting dates for the next twelve months and advertise locally. Traditionally Council meets on the third Wednesday of each month. This day is in common with the majority of NEWROC Councils. The meeting time is normally 9.00am, with the May meeting later for seeding and the November meeting later for harvesting. Council does not meet in January.

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

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

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

Copy of draft advert below:

The Shire of Mukinbudin hereby gives notice that the following dates, times and places of its Ordinary Meetings of Council for the 2016 Calendar year.
Ordinary Council Meetings:

17 February 2016 – 9.00am
 16 March 2016 – 9.00am
 20 April 2016 – 9.00am
 18 May 2016 – 1.00pm
 15 June 2016 – 9.00am
 20 July 2016 – 9.00am
 17 August 2016 - 9.00am
 21 September 2016 – 9.00am
 19 October 2016 - 9.00am
 16 November 2016 -1.00pm
 21 December 2016 - 9.00am

With all Meetings held in the Council Chambers, 15 Maddock Street, Mukinbudin.

Meetings are open to the public and a 15 minute period is set aside at the commencement of each meeting for Public Question Time. Enquiries should be directed to the Council Administration Office.

Stuart Billingham
Chief Executive Officer

Comment:

The CEO has prepared a draft set of dates for consideration by Council of Adoption.

Statutory Environment

Local Government Act 1995

Local Government (Administration Regulations 1996 Reg 12

Voting Requirements

Simple Majority.

Recommendation

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

Council Decision Number - 1393

Moved: Cr Comerford

Seconded: Cr Junk

That Council adopts the dates as listed for the next twelve months and the Shire advertises in accordance with *the Local Government Act 1995* with the meetings starting at 10.00am with the exception of May & November starting at 1.30pm

Carried

8 / 0

8.4.4 –Annual Report 2014 2015 and Annual Electors Meeting	
Location:	Shire
File Ref:	ADM 030
Applicant:	CEO
Date:	10 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Stuart Billingham - CEO

Summary

To present Council with the Audited Annual Financial Report, Auditors Report and Management Letter for the financial year ending 30 June 2015.

Background:

Section 7.9 of the *Local Government Act 1995* requires an audit to be undertaken and that the audit when completed, must be submitted to the Shire President, the Chief Executive Officer of the Local Government and the Minister for Local Government and Communities.

It is a requirement that the Annual Audit be completed by the 31st December following the close of the financial year. This year the Audit was completed by this date and was not raised as a non-compliance matter. The final audit was conducted by Moore Stephens (formally UHY Haines Norton Chartered Accountants) on Monday 16th – Tuesday 17th November 2015.

The final Audit report and Management Letter has been completed and received by the Shire President and CEO (Please refer to separate attachments). The Auditor's report and Management report to be submitted to the Shire of Mukinbudin Audit Committee for further consideration. (See copy of Audit and Management reports attached for Councillor's information).

The *Local Government Act 1995* section 5.53 requires the Annual report to contain the following:

5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president; and
 - (b) a report from the CEO; and
 - [(c), (d) *deleted*]
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
 - (f) the financial report for the financial year; and
 - (g) such information as may be prescribed in relation to the payments made to employees; and
 - (h) the auditor's report for the financial year; and
 - (ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*; and
 - (hb)

- (i) such other information as may be prescribed.

[Section 5.53 amended by No. 44 of 1999 s. 28(3); No. 49 of 2004 s. 42(4) and (5); No. 1 of 2007 s. 6.]

Section 5.54 requires a local government to accept the Annual Report as set out below:

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

** Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

[Section 5.54 amended by No. 49 of 2004 s. 49.]

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

The Shire of Mukinbudin 2014-2015 Annual Report has been completed and is now presented to Council for consideration of accepting. (Draft 2014-2015 Annual Report is submitted as a separate attachment.)

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

** Absolute majority required.*

Comment:

The Annual Financial Report for 2014/15 has now been completed (Please refer to copy of Annual Financial Report submitted as a separate attachment)

Council may wish to resolve to hold its Annual Electors Meeting on Wednesday 3rd February 2016 at 7.00pm at the District Club. (NB: The Annual Electors meeting to be held no more than 56 days after acceptance of annual report).

The 2014-2015 Annual Report for the Shire of Mukinbudin has been prepared to comply with the following Acts and Regulations of the WA State Parliament and other relevant requirements as listed:

- *Local Government Act 1995*
- *Disability Services Act 2006*
- *Freedom of Information Act 1992*
- *State Records Act 2000*
- *National Competition Policy*
- *Public Interest Disclosure Act 2003*

It is pleasing to report the Audited Annual Financial Report has been completed before the 31 December Deadline, a marked improvement on the previous year. My congratulations to the Shire Finance Team on achieving this pleasing result this year.

Statutory Environment:

Local Government Act 1995 S5.54

Local Government (Administration) Regulations 1996 - Reg12).
Local Government (Financial Management) Regulations 1996,
Australian Equivalent International Financial Reporting Standards (AIFRS)

Policy Implications:

2014-2015 Annual Report

Long Term Financial Plan, Corporate Business Plan, Workforce Plan and Asset Management Plans

Financial Implications:

Nil

Strategic Implications:

Integrated Planning and Reporting Framework

Voting Requirements

Absolute Majority Vote Required

Recommendation:

That Council:

1. receives the Shire of Mukinbudin Annual Report for the year ended 30th June 2015.
2. advertises and holds its Annual Electors Meeting in the District Club on Wednesday 3rd February 2016 at 7.00pm.
3. Submits the Annual Financial Report for the year ending 30 June 2015 to the Executive Director of the Department of Local Government and Communities within 30 days of his receipt of the auditor's report, as required by Local Government (Financial Management) Regulation 51(2).

Council Decision Number - 1394

Moved: Cr Seaby

Seconded: Cr Comerford

That Council:

- 1. receives the Shire of Mukinbudin Annual Report for the year ended 30th June 2015.**
- 2. advertises and holds its Annual Electors Meeting in the District Club on Wednesday 3rd February 2016 at 7.00pm**
- 3. Submits the Annual Report for the year ending 30 June 2015 to the Executive Director of the Department of Local Government and Communities within 30 days of his receipt of the auditor's report, as required by Local Government (Financial Management) Regulation 51(2).**

Carried

8/0

8.4.5 8 Year review of Local Laws and Repeal of Defunct and Obsolete By-Laws/Local Laws	
Location:	Entire Shire
File Ref:	ADM 134
Applicant:	Stuart Billingham - CEO
Date:	10 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Stuart Billingham - CEO

Summary

To present Council with a request to advertise the commencement of the 8 year review of the Shire of Mukinbudin Local Laws as required by Section 3.16 of the *Local Government Act 1995*. (See copy of draft advert attached)

Background

The *Local Government Act 1995* section 3.16 states:

3.16. Periodic review of local laws

- (1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.
- (2) The local government is to give Statewide public notice stating that —
 - (a) the local government proposes to review the local law; and
 - (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and
 - (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.
- (2a) A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.
- (3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.
- (4) When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.

** Absolute majority required.*

[Section 3.16 amended by No. 64 of 1998 s. 7; No. 49 of 2004 s. 24.]

The Shire of Mukinbudin Council at its May 2004 meeting resolved amongst other things to give notice of its intention to make the following local laws in accordance with the drafts prepared by Mr Ted Chown prepared by Lance Croft around January 2005 and reviewed by Council –

- ❖ Standing Orders;
- ❖ Local Government Property;
- ❖ Activities on Thoroughfares and Trading in Thoroughfares and Public Places;
- ❖ Repeal of Defunct and Obsolete Local Laws;
- ❖ Cemeteries; and
- ❖ Dogs.

The process appears to have never progressed and due to the expiration of time the process will need to be recommenced. It appears Mr Chown conducted the 8 year review around 2004 making the next 8 year review due in 2012. This is now overdue and the CEO is now preparing the 8 year review with recommendations back to Council at a future meeting.

Comment:

The CEO has obtained copies of the old *Government Gazettes* from the State Law Publisher web site which contain the following By Laws:

- a) *Mukinbudin Road Board General By-laws*, published in the *Government Gazette* of 22 June 1934; and amended in the *Government Gazette* on 24 April 1936 and 4 April 1952;
- b) *Mukinbudin Road Board By-law No1 Relating to Prescribing Poundage and Sustenance Charges* published in the *Government Gazette* of 22 June 1934;
- c) *Mukinbudin Road Board By-laws relating to Buildings*, published in the *Government Gazette* of 21 September 1934;
- d) *Mukinbudin Road Board By-law re Appointment of Employees*, published in the *Government Gazette* of 21 November 1941;
- e) *Mukinbudin Road Board By-laws Governing Long Service Leave to be Granted to Employees of the Mukinbudin Road Board*, published in the *Government Gazette* of 13 April 1951;
- f) *Mukinbudin Road Board Road Damage By-law (Prevention of Damage by Agricultural Implements)* - published in the *Government Gazette* of 16 October 1953;
- g) *Mukinbudin Road Board By-law s to Regulate the Parking of Vehicles at Mukinbudin* - published in the *Government Gazette* of 15 June 1956;
- h) *Mukinbudin Road Board Uniform By-law for the Construction of Television Masts and Antennae* - published in the *Government Gazette* of 29 July 1960;
- i) *Shire of Mukinbudin By-laws Relating to the Mukinbudin Pioneer Memorial Aquatic Centre* - published in the *Government Gazette* of 15 December 1966;
- j) *Shire of Mukinbudin By-law Relating to Dogs* - published in the *Government Gazette* 10 June 1983.

Consultation

Department of Local Government and Communities website.

Financial Implications

Yes advertising costs in the West Australian Newspaper.

Statutory Environment

Local Government Act 1995

Strategic Implications

Local Laws/By Laws

Policy Implications

Nil

Voting Requirements

Simple Majority

Officer recommendation:

That the Shire of Mukinbudin gives 6 weeks Statewide Public Notice that it proposes to review its Local Laws in accordance with Section 3.16 of the *Local Government Act 1995*.

Council Decision Number – 1395

Moved: Cr Comerford

Seconded: Cr Junk

That the Shire of Mukinbudin gives 6 weeks Statewide Public Notice that it proposes to review its Local Laws in accordance with Section 3.16 of the *Local Government Act 1995*.

Carried 8 /0

8.4.6 Development Assessment Panels - Nominations	
Location:	Shire
File Ref:	ADM 229
Applicant:	CEO
Date:	2 December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Summary

To present Council with a request from the State Government for 4 elected members to be nominated for Development Assessment Panels (DAP).

Background

With the recent retirement of Cr Watson the Shire of Mukinbudin has received a email dated 30 November 2015 from the Department of Planning seeking the Shire of Mukinbudin advise them of 4 elected members names to be on the list for DAP duty if required. (Please refer to email submitted as separate attachment).

Council in 18 February 2015, item 8.4.9 resolved the following.

Council Decision Number – 1196

Moved: Cr Sippe

Seconded: Cr Seaby

That Council nominate Cr O'Neil and Cr Shadbolt to be members of the DAP and Cr Ventris and Cr Watson to be alternate members of the DAP.

Carried 9/0

Development Assessment Panels were introduced by the Minister for Planning to determine planning applications that fit certain criteria. The use of a DAP for the Shire of Mukinbudin (and for the rest of the State outside of the City of Perth) is mandatory if the value of the development is \$7 million or more. If the development is worth between \$3 million and \$7 million the applicant may choose to have the application determined by a DAP.

The following items may not be determined by DAPs and will remain with local government.

- Construction of a single house
- Construction of less than 10 grouped dwellings or multiple dwellings
- Construction of carports, shade sails, outbuildings or sheds
- Development in an improvement scheme area
- Development by a local government or the WAPC.

DAPs are to consist of five members, three specialist members and two local government members. The specialist members will hold formal qualifications, generally in town planning but may have other relevant experience. The local government members will be required to obtain formal training (for which they will be paid) before sitting on a DAP (for which they will also be paid sitting fees).

The specialist members are appointed to regions. Mukinbudin is located in the Wheatbelt region. The local government members sit on applications only within their own local government areas.



Each local government is required to nominate four elected members of Council, comprising two local members and two alternate local members to sit on their local DAP as required. Nominations are to be received no later than Friday 13 March 2015. If no members are nominated the Minister is entitled to choose from our electors roll any person with relevant experience and knowledge who could represent the interests of the local community of the district.

DAP Local Government members are required to undertake **compulsory DAP training** to be eligible to sit on a DAP.

Comment

This item is presented to Council to determine the names of 4 elected members to be put forward to be listed for DAP duty.

Financial Implications

Nil

Statutory Environment

Local Government Act 1995

Strategic Implications

Nil

Policy Implications

Nil

Voting Requirements

Simple Majority Vote Required

Recommendation

That Council nominate Cr O'Neil and Cr Shadbolt to be members of the DAP and Cr Ventris and Cr _____ to be alternate members of the DAP.

Council Decision Number – 1396

Moved: Cr Comerford

Seconded: Cr Seaby

That Council nominate Cr O'Neil and Cr Shadbolt to be members of the DAP and Cr Ventriss and Cr Junk to be alternate members of the DAP.

Carried 8/0

The meeting adjourned for lunch at 12.20pm and resumed at 1.32pm

Council Decision Number – 1398

Moved: Cr Comerford

Seconded: Cr Seaby

That Council suspend the meeting and go into the Audit Committee Meeting

Carried 8/0

Council Decision Number – 1399

Moved: Cr O'Neil

Seconded: Cr Poultney

That Council resume the meeting at 2.39pm

Carried 8/0

8.4.7 Audit Committee	
Location:	Shire
File Ref:	ADM 001
Applicant:	Stuart Billingham - CEO
Date:	10 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Stuart Billingham - CEO

Summary

To present Council with the minutes of the 16 December 2015, Shire of Mukinbudin Audit Committee for consideration and action.

Background

The Shire of Mukinbudin Audit Committee met on the 16th December 2015 to review the Final 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).

Comment:

The minutes and recommendations from the Audit Committee meeting dated 16 December 2015 are presented for Council consideration.

Financial Implications

Nil.

Statutory Environment

Local Government Act 1995, Local Government (Audit) Regulations 1996

Strategic Implications

Nil

Policy Implications

Delegation to the Audit Committee in Delegations Register.

Voting Requirements

Absolute Majority Vote Required

Officer recommendation:

That Council

1. receives the minutes of the Shire of Mukinbudin Audit Committee meeting 16 December 2015.
2. authorises the CEO report dated 11 December 2015 to be sent to the Department of Local Government and Communities.
3. delegates to the Audit Committee to meet with the Auditor each year.

Council Decision Number –1400

Moved: Cr O'Neil

Seconded: Cr Ventris

That Council

- 1. receives the minutes of the Shire of Mukinbudin Audit Committee meeting 16 December 2015.**
- 2. authorises the CEO report dated 11 December 2015 to be sent to the Department of Local Government and Communities**
- 3. delegates to the Audit Committee to meet with the Auditor each year. AMVR**

Carried 8 / 0

8.4.8 WALGA Emergency Management Support Program and Assistance to the Shire of Esperance	
Location:	Shire of Esperance
File Ref:	ADM 144
Applicant:	Stuart Billingham - CEO
Date:	10 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Stuart Billingham - CEO

Summary

To present Council with the WALGA Emergency Management Support Program and a request for financial support to the Shire of Esperance consideration.

Background

The Shire of Mukinbudin has received a WALGA Infopage from the CEO of WALGA (Please refer to the Infopage submitted as a separate attachment) regarding the establishment of a new support program to assist local governments recovering from natural disasters and other emergencies.

Council currently does not have a donations policy as part of the Shire of Mukinbudin Policy Manual. Under the 2015/16 Annual Budget in sub program 'Members of Council' GL 2040115 Donations to Community Groups Budget of \$950 YTD expenditure of \$109.

Comment:

The Shire of Mukinbudin may consider making a donation to the Lord Mayor's Distress Fund or to the Shire of Esperance direct. Contact with the CEO from the Shire of Esperance Mr Matthew Scott revealed all donations of money or plant and staff with recovery experience appreciated.

Financial Implications

Yes possible donation to the Shire of Esperance.

Statutory Environment

Local Government Act 1995

Strategic Implications

Nil

Policy Implications

Nil

Voting Requirements

Simple Majority

Officer recommendation:

That Council approves a financial donation of \$500 to the Shire of Esperance.

Council Decision Number – 1397

Moved: Cr Poultney

Seconded: Cr Ventris

That Council approves a financial donation of \$500 to the Shire of Esperance

Carried 8 /0

8.5 Environmental Health Officer's and Building Surveyor Reports

Nil

8.6 Mukinbudin Caravan Park Manager's Report

8.6.1 Mukinbudin Caravan Park Report – November 2015	
Location:	Mukinbudin
File Ref:	ADM 225
Applicant:	Tania Sprigg
Date:	10 th December 2015
Disclosure of Interest:	NIL
Responsible Officer	Stuart Billingham
Author:	Tania Sprigg

Mukinbudin Caravan Park Report November 2015

As the End of 2015 draws to another year gone, it's been another great year for the Caravan Park!! 2015 has had large groups come through with two caravan clubs, Spring Festival and The Swagman Tours. The house and three S/C Cabins are booked out over Christmas. 2016 has already got another two large new caravan clubs coming, also. The Swagman Tours again in August!!

There has been a request from Betty Ventris regarding the North Side of Shannon's house to be cleaned up!! If Denis has finished around the area, then maybe it would be good to see this done. Thank you for your support throughout 2015, and looking forward to 2016. Merry Christmas

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 to be identified and purchased and planted next year as past planting window as sub surface moisture dropping and warmer hot weather upon us.

Drive through caravan bays for overflow parking during Spring Festival operated well. Shire staff have been directed to tidy up and remove excess gravel around the Ventris side of fence. Landscaping and retic works on the Caravan Park Transportable house being investigated and costed.

Recommendation

That Council note the above Caravan Park Managers Report.

Council Decision Number – 1401

Moved: Cr Comerford

Seconded: Cr Junk

That Council notes the above Caravan Park Managers Report.

Carried 8/0

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	8,976.07
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						0.00	
Jan 16						0.00	
Feb 16						0.00	
Mar 16						0.00	
Apr 16						0.00	
May 16						0.00	
Jun 16						0.00	
Total	27,300.98	8,650.90	14,424.16	685.91	6,372.69	57,434.64	52,375.43

8.7 Swimming Pool Manager's Report

8.7.1 Mukinbudin Swimming Pool Report November 2015	
Location:	Mukinbudin
File Ref:	ADM 064
Applicant:	Shannon Seaby
Date:	11 December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham
Author:	Shannon Seaby

Swimming Pool Report November 2015

We have had our interm swimming lessons running for the past two weeks for the 5 - 10 year olds. Vacswim is beginning Saturday 19th December. We are unsure whether this will be going ahead due to shortage of teachers and no centre supervisor. One of the problems with our Vacswim is that it begins at 9am. It would be very much appreciated if the Shire could consult with the pool manager, and centre supervisor about the beginning time when Vacswim is in contact during the year. The feedback I have had is that 9am start time is very early for children who live out of town, either locally or from out of town. Vacswim starts just after school finishes, which is also not easy on the children beginning at 9am. The pool opening time is 11am, and it makes it very difficult to have the pool clean by 9am if we have any stormy weather etc.

Denis has cemented down 40 of the limestone wall caps that had come loose around the pool concourse and BBQ area. He seems to think this will be an ongoing process as they will all gradually become loose. The loose/sunken drains in the concourse remain a hazard and still need to be fixed. One of our shade sails has broken at the anchor point from the wind. It will be fixed temporarily until the end of the season when it will be sent away for repair. The female shade has been put up over the female toilets and has made a big difference to the heat.

Kind regards,
Shannon Seaby

CEO Comment

New employment contract for Shannon signed for 2015/16 Pool Season by CEO and Shannon.

Swimming Pool Power consumption over 50,000kWh being investigated.

2015/16 Budget listing \$32,000 Pool Grant from the Dept Sport and Rec. 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 2015/16 listed in 2015/16 Budget.

Voting Requirements

Simple Majority.

Recommendation

That Council note the above Pool Managers Report.

Council Decision Number – 1402

Moved: Cr Comerford

Seconded: Cr Poultney

That Council notes the above Pool Managers Report.

Carried 8/0

8.8 NRMO's Report

8.8.1 NRMO Report October 2015	
Location:	Mukinbudin
File Ref:	ADM 329
Applicant:	Claire Baker - NRMO
Date:	11 th December 2015
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Claire Baker - NRMO

Natural Resource Management Officer Report November 2015

COURSES/ WORKSHOPS/ MEETINGS ATTENDED:

- ❖ Meeting with Keith Mills at Nth Barbalin Mukinbudin – 10th November
- ❖ Performance Appraisal with CEO's – Koorda – 12th November
- ❖ Personal Leave – 16th – 20th November
- ❖ Meeting with DPaW at Nth Barbalin/ Blackspot Mukinbudin – 30th November

WATER WISE COUNCIL ACCREDITATION

- ❖ The Water Efficiency Action plan is currently being completed as the Water consumption reports have been received from Water Corporation.
- ❖ Shannon Seaby or Wayne Fiechtner will be the Secondary Program Contact for the WaterWise Accreditation programme and online Water Audit and Water Irrigation training is currently being updated by Water Corporation, once this is completed Shannon Seaby and Wayne Fiechtner will be able to complete this to meet the requirement to be part of the Water management Team, awaiting an update from Water Corporation in regards to the Training Website.

WATERWISE AQUATIC CENTRE

- ❖ With Shannon Seaby part of the Water Management team this will allow us to complete the Water Action Plan to meet the requirements of the recent endorsement of the Aquatic Centre as WaterWise.

SOLAR POWER PA

- ❖ Feasibility studies are taking place in regards to the roof space and suitability of selected buildings with no cost to the Shire.

STATE NRM GRANT 2016

- ❖ Awaiting funding application approval expected late December 2015.

DPAW TRANSLOCATION PROPOSAL / BLACK SPOT REVEG PROJECT

- ❖ A meeting with Keith Mills at the Black Spot took place on the 10th of November to discuss the Translocation Proposal and to have him aware of the future works to take place.

- ❖ A meeting then was organised and took place with Keith Mills and DPaW Staff; Natasha Moore and her District Officer on the 30th November at the Black Spot, the Translocation was further discussed in detail.
- ❖ Planting is to take place June or earlier next year with the fencing and reticulation to be in place for planting.
- ❖ A Purchase order for Landmark Mukinbudin has been raised for the reticulation materials, I am in discussion with Ashley Walker in regards to the precise amounts needed.
- ❖ An update was received on the propagation at Kings Park for the Eremophila virens seedlings; the success rate was not high which means seed collecting will take place with myself and DPaW during this Summer for propagation.
- ❖ A purchase order has been raised for Kings Park and has been sent for them to raise an invoice – this invoice has been sent and paid.
- ❖ The fencing materials were unable to be dropped off by DPaW however they will be delivered in the near future.

STATE NRM GRANT 2013 – 2015- Feral Pest Eradication through use of 1080 and research into bait palatability, attractiveness and non – target species attraction”

- ❖ I have ordered fox cages for my Shire’s through the 2013 State NRM Grant, these will be larger than the standard cat cages for hire.
- ❖ These are now stored at the Koorda Shed I have reserved for NRM Equipment; if any landholders wish to hire them I can transport and supply them, during handover I will bring some to the Mukinbudin Depot.
- ❖ I have ordered metal 1080 warning property signs for landholders
- ❖ The camera monitoring bait stations have been set up as of the 28th October with assistance from Phil Lewis at two landholder properties within the Shire of Koorda; these stations are being monitored weekly.
- ❖ The data collected will be applicable to baiting programmes across this region

STORMWATER MANAGEMENT

- ❖ The AA Dams for revesting by Water Corporation to the Shire have been surveyed and a report has been submitted to both Water Corporation and Stuart Billingham.
- ❖ I have requested for financial assistance for the catchments in regards to the safety liability for the Shire.
- ❖ An Agenda Item has been drafted for the December Meeting in regards to the council agreeing with the continued revesting to go ahead subject to financial support from the Water Corporation.
- ❖ The five catchments the Shire of Mukinbudin are endeavouring to change vestings are: Reserve 22163 (Bonnie Rock), Reserve 22301 (North Mondoon), Reserve 17925 (Wialki Soak), Reserve 18802 (Wilgoyne) and Reserve 21927 (Karlanning). Reserve 49185; Arnolds Tank will remain operational and vested to the Water Corporation.

- ❖ If the revesting is to go ahead there will be general maintenance which will need to take place on the catchments including but not limited to; removal of the roof/tin, patching of leaks and cleaning of the culverts. There is funding available for this to be funded through Department of Water. I plan to prepare the letters for revesting to Department of Lands and final consultation to Water Corporation before the cease of employment.

Voting Requirements

Simple

Recommendation

That Council note the above NRM Report.

Council Decision Number – 1403

Moved: Cr Ventris

Seconded: Cr Seaby

That Council note the above NRM Report.

Carried 8 / 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 Nil

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 12.1 deal with matters contained under Section 5.23.

Council Decision Number – 1404

Voting Requirements – Simple Majority

Moved: Cr Poultney

Seconded: Cr Comerford

That Council close the meeting to members of the public in accordance with the *Local Government Act 1995*, Section 5.23 as Items 12.1 deal with matters contained under Section 5.23.

Carried 8/0

Meeting went behind closed doors at 3.05pm

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

Council Decision Number – 1405

Voting Requirements – Simple Majority

Moved: Cr O’Neil

Seconded: Cr Poultney

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

Carried 8 /0

The meeting was reopened at 3.13pm

Council Decision Number – 1405

Voting Requirements – Simple Majority

Moved: Cr Comerford

Seconded: Cr Ventris

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

Carried 8 /0

General Business

Ann Brandis left the meeting at 4.06pm and returned at 4.08pm

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) 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.
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)
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	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 4.14pm

Next Ordinary Council Meeting – Wednesday 17th February 2016 commencing at 10.00am.