



Mukinbudin - Classic, Dry, Red

Shire of Mukinbudin

Ordinary Council Meeting

MINUTES

WEDNESDAY 21st DECEMBER 2016



*Floral Emblem
Eucalyptus erythronema (Red Flowering Mallee)*

Notice of Meeting

Notice is hereby given that an Ordinary Meeting of Council was held on Wednesday 21st December 2016, in Council Chambers, 15 Maddock Street, Mukinbudin commencing at 1:13pm.

Thank you

Ray Hooper
Acting Chief Executive Officer

22nd December 2016

DISCLAIMER

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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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8.1 Nil

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9.1 Nil

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10.1 Nil

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

11.1 Manager of Finance Contract

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13 Closure of Meeting

13.1 Closure of Meeting

Agenda of the Ordinary Meeting of Council held in Council Chambers, Maddock Street, Mukinbudin on 21st December 2016

1. Declaration of Opening

- 1.1 The Shire President to declare the Meeting open at 1.13pm

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 declared public question time open at 1.13pm

Ross Parker entered the meeting at 1.13pm left the meeting at 1.18pm

Ray Hooper left the meeting at 1.18pm re-entered at 1.19pm

Mike & Lisa Gibbon entered the meeting at 1.19pm, left the meeting at 1.32pm

Sandie Ventris left the meeting at 1.32pm, re-entered meeting at 1.34pm

- 2.3 Declaration of public question time closed

The Shire President declared public question time closed at 1.33pm

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

- 3.1 Present:

- 3.1.1 Cr Shadbolt (Shire President)
Cr Ventris (Shire Deputy President)
Cr Comerford
Cr Junk
Cr O'Neil
Cr Palm
Cr Paterson
Cr Poultney
Cr Seaby

- 3.2 Apologies:
Nil

- 3.3 On leave of absence:
Nil

- 3.4 Staff:

- 3.4.1 Ray Hooper – Acting Chief Executive Officer
Ann Brandis – Manager of Finance
Louise Sellenger – Administration Officer

- 3.5 Visitors:

- 3.6 Applications for leave of absence:
3.6.1 Request for leave of absence
Nil

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

6. Confirmation of the Minutes of previous meetings

- 6.1 Confirmation of Minutes for the Ordinary Meeting of Council held on the 16th November 2016.

Voting Requirement

Simple Majority

Officer Recommendations

Council Decision Number – 01 12 16

Moved: Cr Comerford

Seconded: Cr Junk

That the Minutes of the Ordinary Meeting of Council held on the 16th November, 2016 be accepted as a true and correct record of proceedings.

Carried 9/0

- 6.1.1 Business Arising from Minutes**
Nil

7.1 Works Supervisor's Report

7.1.1 Works Supervisor's Report November 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Keith Mills, Works Supervisor
Date:	14 December 2016
Disclosure of Interest:	Nil
Responsible Officer	Keith Mills, Works Supervisor
Author:	Keith Mills, Works Supervisor
Voting Requirements	Simple Majority
Documents Attached	
Documents Tabled	Nil

46 Gate Road

We have completed this road, most of the guide post's and Signs will be installed and the 90 degree corners have been signed to 40km/h, the rest of the guide posts will be complete by end January 2017. The Quanta Cutting North Road from 46 Gate to Wilgoyne Rd has been completed. I'm now hoping that after HVS inspection these roads will be rated at a Network 7.

Muka/Bonnie Rock Road (Nth Rd)

We have been back on this section of road a few times adding some more material (aggregate rock) and sweeping rock back onto the road. With harvest almost being complete, the bitumen on this road should hold up.

Xmas Break

Matt Francis and Kevin Dalgety will be returning to work on the Tuesday 3.1.17 as they have not accrued enough leave, they will be erecting road signs along the Muka/Bonnie Rock & Koorda/Bullfinch Rds and also being available for any Parks & Gardens work with Dave Smith in Daniel Mori's absence. All other staff will return 16.1.17.

Machinery Maintenance

Cat 938 Loader - 10,500hr service - Hutton & Northey.

Cat Smooth Drum Roller – 5000hr service - Hutton & Northey.

5 Axle trailer – annual brake check and adjustment - Hutton & Northey.

Isuzu truck – 15,000km service and snorkel installation – Perth.

Backhoe – Bucket rams to have new seal kit - Hutton & Northey.

OFFICER RECOMMENDATION

Council Decision Number – 02 12 16

Moved: Cr Seaby

Seconded: Cr Ventris

That Council note the above Works Supervisors Report for November 2016.

Carried 9/0

Council Decision Number – 03 12 16

Moved: Cr Seaby

Seconded: Cr O'Neil

That Council engage an engineer to assess the sealing of the Mukinbudin / Wialki Road with the view to the contractor being required to reconstruct and seal.

Carried 9/0

Plant Report as per policy

Plant Item	Plant Number	Comments	Odometer/Hours
2014 Toyota Prado 1MBL	P433	80,000km service completed	83,394km
2012 Ford Territory MBL1	P435	Next service 150,000kms	148,949km
2015 Ford Ranger MBL2	P463	Nil	81458kms
2015 Ford Ranger-Parks Super MBL1000	P291	Next service 30,000km	18,676kms
2013 Holden Colorado Leading Hand MBL1071	P439	Next Service 150,000km	144,398kms
2002 Mitsubishi 6 wheeler MBL696	P279	Unit is performing well	
2002 Coaster Community Bus OMBL	P281	100,000km service Jan 2016	109,844kms
2008 Kenworth DAF Prime Mover MBL250	P369	Nil	
2015 Isuzu Light Truck Mtce Grader Driver	P289	Working well, 15,000 service due	17,330kms
2002 Komatsu Backhoe MBL1091	P317	Replaced leaking radiator Aug 2015 Working well, pins need replacing	
2010 New Holland Tractor MBL1463	P403	Broken left Hand Mirror	2402hrs
2014 John Deere Tractor MBL244	P216	This unit is performing well	
2015 Toyota Hiace Van MBL180 - Mtce Officer	P464	nil	22,032kms
2004 CAT 12H Grader MBL100	P301	Vehicle Broken down see Works Super Report	
2014 CAT 12M Grader MBL95	P461	Next service 2,000hrs	1984hrs
2011 Hino 614 MBL 1070	P411	Next Service 40,000km	38,637kms
2011 Hino 816 MBL 150	P410	This unit is operating well, Service Due 100,000km	98,368kms
2006 CAT 928 Frt End Loader MBL 1424	P344	Cracked RH Windscreen 10,500hr service due	10,552hrs
2008 CAT Vibe Steel roller MBL1677	P420	Next Service 5,000hr	5,033hr
2014 Atlas Copco Roller MBL811	P462	Unit is performing well, next service 1,000hr	523hrs
2011 CAT Skid Steer MBL1724	P449	Unit is performing well	
1997 Duelvo Street Sweeper MBL1453	P227	Repairs required	
2008 Toro Reel Master Mower	P377	Park Brake – waiting on parts, Next service 3,000hrs	2935hrs

7.1.2 Ute Change Over	
Location:	Mukinbudin
File Ref:	
Applicant:	Keith Mills, Works Supervisor
Date:	9 November 2016
Disclosure of Interest:	Nil
Responsible Officer	Keith Mills, Works Supervisor
Author:	Keith Mills, Works Supervisor
Voting Requirements	Absolute Majority
Documents Attached	Quotations
Documents Tabled	N/A

EXECUTIVE SUMMARY

Costings for Leading Hand's ute change over.

BACKGROUND INFORMATION

I have received 2 x Quotes for change over.

Merredin Isuzu:

Change over = \$22,191.36 - **4x4** crew cab Hi-Ride SX 3.0lt Auto. (Ex of GST)

Change over = \$17,645.36 - **4x2** crew cab Hi-Ride SX 3.0lt Auto. (Ex of GST)

Donovan Ford:

Change over = \$24,181.82 – **4x4** Ford XL 3.2lt T/DSL Ranger dual Pick Up. (Ex of GST)

Change over = \$16,181.81 – **4x2** Ford XL 2.2lt T/DSL Ranger dual Pick Up Hi-Rider. (Ex of GST)

Change over = \$20,090.91 – **4x4** Nissan 2.3lt T/DSL Navara Dual P/Up(Ex of GST)

Change over = \$25,928.18 - **4x2** Ford XLT 3.2lt T/DSL Ranger dual Pick Up Hi-Rider. (Ex of GST)

Change over = \$28,176.54- **4x4** Ford XLS 3.2lt T/DSL Ranger dual Pick Up. (Ex of GST)

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 3.3 – Regional Price Preference

FINANCIAL IMPLICATIONS

The 2016/17 budget has the following provisions for the change over of this vehicle..

Purchase – 4x4 Utility 36,000

Sale of 4x2 Utility 15,000

Changeover Cost 21,000

STRATEGIC IMPLICATIONS

Nil

SITE INSPECTION

N/a

TRIPLE BOTTOM LINE ASSESSMENT

ECONOMIC IMPLICATIONS

Purchase through a vehicle dealer operating in the region.

SOCIAL IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

OFFICER COMMENT

The vehicle dealers have advised that the re-sale of a 4x4 utility is significantly better than for a 4x2 vehicle and while there is no specific requirement for the 4 wheel drive capacity it makes economic sense to move into a 4x4 for this purchase.

Officer Recommendation:

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council accept the quote from Merredin Isuzu for the purchase of a Isuzu 4x4 Crew Cab High ride SX Auto 3.0L utility based on the trade-in of the existing Holden Utility at a net changeover price of \$22,191.36 exclusive of GST payments and claims.

Carried /

Motion Lapsed for the lack of a mover.

Council Decision Number – 04 12 16

Moved: Cr O'Neil

Seconded: Cr Junk

That Council accept the quote from Merredin Isuzu for the purchase of a Isuzu 4x2 Crew Cab High ride SX Auto 3.0L utility based on the trade-in of the existing Holden Utility at a net changeover price of \$17,645.36 exclusive of GST payments and claims.

Carried 8/1

7.2 Community Development Officer

7.2.1 Community Development Officer's Report – November 2016	
Location:	Mukinbudin
File Ref:	CS.GR.1
Applicant:	Nola Comerford-Smith, Community Development Officer
Date:	14 th December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Nola Comerford-Smith, Community Development Officer
Voting Requirements	Absolute Majority
Documents Attached	N/A
Documents Tabled	N/A

GRANT FUNDING PROJECTS:

Current Successful Projects:

- Community Pool Revitalisation Program - \$32,000. Part of a Future Capital Project to have pool repainted – the same amount has been applied for this year to ensure the project is achievable.
- Community Pool Revitalisation Program - \$32,000 for Future Capital Project (as above).
- CBH Grass Roots Fund – \$1,000 funding for seniors events (\$252 remaining).
- Waste Authority Community Grants – a Community Garden project \$9,300.
- Stay on Your Feet – \$3,460 - an exercise program for seniors targeting leg strength to build balance. Hayley Watson will conduct gym classes and a 'boot camp' incorporating Tai Chi and other balance-based exercises. This will run over 12 weeks commencing in September.
- Our Neighbourhood Community Grants – additional workshops and resources for a community garden - \$7,441.
- Thank a Volunteer Day Celebration Grant – entertainment for the annual Business Drinks/End of Year Celebration - \$1,000.

Applications in Progress:

- Department of Sport & Recreation – funding for a Club Development Officer.
- Community Garden Grants Program – funding for infrastructure for Community Garden.

Acquitted Grants:

- WA Seniors Week 2016 – funding for Long Table Dinner in The Shed.
- Lotterywest – Community Events Kit.
- Leisure Institute of WA Aquatic – funding for water testing equipment and inflatable toy.
- Healthway – Spring Festival. \$11,500 - This grant requires naming rights so will once again be called the Act Belong Commit Mukinbudin Spring Festival.
- Lotterywest – Spring Festival. Planning & Development Group - \$11,124 funding for advertising, equipment and artist travel.

COMMUNITY PORTFOLIOS – OTHER PROJECTS

- **Stay on Your Feet** – this fitness program for seniors was a great success, with results from a survey following. The funding was for only 12 weeks but the Gym Class group are planning on continuing to meet weekly. Unfortunately the Tai Chi class participants are not planning on continuing the weekly meetings without an instructor.

Q1. Why did you choose to participate in the Stay On Your Feet program? (multiple answers allowed)

- I wanted to increase my fitness – 92.86%
- I wanted to build body strength – 85.71%
- For social interaction – 28.57%
- Because it was free – 35.71%
- To increase my balance and reduce falls – 85.71%
- Other reasons – “to improve and maintain my overall health and knowledge base”; “access to moving meditation”; “Tai Chi is good for the mind also”.

Q2. Which component of the program did you participate in?

- Gym Class – 21.43%
- Tai Chi – 35.71%
- Both – 42.86%

Q3. Were you a member of the Mukinbudin Gym (past or present) prior to the SOYF program?

- Yes – 57.14%
- No – 42.86%

Q4. How likely are you to continue going to the gym after the SOYF program has finished?

- Very likely – 42.86%
- Possible – 28.57%
- Probably not – 0%
- Not applicable, I only did the Tai Chi class – 28.57%

Q5. In your opinion, was the gym equipment age-friendly?

- Yes – 100%
- No – 0%

Q6. On average, how would you rate the fitness instruction?

	Poor	Fair	Good	Excellent	–(no label)	–Total	–Weighted Average –
Fitness Knowledge	0.00%	0.00%	21.43%	78.57%	0.00%	14	3.79
Teaching Ability	0.00%	0.00%	14.29%	85.71%	0.00%	14	3.86
Motivation/Enthusiasm	0.00%	0.00%	7.14%	92.86%	0.00%	14	3.93
Safety Awareness/Provision of Exercise Modifications	0.00%	0.00%	14.29%	85.71%	0.00%	14	3.86
Communication with Participants	0.00%	0.00%	7.14%	14.29%	78.57%	14	3.86

Variety of Routine	Poor 0	Fair 1	Good 2	Excellent 11	–(no label) 0	–Total 14	–Weighted Average – 3.71
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Q7. Rate the effectiveness of the program in improving your fitness:

- Outstanding – 30.77%
- Good – 61.54%
- Fair – 7.69%
- Poor – 0%

Q8. Would you say that you are physically more active now than prior to the SOYF program?

- Yes – 71.43%
- No – 0%
- About the same – 28.57%

Q9. Are there any other fitness programs that you would like to see in Mukinbudin?

Participant feedback:

- *When it's hot, another gym programme*
- *Water aerobics*
- *Gym and Tai Chi*
- *Keep Tai Chi going*
- *Would love to see the program continuing, they were so good and Hayley was amazing.*
- *I think a regular yoga class would definitely benefit many and be appropriate for older people who do not see themselves at the gym lifting weights. I think Dr Walker would agree and promote yoga to his patients.*
- *The two I participated in are sufficient for my circumstances.*
- *Keep fit class but no gym work. Can't handle getting in and out of the gym.*
- *Continuation of SOYF programs to encourage fitness and mobility in seniors.*
- *Tai Chi in the park and water aerobics.*
- *Ongoing Tai Chi classes.*
- *More of a similar type.*

Meetings Attended/Events Organised:

- Wednesday 23 November – P&D Meeting
- Tuesday 6 December – CRC Meeting

Financial Implications: Nil

Strategic Implications: Nil

Officer Recommendation

Council Decision Number – 05 12 16

Moved: Cr Ventris Seconded: Cr Poultney

That Council notes the above Community Development Officers Report for November 2016

Carried 9/0

7.3 Environmental Health/Building Surveyor Officer's Reports

7.3.1 Environmental Health Officer's Report November 2016	
Location:	Mukinbudin
File Ref:	AS654
Applicant:	Bill Hardy, Environmental Health Officer
Date:	14 th December 2016
Disclosure of Interest:	Nil
Responsible Officer	Bill Hardy, Environmental Health Officer
Author:	Bill Hardy, Environmental Health Officer
Voting Requirements	Absolute Majority
Documents Attached	N/A
Documents Tabled	N/A

Background

The properties at 37 and 39 Maddock St., Mukinbudin owned by Mr Peter Birch have been a concern to the Council for much of the past year due to the number of vehicles parked in number 37 and outside number 39.

Notices under the Local Government Act to have the property cleaned up and the vehicles removed from number 37 were issued on – 18 December 2015, a 25 June 2016 reminder and a Final Notice on 17 August 2016.

Comment

Untidy premises

The PEHO visited Mr Birch at the property on 14 December 2016 to find out what his plans were to address the notices the Shire had issued.

Number 37, where the bulk of the cars are parked had about 10 cars and a trailer on it. The grass had been cut short. The vehicles had been moved around from where I had seen them previously. There were two cars in the driveway in number 39 and another on the nature strip.

This is important in the shire making the case that the vehicles are “disused” which is the term in the legislation.

Mr. Birch advised that he had been away from Mukinbudin and in hospital for some 6 months this last year. He claimed to have had several operations and to have “died several times during an operation.” He also indicated that he had felt unable to work on the cars, get them going and move them, being impeded by his increasingly poor health prior to his hospitalisation. His health problems appear to be diabetes and circulatory problems.

Since returning from hospital he said he has resumed work on the cars and hopes to get most of them working and off the site in the coming year. He claimed that some seven of the cars on the sites were registered. This is another point indicating that the vehicles may not be “disused”.

He discussed the possibility of installing shade cloth on the front and side fence of number 37 where most of the cars are. He is willing to install it commencing in January. The front fence is not very high but this move would reduce the unsightliness somewhat.

Mr Birch clearly stated that he would oppose access by the Shire to his property which would then require the Shire to gain a warrant to enter the site should the Shire want to carry out the terms of the notice under the Local Government Act. So this would indicate that should the Shire choose to either prosecute for the non-compliance with the Notices or carry out the works the Shire should expect legal costs.

Considering Mr. Birch's health situation where more stress would not be helpful to him, and that we may have difficulty in running a successful prosecution in that more than half the vehicles may be registered and they have been moving around, it would seem wise to support his plan to cover the front and side fence of number 37 with shade cloth and give him more time to reduce the vehicle numbers.

Consultation

Acting CEO/

Statutory Environment

Local Government Act.
Health Act.

Policy Implications

Nil

Financial Implications

The potential cost of the Shire prosecuting for non-compliance with the notices or to carry out the work of removing the cars could be considerable.

Strategic Implications

Nil

Officer Recommendation

Council Decision Number – 06 12 16

Moved: Cr Seaby

Seconded: Cr O'Neil

That the PEHO write again to Mr Birch agreeing with his offer to cover the front and side fence with shade cloth by the end of March 2017, and to remove most of the vehicles on number 37 by the end of 2017.

Carried 9/0

7.4 Mukinbudin Caravan Park Manager's Report

7.4.1 Mukinbudin Caravan Park Report – November 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Jacinta Barrett, Caravan Park Manager
Date:	14 th December 2016
Disclosure of Interest:	NIL
Responsible Officer	Ray Hooper, Acting CEO
Author:	Jacinta Barrett, Caravan Park Manager
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

Not much to report on as most is running smoothly.

- Park is still quite with caravans but very busy with occupancy in park units and cabins
- New sofa bed has been purchased for Weira
- New blinds have been put up around the house.
- Had 1 complaint over the month from a gentleman struggling with placing his tent up. Room for discussion for a "tent area". This is the first complaint I have had over this and in the past nobody with a tent has complained.
- I will go away over the 24th-25th. Carolyn will clean ablution blocks and kitchen.
- Have Harrison still living semi permanently in a cabin and semi-permanent caravans in bay 13.

Maintenance issues (shire aware):

- BBQ not working
- The washing machine in laundry on left side. Have had issues where I have had to come and restart. Not sure what is happening but will keep an eye on it.

Officer Recommendation

Council Decision Number – 07 12 16

Moved: Cr Comerford

Seconded: Cr Junk

That Council notes the above Caravan Park Managers Report for November 2016.

Carried 9/0

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
2015/2016	52,036.96	21,992.28	28,080.19	1,583.50	16,249.93	119,942.86	136,994.38

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 16	7,281.84	1,641.81	1,499.23	0.00	1,019.86	11,442.74	12,536.42
Aug 16	10,863.66	3,359.98	5,669.53	0.00	1,001.81	20,894.98	12,660.36
Sept 16	4,254.54	1,331.45	11,182.30	549.09	1,601.81	18,919.19	5,623.61
Oct 16	3,886.38	1,676.15	4,313.90	254.55	2,488.18	12,619.16	15,725.44
Nov 16	6,300.02	4,581.81	2,298.52	0.00	3,456.37	16,636.72	3,976.62
Dec 16						0.00	
Jan 17						0.00	
Feb 17						0.00	
Mar 17						0.00	
Apr 17						0.00	
May 17						0.00	
Jun 17						0.00	
Total	32,586.44	12,591.20	24,963.48	803.64	9,568.03	80,512.79	50,522.45

7.5 Swimming Pool Manager's Report

7.5.1 Mukinbudin Swimming Pool Report November 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Aleksander Illic, Pool Manager
Date:	14 th December 2016
Disclosure of Interest:	NIL
Responsible Officer	Ray Hooper, Acting CEO
Author:	Aleksander Illic, Pool Manager
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

Pool Updates:

- The shade sail for the south side of the pool has been repaired and it's up now
- A part on the automatic chemical dosing system called "cell body" has arrived and fitted in
- The fence on the west side of the pool, near disabled toilet has been repaired by Denis
- We've had the school swimming lessons for two weeks from the 28/11 to 9/12
- Dry chlorine has been ordered
- Water in the pool is balanced and clean
- Swimming pool opening hours over the Christmas:
 - Friday, December 23 6:30am – 7:30am and 11am - 7pm
 - Saturday, December 24 11am - 7pm
 - Sunday, December 25 closed
 - Monday, December 26 3pm – 7pm

Maintenance:

- Everything works fine at the moment, there is no special maintenance requirement

Future plans:

- Fencing shade cloth when arrives needs to be attached to the fence

Officers Recommendation

Council Decision Number – 08 12 16

Moved: Cr Paterson Seconded: Cr Poultney

That Council notes the above Pool Managers Report for November 2016.

Carried 9/0

Council Decision Number – 09 12 16

Moved: Cr Paterson Seconded: Cr Comerford

That Council review the relief staff options for the Swimming Pool in 17/18 Budget planning.

Carried 9/0

7.6 Finance

7.6.1 List of Payments – November 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Ann Brandis – Manager of Finance
Date:	13 th December 2016
Disclosure of Interest:	NIL
Responsible Officer	Ann Brandis – Manager of Finance
Author:	Ann Brandis – Manager of Finance
Voting Requirements	Simple Majority
Documents Attached	List of Payments – November 2016
Documents Tabled	Nil

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

EXECUTIVE SUMMARY

List of payments for approval

BACKGROUND INFORMATION

A list of payments submitted to Council on 21st December 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)

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

No impact on budget

STRATEGIC IMPLICATIONS

N/A

SITE INSPECTION

N/A

TRIPLE BOTTOM LINE ASSESSMENT

ECONOMIC IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

OFFICER COMMENT

Standard process of obtaining Council endorsement of payments in the month of November 2016.

Ann Brandis and Louise Sellenger left the meeting at 2.08 re-entered the meeting at 2.09

Ray Hooper left meeting 2.09pm

Steve Paterson left the meeting at 2.10pm

OFFICER RECOMMENDATION

Council Decision Number – 10 12 16

Moved: Cr Palm

Seconded: Cr Junk

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

Direct Debits D/D 2907.1- D/D3037.1

(\$21,979.35)

Muni Cheques 31437 to 31445

(\$14,033.36)

Muni EFT's – EFT 2066 to EFT 2105 Payroll - Pay

(\$215,669.50)

Trust D/D2973.1– D/D3043.1, EFT 2106-2147, Trust 298-299

(\$31,620.75)

Totalling

(\$283,302.96)

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

Carried

8/0

7.6.2 Monthly Statement of Financial Activity Report – 30 November 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Ann Brandis – Manager of Finance
Date:	13 th December 2016
Disclosure of Interest:	NIL
Responsible Officer	Ann Brandis – Manager of Finance
Author:	Ann Brandis – Manager of Finance
Voting Requirements	Simple Majority
Documents Attached	Statement of Financial Activity – November 2016
Documents Tabled	NIL

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

EXECUTIVE SUMMARY

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

Monthly Statement of Financial Activity for the period ending **30th November 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

BACKGROUND INFORMATION

Nil

STATUTORY ENVIRONMENT

General Financial Management of Council, Council 2016/17 Budget, *Local Government (Financial Management) Regulations 1996*, r34, *Local Government Act 1995*, section 6.4

POLICY IMPLICATIONS

Council is required annually to adopt a policy on what it considers to be material as far as variances that require to be reported for Council. Council policy is that the material variation be set at \$10,000 and 10%.

FINANCIAL IMPLICATIONS

There is no direct financial Implication in relation to this matter

STRATEGIC IMPLICATIONS N/A

SITE INSPECTION N/A

TRIPLE BOTTOM LINE ASSESSMENT
ECONOMIC IMPLICATIONS N/A

SOCIAL IMPLICATIONS N/A

ENVIRONMENTAL IMPLICATIONS N/A

OFFICER COMMENT N/A

Cr Paterson re-entered the Meeting at 2.12pm

Ray Hooper re-entered the meeting at 2.14pm

OFFICER RECOMMENDATION

Council Decision Number – 11 12 16

Moved: Cr Comerford

Seconded: Cr Paterson

That Council adopt the Monthly Financial Report for the period ending 30th November 2016 and note any material variances greater than \$10,000 and 10%.

Carried 9/0

7.6.3 Audit Committee Minutes & Recommendations	
Location:	Mukinbudin
File Ref:	ADM 001
Applicant:	Ann Brandis – Manager of Finance
Date:	13 th December 2016
Disclosure of Interest:	NIL
Responsible Officer	Ann Brandis – Manager of Finance
Author:	Ann Brandis – Manager Finance
Voting Requirements	Absolute Majority
Documents Attached	Nil
Documents Tabled	Audit Committee Minutes

SUMMARY

To present to Council minutes of the 21st December 2016 Shire of Mukinbudin Audit Committee Minutes for consideration and action.

BACKGROUND

The Shire of Mukinbudin Audit Committee met on the 21st December 2016 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).

STATUTORY ENVIRONMENT*Local Government Act 1995**Local Government (Administration) Regulations 1996 - Reg12).**Local Government (Financial Management) Regulations 1996,***POLICY IMPLICATIONS**

Nil

FINANCIAL IMPLICATIONS

NIL

STRATEGIC IMPLICATIONS

Nil

SITE INSPECTION

N/A

TRIPLE BOTTOM LINE ASSESSMENT**ECONOMIC IMPLICATIONS**

Nil

SOCIAL IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

OFFICER COMMENT

The minutes and recommendations from the Audit Committee meeting dated 21st December 2016 are presented for Council consideration.

Ann Brandis Left meeting at 2.19

AUDIT COMMITTEE RECOMMENDATION

Council Decision Number – 12 12 16

Moved: Cr Poultney

Seconded: Cr Junk

That Council:

1. adopts the Risk Management Framework Policy
2. adopts the review of the Shire's internal control procedures
3. endorses the Audit Findings from Moore Stephens for the year ending 30 June 2016 noting that no further reporting to Council is required in relation to the findings in the report
4. receives the 2015/16 Annual report complete with the 2015/16 Annual Financial Statements for the period ending 30 June 2016
5. submits the Annual Report for the year ending 30 June 2016 to the Executive Director of the Department of Local Government and Communities within 30 days of his receipt of the auditors report, as required by Local Government (Financial Management) Regulation 51(2) and
6. advertises and holds its Annual Electors Meeting in the Council Chambers on Tuesday 7th February 2017 at 5.30pm.

Carried 9/0

Ann Brandis re-entered the meeting at 2.23

7.6.4 Fees & Charges – Events Kit	
Location:	Mukinbudin
File Ref:	ADM 299
Applicant:	Ann Brandis – Manager of Finance
Date:	13 th December 2016
Disclosure of Interest:	NIL
Responsible Officer	Ann Brandis – Manager of Finance
Author:	Ann Brandis – Manager of Finance
Voting Requirements	Absolute Majority
Documents Attached	Nil
Documents Tabled	NIL

EXECUTIVE SUMMARY

To present Council with the Draft Schedule of Fees and Charges for the Events Kit to be adopted.

BACKGROUND INFORMATION

The Shire of Mukinbudin was successful in obtaining funds to purchase items for an events kit which will be available to the Community for hire. These items have now been purchased and are available for hire. An appropriate fee and charge is now required.

Under the *Local Government Act 1995* Part 6, Division 5, Subdivision 2 states

Subdivision 2 — Fees and charges

6.16. Imposition of fees and charges

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

** Absolute majority required.*

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

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year

* *Absolute majority required*

6.19. Local government to give notice of fees and charges

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

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

SHIRE OF MUKINBUDIN COMMUNITY EVENTS KIT				
HIRE FEES 2016/17			Note: Hire fees Per Item	
Item	Number	Item cost excl. GST	Business /non-resident Fee & Charge Inc GST	Community Group/ Mukinbudin resident Fee & Charge Inc GST
Marquee - 4m x 4m includes frame, roof, 3 side walls, ropes,	4	\$ 1,692.00	\$ 290.00	\$ 200.00
* Tables - rectangle foldaway 1800 x 760	10	\$ 119.00	\$ 12.00	\$ 5.00
Tables - round foldaway 1800 round	10	\$ 279.00	\$ 18.50	\$ 7.00
* Table trolleys	2	\$ 445.00	\$ 20.00	\$ 5.00
Patio heaters incl. gas bottle	6	\$ 127.00	\$ 69.00	\$ 38.00
Festoon lighting 10m	3	\$ 295.00	\$ 40.00	\$ 10.00
Festoon lighting 20m	2	\$ 376.00	\$ 50.00	\$ 15.00
Fairy lights 24.9m	4	\$ 54.00	\$ 20.00	\$ 5.00
Outdoor chairs - white/black, plastic, stackable	50	\$ 15.00	\$ 7.50	\$ 2.00
Event fabric - muslin	5 rolls	\$ 110.00	\$ 30.00	\$ 10.00
Event fabric - hessian 30m	4 rolls	\$ 152.00	\$ 40.00	\$ 10.00
* Salad bowls - white	5	\$ 6.00	\$ 3.00	\$ 1.00
* Salad bowls - stainless steel - various sizes	4	\$ 10.00	\$ 3.00	\$ 1.00
* Serving Platters - blue	3	\$ 31.00	\$ 4.00	\$ 1.00
* Serving platters - white rectangular	8	\$ 10.00	\$ 2.00	\$ 1.00
* Serving platter - square	4	\$ 3.00	\$ 1.00	\$ 0.50
* Round divided sauce dish	10	\$ 1.50	\$ 0.50	\$ 0.50
* Round condiment dish	10	\$ 1.00	\$ 0.50	\$ 0.50
* Cheese knife	10	\$ 5.50	\$ 0.50	\$ 0.50
* Cheese board	10	\$ 10.00	\$ 2.00	\$ 1.00
* Salad servers	10	\$ 7.00	\$ 2.00	\$ 0.50
* Aprons	10	\$ 18.14	\$ 2.00	\$ 0.50
Queue Barrier Bollards - 2m extension belt	12	\$ 130.00	\$ 20.00	\$ 5.00
Heavy Duty Power Board	2	\$ 49.00	\$ 5.00	\$ 1.00
Extension Leads	3	\$ 37.00	\$ 7.00	\$ 2.00
Small Outdoor Tables	10	\$ 90.00	\$ 12.50	\$ 5.00
Water cooler	1	\$ 123.00	\$ 20.00	\$ 5.00
Esky - 120 litre	1	\$ 244.00	\$ 40.00	\$ 5.00
These items are stored on-site at the Sporting Complex and are available for free use when the Complex * is hired				
All items attract GST				

STATUTORY ENVIRONMENT

Local Government Act 1995 Part 6, Division 5, Subdivision 2
Long Term Financial Plan,

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Increased unbudgeted revenue due to items in the event kit being available to hire

STRATEGIC IMPLICATIONS

N/A

SITE INSPECTION

N/A

TRIPLE BOTTOM LINE ASSESSMENT**ECONOMIC IMPLICATIONS**

N/A

SOCIAL IMPLICATIONS

Community Groups will be able to utilise improved items for events

ENVIRONMENTAL IMPLICATIONS

N/A

OFFICER COMMENT

Proposed charges are inserted as a table under background information. All charges include GST and it is proposed that any items that are stored at the complex that these will not be charged for individually, but be part of the hire fee for the complex.

OFFICER RECOMMENDATION

Council Decision Number – 13 12 16

Moved: Cr Comerford

Seconded: Cr Ventris

That Council adopt the following fees & charges for the items listed below:

SHIRE OF MUKINBUDIN COMMUNITY EVENTS KIT				
HIRE FEES 2016/17			Note: Hire fees Per Item	
Item	Number	Item cost excl. GST	Business /non-resident Fee & Charge Inc GST	Community Group/ Mukinbudin resident Fee & Charge Inc GST
Marquee - 4m x 4m includes frame, roof, 3 side walls, ropes,	4	\$ 1,692.00	\$ 290.00	\$ 200.00
* Tables - rectangle foldaway 1800 x 760	10	\$ 119.00	\$ 12.00	\$ 5.00
Tables - round foldaway 1800 round	10	\$ 279.00	\$ 18.50	\$ 7.00
* Table trolleys	2	\$ 445.00	\$ 20.00	\$ 5.00
Patio heaters incl. gas bottle	6	\$ 127.00	\$ 69.00	\$ 38.00
Festoon lighting 10m	3	\$ 295.00	\$ 40.00	\$ 10.00
Festoon lighting 20m	2	\$ 376.00	\$ 50.00	\$ 15.00
Fairy lights 24.9m	4	\$ 54.00	\$ 20.00	\$ 5.00
Outdoor chairs - white/black, plastic, stackable	50	\$ 15.00	\$ 7.50	\$ 2.00
Event fabric - muslin	5 rolls	\$ 110.00	\$ 30.00	\$ 10.00
Event fabric - hessian 30m	4 rolls	\$ 152.00	\$ 40.00	\$ 10.00
* Salad bowls - white	5	\$ 6.00	\$ 3.00	\$ 1.00
* Salad bowls - stainless steel - various sizes	4	\$ 10.00	\$ 3.00	\$ 1.00
* Serving Platters - blue	3	\$ 31.00	\$ 4.00	\$ 1.00
* Serving platters - white rectangular	8	\$ 10.00	\$ 2.00	\$ 1.00
* Serving platter - square	4	\$ 3.00	\$ 1.00	\$ 0.50
* Round divided sauce dish	10	\$ 1.50	\$ 0.50	\$ 0.50
* Round condiment dish	10	\$ 1.00	\$ 0.50	\$ 0.50
* Cheese knife	10	\$ 5.50	\$ 0.50	\$ 0.50
* Cheese board	10	\$ 10.00	\$ 2.00	\$ 1.00
* Salad servers	10	\$ 7.00	\$ 2.00	\$ 0.50
* Aprons	10	\$ 18.14	\$ 2.00	\$ 0.50
Queue Barrier Bollards - 2m extension belt	12	\$ 130.00	\$ 20.00	\$ 5.00
Heavy Duty Power Board	2	\$ 49.00	\$ 5.00	\$ 1.00
Extension Leads	3	\$ 37.00	\$ 7.00	\$ 2.00
Small Outdoor Tables	10	\$ 90.00	\$ 12.50	\$ 5.00
Water cooler	1	\$ 123.00	\$ 20.00	\$ 5.00
Esky - 120 litre	1	\$ 244.00	\$ 40.00	\$ 5.00
These items are stored on-site at the Sporting Complex and are available for free use when the Complex * is hired				
All items attract GST				

And advertise the fees & Charges as required.

Carried 8/1

7.6.5 Consulting Fees 2017/18 Budget Template – Budget Amendment	
Location:	Mukinbudin
File Ref:	ADM 016
Applicant:	Ann Brandis - Manager of Finance
Date:	13 th December 2016
Disclosure of Interest:	NIL
Responsible Officer	Ann Brandis – Manager of Finance
Author:	Ann Brandis – Manager of Finance
Voting Requirements	Absolute Majority
Documents Attached	Nil
Documents Tabled	Nil

SUMMARY

To present to Council a budget variation for Consultant fees to allow for a integrated budget template to be used for the 2017/18 budget.

BACKGROUND

Over the last month a budget review has been undertaken by the Manager of Finance with assistance from the Acting CEO and consultant Bob Waddell. During this process many items have been uncovered and the integrity of the existing document questioned.

The Manager of Finance spent a morning with our consultant to view our existing budget template to verify that this balances, that all appropriate figures are uploaded once approved and also to see if it can be amended to include a wages, plant maintenance and works budget which is fully integrated to stop the chance of errors. Other budget templates were also viewed and compared where he demonstrated how a budget can be prepared with balances which are transparent and functional to suit our organisation.

In Bob's experience all budget documents presented to him over the years for review have had issues with them. Some quite serious. This is indicative of the state of affairs with budgeting in the industry.

As a consequence of this the Department of Local Government have been checking all adopted annual budgets received from local authorities in an effort to mitigate the affect these errors have on the local authority/industry. They have also introduced compulsory annual budget reviews (FM Reg 33A) in an effort to further improve the budget process for local authorities.

It is imperative that Council has a template that can be trusted to move forward and alleviate some past errors. Currently we do have a wages and works budget but do not have a plant maintenance budget. Only the wages budget is included in the current budget template. Whilst the works budget is a stand alone budget which then needs to be entered into the budget template.

A quotation was sought for the current budget document to be modified and balances verified as well as a new budget template being developed.

Bob has advised that it would be quicker and cleaner for him to provide a new budget template modelled on the best that he has developed over time, rather than having to work through the existing document. He has estimated that he would need approximately 100 hours @ \$120 (ex GST). This does not include him being on site which he does not envisage that he will need to. If we require him to be onsite then travel of 80 cents per km (ex GST) would be charged. There would also be assistance required from time to time during the budget process particularly in the first year until we became familiar with the budget document. With past experience he predicts between 1 – 4 hours a week over the budget preparation period.

Bob has some capacity to do this in January 2017 and can have the finished template to us for the beginning of February 2017.

A price was also sought for Bob to prepare the budget, thinking this would be cheaper. He advised that the budget needs to be owned by the organisation and even if he was to prepare the budget a reliable template would still need to be prepared.

The current template does have notes after the schedules which are very useful. The separate note would not be available in the template, rather there would be items listed in the comments beside each GL. Although the current layout is preferred this is not available under the proposed template.

STATUTORY ENVIRONMENT

The Local Government Act 1995 Part 6 Division 4 s 6.8 (1) requires the local government not to incur expenditure from its municipal fund for an additional purpose except where the expenditure-

(b) is authorised in advance by resolution*

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council..

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Budget variation required - increased expenditure over budgeted expenditure

Budget Item Name	Other Consultancy – Statutory GEN
Schedule No	Schedule 04 – Program - 4 Governance – Sub Program – Other Governance
Budget Amount	\$10,000
Expenditure to Date	\$7,350.00
Budgeted items still to expend	\$Unknown – convert budget to statutory format, general assistance
Proposed Cost	\$12,000.00 plus ongoing assistance

*NOTE: All figures are exclusive of GST

STRATEGIC IMPLICATIONS

Nil

SITE INSPECTION

N/A

TRIPLE BOTTOM LINE ASSESSMENT**ECONOMIC IMPLICATIONS**

Nil

SOCIAL IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

OFFICER COMMENT

The preparation of the Shire's budget is the most important and the largest financial task undertaken annually. It is very important that the budget document prepared is balanced properly, is transparent and functional for the Shire to operate from. Bob traditionally converts our budget into the statutory format and assists throughout the year with the financials statements if required, as well as assists with the Annual Financial Statements.

OFFICER RECOMMENDATION**Council Decision Number – 14 12 16****Moved: Cr Ventris****Seconded: Cr Palm**

That Council agrees to a budget variation of \$12,000 for Consultant Bob Waddell to prepare a fully integrated Budget template in January 2017.

Carried 9/0

7.7 Chief Executive Officer's Reports

7.7.1 NEWROC Executive Meeting Minutes 22 nd November 2016	
Location:	NEWROC, Shire of Mt Marshall
File Ref:	ADM 236
Applicant:	Ray Hooper, Acting CEO
Date:	13 th December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ray Hooper, Acting CEO
Voting Requirements	Simple Majority
Documents Attached	Minutes of NEWROC Executive Meeting 22nd November 2016
Documents Tabled	Nil

BACKGROUND

A Executive Meeting of NEWROC was held on Tuesday 22nd November 2016 at the Shire of Koorda Council Chambers.

COMMENT:

The following items were discussed at the Council Meeting:

- 6. FINANCIAL MATTERS**
 - 6.1. LIST OF INCOME AND EXPENDITURE
 - 6.2. BALANCE SHEET
- 7. MATTERS FOR CONSIDERATION**
 - 7.1. NEWROC Strategic Projects
 - 7.2. NEWTRAVEL Tourism Officer
 - 7.3. NEWTRAVEL – Wheatbelt Way
 - 7.4. WA Wild Dog Action Plan 2016-2021
 - 7.5. CEACA
- 8. EMERGING NEWROC ISSUES**
 - 8.1. Information Technology
 - 8.2. Roads to Recovery
- 10. OTHER MATTERS**
 - 10.1. Regional Subsidiary Legislation
 - 10.2. Benefit Cost Analysis Workshop
 - 10.3. NEWROC Christmas Dinner
 - 10.4. Line Marking

Next NEWROC Meeting dates:

The following dates have been adopted for NEWROC meetings during 2017.

28 February	Council	Shire of Trayning
28 March	Executive	Shire of Trayning
18 April	Council	Shire of Wyalkatchem
23 May	Executive	Shire of Wyalkatchem
27 June	Council	Shire of Koorda
25 July	Executive	Shire of Koorda

22 August	Council	Shire of Mt Marshall
26 September	Executive	Shire of Mt Marshall
24 October	Council	Shire of Nungarin
28 November	Executive	Shire of Nungarin
12 December	Council	Shire of Mukinbudin (Christmas Function)

Officer recommendation:

Council Decision Number – 15 12 16

Moved: Cr Seaby

Seconded: Cr Poultney

That Council notes the report on the NEWROC Executive meeting minutes held on 22nd November 2016.

Carried 9/0

7.7.2 CEACA Meeting Minutes 2 November 2016	
Location:	Mukinbudin
File Ref:	
Applicant:	Central East Aged Care Alliance (Inc)
Date:	22 nd November 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ray Hooper, Acting CEO
Voting Requirements	Absolute Majority
Documents Attached	AGM Minutes CEACA 2 nd November 2016 Committee Meeting Minutes CEACA 2 nd November 2016
Documents Tabled	Nil

BACKGROUND

An Annual General Meeting and Committee Meeting of CEACA was held on 2nd November 2016.

STATUTORY ENVIRONMENT Nil

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS Nil

STRATEGIC IMPLICATIONS Nil

SITE INSPECTION Not Applicable

TRIPLE BOTTOM LINE ASSESSMENT
ECONOMIC IMPLICATIONS Nil

SOCIAL IMPLICATIONS

ENVIRONMENTAL IMPLICATIONS Nil

OFFICER COMMENT

Special Items from Annual General Meeting

- *CEACA Constitution – Review following the Introduction of the Association Incorporations Act 2015*

Items Discussion at the Committee Meeting

4. MINUTES OF MEETINGS

- 4.1 *Minutes from a Committee Meeting of the Central East Aged Care Alliance Inc held Wednesday 7 September 2016 (Attachment)*

- 4.2 *Business Arising from the Committee Meeting of the Central East Aged Care Alliance Inc held Wednesday 7 September 2016*
- 4.3 *Minutes from an Executive Committee Meeting of the Central East Aged Care Alliance Inc held Tuesday 27 September 2016 (Attachment)*
- 4.4 *Minutes from an Executive Committee Meeting of the Central East Aged Care Alliance Inc held Monday 17 October 2016 (Attachments)*

5. MATTERS FOR NOTING

- 5.1 *Complying with the Associations Incorporation Act 2015 – Self-Check (Attachment)*
- 5.2 *Media for the CEACA Seniors Housing Project*

6. BUSINESS OF THE MEETING

- 6.1 *Audit Findings and Recommendations Contained within the Management Letter*
- 6.2 *Access Housing Contract*
- 6.3 *Project Update (Financial) – Shire of Merredin*
- 6.4 *Project Manager's Update – Access Housing*
- 6.5 *Design and Development of the Central East Aged Care Alliance (Inc) (CEACA) Logo (Attachments)*
- 6.6 *Central East Aged Care Alliance Inc (CEACA) Meeting Dates in 2017*
- 6.7 *Proposal from the Shire of Wyalkatchem and the Wyalkatchem Senior Citizens' Homes Trust (Inc) to Form a Peppercorn Lease with CEACA for the Purpose of Locating Four Independent Living Units at Wyalkatchem*

7. OTHER BUSINESS

- 7.1 *Further Amendment to the CEACA Constitution*
- 7.2 *Rating of CEACA Housing once Constructed*
- 7.3 *Management of CEACA Housing once Constructed*

OFFICER RECOMMENDATION

Council Decision Number – 16 12 16

Moved: Cr Poultney

Seconded: Cr Paterson

That Council notes the report on the CEACA Annual General Meeting Minutes and the Committee Meeting Minutes held on 22nd November 2016.

Carried 9/0

7.7.3 WALGA Great Eastern Country Zone Meeting 1st December 2016	
Location:	Mukinbudin
File Ref:	
Applicant:	WALGA Great Eastern Country Zone
Date:	8 th December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ray Hooper, Acting CEO
Voting Requirements	Absolute Majority
Documents Attached	GECZ Meeting Minutes 1 st December 2016
Documents Tabled	Nil

BACKGROUND

An WALGA Great Eastern Country Zone Meeting was held on 1st December 2016.

<u>STATUTORY ENVIRONMENT</u>	Nil
<u>POLICY IMPLICATIONS</u>	Nil
<u>FINANCIAL IMPLICATIONS</u>	Nil
<u>STRATEGIC IMPLICATIONS</u>	Nil
<u>SITE INSPECTION</u>	Not Applicable
<u>TRIPLE BOTTOM LINE ASSESSMENT</u>	
<u>ECONOMIC IMPLICATIONS</u>	Nil
<u>SOCIAL IMPLICATIONS</u>	
<u>ENVIRONMENTAL IMPLICATIONS</u>	Nil

OFFICER COMMENT

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OFFICER RECOMMENDATION

Council Decision Number – 17 12 16

Moved: Cr Seaby

Seconded: Cr Comerford

That Council notes the report on the WALGA Great Eastern Zone Meeting Minutes held on 1st December 2016.

Carried 9/0

7.7.4 Dual Registration of Fire Control Officers	
Location:	Mukinbudin
File Ref:	
Applicant:	Shire of Trayning, Shire of Mt Marshall
Date:	8 th December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ray Hooper, Acting CEO
Voting Requirements	Simple Majority
Documents Attached	Letters from Shires of Trayning and Mt Marshall
Documents Tabled	Nil

EXECUTIVE SUMMARY

Requests for dual registration of Fire Control Officers.

BACKGROUND INFORMATION

A Gracie held dual registration for the Shire of Mt Marshall and Mukinbudin for some time and as he has retired a replacement process is required.

The nominated persons from the Shire of Mt Marshall are:

- D Tomas – Chief Fire Control Officer
- B Clark – Fire Control Officer – Wialki

The nominated persons for the Shire of Trayning are:

- D Tarr – Chief Fire Control Officer
- C Smeeton – Fire Control Officer
- N Adkins – Fire Control Officer

STATUTORY ENVIRONMENT

Bush Fires Act 1954 (As Amended)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SITE INSPECTION

Discussed with the Chief Bush Fire Control Officer who supported the proposal for dual registration of Fire Control Officers.

TRIPLE BOTTOM LINE ASSESSMENT

ECONOMIC IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Dual registrations can provide a level of security for the community.

ENVIRONMENTAL IMPLICATIONS

Nil

OFFICER COMMENT

With the suddenness and intensity of fires it is beneficial to have a control team in place as soon as possible and the dual registration of FCO's can assist with this.

Officer Recommendation

Council Decision Number – 18 12 16

Moved: Cr Junk

Seconded: Cr Seaby

That Council

- a) Enter into a dual registration process for Fire Control Officers with adjoining local governments where there is reciprocal interest and accept and authorise the nominated officers from the Shire of Mt Marshall and Trayning.**
- b) Nominate the Chief Fire Control Officer P. Smith and Fire Control Officer C Geraghty for dual registration with the Shire of Mt Marshall and the Chief Fire Control Officer P Smith and Fire Control Officer T Squire for dual registration with the Shire of Trayning.**
- c) Authorise fire brigades and firefighting units from other local government to access and use water sources in the event of a fire.**

Carried

9/0

7.7.5 Land Transfer Lot 66 & 67 Calder Street	
Location:	Mukinbudin
File Ref:	
Applicant:	Health Department
Date:	14 December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ray Hooper, Acting CEO
Voting Requirements	Absolute Majority
Documents Attached	Nil
Documents Tabled	Nil

EXECUTIVE SUMMARY

This is the final authorisation for the transfer of land to the WA Country Health Services (Department of Health WA) under the provisions and requirements of Sect 3.58 of the Local Government Act 1995.

No submissions for or against the proposal have been received from the statutory advertising undertaken.

BACKGROUND INFORMATION

Council resolved (Resolution 16112016) at the October, 2016 meeting to advertise its intent to dispose of the land (Lot 66 & 67) Calder, Mukinbudin to support the development of Medical Centre

The intention to dispose of the land was advertised as follows:

Muka Matters	24 th November to 1 st December
Shire Notice Board	17 th October to 14 th December

STATUTORY ENVIRONMENT

Local Government Act 1995, Sect 3.58 – Disposal of Property

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Potential loss of sale income from the lots (estimated value \$40,000)

STRATEGIC IMPLICATIONS

Health Services which are accessible and meet the needs of the community.

SITE INSPECTION

Not Applicable

TRIPLE BOTTOM LINE ASSESSMENT

ECONOMIC IMPLICATIONS

Increased residential population will provide economic benefits. Construction of this facility will provide opportunities for local trades people and business.

SOCIAL IMPLICATIONS

Medical Centre is a primary need in the community and the new centre will alleviate current and future demand.

ENVIRONMENTAL IMPLICATIONS

Nil

OFFICER COMMENT**OFFICER RECOMMENDATION**

Council Decision Number – 19 12 16

Moved: Cr Ventris

Seconded: Cr O’Neil

That Council in accordance with the provisions and powers of Section 3.58 disposing of property – Local Government Act 1995 authorises the transfer of land, being freehold titles Lot 66 & 67 Calder Street, Mukinbudin to the WA Country Health Service (Department of Health WA) for the nominal consideration of \$1 provided that the land is used for the intended purpose of Medical Centre and development is substantially commenced by May 2017.

Carried 9/0

7.7.6 Property Use Agreement – Sandalwood Arts & Crafts	
Location:	Mukinbudin
File Ref:	
Applicant:	Shire of Mukinbudin
Date:	22 November 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ray Hooper, Acting CEO
Voting Requirements	Absolute Majority
Documents Attached	Draft Property Use Agreement
Documents Tabled	Nil

EXECUTIVE SUMMARY

The issue of property leases for community organisations has been ongoing for some time and the Use Agreement is presented as a simplified format which adequately denotes the responsibilities of the parties.

BACKGROUND INFORMATION

An onsite meeting was held with Sandalwood Arts & Crafts.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Reduced operating cost expenses for the shire as consumables become the responsibility of the occupiers of the property.

STRATEGIC IMPLICATIONS

Nil

SITE INSPECTION

Various times

TRIPLE BOTTOM LINE ASSESSMENT

ECONOMIC IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Right of occupancy guaranteed for a very active community group.

ENVIRONMENTAL IMPLICATIONS

Nil

OFFICER COMMENT

The occupancy of some shire buildings is not a commercial operation and it does not require a high cost legal agreement / lease to cover the use of the property by a community group providing that the responsibility of the parties are clearly defined and quantified.

Officer Recommendation

Council Decision Number – 20 12 16

Moved: Cr Poultney

Seconded: Cr Junk

That Council authorise the entering into of the Property Use Agreement between the Shire of Mukinbudin and the Mukinbudin Sandalwood Arts & Crafts for the land and buildings located at 35 Maddock Street, Mukinbudin and the affixing of the shire seal.

Carried 9/0

7.7.7 Road Making Materials – Policy 5.6	
Location:	Mukinbudin
File Ref:	Policy Manual
Applicant:	Shire of Mukinbudin
Date:	22 November 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ray Hooper, Acting CEO
Voting Requirements	Absolute Majority
Documents Attached	Revised Policy 5.6
Documents Tabled	Original Policy 5.6

EXECUTIVE SUMMARY

Review of the Shire of Mukinbudin Road Making Materials Policy 5.6 to reflect current practices for the acquisition of Basic Raw Materials from private property.

BACKGROUND INFORMATION

The original Policy 5.6 set the basic payment rate and administrative processes for gravel supplies.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Revision of Policy 5.6

FINANCIAL IMPLICATIONS

Increased cost of gravel acquisition where supplies are in close proximity to programmed roadworks, however reduced labour & operating costs should also be achieved.

STRATEGIC IMPLICATIONS

Community Strategic Plan 3.1.1 – Annually review shire roads and complete upgrades to regionally significant roads and maintain gravel roads at a high standard.

SITE INSPECTION

Not applicable

TRIPLE BOTTOM LINE ASSESSMENT

ECONOMIC IMPLICATIONS

The higher royalty costs for gravel in close proximity to works will be offset by greater productivity.

SOCIAL IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Site rehabilitation will be at levels agreed in writing with the landowners.

OFFICER COMMENT

The increased gravel royalty payments have been discussed but not ratified by Council.

Officer Recommendation

Council Decision Number – 21 12 16

Moved: Cr Poultney

Seconded: Cr Junk

That Council

“Rescind the original Policy 5.6 – Road Making Materials (November 2013) and replace it with the amended policy as presented”

Carried 9/0

7.7.8 Council Meeting Dates 2017	
Location:	Mukinbudin
File Ref:	ADM 031
Applicant:	Ray Hooper, Acting CEO
Date:	13 th December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ann Brandis – Manager of Finance
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

EXECUTIVE SUMMARY

To present to Council the list of proposed Council Meeting dates for 2017.

BACKGROUND INFORMATION

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. 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 2017 Calendar year.
Ordinary Council Meetings:

15 February 2017 – 1.00pm
 15 March 2017 – 1.00pm
 19 April 2017 – 1.00pm
 17 May 2017 – 1.00pm
 21 June 2017 – 1.00pm
 19 July 2017 – 1.00pm
 16 August 2017 - 1.00pm
 20 September 2017 – 1.00pm

18 October 2017 - 1.00pm
15 November 2017 -1.00pm
20 December 2017 - 1.00pm

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.

Ray Hooper
Acting Chief Executive Officer

<u>STATUTORY ENVIRONMENT</u>	Local Government Act 1995, Local Government (Administration) Regulations 1996 Reg 12
<u>POLICY IMPLICATIONS</u>	Nil
<u>FINANCIAL IMPLICATIONS</u>	Nil
<u>STRATEGIC IMPLICATIONS</u>	Nil
<u>SITE INSPECTION</u>	Not applicable
<u>TRIPLE BOTTOM LINE ASSESSMENT</u>	
<u>ECONOMIC IMPLICATIONS</u>	Nil
<u>SOCIAL IMPLICATIONS</u>	Nil
<u>ENVIRONMENTAL IMPLICATIONS</u>	Nil

OFFICER COMMENT

Meetings have been left at 1.00pm with an officers briefing being held at 10.00am

Officer Recommendation

Council Decision Number – 22 12 16

Moved: Cr Seaby

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.

15 February 2017 – 1.00pm

15 March 2017 – 1.00pm

19 April 2017 – 1.00pm

17 May 2017 – 1.00pm

21 June 2017 – 1.00pm

19 July 2017 – 1.00pm

16 August 2017 - 1.00pm

20 September 2017 – 1.00pm

18 October 2017 - 1.00pm

15 November 2017 -1.00pm

20 December 2017 - 1.00pm

Carried

9/0

7.7.9 Shire of Mukinbudin – Use of Logos	
Location:	Mukinbudin
File Ref:	ADM 031
Applicant:	Ray Hooper, Acting CEO
Date:	13 th December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ann Brandis – Manager of Finance
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

EXECUTIVE SUMMARY

To present to Council the use of logos for discussion

BACKGROUND INFORMATION

A request was received by Cr Poultney to ask if the new Mukinbudin Logo that was developed for the updated tourist brochure could be utilised on business cards and other shire stationary.



This is the official Shire logo which is currently used on all shire stationery.



This is the logo that Cr Poultney was discussing. This logo was purely developed for the updated shire tourist brochure, funded by the Shire of Mukinbudin, organised by the Mukinbudin CRC.

This logo was never meant to replace the official shire logo, but it was meant to be more eye catching and attractive on the updated brochure. Since this has been developed the CRC has sought permission to use this for marketing purposes and they currently reproduce this on a number of items for sale.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Increased unbudgeted expenditure if replacing logo on all official stationery. We have just reprinted letterheads to reflect the new phone number and have a substantial quantity.

STRATEGIC IMPLICATIONS Nil

SITE INSPECTION Nil

TRIPLE BOTTOM LINE ASSESSMENT
ECONOMIC IMPLICATIONS Nil

SOCIAL IMPLICATIONS Nil

ENVIRONMENTAL IMPLICATIONS Nil

OFFICER COMMENT

The logo was used last year on our Annual Financial report in conjunction with our official logo. Some staff members also use this in their email signature. We could utilise this on the front of Agenda's and minutes in conjunction with the official logo and on business cards. However we have just had some reprinted.

Officer Recommendation

Council Decision Number – 23 12 16

Moved: Cr Comerford

Seconded: Cr Poultney

That Council

- 1. use official logo on Shire stationery**
- and**
- 2. use the tourist logo on promotional material.**

Carried 9/0

7.7.10 Manager of Finance – Vehicle Change Over	
Location:	Mukinbudin
File Ref:	ADM 072
Applicant:	Ray Hooper, Acting CEO
Date:	13 th December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ann Brandis – Manager of Finance
Voting Requirements	Simple Majority
Documents Attached	Quotes
Documents Tabled	Nil

EXECUTIVE SUMMARY

To present to Council the information for the changeover of the Manager of Finance's vehicle.

BACKGROUND INFORMATION

In the 2016/17 budget there was a provision for the change over of the Manager of Finance's vehicle. In budget discussions this was to be reviewed by Council before this occurred.

The vehicle is used predominantly by the Manager of Finance however is available to all staff to be used for courses and meetings. Currently the vehicle has done 148,948kms.

Quotations were obtained from Donovan Ford and Avon Valley Mitsubishi for replacement vehicles. As the Territory is no longer made Donovan Ford would not quote on a Territory as they were quite scare and expensive due to demand.

Prices ex GST for a change over on a Ford Escape or a Mitsubishi are set out below.

	<u>Price</u>	<u>Trade In</u>	<u>Changeover</u>
Donovan Ford			
Ford 1.5l petrol Trend Escape FWD	\$26,892.00	\$9,090.91	\$17,801.09
Donovan Ford			
Ford 2.0l diesel Escape Trend AWD	\$31,242.00	\$9,090.91	\$22,151.09
Avon Valley Mitsubishi			
Outlander AWD LS Petrol 5 Seat			
Safety Pack – Auto Wagon	\$28,958.73	\$8,181.81	\$20,776.90

The outlander has carpet mats and tow bar included in the above price. The Ford Escapes have no extras.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The budget amount was to purchase a vehicle for \$35,000 with a trade –in of \$15,000 leaving a net change over of \$20,000. The above change over price is higher than this.

STRATEGIC IMPLICATIONS

Nil

SITE INSPECTION

Nil

TRIPLE BOTTOM LINE ASSESSMENT**ECONOMIC IMPLICATIONS**

Purchase through a vehicle dealer operating in the region.

SOCIAL IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

OFFICER COMMENT

Council needs to decide if the changeover is to go ahead. The trade-in price is well under the budgeted figure and indications are that if this vehicle is not traded soon then this figure will decrease rapidly over the next twelve months.

Officer Recommendation**Council Decision Number – 24 12 16****Moved: Cr Comerford****Seconded: Cr O’Neil**

That Council accept the quotation of Avon Valley Mitsubishi to purchase a Mitsubishi Outlander AWD LS Petrol 5 Seat Safety Pack Auto Wagon for a net change over of \$22,854.60 inc GST

Carried 9/0

7.7.11 Delegations Review	
Location:	Mukinbudin
File Ref:	
Applicant:	Ray Hooper, Acting CEO
Date:	13 th December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ray Hooper, Acting CEO
Voting Requirements	Absolute Majority
Documents Attached	i) Current Delegation ii) Proposed Delegation
Documents Tabled	Nil

EXECUTIVE SUMMARY

A control process is required on the delegated authority levels for expenditure through sub-delegations by the Chief Executive Officer. The current delegation No 1 – Implementation of the Budget is not specifically tied to budget allocations and the need for Council approval for over budget or unbudgeted expenditure.

BACKGROUND INFORMATION

The control and management of Local Government Purchasing process is a financial and risk management procedure related to monitoring, delegated authority and sub-delegations to staff.

STATUTORY ENVIRONMENT

Local Government Act (1995) Section 5.43 & 5.44

POLICY IMPLICATIONS

Purchasing Policy 3.5

FINANCIAL IMPLICATIONS

Nil in financial terms but the delegation provides a monitoring and control process for annual budget expenditures.

STRATEGIC IMPLICATIONS

Nil

SITE INSPECTION

Not applicable

TRIPLE BOTTOM LINE ASSESSMENT

ECONOMIC IMPLICATIONS

Local and regional purchasing policies remain in place along with statutory control and compliance processes.

SOCIAL IMPLICATIONS

Provides security to the community that appropriate financial controls are in place.

ENVIRONMENTAL IMPLICATIONS

Not Applicable

OFFICER COMMENT

The reviewed delegated limits the sub-delegations and provides a control system for Council.

Officer Recommendation

Council Decision Number – 25 12 16

Moved: Cr Junk

Seconded: Cr O'Neil

That Council authorise the revised delegation, as presented, No 1 Implementation of the Budget.

Carried 9/0

7.7.12 Keeping of Native Animals	
Location:	Mukinbudin
File Ref:	
Applicant:	R & D Parker
Date:	12 th December 2016
Disclosure of Interest:	Cr Ventris – Proximity Interest
Responsible Officer	Ray Hooper, Acting CEO
Author:	Ray Hooper, Acting CEO
Voting Requirements	Absolute Majority
Documents Attached	Application to keep Kangaroos
Documents Tabled	Nil

Cr Ventris Left the meeting at

Council Decision Number – 27 12 16	
Moved Cr Comerford	Seconded Cr O’Neil
 That Council moved Cr Ventris stay in the meeting for items 7.7.12 Keeping of Native Animals	
Carried	9/0

EXECUTIVE SUMMARY

Request for Council support for the continuation of current land use as a Kangaroo Sanctuary as part of an application for a Keeping of Wildlife Licence.

The property is Lot 42 Koorda-Bullfinch Road at Lake Brown.

BACKGROUND INFORMATION

There have been previous complaints about the keeping of Kangaroos at this location requiring Council intervention.

It is noted that there have been no recent complaints.

The use of land as a Kangaroo Sanctuary is not a described use in Town planning Scheme No 4 and the closest definition is Rural Pursuit – Rearing or agisting of Animals.

Under the zoning of Rural the proposed use could fit under one of the following three categories.

- P- Means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the scheme.
Note: Rural pursuit is a “P” under the rural zoning table.
- D- Means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

A- Means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with Clause 9.4.

Note: Clause 9.4 requires 1 or more of the following:

- (a) Notice served on nearby owners/occupiers giving at least 14 days for submissions
- (b) Advertise the proposal and provide at least 14 days for submissions.
- (c) Display signage on the property detailing the proposal and provide at least 14 days for submissions.

Clause 8.4 of the Scheme covers dealing with unauthorised existing developments such as the Kangaroo Sanctuary.

8.3 Unauthorised Existing Developments

8.3.1 *The local government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the Scheme.*

8.3.2 *Development which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval, and the continuation of the development unlawfully commenced is taken to be lawful development upon the grant of planning approval.*

Note: 1. Applications for approval to an existing development are made under Part 9.

2. The approval by the local government of an existing development does not affect the power of the local government to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of development without planning approval.

Clause 10 of the Scheme requires the local Government to consider the following matters:

- The aims and provisions of the Scheme
- The compatibility of a use/development with its setting
- Any social issues that have an effect on the amenity of the locality
- The preservation of the amenity of the locality
- The relationship of the proposal to the use or development of the adjoining land.
- The amount of traffic likely to be generated.
- Whether the proposal is likely to cause soil erosion or land degradation.
- Any relevant submission received or the application.
- Potential impacts of noise, dust, light, risk and other pollutants on adjoining land.
- Any other planning consideration determined relevant.

The property has been used for its current purpose for a number of year's.

STATUTORY ENVIRONMENT

Town Planning Scheme No 4

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SITE INSPECTION

Nil

TRIPLE BOTTOM LINE ASSESSMENT**ECONOMIC IMPLICATIONS**

None

SOCIAL IMPLICATIONS

There have been neighbourhood disputes in relation to the land use as a Kangaroo Sanctuary.

ENVIRONMENTAL IMPLICATIONS

A well managed and controlled native animal sanctuary has beneficial impacts on the environment.

OFFICER COMMENT

As the current and proposed land use as a Kangaroo Sanctuary is not a listed use in the Scheme Council has to determine how the application is to be treated.

If Council considers that the use is consistent with the classification of Rural Pursuit – rearing and agistment of animals it will be a permitted use (P) under the Scheme and Council can decide to:

- a) Approval the land use
- b) Approval the land use with conditions and timeframes
- c) Refuse the application

NOTE: Refusal may trigger an appeal process to the State Administrative Tribunal

If Council considers that the proposed use does not fit any listed classifications under the Scheme it can use the discretionary powers available (D) and Council can decide to:

- a) Approve the land use
- b) Approve the land use with conditions and timeframes
- c) Refuse the application.

NOTE: Refusal may trigger an appeal process to SAT.

If Council considers the application to be an “A” use under the zoning it cannot grant planning approval under discretionary powers until special notice has been given by one or more of notice to nearby landowners, public notice or signage on the property and considered any submissions received.

In view of the current land use for an extended period it is my opinion that the application can be dealt with as a Rural Pursuit and be treated as a Permitted use (P) under the Rural zoning subject to conditions being imposed.

Cr Junk left meeting at 3.05pm re-entered at 3.07pm

Ann Brandis left meeting at 3.05pm re-entered at 3.06pm

Cr Ventris left the meeting at 3.07pm re-entered at 3.09pm

Officer Recommendation

Council Decision Number – 27 12 16

Moved: Cr Palm

Seconded: Cr Paterson

That Council

1) Authorise the advertising of an “A” use keeping of Kangaroos on Lot 42 Bull-finch Road, Lake Brown subject to the following conditions:

- Any planning approval being for an initial three year period to determine the impact on adjoining and adjacent landowners**
- The number of Kangaroos to be held at the property being strictly in accordance with the Licence issued by the Department of Parks and Wildlife.(A maximum of 8 animals)**
- The Kangaroos being kept under the conditions specified in any licence for the keeping of native animals**
- No buildings associated with the keeping of the animals are to be within the following setbacks:
Front: 30m
Rear: 10m
Side: 10m**
- Any conflict with adjoining and adjacent landowners over the operations of the keeping of Kangaroo shall result in the withdrawal of this planning consent effective immediately.**
- Any planning approval being strictly subject to the issue of a Licence by the Department of Parks and Wildlife.**

Advice Note: The applicant if aggrieved by the decision and conditions may appeal under part V of the Town Planning Act.

(2) Notify the adjoining and adjacent landowners of the planning application and the conditions to be imposed.

(3) Advertise the planning application on the shire Notice Board for a minimum period of 14 days and invite submissions.

Advice note: For a land management process it is recommended that the Kangaroos authorised under the licence are all kept on the rear section of the property.

Carried 7/1

Cr Ventris did not vote

LATE ITEM

7.7.13 Correspondence from Mukinbudin Planning & Development Group regarding the Mukinbudin Spring Festival	
Location:	Mukinbudin
File Ref:	ADM 066
Applicant:	Ray Hooper, Acting CEO
Date:	20 December 2016
Disclosure of Interest:	Nil
Responsible Officer	Ray Hooper, Acting CEO
Author:	Jenny Heaney, Rates Finance Officer
Voting Requirements	Simple Majority
Documents Attached	Letter from Mukinbudin Planning & Development Group
Documents Tabled	Nil

EXECUTIVE SUMMARY

To present Council with the letter from Mukinbudin Planning & Development Group regarding the Mukinbudin Spring Festival.

BACKGROUND INFORMATION

The Mukinbudin Planning and Development Group have not been able to secure a co-ordinator for the Mukinbudin Spring Festival. Therefore, the Planning and Development have decided not to go ahead with the organisation of the Spring Festival, and the deadline for funding has now closed.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SITE INSPECTION

Not applicable

TRIPLE BOTTOM LINE ASSESSMENT

ECONOMIC IMPLICATIONS

The Spring Festival had an economic impact through increased visitor numbers and the volume of spending.

SOCIAL IMPLICATIONS

After 20 years of operating there may be something community expectations for the event to continue or be replaced by a similar event.

ENVIRONMENTAL IMPLICATIONS

Nil

OFFICER COMMENT

Nil

Officer Recommendation

Council Decision Number – 28 12 16

Moved: Cr Ventris

Seconded: Cr Seaby

That Council receive the correspondence from Mukinbudin Planning & Development Group and consider the need for a community event of the scale of the Spring Festival in the 2017/18 budget at a maximum cost of \$20,000.

Carried 9/0

Ray Hooper left the meeting at 3.26pm re-entered at 3.29

Cr Paterson left the meeting at 3.29pm re-entered at 3.34

8. Information Report

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

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

9.1 Nil

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

10.1 Nil

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

11.1 Manager of Finance Contract

11.2 Swimming Pool Managers Contract

11.3 Australia Day Awards 2017

11.4 Mukinbudin Electrical

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)(a).

Ann Brandis left the meeting at 3.34pm

Council Decision Number – 29 12 16

Moved: Cr Ventris

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 deals with matters contained under Section 5.23 (2)(a).

Carried 9/0

Meeting went behind closed doors at 3.35pm

Ann Brandis re-entered the meeting at 3.45pm

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

Council Decision Number – 30 12 16

Moved: Cr Ventris

Seconded: Cr Palm

That Council reopen the meeting to members of the public in accordance with the Local Government Act 1995. 4.18pm

Carried 9/0

Item 11.1

Council Decision Number – 31 12 16

Moved: Cr O’Neil Seconded: Cr Comerford

That the recommendation in confidential item 11.1 be accepted

Carried 9/0

Item 11.2

Council Decision Number – 32 12 16

Moved: Cr Junk Seconded: Cr Ventris

That the recommendation in confidential item 11.2 be accepted

Carried 9/0

Item 11.3

Council Decision Number – 33 12 16

Moved: Cr Ventris Seconded: Cr Palm

That the recommendation in confidential item 11.3 be accepted

Carried 9/0

Item 11.4

Council Decision Number – 34 12 16

Moved: Cr Junk Seconded: Cr Poultney

That the recommendation in confidential item 11.4 be accepted

Carried 9/0

12. Dates to Remember

12.1 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)
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Officer Recommendation

Council Decision Number – 35 12 16

Moved: Cr Poultney

Seconded: Cr Ventris

That the next Ordinary Meeting of council be held on Wednesday 15th February 2017 commencing at 1.00pm.

Carried 9/0

13. Closure of Meeting

13.1 The Shire President declared the meeting closed at 4.28pm.

DECLARATION

I declare that these minutes of the Ordinary Meeting of Council held on the 21st December were confirmed at the Ordinary Meeting of Council held on 15th February 2017.

Signed:_____

Being the person presiding at the meeting at which these minutes were confirmed

Date:_____