

# **Shire of Mukinbudin**

# **Confirmed Minutes**

**Ordinary Meeting of Council** 

Meeting was held in Council Chambers at 15 Maddock Street, Mukinbudin Commencing at 1.00pm Tuesday 18<sup>th</sup> April 2023

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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.

John Merrick

**ACTING CHIEF EXECUTIVE OFFICER** 

#### **Table of Contents**

# 1. Declaration of Opening

1.1 Declaration of Opening

# 2. Record of Attendance, Apologies, approved Leave of Absence

- 2.1 Present
- 2.2 Staff
- 2.3 Visitors
- 2.4 Apologies
- 2.5 Approved Leave of Absence
- 2.6 Applications for Leave of Absence

# 3. Public Question Time

- 3.1 Response to previous questions taken on notice
- 3.2 Declaration of Public Question time open
- 3.3 Declaration of public time closed

#### 4. Declarations of Interest

# 5. Petitions, Deputations, Presentations

- 5.1 Petitions
- 5.2 Deputations
- 5.3 Presentations

# 6. Announcements by the presiding member without discussion

# 7. Confirmation of minutes of previous meetings

7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Tuesday 21<sup>st</sup> March 2023.

# 8. Committee Meetings

# 8.1 Receipt of Minutes of Committee Meetings

- 8.1.1 NEWROC Executive Meeting
- 8.1.2 Local Health Advisory Group Regular Meeting
- 8.2 Recommendations from Committee Meeting for Council Consideration

# 9. Reports

# 9.1 Council Monthly Information Reports

9.1.1 Receipt of April 2023 Information Report

# 9.2 Finance Reports

- 9.2.1 List of Payments March 2023
- 9.2.2 Monthly Statement of Financial Activity Report March 2023

# 9.3 Chief Executive Officer's Reports

- 9.3.1 Mukinbudin Community Resource Centre Fees & Charges 2022-2023
- 9.3.2 Community Cropping Lease Lot 204 Bent Street
- **10.** Elected members Motions of which previous notice has been given 10.1
- 11. Urgent Business Approved by Person Presiding or by Decision 11.1

# 12. Closure of Meeting

12.1 Closure of Meeting

#### AGENDA

Minutes of the Ordinary Meeting of Council held in Council Chambers, Maddock Street, Mukinbudin on Tuesday 18<sup>th</sup> April 2023.

# 1. Declaration of Opening

The Shire President to declare the Meeting open at 1.00pm

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

2.1 Present:

Cr G Shadbolt Shire President Cr R Nicoletti Deputy President

Cr A Farina Cr C McGlashan Cr A Walker

2.2 Staff:

John Merrick Acting Chief Executive Officer

Renee Jenkin Manager of Corporate and Community Services

Ed Nind Finance Manager

Bob Edwards Acting Works Supervisor

2.3 Visitors:

Cameron White Tara Chambers

2.4 Apologies:

Cr G Bent

2.5 On leave of absence:

Cr Paterson

Cr Seaby

Cr Ventris

2.6 Applications for leave of absence:

Nil

# 3. Public Question Time (min 15 minutes)

3.1 Response to previous questions taken on notice.

Nil

3.2 Declaration of public question time opened (minimum 15 mins)

The Shire President to declare public question time open at 1.01pm.

# 3.3 Declaration of public question time closed

The Shire President to declare public question time closed at 1.02pm.

#### 4. Declarations of Interest

# 5. Petitions, deputations, and presentations

- 5.1 Petitions
- 5.2 Deputations
- 5.3 Presentations

Cameron White – Mukinbudin Community Financial Services Limited Director Tara Chambers – Mukinbudin Community Bank Branch Manager

Mr White and Ms Chambers addressed Council in relation to the new commercial centre and the funding opportunities for community infrastructure.

Cameron White departed the meeting at 1.17pm. Tara Chambers departed the meeting at 1.17pm.

# 6. Announcements by the Presiding person without discussion

Cr Shadbolt briefed Council on the Staying in Place Expo held in Pingelly on March 30-31, 2023. He recommended that Council facilitate a meeting in Mukinbudin with the various presenters. Copies of documents including USB's were circulated to each Elected Member.

# 7. Confirmation of the Minutes of previous meetings

7.1 Confirmation of Minutes for the Ordinary Meeting of Council held on the 21st March 2023.

**Voting Requirement** 

Simple Majority

#### OFFICER RECOMMENDATION

Council Decision Number – 01 04 2023

Moved: Cr Walker Seconded: Cr Nicoletti

That the Minutes of the Ordinary Meeting of Council held on the 21<sup>st</sup> March 2023 be accepted as a true and correct record of proceedings.

# 8. Committee Meetings

- 8.1 Receipt of Minutes of Committee Meetings
  - 8.1.1 NEWROC Executive Meeting held 28<sup>th</sup> March 2023

    <u>Executive Meeting Minutes 28<sup>th</sup> March 2023</u>
  - 8.1.2 Local Health Advisory Group Regular Meeting held 24<sup>th</sup> February 2023

    <u>LGAG Minutes 24<sup>th</sup> February 2023</u>

<u>Voting Requirement</u> Simple Majority

# OFFICER RECOMMENDATION

Council Decision Number - 02 04 2023

Moved: Cr Farina Seconded: Cr McGlashan

That the Minutes of the following committee meetings be received.

- NEWROC Executive Meeting held 28th March 2023
- Local Health Advisory Group Regular Meeting held 24th February 2023

# 9.1 Monthly Information Report

9.1.1 April 2023 Information Report				
Location:	Mukinbudin			
File Ref:	ADM 360			
Applicant:	John Merrick, Acting Chief Executive Officer			
Date:	13 <sup>th</sup> April 2023			
Disclosure of Interest:	Nil			
Responsible Officer	John Merrick, Acting Chief Executive Officer			
Author:	John Merrick, Acting Chief Executive Officer			
Voting Requirements	Simple Majority			
Documents Attached	Information Report April 2023			
Documents Tabled	Nil			

# **Summary**

To allow Council to receive the Monthly Information Report including reports from the Caravan Park Manager, Manager of Works, Aquatic Centre Manager, Community Resource Centre Coordinator, and Manager of Corporate and Community Services and Acting Chief Executive Officer.

# **Background Information**

Reports are presented to Council on various operational matters within the Shire of Mukinbudin.

## **Officer Comment**

Refer to March Information Report.

#### Consultation

Tania Sprigg - Caravan Park Manager
Terry Mather - Manager of Works
Simon Comerford – Aquatic Centre Manager
Jessica McCartney – Community Resource Centre Coordinator
Renee Jenkin – Manager of Corporate and Community Services
John Merrick – Acting Chief Executive Officer

 Statutory Environment
 Nil

 Policy Implications
 Nil

 Financial Implications
 Nil

# OFFICER RECOMMENDATION

Council Decision Number - 03 04 2023

Moved: Cr Farina Seconded: Cr Walker

That Council receive the April 2023 Information Report.

Carried 5 / 0

Bob Edwards departed the meeting at 1.58pm

#### 9.2 Finance Reports

9.2.1 List of Payments - March 2023					
Location:	Mukinbudin				
File Ref:	ADM 007				
Applicant: Edward Nind – Finance Manager					
Date:	3 <sup>rd</sup> April 2023				
Disclosure of Interest:	Nil				
Responsible Officer: Edward Nind – Finance Manager					
Author: Lucia Scari – Senior Finance Officer					
Voting Requirements Simple Majority					
	<u>List of Payments – Municipal Account (5 pages)</u>				
Documents Attached	<u>List of Payments – Restricted Muni Account (1 page)</u>				
	Corporate Credit Card Statement March 2023 (6 pages)				
	Credit Card Summary March 2023 (1 page)				
Documents Tabled	Nil				

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

# **Summary**

List of payments made in March 2023 for endorsement by Council.

# **Background Information**

A list of payments submitted to Council on 18<sup>th</sup> April 2023, for confirmation in respect of accounts already paid or for the authority to those unpaid. (Please refer to Payment listing attached).

# **Officer Comment**

Standard process of obtaining Council endorsement of payments.

Strategic & Social Implications N/A

Consultation N/A

#### **Statutory Environment**

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

# **Policy Implications**

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

# **Financial Implications**

All payments have been made in accordance with the 2022/2023 Budget.

# OFFICER RECOMMENDATION

Council Decision Number - 04 04 2023

Moved: Cr Nicoletti Seconded: Cr McGlashan

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

# **Municipal Fund:**

Muni EFTs	EFT	7889	to	EFT	7971	\$312,405.09
Muni Cheques	Chq	31948	to	Chq	31948	\$11,761.86
Muni Direct Debits	DD	10100.1	to	DD	10214.9	\$52,798.80
(Superannuation, loans, leases)						
Pays on	01/0	3/23 & 15/	03/23	8 & 29/	03/23	\$131,859.17
(Not included on payment listing)						
Total Municipal Funds						\$508,824.92

# **Restricted Muni Fund:**

RMF EFTs	EFT	-	to	EFT	-	\$0.00
RMF Cheques	Chq	-		Chq	-	\$0.00
RMF Direct Debits	DD	10118.1		DD	10198.1	\$38,083.49
Total Restricted Muni Funds						\$38,083.49

9.2.2 Monthly Statement of Financial Activity Report – 31 March 2023				
Location:	Mukinbudin			
File Ref:	ADM 005			
Applicant:	Edward Nind – Finance Manager			
Date:	13 <sup>th</sup> April 2023			
Disclosure of Interest:	Nil			
Responsible Officer	Edward Nind – Finance Manager			
Author:	Edward Nind – Finance Manager			
Voting Requirements	Simple Majority			
Documents Attached	Statement of Financial Activity - For the period ended 31			
	March 2023 (24 pages)			
	Schedules 2 to 14 For the period 1 July 2022 to 31 March			
	2022 (98 Pages)			
Documents Tabled	Nil			

If a Councillor has any questions regarding the enclosed finance report, please discuss these queries with the Finance Manager so that a researched answer may be provided for you.

# **Summary**

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

The Monthly Statement of Financial Activity Report attached for consists of;

Statement of Financial Activity comprising:

- 1. Acquisition of Assets
- 2. Disposal of Assets
- 3. Information on Borrowings
- 4. Reserves
- 5. Net Current Assets
- 6. Rating Information
- 7. Restricted Municipal and Trust Funds
- 8. Operating Statement
- 9. Statement of Financial Position
- 10. Financial Ratios
- 11. Grants Revenue
- 12. Bank Balances & Investment Information

#### Schedules 2 - 14

The "Amended Budget" figures in the Statement Of Final Activity remain the same as the "Original Budget" as the amendments adopted on 21 March 2023 have not been updated in the system.

Full details the amended budgets are identified as the "Forecast Actual 21/3/23" in the schedules.

#### **Background Information**

The new Local Government accounting requirements have been applied to this report to show a Rate Setting Statement by Nature and Type.

Unspent grants and prepayments received are identified in Note 5. "Net Current Assets " within the Statement of Financial Activity.

The NRM Grant conditions required us to recognise interest on the unspent grant.

The "Original Budget" shown is that adopted on 23 August 2022, is based on a surplus carried forward of \$1,419,072 using end of year figures at the time of estimating.

The "Actual" brought forward surplus from 2021/2022 is \$1,397,667. This is the final audited result. This is reduction to the brought forward surplus of \$21,405 from the surplus upon which the budget was based. The factors contributing to this and the detail can be seen in Note 5. of the Financial Statements.

In March 2023 council adopted a number of amended budgets, the details of which are shown as the "Forecast Actual 21/3/23" in the schedules.

Based on the amendments adopted, which includes reduction of the brought forward surplus of \$21,405, the predicted end of year result will be a deficit of

#### **Officer Comment**

A summary of advance and current year Financial Assistant Grant payments is below;

Advance General Purpose grant paid in April 2022: \$ 795,252

Budgeted remaining General Purpose Grant: \$ 386,876

Total General Purpose Grant 2022-23: \$1,182,128

Advance Roads Grant 2022-23: \$ 502,419 Budgeted remaining Roads Grant 2022: \$ 128,169 Total Roads Grant 2022-23: \$ 630,588

At 30 June 2022 the end of month position is a surplus of \$1,397,667, this included the \$1,297,671 advance Financial Assistant Grant payments for the 2022-2023 financial year. Without these advance payments of \$1,297,671 the surplus brought forward would be \$99,996.

the 2021/2022 surplus is the final audited result.

At 31 March 2023 the end of month position is a surplus of \$1,447,916.

The reported variances are those to the Year To Date (YTD) "Original Budget".

Reported variations are based on the "Statement Of Financial Activity" variations rather than on the "Rate Setting Statement by Nature and Type".

Transactions include the first round of reserve transfers including all budgeted to reserve transactions and any budgeted transfers from reserve for which the related expenditure had been incurred.

Strategic & Social Implications N/A

<u>Consultation</u> N/A

# **Statutory Environment**

General Financial Management of Council, Council 2022/23 Budget, *Local Government* (Financial Management) Regulations 1996, r34, *Local Government Act 1995*, section 6.4.

# **Policy Implications**

Council is required annually to adopt a policy on what it considers to be material as far as variances that require to be reported for Council.

Council adopted a policy on 23 August 2022 that the material variation be set at \$10,000 and 10%.

# **Financial Implications**

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

#### OFFICER RECOMMENDATION

Council Decision Number - 05 04 2023

Moved: Cr McGlashan Seconded: Cr Walker

That Council adopt the Monthly Financial Report for the period ending 31 March 2023 and note any material variances greater than \$10,000 and 10%.

# 9.3 Chief Executive Officer's Reports

9.3.1 Mukinbudin Community Resource Centre Fees & Charges 2022-2023				
Location:	Mukinbudin			
File Ref:	ADM 477			
Applicant:	John Merrick, Acting Chief Executive Officer			
Date:	4 <sup>th</sup> April 2023			
Disclosure of Interest:	Nil			
Responsible Officer	John Merrick, Acting Chief Executive Officer			
Author:	John Merrick, Acting Chief Executive Officer			
Voting Requirements:	Simple Majority			
Documents Attached:	CRC Fees and Charges 2022 - 2023			
Documents Tabled:	Nil			

# **Summary**

To present Council with the proposed Fees & Charges for the Community Resource Centre (CRC) which Council becomes responsible for from 1<sup>st</sup> April 2023. The attached fees are largely unchanged from that of the CRC previously and each of the fees will be thoroughly reviewed during the period 1<sup>st</sup> April 2023 to 30<sup>th</sup> June 2023 once the CRC is under Shire Management.

Whilst Council passed the 2022/23 Schedule of Fees and Charges for the CRC at the March Ordinary Council Meeting the following additions have been made.

		ı	1					ĺ
DNP Photo printing (Per photo)								
Calendar - 6x4 inches 1 to		10%	\$	0.91	\$	0.09	\$	1.00
20	to 49 photos	10%	\$	0.73	\$	0.07	\$	0.80
50+	)+ photos	10%	\$	0.55	\$	0.05	\$	0.60
Calendar - 6x8 inches		10%	\$	2.73	\$	0.27	\$	3.00
Calendar - 6x8 inches (13 calendars)		10%	\$	13.64	\$	1.36	\$	15.00
Collage - 6x4 inches 1 to	to 19 photos	10%	\$	0.91	\$	0.09	\$	1.00
20	to 49 photos	10%	\$	0.73	\$	0.07	\$	0.80
50+	)+ photos	10%	\$	0.55	\$	0.05	\$	0.60
Collage - 6x6 & 6x8 inches		10%	\$	2.73	\$	0.27	\$	3.00
Prints - 6x4 inches 1 to	to 19 photos	10%	\$	0.91	\$	0.09	\$	1.00
20	to 49 photos	10%	\$	0.73	\$	0.07	\$	0.80
50+	)+ photos	10%	\$	0.55	\$	0.05	\$	0.60
Prints - 6x6 & 6x8 inches	•	10%	\$	2.73	\$	0.27	\$	3.00
Heat press (Per item)		l	ı					1
Custom stubbie holder		10%	\$	7.27	\$	0.73	\$	8.00
Custom mug		10%	\$	9.09	\$	0.91	\$	10.00
Custom place mat - A4		10%	\$	18.18	\$	1.82	\$	20.00
Custom place mat and coaster (set of 4)		10%	\$	40.91	\$	4.09	\$	45.00
Custom place mat and coaster (set of 6)		10%	\$	40.91	\$	4.09	\$	45.00
Custom T-Shirts - A4 print		10%	\$	13.64	\$	1.36	\$	15.00
Custom T-Shirts - A3 print		10%	\$	18.18		1.82	\$	20.00
Mukinbudin stubbie holder		10%	\$	5.45	\$	0.55	\$	6.00
Mukinbudin mug		10%	\$	7.27	\$	0.73	\$	8.00
Mukinbudin place mat and coaster (set of 4)		10%	\$	36.36	\$	3.64	\$	40.00
Mukinbudin place mat and coaster (set of 6)		10%	\$	50.00	\$	5.00	\$	55.00
Mukinbudin T-Shirts - A4 print		10%	\$	10.91	\$	1.09	\$	12.00
Mukinbudin T-Shirts - A3 print		10%	\$	13.64		1.36	\$	15.00
Events/Courses/Workshops		Participant cost to be determined by CEO as per delegated authority and policy manual						

#### **Background Information**

The 2022/23 Schedule of Fees and Charges for the CRC have been provided by the CRC staff and are provided to Council for formal endorsement effective from 1<sup>st</sup> April 2023 until 30<sup>th</sup> June 2023.

#### **Officer Comment**

Each year Council is required to review the annual fees and charges which are incorporated into the Annual Budget Document. Fees and Charges for a small Wheatbelt Shire such as Mukinbudin represent a very small portion of income on a percentage basis of the total annual income.

This year the officer has taken into account the increase in demand for services, the increase in costs such as fuel and the current rate of inflation.

Giving due regard to the need to establish a Fee Structure for events/courses/workshops, Council may wish to give consideration to delegating authority to the CEO for him/her to have the ability to vary individual charges/fees to reflect community participation and advantage as well as cost recovery principles.

# **Strategic & Social Implications**

It is essential that all aspects are considered when Council sets the fees and charges. These include the demographic of the community, the ability to pay and the level and standard of service we as a Shire can provide to our community.

# Consultation

Renee Jenkin – Manager of Corporate and Community Services Lucia Scari – Senior Finance Officer Ed Nind – Finance Manager John Merrick – Acting Chief Executive Officer

# **Statutory Environment**

Local Government Act 1995, Local Government (Financial Management) Regulations 1996

- 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.
- 6.17. Setting level of fees and charges
  - (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors
    - (a) the cost to the local government of providing the service or goods; and
    - (b) the importance of the service or goods to the community; and
    - (c) the price at which the service or goods could be provided by an alternative provider.
  - (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
  - (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service
    - (a) under section 5.96; or
    - (b) under section 6.16(2)(d); or
    - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
  - (4) Regulations may
    - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
    - (b) limit the amount of a fee or charge in prescribed circumstances.
- 6.18. Effect of other written laws
  - (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not
    - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
    - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
  - (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

#### 6.19. Local government to give notice of fees and charges

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

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

# **Policy Implications**

Nil

#### **Financial Implications**

Levels of income from Fees and Charges to be raised.

#### OFFICER RECOMMENDATION

Council Decision Number - 05 04 2023

Moved: Cr Walker Seconded: Cr Farina

That Council adopt the amended Mukinbudin Community Resource Centre Fees & Charges for 2022/2023 as presented and incorporate this document with the 2022/2023 Budget as required.

That the new schedule of fees and charges concerning the Mukinbudin Community Resource Centre be advertised in accordance with section 6.19 of the Local Government Act 1995, to be imposed from 1<sup>st</sup> April 2023.

That Council establish a delegated authority to the CEO to enable the variation of CRC Fees and Charges for events/courses/workshops to reflect community participation and advantage as well as cost recovery principles.

9.3.2 Community Cropping Lease – Lot 204 Bent Street, Assessment No 681				
Location:	All of Shire			
File Ref:	ADM 433			
Applicant:	Mukinbudin Football Club			
Date:	13 <sup>th</sup> April 2023			
Disclosure of Interest:	Nil			
Responsible Officer	John Merrick, Acting Chief Executive Officer			
Author:	John Merrick, Acting Chief Executive Officer			
Voting Requirements	Simple Majority			
Documents Attached	Nil			
Documents Tabled	Nil			

# **Summary**

To allow Council to consider the Expression of Interest request from the Mukinbudin Football Club to allocate the Community Cropping Lease of Lot 204 Bent Street, Assessment No 681, for the purpose of fundraising for their operations.

# **Background**

The Mukinbudin Football Club applies to lease Lot 204 Bent Street, Assessment No 681, for the period 2023 through to 2025 (inclusive) for the purpose of cropping as a fundraiser for their operations. Please see request received below, sent by Football Club secretary Mr Ashley Walker.

Shire Paddock



Ashley Walker <Ashley.Walker@Nutrien.com.au>

To Renee Jenkin

Cc O damo\_el@bigpond.com

1 This sender Ashley.Walker@Nutrien.com.au is from outside your organization.

i) You replied to this message on 12/04/2023 5:26 PM.

Hi Renee,

Further to our discussion....

The Mukinbudin Football Club proposes the following for the Shire owned paddock to the east of town.

The Football Club agrees to rest the paddock in 2023

The Football Club agrees to control the weeds throughout the year at the Football Clubs expense utilising good farming practice.

The Football Club agrees to pay for all spraying costs throughout 2023 providing that the Football Club can secure the said paddock for 2024 and 2025 cropping season. The Football Club agrees to pay the annual lease fee for the 2024 and 2025 season, not the 2023 season.

Regards Ashley Walker

Secretary

Mukinbudin Football Club

Ashley Walker
11 Bent Street Mukinbudin, WA 6479
P: 08 9047 1176
M: 0429471176
E: ashley walker@nutrien.com.au



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#### Comment

Expressions of Interest were advertised on two separate occasions which resulted in only one application, from the Mukinbudin Football Club as outlined in the agenda item.

A late submission was received from Christine Bowron in relation to the development of the land for an Agistment/Equine Centre. Following discussions, Council resolved that an alternative site would be more suitable. Cr Nicoletti will discuss this further with the proponent.

# **Statutory Environment**

Local Government Act 1995 – Sect 3.58 (1) to (4)

#### **Policy Implications**

Nil

### **Financial Implications**

Loss of income of Five hundred and ninety dollars (\$590) for the year of 2023. Income total of One thousand one hundred and eighty dollars (\$1180) for the years 2024 and 2025.

#### OFFICER RECOMMENDATION

Council Decision Number – 06 04 2023

Moved: Cr Farina Seconded: Cr McGlashan

That Council accept the proposal as outlined in the Expression of Interest Request from the Mukinbudin Football Club to waive the \$590 fee for the year 2023 and charge the fee of \$590 per year for the years 2024 and 2025 (\$1180 total).

**10.** Elected Members Motions of which previous notice has been given 10.1 Nil

# 11. Urgent Business Approved by Person Presiding or by Decision

11.1 Nil

# 12. Closure of Meeting

**12.1** The Chairperson thanked Elected Members and Staff for attending and declared the meeting closed at 2.55pm.