



Shire of Mukinbudin

AGENDA

Ordinary Meeting of Council

Meeting to be held in Council Chambers at
15 Maddock Street, Mukinbudin
Commencing at 1.00pm Tuesday 16th August 2022

****** DISCLAIMER ******

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

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

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

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



Dirk Sellenger
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 19th July 2022.

- 8. Committee Meetings**
 - 8.1 Receipt of Minutes of Committee Meetings**
 - 8.1.1 NEWROC Executive Meeting held 26th July 2022
 - 8.1.2 Kununoppin Medical Practice Committee Minutes held 14th July 2022

 - 8.2 Recommendations from Committee Meeting for Council Consideration**
 - 8.2.1 Nil

- 9. Reports**
 - 9.1 Council Monthly Information Reports**
 - 9.1.1 August 2022 Information Report

 - 9.2 Finance Reports**
 - 9.2.1 List of Payments – July 2022
 - 9.2.2 2022-2023 Draft Budget

9.3 Chief Executive Officer's Reports

- 9.3.1 Property Use Agreement – Memorial hall – Sunshine Club
- 9.3.2 Property Use Agreement – Mukinbudin Community Workshop
- 9.3.3 Development Application CBH Emergency Bulkhead
- 9.3.4 Subdivision and Purchase of Land – Barbalin Pipeline
- 9.3.5 New Policy 7.11 Council Housing
- 9.3.6 Annual Performance Review – Chief Executive Officer ****Confidential****

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 Closure of Meeting

AGENDA

Agenda of the Ordinary Meeting of Council to be held in Council Chambers, Maddock Street, Mukinbudin on 16th August 2022.

1. Declaration of Opening

The Shire President to declare the Meeting open at 1.____pm

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

2.1 Present:

Cr G Shadbolt	Shire President
Cr R Nicoletti	Deputy President
Cr G Bent	
Cr A Farina	
Cr C McGlashan	
Cr S Paterson	
Cr S Ventris	
Cr A Walker	
Cr J Seaby	

2.2 Staff:

Dirk Sellenger	Chief Executive Officer
Louise Sellenger	Manager of Corporate Services
Ed Nind	Finance Manager

2.3 Visitors:

2.4 Apologies:

2.5 On leave of absence:

2.6 Applications for leave of absence:

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 ____pm.

3.3 Declaration of public question time closed

The Shire President to declare public question time closed at ____pm.

4. Declarations of Interest

5. Petitions, deputations, and presentations

5.1 Petitions

5.2 Deputations

5.3 Presentations

5.3.1 Michael and Mick Hayden from the Njaki Njaki people wish to address the Council at the meeting to discuss an Indigenous funding application and project proposal they are looking to pursue in the region.

5.3.2 Doctor Mitch to talk about his experience with COVID in the hospital system.

6. Announcements by the Presiding person without discussion

7. Confirmation of the Minutes of previous meetings

7.1 Confirmation of Minutes for the Ordinary Meeting of Council held on the 19th July 2022

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION

Council Decision Number -

Moved: Cr

Seconded: Cr

That the Minutes of the Ordinary Meeting of Council held on the 19th July 2022 be accepted as a true and correct record of proceedings.

Carried /

8. Committee Meetings

8.1 Receipt of Minutes of Committee Meetings

8.1.1 NEWROC Executive Meeting held 26th July 2022

[Attachment 8.1.1](#)

8.1.2 Kununoppin Medical Practice Committee Meeting held 14th July 2022

[Attachment 8.1.2](#)

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION

Council Decision Number -

Moved: Cr

Seconded: Cr

That the Minutes of the following committee meetings be received.

- NEWROC Executive Meeting held 26th July 2022; and
- Kununoppin Medical Practice Committee Meeting held 14th July 2022.

Carried /

8.2 Recommendations from Committee Meeting for Council Consideration

9.1 MONTHLY INFORMATION REPORT

9.1.1 August 2022 Information Report	
Location:	Mukinbudin
File Ref:	ADM 360
Applicant:	Louise Sellenger, Manager of Corporate Services
Date:	10 th August 2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Louise Sellenger, Manager of Corporate Services
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

Summary

To allow Council to receive the Monthly Information Report including reports from Manager of Works, Manager of Corporate Services, Caravan Park Manager, and Environmental Health Officer.

Background Information

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

Officer Comment

Refer to Information Report.

Consultation

Dirk Sellenger – Chief Executive Officer
Tania Sprigg - Caravan Park Manager
Allan Ramsay – Environmental Health Officer

Statutory Environment Nil

Policy Implications Nil

Financial Implications Nil

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council receive the August 2022 Information Report.

Carried /

9.2 Finance Reports

9.2.1 List of Payments – July 2022	
Location:	Mukinbudin
File Ref:	ADM 007
Applicant:	Louise Sellenger – Manager of Corporate Services
Date:	10 th August 2022
Disclosure of Interest:	Nil
Responsible Officer:	Louise Sellenger – Manager of Corporate Services
Author:	Lucia Scari – Finance Officer
Voting Requirements	Simple Majority
Documents Attached	List of Payments – Municipal Account (4 pages) List of Payments – Restricted Muni Account (1 page) Corporate Credit Card Statement July 2022 (4 pages) Credit Card Summary July 2022 (1 page)
Documents Tabled	Nil

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

Summary

List of payments made in July 2022 for endorsement by Council.

Background Information

A list of payments submitted to Council on 16th August 2022, 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 –

Moved:

Seconded:

That the list of payments made in July 2022, be endorsed for payment.

Municipal Fund:

Muni EFTs	EFT 7266	to	EFT 7328	\$334,190.99
Muni Cheques	Chq 31931	to	Chq 31931	\$1,596.14
Muni Direct Debits (Superannuation, loans, leases)	DD 9232.1	to	DD 9288.11	\$23,584.70
Pays on (Not included on payment listing)			06/07 & 20/07	\$71,913.81
Total Municipal Funds				\$431,285.64

Restricted Muni Fund:

RMF EFTs	EFT -	to	EFT -	\$0.00
RMF Cheques	Chq -	to	Chq -	\$0.00
RMF Direct Debits	DD 9228.1	to	DD 9329.1	\$32,401.60
Total Restricted Muni Funds				\$32,401.60

Carried /

9.2.2 2022-2023 Draft Budget	
Location:	Mukinbudin
File Ref:	ADM 005
Applicant:	Edward Nind – Finance Manager
Date:	12 Aug 2022
Disclosure of Interest:	Nil
Responsible Officer	Edward Nind – Finance Manager
Author:	Edward Nind – Finance Manager
Voting Requirements	Simple Majority
Documents Attached	2022-2023 Draft Budget by Schedule
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 to confirm or revise the detail to be used to compile the statutory budget for 2022-2023.

Background Information

Rates Historical Information

Historically the Long Term Financial Plan (LTFP) included increased UV rates with no increase in the GRV rates up to including 2024-2025 to make a correction for the 2008-2009 financial year when the GRV rates raised increased by 44.9% whilst UV rates effectively remained unchanged resulting in a very significant increase in rates payable by GRV ratepayers.

This is achieved in the LTFP by increasing the UV rates income over the first 6 years of the plan without any increase to the GRV Rates. Details can be seen on page 24 of the LTFP.

The Increase in the UV rates in the LTFP was 7.5 % from 2019-2020 to 2023-2024 inclusive with a final adjustment figure in 2024-2025 of 6.9%. These increases included an estimate for CPI based increases that would have been applied normally. Since the adoption of the LTFP CPI has increased 9.5%.

This process paused in 2020-2021 due to Covid 19 and the freezing of the rate in the \$ for both GRV and UV rates. The result was decrease in UV rates from \$1,244,526 to \$1,241,478, a 0.24% reduction, largely due a small reduction in UV valuations.

2022-2023 Draft Budget Basis

The attached version of the Draft Budget was based on the informal agreement in the budget workshop early in July 2022 to make no change to the rate in the \$ for both UV and GRV rates and no change to the minimum rates for both UV and GRV rates.

The proposed Rates and Minimum Rates to be levied on all rateable property are as follows:

Valuation	Rate in \$	Minimum Rate \$
Gross Rental Value		
Residential	0.184236	440.00
Vacant	0.184236	440.00
Unimproved Value		
Agricultural/Rural	0.02334	590.00
Mining	0.02334	590.00

Due to changes in the status of some GRV rated properties the GRV rate income has increased by \$1,068 to \$211,689, however most ratepayers rates will remain unchanged.

Due to an increase in the valuation of UV rated properties UV rate income has increased by \$220,252 to \$1,298,714. This represents an increase in rates for most UV ratepayers.

Due to COVID-19 changes were made by legislation that limited the interest charged on outstanding rates reducing the interest chargeable from 11% to 7%. Our instalment interest rate has remained unchanged at 5.5%.

The Draft Budget is based on brought forward surplus from 2021/2022 is \$1,419,072.00. This will not be the final audited figure.

The Draft Budget currently shows a surplus of \$101,553. This is after the inclusion of all items identified in the July budget workshop.

The unexpected surplus is largely due to careful budgeting and an unexpected increase in our General Purpose Grant allocation, the increases were

- General Purpose Grant 92,506.00
- Road Component Grant 51,100.00
- Total Increase 143,606.00

To keep the own source funding for Roads To Recovery correct we needed to increase our overall road budget the by the Road Component Grant of \$51,100.00.

2022-2023 Draft Budget – Alternative UV Rating Option

An alternative approach is just to apply a catchup of UV rate increases to compensate for the 2020-2021 year when no UV Rate increase was applied.

Should this option be adopted the surplus would be reduced by approximately \$55,895 leaving a surplus of \$45,658. The budget could then be balanced by reducing the plant purchase borrowings.

Officer Comment

In April 2022 we received advance Financial Assistant Grant payments for the 2022-2023 financial year, \$795,252 for General Purpose Funding and \$502,419 for Roads making a total advance payment of \$1,297,671.

At 30 June 2022 the end of month position is a surplus of \$1,419,072 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 \$149,980.

It is important to note that the surplus is not final and the final 30 June 2022 brought forward surplus and is expected to change due end of year accrual adjustments.

The Draft Budget will form the basis of the Statutory Budget the needs to adopted before rates are issued and before 31 August 2022.

Strategic & Social Implications N/A

Consultation N/A

Statutory Environment

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

Policy Implications

Application of the Long Term Financial Plan.

Financial Implications

Financial resources and expenditure for the 2022-2023 and future financial years.

OFFICER RECOMMENDATION

Council Decision Number –

Moved:

Seconded:

That Council adopt 2022-2023 Draft Budget for the purpose of compiling the Statutory 2022-2023 Budget:

Suggested Options:

- 1. Showing a surplus of approximately \$101,553**
- 2. Balanced by making changes to borrowings.**
- 3. Balanced by making changes to borrowings and plant reserve transfers.**
- 4. Balanced by reducing the UV Rate in the \$ and borrowings.**
- 5. To be advised.**

Carried /

9.3 Chief Executive Officer's Reports

9.3.1 Property Use Agreement – Memorial Hall – Sunshine Club	
Location:	Shire of Mukinbudin
File Ref:	ADM
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	2 nd August 2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Property Use Agreement
Documents Tabled	Nil

Summary

For Council to consider entering into a Property Use Agreement (PUA) with the Sunshine Club for the use of the Memorial Hall – Chambers area at 37 Shadbolt Street, Mukinbudin.

Background

The Sunshine Club (Senior Citizens) has been operating from the old Council Chambers located at the Town Hall for many years. They currently utilise the space for approximately one day a month.

With the recent development and approval for a PUA with the Mainstreet Gallery the CEO believes an agreement should be in place for other communities groups who utilise Council owned property on a regular basis.

Officer Comment

The CEO considers a signed PUA allows both parties to be clear on who is responsible for what in relation to the care and maintenance of the building.

The current areas of responsibility to council for this property as per the agreement are

Shire of Mukinbudin

- Property Insurance – Building
- Shire Rates (If Levied)
- Water Rates
- Annual termite inspections & Treatments
- Fire Extinguisher Service
- Building Maintenance
- Clean and maintain external gutters, grates and drains
- ESL Charges
- Rubbish Collection Charges (General and Recycling)
- Water consumption charges
- Power consumption charges
- Cleaning of toilets, toiletries, cleaning products and other consumable items
- Replacement of light globes and fittings.

Sunshine Club

- Telephone & information technology – installation and use charges
- Internal building cleaning (to area specified)
- Provision and maintenance of all equipment and materials associated with the activities of Sunshine Club
- Provision and maintenance of furniture, crockery/cutlery, cooking utensils, decorations, window treatments and floor coverings.
- Contents Insurance
- Provision of portable or fixed fans or other equipment necessary for the comfort or wellbeing of the members of the Mainstreet gallery
- Security of the premises
- Provision of any television reception devices required.

Strategic & Social Implications

Nil

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

No additional financial impact will result from the approval of this agreement.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council adopt the Property Use Agreement for the use of the Memorial Hall by the Sunshine Club as presented.

Carried: /

9.3.2 Property Use Agreement – Mukinbudin Community Workshop	
Location:	Shire of Mukinbudin
File Ref:	ADM
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Property Use Agreement
Documents Tabled	Nil

Summary

For Council to consider entering a Property Use Agreement (PUA) with the Mukinbudin Community Workshop for the use of the shed located at Strugnell Street, Mukinbudin.

Background

The Mukinbudin Community Workshop has been operating since circa July 2008 during this time there has been no formal agreement with regards to the use of the building and maintenance. The Men's Shed has sole use of this building for the purposes of Town Museum displaying historic farm machinery and allowing for workshop activities and projects.

With the recent development and approval for a Property Use Agreement with the Mainstreet Gallery the CEO believes an agreement should be in place for other community groups who utilise Council owned property on a regular basis.

A Property use agreement is already in place for the Sandalwood Arts Group and has been for several years now. The Sandalwood Arts Group current pay \$15 per week for the use of the building and have a clear understanding of their obligations and requirements.

Officer Comment

The CEO considers a signed PUA allows both parties to know and understand who is responsible for what in relation to the care and maintenance of the building.

The current areas of responsibility to council for this property as per the agreement are:

- Property Insurance – Building
- Shire Rates (If Levied)
- Water Rates and Consumption Charges
- Annual termite inspections & Treatments
- Fire Extinguisher Service
- External Building Maintenance including replacement of light globes and fittings internally
- Clean and maintain external gutters, grates and drains
- ESL Charges
- Rubbish Collection Charges (General and Recycling)

The Mukinbudin Community Workshop will be responsible for the following areas.

- Power consumption charges
- Gas consumption charges (if supplied)
- Telephone & information technology – installation and use charges
- Toiletries, cleaning products and other consumable items
- Internal painting
- Internal building maintenance, except replacement of light globes and fittings.
- Yard maintenance
- Internal building cleaning
- Provision and maintenance of all equipment and materials associated with the activities of the Mukinbudin Community Workshop.
- Provision and maintenance of furniture, crockery/cutlery, cooking utensils, decorations, window treatments and floor coverings.
- Contents Insurance
- Provision of portable or fixed fans or other equipment necessary for the comfort or wellbeing of the members of the Mukinbudin Community Workshop.
- Security of the premises
- Provision of any television reception devices required.

Current expenditure for this building is budgeted at \$1,400 by the Shire which includes insurance, water and building maintenance expenses. A nominal charge of \$15 per week would cover these expenses by approximately 50% (\$780 pa).

Strategic & Social Implications

Nil

Statutory Environment

Local Government Act 1995

Policy Implications

Financial Implications

Increase income for GL3110107 of \$780 per annum.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council adopt the Property Use Agreement for the use of the Mukinbudin Community Workshop as presented.

Carried: /

9.3.3 Development Application CBH Emergency Bulkhead	
Location:	Lots 200 and 213, Bent Street, Mukinbudin
File Ref:	AS593
Applicant:	Cooperative Bulk Handling
Date:	2 August 2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger - CEO
Author:	Paul Bashall, Consultant Planner - Planwest
Voting Requirements:	Absolute
Documents Attached:	Nil
Documents Tabled:	Nil

Summary

CBH has applied for a Development Approval (DA) to construct an open emergency bulkhead and a drive-over grid (DOG) at its Mukinbudin grain terminal. The bulkhead measures 180m x 35m with a height of 1.8m with a capacity of 23,580 tonnes, and the DOG has a capacity of 500 tph (tonnes per hour). This will increase the terminal capacity to over 200,000 tonnes.

Background Information

CBH states that it had its best harvest last year and its existing storage infrastructure was inadequate to keep up with the record crop. Given the current forecast of another significant harvest for FY22/23, and the large amount of carryover grain that remains at many of our receival sites, CBH has identified the need to build emergency storage at identified sites with forecasted storage deficits for this harvest.

The Mukinbudin CBH site is one of these sites where there is a strong likelihood that emergency storage could be needed. As such CBH is seeking development approval from the Shire of Mukinbudin for an additional storage bulkhead.

Existing Development

Figure 1 shows the location of the subject land as it relates to the Mukinbudin townsite, and **Figure 2** provides an enlargement of the grain receival site area in respect to the proposed open bulkhead (OBH) location.

The existing CBH terminal stretches over three lots, the two northernmost lots are owned in fee simple, whilst the southern lot is a Crown Reserve. The proposed development is proposed across Lots 200 and 113 – the two northernmost lots.

Although Lot 200 is nearly 168 hectares in area it only has a 20-metre frontage to Bent Street. However, the lot also has over 1.7-kilometre frontage to the Koorda-Bullfinch Road further east of the Mukinbudin townsite. The eastern part of the land appears to be used for cropping.

As can be appreciated from **Figure 2**, the land area where the new open bulkhead is proposed, is currently vacant. The other features of the CBH terminal include several storage components including other open bulkheads, storage sheds and silos. The facility has several drive-over grids and loading infrastructure components. Rail access remains a critical part of the terminal operation.

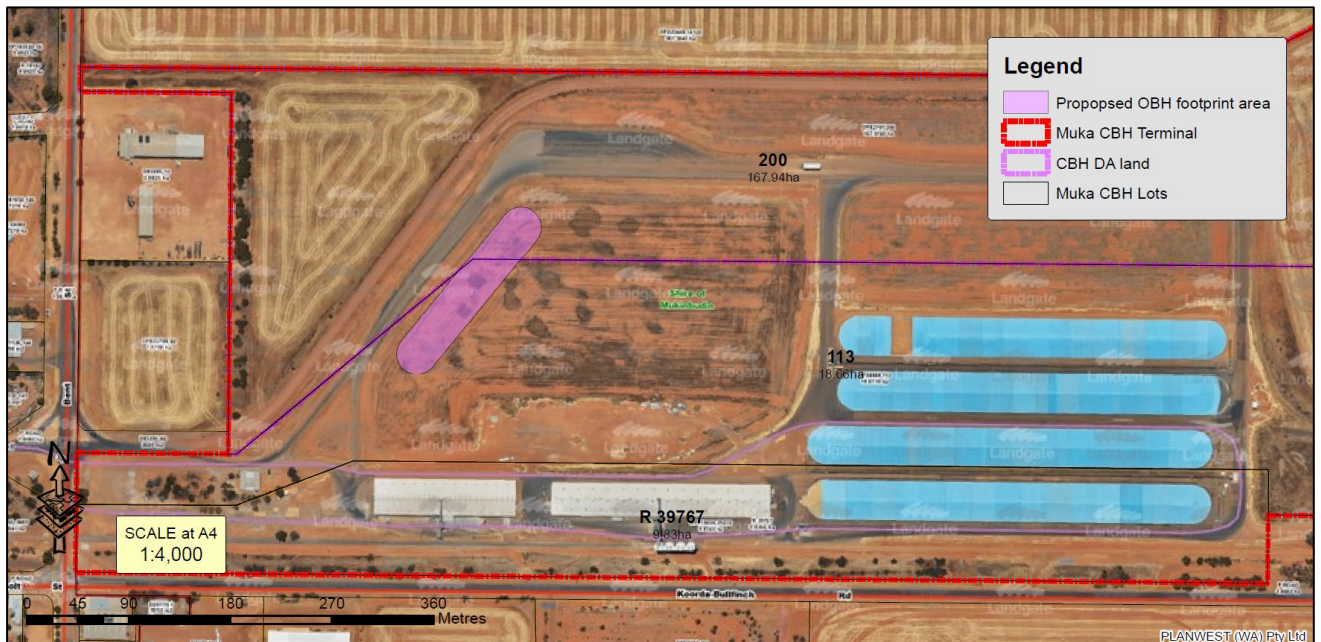
FIGURE 1 – LOCATION PLAN



Source: ESRI, Landgate, Planwest

Figure 2 shows an aerial enlargement of the area showing the location of the proposed building.

FIGURE 2 – AERIAL PHOTOGRAPH OF SUBJECT LAND



Source: Landgate, Planwest

Proposed Development

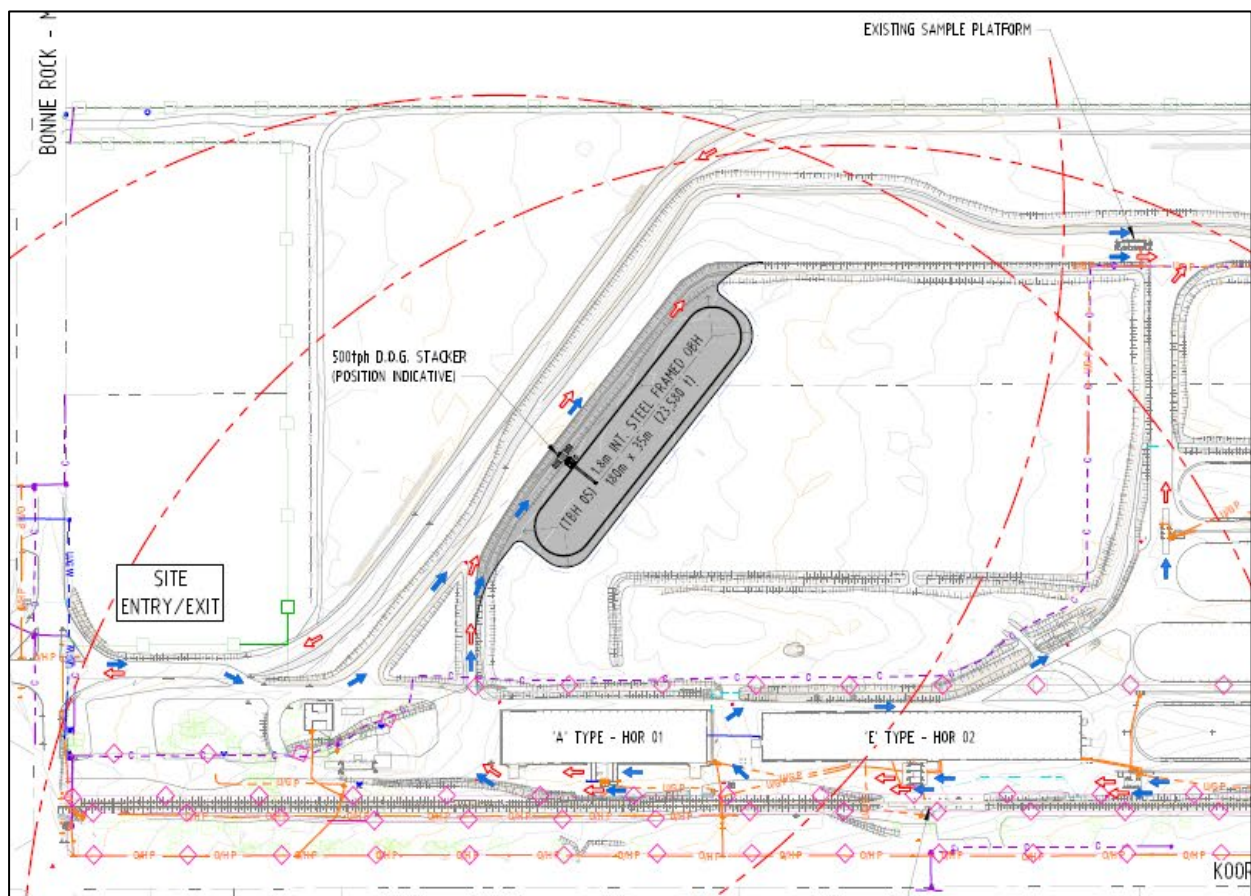
Figure 3 provides an extract from the DA application showing the location of the proposed bulkhead, the drive-over grid and the adjacent road system.

CBA states that *'Additional storage capacity does not change harvest production or the number of trucks coming to and from the site, it just changes the way grain is managed and handled. The effect of constructing the emergency storage is that out loading movements during the busy harvest period, to keep the site open for grower receivals, are eliminated.'*

The covering letter also states that CBH will ensure that the proposed development will not increase noise or dust levels as prescribed in the *Environmental Protection (Noise) Regulations 1997*.

There is no discussion about drainage implications resulting from the proposed development.

FIGURE 3 – EXTRACT OF DA PLAN OF PROPOSED OPEN BULKHEAD



Source: DA, Planwest

Traffic Technical Note

The DA application is supported by a Traffic Technical Note (TTN) from Shawmac (Consulting Civil and Traffic Engineers). The TTN acknowledges that the record harvest yield will increase traffic to the terminal whether any additional development occurs or not. However, the report also notes that the proposed bulkhead will reduce the need (and therefore traffic) to relocate grain left over from last year's harvest to cater for this year's harvest.

The report concludes that the proposed bulkhead will reduce traffic that would normally be expected at harvest time to the site as the terminal will be increasing its storage capacity.

Strategic & Social Implications

The Council sees no strategic or social implications with the infrastructure upgrades requested by CBH.

Consultation

Nil.

Policy Implications

There are no policy implications that relate to the proposed development.

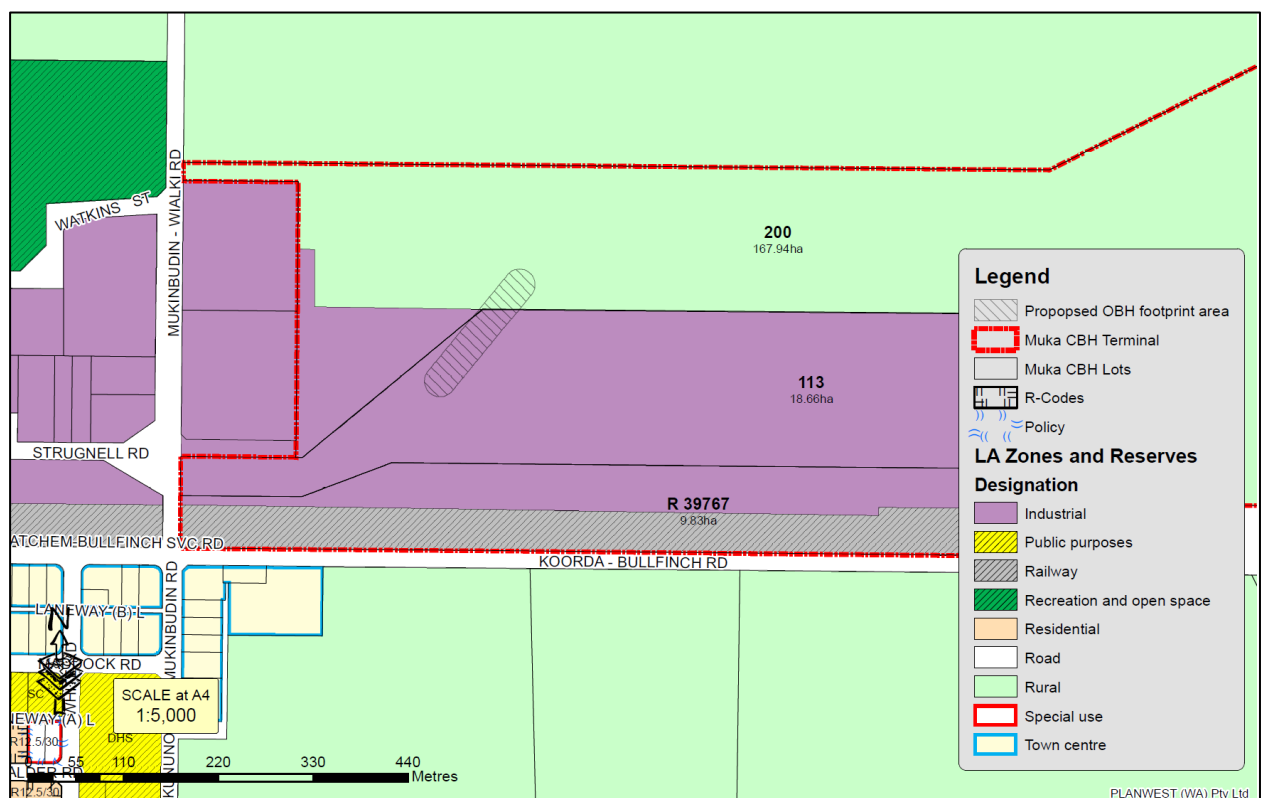
Financial Implications

Nil.

Statutory Environment

The Shire of Mukinbudin Local Planning Scheme No 4 (Scheme 4) designates the land as Rural on the north half and Industrial on the southern part of the proposed bulkhead. The proposed use is consistent with the objectives of the Rural and Industrial zones. **Figure 4** provides an extract from the Scheme map showing the zones and local scheme reserves.

FIGURE 4 – EXTRACT FROM SCHEME MAP



Source: DPLH, Landgate, Planwest

Officer Comment

No issues are raised in respect to the proposed bulkhead and drive-over grid as they are either in the Rural or Industrial zone and are consistent with the continued agricultural use of the land. It is assumed that access to the terminal will remain unchanged.

It is noted that the bulkhead is proposed to be constructed over an existing lot boundary (and zoning boundary), however as CBH considers the development to be 'temporary' in nature, this issue is not considered serious enough to prevent the development from occurring. A footnote to the applicant will suggest that an amalgamation of the two lots should be considered prior to any further development occurring.

The Council needs to advise the applicant of the need to apply for a building permit to ensure compliance with building and drainage requirements ensuring that any public infrastructure remains unaffected.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That the Council approves the DA application subject to the following conditions;

- 1. The preparation of a drainage plan to the satisfaction of the local government.**

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Note 4: The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government and be approved before any work requiring a building permit can commence on site.

Note 5: The applicant is advised to consider the amalgamation of Lots 200 and 113 to avoid any potential conflict from building over lot boundaries in any future development approval applications.

CARRIED /

Planning and Development Act 2005

Shire of Mukinbudin

Notice of determination on application for development approval

Location: Lot 200 Bent Street, Mukinbudin

Lot:200 and 113 **Plan/Diagram:** 24849 and 62708

Vol. No: 2219 and 2717 **Folio No:** 878 and 889

Application date: Received on: 28 July 2022

Description of proposed development:

Installation of a 180m x 35m open bulkhead and drive-over grid

The application for development approval is:

Approved subject to the following conditions

Refused for the following reason(s)

Conditions of approval:

1. The preparation of a drainage plan to the satisfaction of the local government.

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Note 4: The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government and be approved before any work requiring a building permit can commence on site.

Note 5: The applicant is advised to consider the amalgamation of Lots 200 and 113 to avoid any potential conflict from building over lot boundaries in any future development approval applications.

Date of determination: *** August 2022

9.3.4 Subdivision and Purchase of Land – Barbalin Pipeline	
Location:	Mukinbudin
File Ref:	AS
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	11 th August 2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements:	Absolute Majority
Documents Attached:	Nil
Documents Tabled:	Nil

Summary

To allow Council to consider the proposed subdivision and purchase of a parcel of land approximately 3.28ha located south of the town Dams to the west of the Kununoppin Mukinbudin Road as per the below diagram.

Background Information

Following “in principle” support from the owner of the land, enquires were made with a local Real Estate Agent to determine a non-sworn valuation for the land in question and this valuation is provided below:

Hi Dirk,

With reference to the plan sub division:

Property Details

Avon Location 14115
Volume 1793
Folio 824
Deposited Plan 225449

The approximate potential sale price of this portion of the above location would be between \$1,350.00 and \$1,370.00 per arable hectare.

Regards,

Pedro

Elders Real Estate

9 Shadbolt Street, Mukinbudin, W.A., Australia, 6479

p: (08) 90472500

f: (08) 90472550

m: 0429 047 122

e: peter.sippe@elders.com.au

e: sippe@westnet.com.au



Using the highest value of \$1370 per arable hectare this amounts to \$4,494. The owner has provided written confirmation of the support of the sale in the email below received on 10th August 2022.

“Hi Dirk,

I am writing to confirm we are happy to proceed with the land transfer at the valuation stated. The terms of the sale would be as you say with Mukinbudin Shire covering all costs of the subdivision and fencing gates etc.

Regards Gary Shadbolt

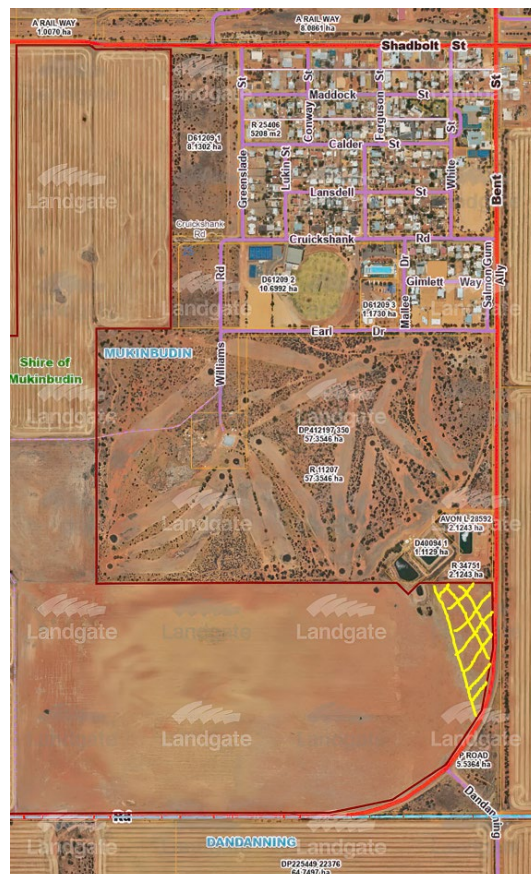
Per Harold Shadbolt and Sons”

An allowance has been made in the draft Budget for the costs associated with the parcel of land in question as follows:

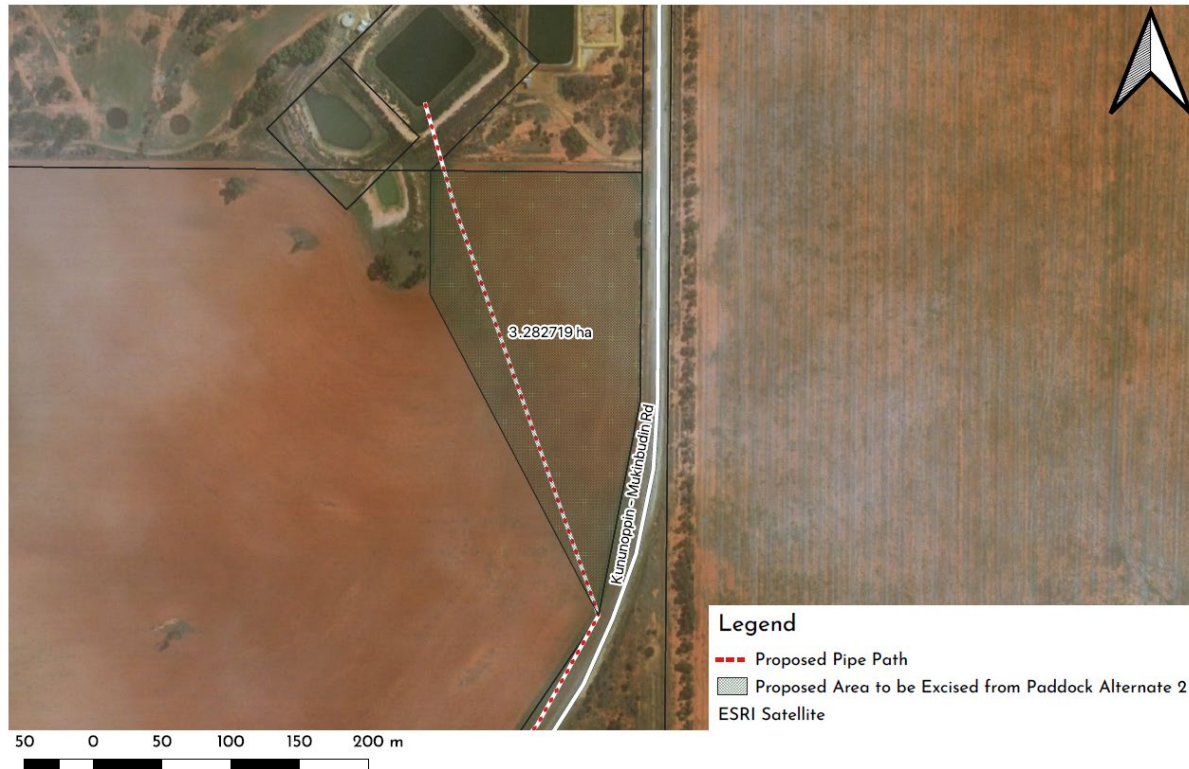
Purchase of Land	\$4,500
Fencing and gates	\$7,000
Subdivision and Transfer costs	\$8,000
Total	\$19,500

Officer Comment

The reason for purchasing the land is to allow for the establishment of a southern strategic water supply on this land, the area would utilise water from the Barbalin Pipeline to fill two large tanks which would be available for use from members of the public on a cost recovery basis. A parking area would be established to allow access by heavy vehicles and farm machinery (boom sprays etc). The area to the south may potentially be planted with citrus or Olive trees etc to provide the community with a large supply on the southern entrance to town, utilising the water from the pipeline to reticulate the trees.



Proposed Area to be Excised from Paddock Alternate 2



Strategic & Social Implications

The establishment of a strategic water supply in the south of the Shire is thought to be of significant community benefit both short and long term. The ability to largely drought proof the townsite area by having access to the Barbalin Dam supply and reduce the reliance of scheme during dry periods is expected to be significant.

Consultation

Full Council – previous discussion
Department of Water and Environmental Regulation Staff
Water Corporation Staff
Mr Dylan Copeland – Project Manager
Mr Gary Shadbolt – Landowner on behalf of Harold Shadbolt and Sons
Mr Bruce Atkins - Contractor

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Any remaining funding from the pipeline project will be utilised first to allow for the purchase and subdivision of the Land in question. At the time of writing \$248,524 of the \$265,000 budget remains. With minimal work remaining to be carried out to access

the water it is expected that a small surplus will remain at the completion of the project however it is considered best to make a budgetary allowance as a precaution.

Summary of expenses below:

UV Linked		
Barbalin Dam Exp at 11/08/2022		
Totals By	Account \$	
2020-2021	\$1,229.30	
2021-2022	\$206,685.10	
2022-2023	\$40,610.38	
<u>Total Spent</u>	<u>\$248,524.78</u>	
<u>Total Project Budget</u>	<u>\$265,000.00</u>	
<u>Remaining Funds</u>	<u>\$16,475.22</u>	
Excludes the Return of the unspent grant.		

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council make a budgetary allowance of \$19,500 (nineteen thousand five hundred dollars) in the 2022/2023 Budget for the costs associated with the purchase, subdivision and fencing of the area of land immediately south of the Town Dams totalling approximately 3.28ha.

Upon completion of the land transaction that the CEO apply to the Department of Water and Environmental Regulation for funding to allow for the next stage of the project, being the building and implementation of the southern strategic water supply location on the newly created parcel of land.

Carried: /

9.3.5 New Policy 7.11 - Council Housing	
Location:	Mukinbudin
File Ref:	ADM 450
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	2 nd August 2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Louise Sellenger, Manager of Corporate Services
Voting Requirements:	Absolute Majority
Documents Attached:	Policy 7.11 Council Housing
Documents Tabled:	nil

Summary

To allow council to create a policy to address the management of Residential accommodation currently owned by the Shire.

Background Information

Council currently manages a large number of residential accommodation, ranging from large three and four bedroom homes, to pensioner single bedroom units. This policy provides a framework for the allocation of those residential properties to staff, contractors and members of the community.

Officer Comment

With the demand on rental increasing all the time it has become difficult for staff to manage this properties effectively without guidelines to adhere to. This new policy would allow staff to better manage these properties know that decisions being made had the backing of the council and not use a common sense approach.

With regards to section 5.8 of the policy the size restrictions the following properties will not be permitted to have a medium to Large dog breed

- Aged Units
- Singles Units
- 25A & 25B Calder (although these yards are large enough the fence isn't of appropriate height to contain a pet)

Strategic & Social Implications

Nil

Consultation

Dirk Sellenger – Chief Executive Officer
Jo Tracy - CEACA

Statutory Environment

Nil

Policy Implications

No Policy current exists

Financial Implications

No foreseeable financial impact.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded:

That Council adopt the Policy 7.11 ‘Council Housing’ as presented.

Carried: /

CONFIDENTIAL ITEM

9.3.6 Annual Performance Review – Chief Executive Officer	
Location:	Mukinbudin
File Ref:	Personnel
Applicant:	N/A
Date:	15 th July 2022
Disclosure of Interest:	Dirk Sellenger – Financial Interest
Responsible Officer	Cr Gary Shadbolt, Shire President
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirement:	Simple Majority
Documents Attached:	CEO Dirk Sellenger, Annual Performance Review
Documents Tabled:	Nil

Statutory Environment

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or

- (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded:

That in accordance with section 5.23 (2) (a) of the Local Government Act 1995 that the meeting be closed to members of the Public as Agenda item 9.3.6 is deemed to be

(b) the personal affairs of any person;

Carried /

OFFICER RECOMMENDATION

Council Decision Number –

Moved:

Seconded:

That the meeting be reopened to members of the public.

Carried /

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 ____pm.