



Shire of Mukinbudin

CONFIRMED MINUTES

Ordinary Meeting of Council

Meeting held in Council Chambers at
15 Maddock Street, Mukinbudin
Commencing at 1.00pm Tuesday 27th September 2022

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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

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- 10.1 Nil

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MINUTES

Minutes of the Ordinary Meeting of Council held in Council Chambers, Maddock Street, Mukinbudin on 27th September 2022.

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 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
Lucia Scari	Finance Officer

2.3 Visitors:

2.4 Apologies:

Louise Sellenger	Manager of Corporate Services
Ed Nind	Finance Manager

2.5 On leave of absence: Nil.

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 1:01 pm.

3.3 Declaration of public question time closed

The Shire President to declare public question time closed at 1:01 pm.

4. Declarations of Interest

Cr Seaby declared a proximity interest in item 9.3.2 CBH Open Bulkhead as he is part of the CBH Board.

5. Petitions, deputations, and presentations

- 5.1 Petitions
- 5.2 Deputations
- 5.3 Presentations

6. Announcements by the Presiding person without discussion

Cr Shadbolt would like to thank the Shire staff for their effort during the Centenary. He would also like to extend his thank you to the organising Committee, special mention to Hannah Farina for her efforts.

7. Confirmation of the Minutes of previous meetings

- 7.1 Confirmation of Minutes for the Ordinary Meeting of Council held on the 16th August 2022

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Decision Number – 01 09 2022

Moved: Cr Walker Seconded: Cr McGlashan

That the Minutes of the Ordinary Meeting of Council held on the 16th August 2022 be accepted as a true and correct record of proceedings.

Carried 9 / 0

- 7.2 Confirmation of Minutes for the Special Meeting of Council held on the 23rd August 2022

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Decision Number – 02 09 2022

Moved: Cr Nicoletti Seconded: Cr Bent

That the Minutes of the Special Meeting of Council held on the 23rd August 2022 be accepted as a true and correct record of proceedings.

Carried 9 / 0

8. Committee Meetings

8.1 Receipt of Minutes of Committee Meetings

- 8.1.1 NEWROC Executive Meeting held 29th August 2022
[Attachment 8.1.1](#)
- 8.1.2 Great Eastern Country Zone Meeting held 29th August 2022
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- 8.1.3 Local Emergency Management Committee Minutes 17th August 2022
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- 8.1.4 CEACA Management Committee Meeting Minutes 31st August 2022
[Attachment 8.1.4](#)

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Decision Number – 03 09 2022

Moved: Cr Ventris Seconded: Cr Farina

That the Minutes of the following committee meetings be received.

- **NEWROC Executive Meeting held 29th August 2022;**
- **Great Eastern Country Zone Meeting held 29th August 2022;**
- **Local Emergency Management Committee Minutes 17th August 2022; and**
- **CEACA Management Committee Meeting Minutes 31st August 2022.**

Carried 9 / 0

8.2 Recommendations from Committee Meeting for Council Consideration

9.1 MONTHLY INFORMATION REPORT

9.1.1 September 2022 Information Report	
Location:	Mukinbudin
File Ref:	ADM 360
Applicant:	Louise Sellenger, Manager of Corporate Services
Date:	20 th September 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 RESOLUTION

Council Decision Number – 04 09 2022

Moved: Cr Farina

Seconded: Cr Paterson

That Council receive the September 2022 Information Report.

Carried 9 / 0

9.2 Finance Reports

9.2.1 List of Payments – August 2022	
Location:	Mukinbudin
File Ref:	ADM 007
Applicant:	Louise Sellenger – Manager of Corporate Services
Date:	2 nd September 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 (5 pages) List of Payments – Restricted Muni Account (1 page) Corporate Credit Card Statement August 2022 (4 pages) Credit Card Summary August 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 August 2022 for endorsement by Council.

Background Information

A list of payments submitted to Council on 27th 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 RESOLUTION

Council Decision Number – 05 09 2022

Moved: Cr Nicoletti

Seconded: Cr Seaby

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

Municipal Fund:

Muni EFTs	EFT 7329	to	EFT 7412	\$257,550.79
Muni Cheques	Chq 31932	to	Chq 31933	\$12,268.03
Muni Direct Debits (Superannuation, loans, leases)	DD 9331.1	to	DD 9431.10	\$55,844.47
Pays on (Not included on payment listing)		04/08 & 18/08		\$80,415.19
Total Municipal Funds				\$406,078.48

Restricted Muni Fund:

RMF EFTs	EFT -	to	EFT -	\$0.00
RMF Cheques	Chq -	to	Chq -	\$0.00
RMF Direct Debits	DD 9333.1	to	DD 9429.1	\$17,870.64
Total Restricted Muni Funds				\$17,870.64

Carried 9 / 0

9.2.2 Monthly Statement of Financial Activity Report – 31 July 2022	
Location:	Mukinbudin
File Ref:	ADM 005
Applicant:	Edward Nind – Finance Manager
Date:	19 September 2022
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 July 2022 (23 Pages) Schedules 2 to 14 For the period 1 July 2022 to 31 July 2022 (95 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

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 " in 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 \$1,418,105. This is not the final figure as further end of year accounting adjustments are yet to be completed. This is reduction to the brought forward surplus of \$967 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.

The "Amended Budget" figures are the same as the "Original Budget" as no amendments have been made.

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.

Officer Comment

The budget is based on the most recent information from the Grants Commission. A summary of this 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 \$1,418,105, 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 \$120,434.

It is important to note that the 2021/2022 surplus is not final.

At 31 July 2022 the end of month position is a surplus of \$1,231,701, 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 end of month position would be a deficit of \$65,970.

The reported variances are those to the Year To Date (YTD) “Amended Budget” at the time of writing.

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

The text included in the “Budget Text and Other Information” is largely that from the “Original Budget”

The Grants Revenue report within the Statement of Financial Activity has been adjusted to include income in prior years and brought forward as a liability that was expected to be spent in the current year. This amount is included in the first quarter figures where appropriate.

Strategic & Social Implications N/A

Consultation 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 RESOLUTION

Council Decision Number – 06 09 2022

Moved: Cr Ventris

Seconded: Cr McGlashan

That Council:

Adopt the Monthly Financial Report for the period ending 31 July 2022 and note any material variances greater than \$10,000 and 10%.

Carried 9 / 0

9.2.3 Monthly Statement of Financial Activity Report – 31 August 2022	
Location:	Mukinbudin
File Ref:	ADM 005
Applicant:	Edward Nind – Finance Manager
Date:	19 September 2022
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 August 2022 (23 Pages) Schedules 2 to 14 For the period 1 July 2022 to 31 August 2022 (95 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

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 " in 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 \$1,418,105. This is not the final figure as further end of year accounting adjustments are yet to be completed. This is reduction to the brought forward surplus of \$967 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.

The "Amended Budget" figures are the same as the "Original Budget" as no amendments have been made.

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.

Officer Comment

The budget is based on the most recent information from the Grants Commission. A summary of this 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 \$1,418,105, 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 \$120,434.

It is important to note that the 2021/2022 surplus is not final.

At 31 August 2022 the end of month position is a surplus of \$ 2,643,939, this includes the \$1,297,671 advance Financial Assistant Grant payments for the 2022-2023 financial year and 2022-2023 Rates of \$1,468,613 plus associated Rubbish Service charges.

The reported variances are those to the Year To Date (YTD) “Amended Budget” at the time of writing.

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

The text included in the “Budget Text and Other Information” is largely that from the “Original Budget”

The Grants Revenue report within the Statement of Financial Activity has been adjusted to include income in prior years and brought forward as a liability that was expected to be spent in the current year. This amount is included in the first quarter figures where appropriate.

Strategic & Social Implications N/A

Consultation 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 RESOLUTION

Council Decision Number – 07 09 2022

Moved: Cr Walker

Seconded: Cr Nicoletti

That Council:

Adopt the Monthly Financial Report for the period ending 31 August 2022 and note any material variances greater than \$10,000 and 10%.

Carried 9 / 0

9.3 Chief Executive Officer's Reports

9.3.1 Request for Quote (RFQ) 1.22 1xNew 8x4 side tipping truck	
Location:	Mukinbudin
File Ref:	ADM 471
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	20 th September 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 quotes received for the WALGA E-portal system for the purchase of a new 8x4 side tipping truck to replaced the Shires existing 2008 DAF 8x4 side tipping truck.

Background Information

The CEO recently called for quotes for a modern day equivalent of the existing 2008 DAF Side Tipping truck in accordance with the adopted Budget. At close of quotes on the WALGA Portal a total of three (3) formal quotes had been received for two makes, this was a disappointing outcome given the number of makes that are available in this segment. After speaking with several dealerships global supply issues remain and in some cases delivery timeframes have blown out to late 2024.

Officer Comment

A summary of the quotes received are provided below:

Supplier	Truck Centre Western Australia	Goldfields Truck Power Pty Ltd	AV Truck Services Pty Ltd
Make	MACK	IVECO	IVECO
Model	Anthem 8x4 Ridgid 435 MP8 Day Cab	T-Way 8x4 Ridgid Active Day Cab	T-Way 8x4 Ridgid Active Day Cab
GCM	70,000	60000	60000
Horsepower	435	510	510
Torque (NM)	2,243	2300	2300
Delivery Timeframe	16-17 months	11 months	11 months
Price (ex GST)	\$ 386,656.00	\$ 319,240.00	\$ 324,178.90
Optional Bullbar & Spotlights	\$ 11,319.00	\$ 9,250.00	\$ 8,500.00
Total Including Options	\$ 397,975.00	\$ 328,490.00	\$ 332,678.90

Strategic & Social Implications

Nil

Consultation

Brock Scott - Hutton and Northey
Troy Baker – Uptime Mechanical

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Council has made an allowance of \$250,000 in the 2022/2023 Budget for the purchase of a new 8x4 truck. Proceeds from the sale of the existing 2008 DAF were Budgeted at \$55,000 and it is proposed this truck will be sold by way of Public Auction once the new truck is delivered.

These quotes pose a problem being that even the cheapest quote of \$319,240 is \$69,240 over Budget and whilst the \$55,000 from the sale of the existing truck is considered conservative and we hope to receive more at auction, the very best we could reasonably hope for would be perhaps \$65,000, lowering the budget shortfall to \$59,240. The reason for the cost blowout was due to the fact that indicative quotes received to allow for the formulation of the Budget were for 8x4 truck with GCM of only 42,000kg, not the necessary 60,000kg required for the Shire combination. The CEO accepts full responsibility for this error.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Decision Number – 08 09 2022

Moved: Cr Ventris

Seconded: Cr Walker

That Council increase borrowings in the 2022/2023 Budget for the purchase of the new 8x4 truck from \$90,000 to \$150,000.

That Council purchase a new Iveco T-Way 8x4 Rigid Active Day Cab Model AD410T51 from Goldfields Truck Power Pty Ltd as quoted for a total price of \$319,240ex GST.

Carried 9 / 0

9.3.2 CBH Open Bulkheads – September 2022	
Location:	Lots 200 and 213, Bent Street, Mukinbudin
File Ref:	AS593
Applicant:	CBH
Date:	5 September 2022
Disclosure of Interest:	Cr Seaby (Proximity Interest)
Responsible Officer	Dirk Sellenger - CEO
Author:	Paul Bashall, Consultant Planner - Planwest
Voting Requirements:	Absolute
Documents Attached:	Development Approval (DA) Application
Documents Tabled:	Nil

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Decision Number – 09 09 2022

Moved: Cr Ventris

Seconded: Cr Paterson

That Cr Seaby remain in the room to take part in discussion and voting on item 9.3.2 CBH Open Bulkheads – September 2022.

Carried 8 / 0

Summary

CBH has applied for a Development Approval (DA) to construct two open emergency bulkheads and two drive-over grids (DOGs) at its Mukinbudin grain terminal. A single bulkhead was approved by the Council in August measuring 180m x 35m with a height of 1.8m and a capacity of 23,580 tonnes, and a DOG with a capacity of 500 tph (tonnes per hour). That approval would increase the terminal capacity to over 200,000 tonnes. The current application form states that the current proposal seeks approval for 2 bulkheads of this size, however the site plan clearly shows a different proposal for a second new bulkhead of 275m x 35m with a height of 1.8m, with both being in a different location to the recently approved bulkhead.

Background Information

CBH states that its growers are indicating even greater crop yields than previously forecast. As a result, CBH has lodged the current DA to further increase the terminal's storage capacity.

The Mukinbudin CBH site is one of the 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 the additional storage bulkheads.

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 location of the proposed emergency bulkheads (EBH) in yellow – and the approved bulkhead in purple.

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.

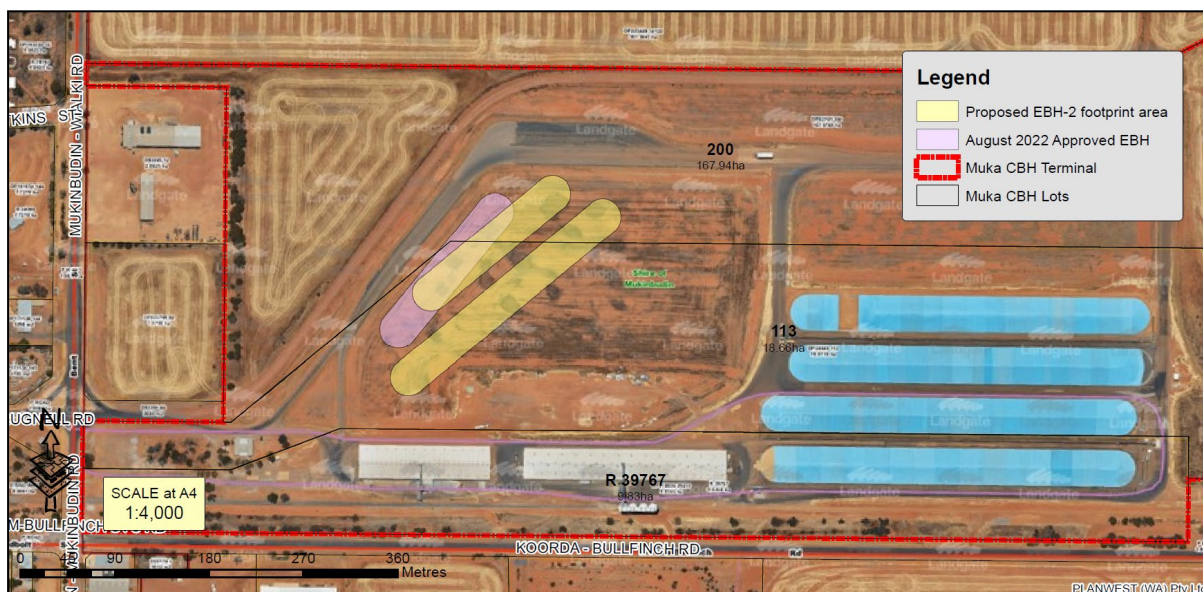
As can be appreciated from **Figure 2**, the land area where the new bulkheads are proposed, is currently vacant. The other features of the CBH terminal include several storage components including other open bulkheads, storage sheds and silos. The facility has several drive-over grids and loading infrastructure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



Source: Landgate, Planwest

Proposed Development

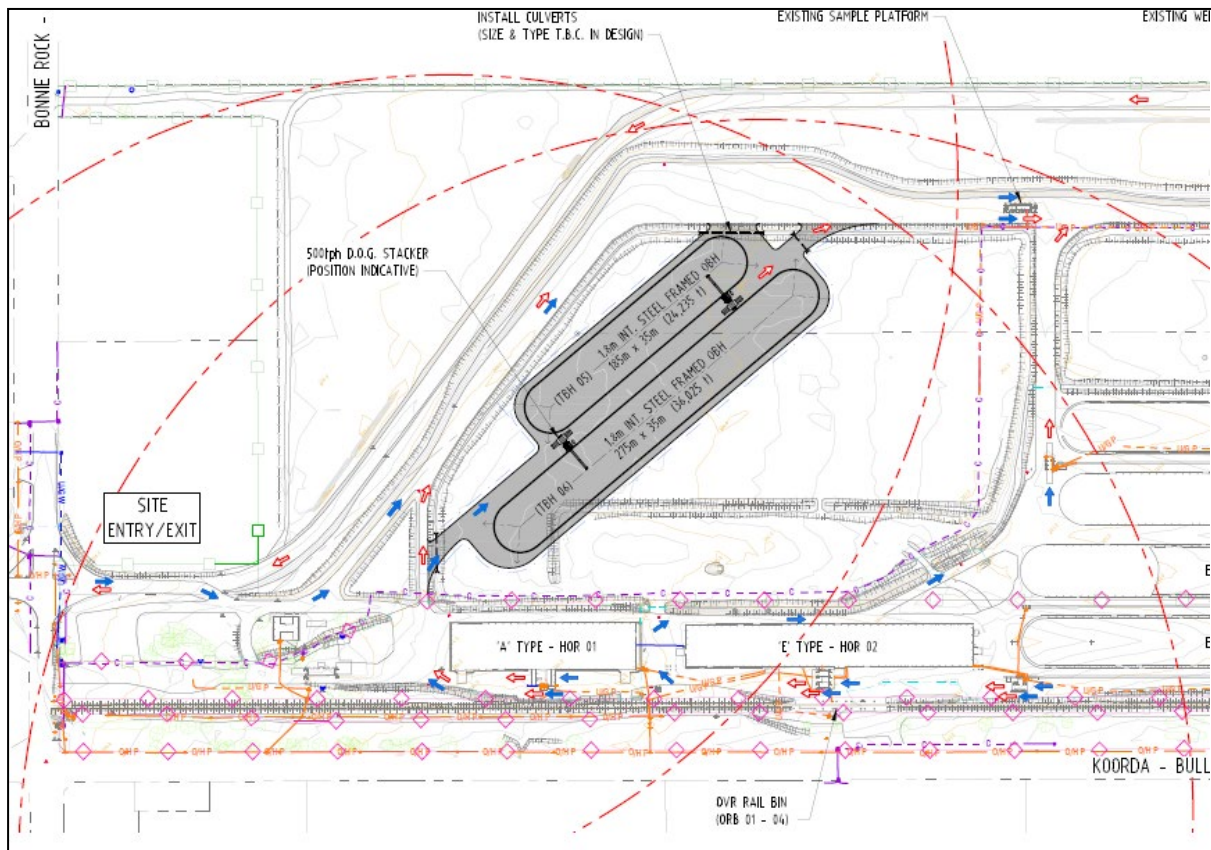
Figure 3 provides an extract from the DA application showing the location of the proposed bulkheads, the drive-over grid and the adjacent road system.

CBH states that the same rationale as the previous DA applies whereby *'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*.

The applicant has indicated that a drainage basin will be constructed to cater for a 5-year ARI event for all stormwater from the site. The applicant also suggests that a condition be imposed (as per the previous DA) that requires the preparation of a drainage plan to the satisfaction of the local government.

FIGURE 3 – EXTRACT OF DA PLAN OF PROPOSED OPEN BULKHEAD



Source: DA, Planwest

Traffic Technical Note

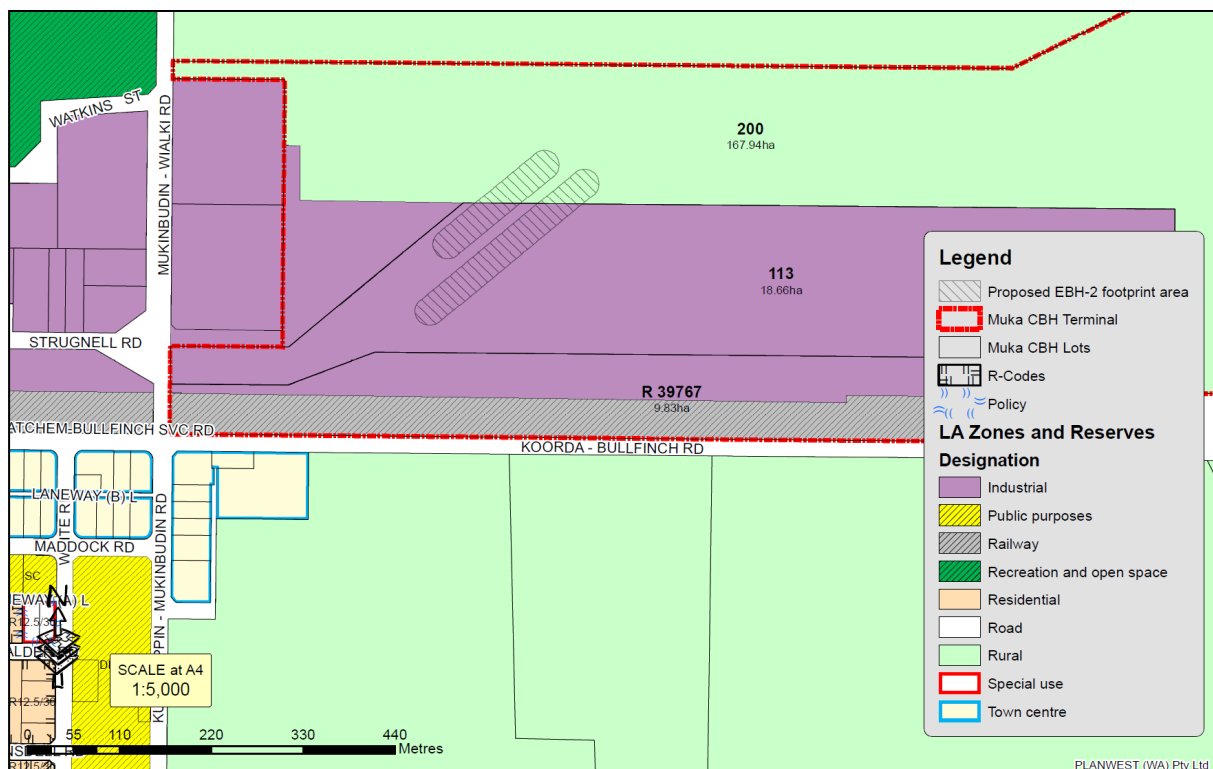
The DA application refers to the previous Traffic Technical Note (TTN) from Shawmac (Consulting Civil and Traffic Engineers), however the current DA does not include a copy of this report. The TTN acknowledges that the record harvest yield will increase traffic to the terminal whether any additional 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 and from the site as the terminal will be increasing its storage capacity.

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 bulkheads. 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

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.

Officer Comment

Similar to the previous DA that there are no issues raised in respect to the new proposed bulkheads and drive-over grids 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.

As previously mentioned, it is noted that the bulkheads are 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.

Because the two new proposed bulkheads are located in different positions from the previously approved bulkhead, it is necessary for this DA to supersede the previous approval.

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 RESOLUTION

Council Decision Number – 10 09 2022

Moved: Cr Ventris

Seconded: Cr McGlashan

That the Council approves the DA application, on the basis that this Development Approval supersedes the approval granted on the 16th August 2022 for a single open bulkhead, and is 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 9 / 0

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: 5 September 2022

Description of proposed development:

Installation of 2 open bulkheads measuring 180m x 35m and 275m x 35m, and 2 drive-over grids

The application for development approval is:



Approved on the basis that this Development Approval supersedes the approval granted on the 16th August 2022 for a single open bulkhead, and is 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: 27th September 2022

9.3.3 Bush Fire Matters – Chief Bush Fire Control Officer and Deputy Appointment	
Location:	Mukinbudin
File Ref:	
Applicant:	Shire of Mukinbudin
Date:	20 th September 2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

EXECUTIVE SUMMARY

Appointment of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer, Fire Control Officers and Weather Reading Officers as nominated by the Bush Fire Advisory Committee.

BACKGROUND INFORMATION

STATUTORY ENVIRONMENT

Bush Fires Act 1954 – Section 38 Local Government may appoint Bush Fire Control Officer

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Minor – Advertising costs only.

STRATEGIC IMPLICATIONS

N/A

SITE INSPECTION

N/A

ECONOMIC IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

Bush Fire services are a vital component of community safety.

ENVIRONMENTAL IMPLICATIONS

Nil

OFFICER COMMENT

Local Government appointment of the designated officers provides a level of legal authority to the officers.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Decision Number – 11 09 2022

Moved: Cr Nicoletti

Seconded: Cr Farina

That Council

- 1) Appoint the following persons to the designated positions under the provisions of Section 38 of the Bush Fires Act 1954 and undertake the relevant advertising and issue of documents.**

Chief Bush Fire Control Officer

Deputy Chief Bush Fire Control Officer

A Sprigg

J Taylor & J Dease

Carried 9 / 0

9.3.4 Chief Executive Officer – Request for Annual Leave	
Location:	Mukinbudin
File Ref:	Personnel
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	20 th September 2022
Disclosure of Interest:	Dirk Sellenger – The author and beneficiary of any Annual Leave approved by the Council.
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements:	Simple Majority
Documents Attached:	Nil
Documents Tabled:	Nil

Summary

To allow Council to consider a request for Annual Leave from the Chief Executive Officer.

Background Information

The CEO is requesting Annual Leave from Thursday 6th October 2022 to Tuesday 11th October 2022 inclusive.

Officer Comment

The CEO will be within mobile range and contactable at most times during this period and this number has been advertised as a Shire Emergency contact number and for this reason the CEO doesn't consider that an Acting CEO is warranted during this period.

Strategic & Social Implications

Nil

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Council has made the necessary allowances for costs associated with the payment of Staff Annual Leave, including the CEO, in the 2022/2023 Annual Budget.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Decision Number – 12 09 2022

Moved: Cr Seaby

Seconded: Cr Paterson

That Council grant the Chief Executive Officer Annual Leave for the period 6th to 11th October 2022 (inclusive).

Carried 9 / 0

9.3.5 Local Government Reforms – Election Transition Arrangements	
Location:	Mukinbudin
File Ref:	ADM018
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	20 th September 2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements:	Absolute Majority
Documents Attached:	Letter From Hon John Carey MLA
Documents Tabled:	Nil

Summary

To allow Council to consider options for the reduction of elected members from the existing nine (9) to a number between five (5) and seven (7) as part of the Local Government reform process.

Background Information

Based on previous informal discussions the Council is aware of the need to reduce Elected member numbers for the existing number of nine (9) to a number between five (5) and seven (7). The CEO understands Council has a desire to reduce numbers to the maximum allowable of seven (7).

Officer Comment

Several options exist how each Council is to achieve this necessary reduction, and these are details in Minister Careys attached letter. The CEO believes the most effective method is to utilise the October 2023 Ordinary Local Government Election process whereby four elected members terms expire and advertise only two vacancies to be filled. Members whose term will expire in October 2023 are Cr Shadbolt, Cr McGlashan, Cr Paterson and Cr Walker.

Strategic & Social Implications

Nil

Consultation

Various Band 4 Chief Executive Officers

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Savings to the Council are expected by a reduction of Elected Member numbers and associated sitting fees, travel, and conference expenses etc. These savings are expected to be approximately \$10,000 per year or \$5,000 per elected member.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Decision Number – 13 09 2022

Moved: Cr Paterson

Seconded: Cr Farina

That Council advise the DLGSC that the number of Elector Members will reduce from nine (9) to seven (7) commencing by way of the Ordinary October 2023 Local Government election process whereby one (1) less vacancy will be advertised at the 2023 election (3 instead of four 4) and one (1) less vacancy will be advertised at the 2025 election (4 instead of 5 positions).

The proposed method will result in 3 elected members retiring during one election cycle and 4 elected members retiring during the other election cycle.

Carried 9 / 0

9.3.6 Budget Amendment – Cemetery Niche Wall	
Location:	Mukinbudin
File Ref:	
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	23 rd September 2022
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements:	Absolute Majority
Documents Attached:	
Documents Tabled:	Nil

Summary

To allow Council to consider a Budget amendment to allow for the building of a Niche Wall at the Mukinbudin Cemetery.

Background Information

Council has made an allowance of \$35,000 (thirty five thousand dollars) in the 2022/2023 Budget to allow for the building of a new Niche Wall as the existing wall is at full capacity.

Officer Comment

A large number of options exist with regards to the style, type and design of wall and the cemetery committee have investigated a number of options, all of which exceed the \$35,000 budget allocation.

A quote was recently received for a granite modular type design as follows:



Above: Williams Cemetery granite wall (front)



Above: Williams Cemetery granite wall (rear)

Strategic & Social Implications

Council has a social obligation to provide a Cemetery within the Shire, most Cemeteries include a Niche Wall to allow for the interment of loved ones ashes and as the existing niche wall is at full capacity a new wall needs to be added for future use.

Consultation

Cemetery Committee Members
Shire of Narembeen

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Council has made an allowance of \$35,000 (thirty five thousand dollars) in the 2022/2023 Budget. To build a suitable wall will cost in the vicinity of \$55,000 (fifty-five thousand dollars) and a Budget Amendment to allow for this to proceed is both requested and recommended.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Decision Number – 14 09 2022

Moved: Cr Ventris

Seconded: Cr Bent

That Council amend the 2022/2023 Budget (GL IO040) – Cemetery Capital from \$35,000 (thirty five thousand) to \$55,000 (fifty five thousand) to allow for the installation of a new Niche Wall at the Mukinbudin Cemetery in the current financial year.

**Carried 8 / 1
Cr Nicoletti Voted Against**

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 1:53 pm.