



Mukinbudin - Classic, Dry, Red

Shire of Mukinbudin

Special Council Meeting

MINUTES

WEDNESDAY 25 May 2016



Floral Emblem
Eucalyptus erythronema (Red Flowering Mallee)

Notice of Meeting

Councillors

The next meeting of Council will be a Special Meeting to be held on Wednesday 25th May 2016 commencing at 1.30pm.

Thank you

Stuart Billingham
Chief Executive Officer

13th May 2016

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.

5.4. Calling council meetings

An ordinary or a special meeting of a council is to be held —

(a) if called for by either —

(i) the mayor or president; or

(ii) at least $\frac{1}{3}$ of the councillors,

in a notice to the CEO setting out the date and purpose of the proposed meeting;
or

(b) if so decided by the council.

5.5. Convening council meetings

(1) The CEO is to convene an ordinary meeting by giving each council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.

(2) The CEO is to convene a special meeting by giving each council member notice, before the meeting, of the date, time, place and purpose of the meeting.

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- 9. Correspondence and Information Report**
 - 9.1 Please refer to separate attachment 'Correspondence and Information Report' dated 18 May 2016.

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

- 11. Urgent Business without notice (with the approval of the president or meeting)**
 - 11.1 Nil

- 12. Confidential Items – Meeting to be closed to the Public in accordance with the provisions of the Local Government Act 1995.**
 - 12.1 Nil

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 - 13.1 See attached list

- 14. Closure of Meeting**
 - 14.1 Closure of Meeting

1. Declaration of Opening

1.1 The Shire President to declare the Meeting open at 1.30pm

2. Public Question Time (min 15 minutes)

2.1 Response to previous questions taken on notice.
Nil

2.2 Declaration of public question time opened (min 15 mins)

The Shire President will declare public question time open.

2.3 Declaration of public question time closed

The Shire President will declare public question time closed.

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

3.1 Present:

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

3.2 Apologies:

3.2.1

3.3 On leave of absence:

3.3.1

3.4 Staff:

3.4.1 Stuart Billingham - Chief Executive Officer
Ann Brandis - Manager Finance
Keith Mills - Works Manager

3.5 Visitors:

3.6 Gallery:

3.7 Applications for leave of absence:

3.7.1 Request for leave of absence

Council Decision Number –

Moved: Cr

Seconded: Cr

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

Carried /

4. Petitions, deputations and presentations

4.1 Petitions
Nil

4.2 Deputations
Nil

4.3 Presentations
Nil

5. Announcements by the Presiding person without discussion

5.1

6. Confirmation of the Minutes of previous meetings

6.1 Confirmation of Minutes for the Ordinary Meeting of Council held on the 20th April 2016.

Voting Requirement

Simple Majority

Recommendations

That the Minutes of the Ordinary Meeting of Council held on the 20th April 2016 be accepted as a true and correct record of proceedings.

Council Decision Number – 1468

Moved: Cr Paterson

Seconded: Cr Palm

That the Minutes of the Ordinary Meeting of Council held on the 20th April 2016 be accepted as a true and correct record of proceedings.

Carried 9/0

6.1.1 Business Arising from Minutes

Nil

7. Matters for which the meeting may be closed

7.1 Nil

The Local Government Act 1995 Section 5.23 states the following:

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,
where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;and
 - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

8.1 Work's Manager

8.1.1 Work's Manager's Report – April 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Keith Mills - WM
Date:	11 May 2016
Disclosure of Interest:	NIL
Responsible Officer	Keith Mills – WM
Author:	Keith Mills - WM

MAINTENANCE GRADING

Works are continuing in the Northern region and working South, nearly to town.

KOORDA/BULLFINCH RD (Strugnell St intersection)

Kerbing completed on the 2.5.16, started and completed Kerb backfill on the 10.5.16, signage and guide posts have been erected. Everything's completed and open for full traffic use.

KOORDA/BULLFINCH RD (Salt Pan)

Rock pitching for the headwalls is completed and waiting on slurry to finish.

CLEOMINE HORSE

Tourist attraction signs have been purchased and will be erected along with guide posts.

OUTSIDE STAFF

Installing signage and guide posts, also general clean up around the depot.

OSH

We have started cleaning in and around the workshop and getting our chemicals and other hazardous materials in order, Kelly and Chris did an inspection and we got a few more items ticked off on our OSH register but still have a way to go yet.

Chris and Kelly have informed us that the Mukinbudin Shire are running in 1st place for OSH, out of approx. 16 shires, big thanks to all staff, mainly to Kelly for her registry up keeping and management of the new OSH tracker and toolbox meetings that she has implemented.

TRAFFIC ISLANDS

I've had some people approach me in regards to the islands that are around town, they would like to have them some of them removed as they feel that they are a traffic hazard and serve no purpose. Any thoughts?

Voting Requirement

Simple Majority

Recommendation

That Council note the Works Supervisors Report.

Cr Seaby left the meeting at 2.05pm and returned at 2.06pm

Plant Report as per policy

Plant Item	Plant Number	Comments	Odometer/Hours
2014 Toyota Prado 1MBL	P433	Dec 2015 had 40,000km service, New Tyres fitted April 2016, March 2016 50,000km service May 2016 60,000km Service	60,791kms
2012 Ford Territory MBL1	P435	2 x new tyres fitted August 2015 120,000km service Jan 2016 new battery and spotlights fitted July 2015. Frt Headlights replaced	130,238kms
2015 Ford Ranger MBL2	P463	Replace 1 x Tyre , 30,000km service Oct 2015, 40,000km service Jan 2016	55,253kms
2015 Ford Ranger-Parks Super MBL1000	P291	Bull bar and spotlights fitted August 2015 Due for 15,000km service soon	12,872kms
2013 Holden Colorado Leading Hand MBL1071	P439	120,000km service Jan 2016	128,481kms
2002 Mitsubishi 6 wheeler MBL696	P279	New water pump July 2015 , 2 x steer tyres Sept 2015 Unit is performing well	333,326kms
2002 Coaster Community Bus OMBL	P281	100,000km service Jan 2016	102,518kms
2008 Kenworth DAF Prime Mover MBL250	P369	Rear axle noise/brakes, warning light, 210,000km service Sept 2015 install Bluetooth radio for phone, repair air leak, PTO repair not engaging	222,394kms
2004 Mitsubishi Triton MBL 1060 - Mtce Grader Driver	P288	To be traded in Jan 2016. Speedo not working, replaced gearbox in 2014 with second hand unit, Traded /Disposed Jan 2016	
2015 Isuzu Light Truck Mtce Grader Driver	P289	Delivered Jan 2016 Working well	5,863kms
2002 Komatsu Backhoe MBL1091	P317	Replaced leaking radiator Aug 2015 Working well, pins need replacing	7,084hrs
2010 New Holland Tractor MBL1463	P403	This unit is operating well	2,155kms
2014 John Deere Tractor MBL244	P198	Repair to tyre Oil and filter service .This unit is performing well	179.2hrs
2015 Toyota Hiace Van MBL180 -Mtce Officer	P464	Purchased Dec 2015. Two way radio installed and van fitted out with storage units. Unit working well.	10,452kms
2004 CAT 10H Grader MBL100	P301	1000 hour service Oct 2015 carried out, blades nuts and bolts purchased new antennae installed	9,643.6hrs
2014 CAT 12M Grader 1ESU054	P461	500 Hour service carried out coolant and oil loss investigated Turbo replaced under warranty at service by Westrac. Blades nuts bolts and teeth	1,221.6hrs
2011 Hino 614 MBL 1070	P411	This unit is operating well, globes replaced	35,612kms
2011 Hino 816 MBL 150	P410	This unit is operating well, replaced flashing light globes, replaced waring light globes	92,544kms
2006 CAT 928 Frt End Loader MBL 1424	P344	500hour service carried out – coolant adj park brake. Replace driveshaft & centre bearing. This unit is operating well	10036.7hrs
2008 CAT Vibe Steel roller MBL1677	P420	4000 hour service Oct 2015 repair air cond replace leaking hoses and thermostat housing ,Unit is performing well, new UHF radio installed	4,609.6hrs
2014 Atlas Copco Roller MBL811	P462	50hr service Sept 15 Replace flat tyre , repair tyre. Unit is performing well	379hrs
2011 CAT Skid Steer MBL1724	P449	500hr service reseal cab, Unit is performing well	1,090hrs
1997 Duelvo Street Sweeper MBL1453	P227	Currently engine coil being repaired @ Geraghty's	Under repair

Council Decision Number – 1466

Moved: Cr Ventris

Seconded: Cr Junk

That Council note the Works Supervisors Report.

Carried 9/0

8.2.1 Community Development Officer's Report	
Location:	Shire of Mukinbudin
File Ref:	CS.GR.1
Applicant:	Nola Comerford-Smith
Date:	18 May 2016
Disclosure of Interest:	
Responsible Officer	Stuart Billingham
Author:	Nola Comerford-Smith

GRANT FUNDING PROJECTS:

Current Successful Projects:

- Wheatbelt Development Commission - Creating Age Friendly Communities in Small Towns Project - \$53,991.25
The grant includes disabled toilets at the Lion's Park (near current facilities behind Shire) and Gym, some seating and disabled parking bays.
- Community Pool Revitalisation Program - \$32,000. Part of a Future Capital Project to have pool repainted – the same amount can be applied for again next year to ensure the project is achievable.
- CBH Grass Roots Fund – \$1,000 funding for seniors events.
- Healthway – Spring Festival. \$11,500 - This grant requires naming rights so will once again be called the Act Belong Commit Mukinbudin Spring Festival.
- Lotterywest – Sandalwood Arts & Crafts. Their hot water system has not worked for some time (quite possibly the original system) and needs replacing, plus some other extra arts requirements.
- Writing WA – funding for travel and speaker component of annual Literary Lunch \$1,400.
- Lotterywest – Spring Festival. Planning & Development Group - \$11,124 funding for advertising, equipment and artist travel.

Applications in Progress:

- Lotterywest – Community Events Kit.
- Waste Authority Community Grants – a Community Garden project.
- Our Neighbourhood Community Grants – additional workshops and resources for a community garden.

Outstanding Acquittals:

- Wheatbelt Development Commission – Age Friendly Communities. Waiting for last component of the project to be completed before finalising report.

COMMUNITY PORTFOLIOS – OTHER PROJECTS

- **Mukinbudin Planning & Development Group** – the AGM was held in April and now have a committee to proceed with the 2016 Spring Festival.
- **Creating Age Friendly Communities in Small Towns** – The disabled toilets have been installed at the Shire and Gym, but I am waiting on the plumbing and electrical works to be finalised before the acquittal can be completed.
- **Senior's Toodyay Trip** – We had 15 people attend the day trip to Toodyay which was a great success. The trip included visiting tourist sites, shopping, lunch at the Victoria Hotel and Cartref Garden/The Space Place. This was partially sponsored by CBH Group with funding left for subsidising another seniors trip later in the year.

- **Stay on Your Feet** – Eastern Wheatbelt Health Officer, Amber Durey, will give a presentation on Falls Risk in the Home on Wednesday 8th May. I will also try and source a presenter on how to operate a defibrillator for the same day.
- **Memorial Hall** – The potential funding, Regional Venues Improvement Fund, was unable to provide the necessary funds to repair the Hall as we are not currently hosting touring acts, therefore I will look at Lotterywest to assist with the upgrades.
- **Community Events Kits Grant** – As discussed at the April Council Meeting, a funding application has been submitted to Lotterywest for a Community Events Kit. This kit will comprise of resources such as tables, chairs, marquees, crockery and decorations to be available for community members and groups to hire. The funding application would be looked at more favourable with financial commitment from the Shire, having already obtained support from the District Club of \$2,000.

Meetings Attended/Events Organised:

- Thursday 28 April – Planning & Development Group AGM
- Friday 6 May - Seniors Trip to Toodyay
- Wednesday 11 May – Meeting with CRC Coordinators

Financial Implications:

Strategic Implications:

Nil

Voting Requirements

Absolute Majority

Recommendations

That Council note the above Community Development Officers Report and agree to contribute \$2,000 to the Lotterywest Community Events Kits funding application if successful.

Council Decision Number – 1467

Moved: Cr Ventris

Seconded: Cr Poultney

That Council note the above Community Development Officer’s Report and agree to contribute \$2,000 towards the Lotterywest Community Events Kit funding application if successful.

Carried 9/0

8.3 Manager of Finance Reports

8.3.1 List of Payments – April 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Ann Brandis – MF
Date:	12 th May 2016
Disclosure of Interest:	Nil
Responsible Officer	Ann Brandis – MF
Author:	Ann Brandis – MF

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

Background

A list of payments submitted to Council on 25th May 2016, for confirmation in respect of accounts already being paid or for the authority to those unpaid. (Please refer to Payment listing submitted as a separate attachment)

Financial Implications

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

Policy Implications

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

Voting Requirements

Simple Majority

Recommendation

That the list of payments to today's meeting on Vouchers –	
Direct Debits D/D 22298.1-D/D 2364.1	(\$15,119.77) and
Muni Cheques 31327 to 31338	(\$51,430.24) and
Muni EFT's – EFT 1570 to EFT 1631, Payroll - Pay-2	(\$197,022.63) and
Trust D/D 2304.1 – D/D 2381.1, EFT 1596, 1630, Trust 267-270	(\$35,812.30)
Totalling	(\$299,384.94)

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

Council Decision Number – 1469

Moved: Cr Comerford

Seconded: Cr Seaby

That the list of payments to today's meeting on Vouchers –	
Direct Debits D/D 2298.1 - D/D2364.1	(\$15,119.77) and
Muni Cheques 31327 to 31338	(\$51,430.24) and
Muni EFT's – EFT 1570 to EFT 1631, Payroll - Pay-2	(\$197,022.63) and
Trust D/D 2304.1 – D/D 2381.1, EFT 1596, 1630, Trust 267-270	(\$35,812.30)
Totalling	(\$299,384.94)

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

Carried 9/0

8.3.2 Monthly Statement of Financial Activity Report – 30 April 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Ann Brandis - MF
Date:	10 th May 2016
Disclosure of Interest:	Nil
Responsible Officer	Ann Brandis - MF
Author:	Ann Brandis - MF

Background

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

The new format out of SynergySoft Monthly Statement of Financial Activity for the period ending 30th April **2016** are attached for Councillor Information, and consisting of;

- Statement of Financial Activity
- 1. Acquisition of Assets
- 2. Disposal of Assets
- 3. Information on Borrowings
- 4. Reserves
- 5. Net Current Assets
- 6. Rating Information
- 7. Trust Funds
- 8. Operating Statement
- 9. Statement of Financial Position
- 10. Financial Ratios
- 11. Grants Report
- 12. Supplementary Information

Financial Implications

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

Statutory Environment

General Financial Management of Council, Council 2015/16 Budget, *Local Government (Financial Management) Regulations 1996*, r34, *Local Government Act 1995*, section 6.4

Policy Implication

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

Voting Requirements

Simple Majority

Recommendation

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

Cr Comerford left the meeting at 3.09pm and returned at 3.10pm

Council Decision Number – 1470

Moved: Cr Junk

Seconded: Cr Ventris

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

Carried 9/0

8.4 Chief Executive Officer's Reports

8.4.1 Chief Executive Officer's Report – April 2016	
Location:	Shire
File Ref:	ADM 030
Applicant:	Stuart Billingham – CEO
Date:	12 th May 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Meetings – Past

April 2016

25 Apr ANZAC Day Public Holiday
26 Apr NEWROC Council Meeting Shire of Wyalkatchem Cr Shadbolt CEO on RDO
27 Apr Housing Inspections Cr Ventriss and MF and Denis
28 Apr Great Eastern Country Zone Meeting Merredin Rec Centre Cr Ventriss and CEO
29 Apr Property Inspections Cr Ventriss MF and Denis
29 Apr Kununoppin Medical Practice Meeting with Cr Shadbolt

May 2016

2-6 May CEO Annual Leave - MF and WM Acting CEO
4 May A/CEO attended NEWHEALTH meeting in Koorda
10 May CRC Meeting
18 May Ordinary Council Meeting

1.2 Meetings – Future

May 2016

19-20 May CEO LGMA Leaders Conference Busselton
24 May NEWROC Executive Meeting Shire of Wyalkatchem

June 2016

3 June LGMA WA Joint Branch Central Wheatbelt and Avon Branches Meeting Shire of Beverly
6 June WA Day Public Holiday Office closed
15 June Ordinary Council Meeting new 10 am start time

1.3. Staff Matters

SFO - Katharine Spencer returned from Long Service Leave on 8th May 2016. Going on maternity leave mid-late August 2016.

Shire advertising for Pool Manger to be trained and qualified up ASAP.

Daniel Mori going on LSL in July 2016 for 13 weeks relief staff member to be advertised.

1.4 Current/Emerging Issues

1.4.1 Beringbooding Tank – Funding for Roof and Conservation Plan meeting held 4 June 15 with Regional Manager Water Corporation-Sharon Broad, funding for roof removal unsuccessful in state Budget 2015/16. Possible 2 years before funding available.

1.4.2 Building Surveyor Services to the Shire of Mukinbudin to be supplied by NEWHealth Shire of Koorda.

Voting Requirements

Simple Majority

Recommendation

That Council note the Chief Executive Officer's Report.

Council Decision Number – 1472

Moved: Cr Seaby

Seconded: Cr Comerford

That Council note the Chief Executive Officer's Report.

Carried 9/0

8.4.2 NEWROC Council Meeting Minutes 26 April 2016	
Location:	NEWROC
File Ref:	ADM 236
Applicant:	Stuart Billingham – CEO
Date:	12 th May 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham – CEO
Author:	Stuart Billingham – CEO

Background

A Council Meeting of NEWROC was held on Tuesday 26th April 2016 at the Shire of Wyalkatchem Council Chambers. (The minutes AND MOU from the meeting are submitted as a separate attachments Item 8.4.2 for Councillors information.)

Comment:

The following presentations were made to the meeting:

- Nil

The following items were discussed at the Council Meeting:

4. MINUTES OF MEETINGS
 - 4.1. MINUTES OF ORDINARY MEETINGS
 - 4.1.1. MINUTES OF ORDINARY MEETING OF NEWROC COUNCIL – 23 FEBRUARY 2016
 - 4.1.2. BUSINESS ARISING.
 - 4.1.2.1. TELECOMMUNICATIONS BUSINESS CASE – NBN CO UPDATE
 - 4.2 MINUTES OF EXECUTIVE COMMITTEE MEETINGS
 - 4.2.1 NEWROC EXECUTIVE COMMITTEE MEETING – 22 MARCH 2016
 - 4.2.2 BUSINESS ARISING
 - 4.2.2.1 PETER GERAGHTY
5. FINANCIAL MATTERS
 - 5.1. LIST OF INCOME AND EXPENDITURE
 - 5.2. BALANCE SHEET
 - 5.3 DRAFT BUDGET
6. MATTERS FOR CONSIDERATION
 - 6.1. NEWROC MOU
 - 6.2. STRATEGIC PLANNING
 - 6.3. NEWTRAVEL UPDATE
 - 6.4. TOURIST AND VISITOR ACCOMODATION REPORT
 - 6.5. AGED ACCOMODATION

Next NEWROC Meeting dates:

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

24 May	Executive	Shire of Wyalkatchem
28 June	Council	Shire of Mukinbudin (12pm start)
26 July	Executive	Shire of Mukinbudin
23 August	Council	Shire of Mt Marshall
27 September	Executive	Shire of Mt Marshall
25 October	Council	Shire of Koorda
22 November	Executive	Shire of Koorda
13 December	Council	Shire of Nungarin

WALGA Great Eastern Country Zone dates:

Thursday 28 April 2016 Merredin
 Thursday 30 June 2016 Kellerberrin
 Thursday 1 September 2016 Merredin
 Thursday 1 December 2016 Kellerberrin

Voting Requirements

Simple Majority

Officer recommendation:

That Council

1. notes the report on the NEWROC Executive meeting minutes held on 26th April 2016; and
2. endorses the NEWROC Memorandum of Understanding as presented and authorises the Shire President and CEO to Sign; and
3. provide written support to the Shire of Wyalkatchem for the expansion of regional 'low care' aged accommodation at Wyalkatchem as a regional project

Council Decision Number – 1473

Moved: Cr Ventris

Seconded: Cr Comerford

That Council

- 1. notes the report on the NEWROC Council meeting minutes held on 26th April 2016; and**
- 2. endorses the NEWROC Memorandum of Understanding as presented and authorises the Shire President and CEO to Sign; and**
- 3. provides written support to the Shire of Wyalkatchem for the expansion of regional 'low care' aged accommodation at Wyalkatchem as a regional project.**

Carried 9/0

8.4.3 Shire of Mukinbudin – Delegated Authority Register Annual Review	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Stuart Billingham - CEO
Date:	12 May 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Stuart Billingham - CEO

Summary

To present Council a request to review and adopt the Shire of Mukinbudin Delegated Authority Register for 2015/16. **NB:** To ensure the Shire meets its statutory compliance obligations this item must be adopted no later than the June 2016 Council Meeting or it will again be raised by the Shire auditors as a matter of Non-Compliance and the CEO will be required to explain to the DLGC why it did not comply. (Please refer to reviewed and amended Delegations Register submitted as a separate attachment.)

Background

Under the *Local Government Act 1995* there are basically two types of delegations Council may make:

- Delegations to a Committee of Council or
- Delegations to the CEO.

Other Delegations made under the *Bush Fires Act 1954, Building Act 2011, Health Act 1911 and Food Act 2008*.

- Delegations to Others such as Chief Bush Fire Control Officer

Section 5.8 of the *Local Government Act 1995* deals with Delegations to Committees of Council. Currently the Shire of Mukinbudin only has an Audit Committee that it may wish to delegate to.

The Shire of Mukinbudin Register of Delegations is attached as a separate attachment and was last reviewed on 20 May 2015. Section 5.46 (1) & (2) requires the Register of Delegations to be reviewed annually.

The *Local Government Act 1995* states the following for delegations to Committees of Council:
Subdivision 2 — Committees and their meetings

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

* *Absolute majority required.*

5.16. Delegation of some powers and duties to certain committees

(1) Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.

* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

(3) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —

- a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
- any decision to amend or revoke a delegation under this section is to be by an absolute majority.

- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

5.17. *Limits on delegation of powers and duties to certain committees*

- (1) A local government can delegate —
- (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
 - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
 - (ii) any other power or duty that is prescribed;and
 - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
 - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
 - (i) the local government's property; or
 - (ii) an event in which the local government is involved.
 - (1) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

The *Local Government Act 1995* states the following for delegations to the CEO:

5.42. *Delegation of some powers and duties to CEO*

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
- (a) this Act other than those referred to in section 5.43; or
 - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

[Section 5.42 amended by No. 1 of 1998 s. 13; No. 28 of 2010 s. 70.]

5.43. *Limits on delegations to CEO*

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

[Section 5.43 amended by No. 49 of 2004 s. 16(3) and 47; No. 17 of 2009 s. 23.]

5.44. *CEO may delegate powers and duties to other employees*

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate,are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —
conditions includes qualifications, limitations or exceptions.

[Section 5.44 amended by No. 1 of 1998 s. 14(1).]

5.45. *Other matters relevant to delegations under this Division*

- (1) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.

5.46. *Register of, and records relevant to, delegations to CEO and employees*

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Audit Committee

7.1B. *Delegation of some powers and duties to audit committees*

- (1) Despite section 5.16, the only powers and duties that a local government may delegate* to its audit committee are any of its powers and duties under this Part other than this power of delegation.

* *Absolute majority required.*

- (2) A delegation to an audit committee is not subject to section 5.17.

[Section 7.1B inserted by No. 49 of 2004 s. 5.]

Comment:

The Chief Executive Officer has reviewed the Delegated Authority Register and recommends no changes are required. This matter is presented to Council to consider adopting the reviewed Delegated Authority register to ensure the Shire of Mukinbudin meets its Statutory Compliance responsibilities.

Financial Implications

Nil

Statutory Environment:

Local Government Act 1995

Strategic Implications

Nil

Policy Implications

Nil

Consultation:

Nil

Financial Implications

Nil.

Voting Requirements

Absolute Majority Vote Required

Recommendation

That Council adopts the reviewed Register of Delegations as presented at 18 May 2016.

Council Decision Number – 1474

Moved: Cr Seaby

Seconded: Cr Comerford

That Council adopts the reviewed Register of Delegations as presented at 18 May 2016.

Carried 9/0

8.4.4 Shire of Mukinbudin - Policy Manual Annual Review 2016	
Location:	Shire
File Ref:	ADM
Applicant:	Stuart Billingham - CEO
Date:	12 th May 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Stuart Billingham - CEO

Summary

To present Council with a request to adopt the reviewed Shire of Mukinbudin Policy Manual for the 2015/2016 year. All changes have been highlighted and identified from last year's review.

NB: To ensure the Shire meets its statutory compliance obligations this item must be adopted no later than the June 2016 Council Meeting. (Please refer to reviewed and amended Policy Manual submitted as a separate attachment.)

Background

The Shire of Mukinbudin Policy Manual was last reviewed by Council on 17 June 2015. Council Policy currently states the following regarding the Policy Manual

Policy Number: 1.1.8 Policy Change and Review

Policy Statement

- (1) That policies of Council be fully reviewed within 6 months of each Ordinary Local Government Election.*
- (2) New policies or changes to existing policy be made only by notice of motion or as a specific agenda item.*
- (3) All changes of policy be issued to Policy Manual holders for Manual update.*

Purpose

To provide for the periodic review of policies and provide a process under which new policies and amendments will not be made 'on the run'.

The only changes from the last year review are new policies added below:

- 1.15 Social Media Policy
- 1.16 Internet and Email Usage
- 3.5 Updated Purchasing policy
- 4.14 Long Service Leave
- 4.15 Rostered Days Off (Inside Staff)
- 4.16 Rostered Days Off (Outside Staff)
- 7.10 IT Security

Comment:

1. Council Elections were last held in October 2015 and the Shire Policy Manual will need to be reviewed each year and adopted by Council by the end of June 2016.
2. A specific Agenda item needs to be prepared showing the required changes to the Policy Manual.
3. A new version (either hardcopy or Electronic) of the updated and reviewed Policy manual will be distributed to all Councillors

Strategic Implications

Possible amendments to Shire Community Strategic Plan.

Legislation

Local Government Act 1995

Policy Implications

Updated Policy Manual

Consultation:

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer recommendation:

That Council adopts the reviewed Shire of Mukinbudin Policy Manual 2015 as presented.

Cr Ventris left the meeting at 4.26pm and returned at 4.29pm.

Cr Seaby left the meeting at 4.38pm

Council Decision Number – 1475

Moved: Cr O'Neil

Seconded: Cr Palm

That Council adopts the reviewed Shire of Mukinbudin Policy Manual 2015 as presented.

Carried 8/0

Cr Seaby returned to the meeting at 3.39pm

8.4.5 Sale of 51 Maddock St Mukinbudin	
Location:	Mukinbudin
File Ref:	AS387
Applicant:	Stuart Billingham - CEO
Date:	11 May 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Stuart Billingham - CEO

Summary:

To present Council with a request to consider listing for sale the House and land located at 51 Maddock St Mukinbudin.

Background:

The Shire of Mukinbudin has been dealing with the Department of Housing on the removal of the Caveat on 51 Maddock St Mukinbudin. The Caveat effectively gave the Dept of Housing first option on the Property if they wished to redevelop it with three units. This process has been undertaken and the Department of Housing do not wish to exercise the caveat to redevelop the property, hence they are prepared to remove the Caveat at the Shires expense of approx. \$250.

Extract of email from Dept of Housing

Good morning Mr Billingham

Please be advised that the Withdrawal of Caveat has now been lodged at Landgate. The Dealing Number is **N259537**.

Thank you

April Shim

Conveyancer | M

Securities and Conveyancing

Housing Authority

99 Plain Street, East Perth WA 6004

P: (08) 9222 4657 | F: (08) 9222 4670 |

E: april.shim@housing.wa.gov.au | W: www.housing.wa.gov.au

Section 3.58 of the *Local Government Act 1995* deals with the disposition of Shire Property. Should an offer be received by the Shire on the property the matter would need to come back to Council for a decision to accept the offer.

3.58. *Disposing of property*

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.
- [Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]



8.4.6 Transfer of unwanted land Lake Brown & Write off of Rates	
Location:	Lake Brown Gazetted Townsite
File Ref:	AS433,AS412,AS413
Applicant:	Stuart Billingham - CEO
Date:	11 May 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham - CEO
Author:	Stuart Billingham - CEO

Summary:

To present Council with a request to authorise the Shire President and Chief Executive Officer to sign and affix the Shire Common Seal to two transfer of Land forms for Lots 7 & 8 Mulqueeny Street Lake Brown on Deposited Plan 202099 and Lot 66 (28429 Rural Address) on Diagram 29815. (Please refer to copies of Transfer of Land forms submitted as separate attachments.)

Assessment AS433 BC Manuel



Assessments AS412 ET Warren and AS413 ET Warren



Background:

The Shire has been dealing with Mr Jeff Warren son of Elsa Warren and the estates of Bevan and Ethel Manual these blocks and all parties have now reached agreement for the abovementioned 3 blocks to be gifted to the Shire of Mukinbudin in Fee Simple.

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,

which is owed to the local government.

** Absolute majority required.*

CEO Comments

It is supported that Council accept the 3 blocks of land and make them non rateable until they are either sold or possibly returned to the Crown.

Financial Implications

Yes - Immediate reductions in rates base and future write off of existing rates

A433

Financial Summary

Levies				Description
	Receipts	Balance	C/A	
500.00	0.00	500.00	C	Rates
33.74	0.00	33.74	C	Interest
4.15	0.00	4.15	C	ESL PENALTY
50.00	0.00	50.00	C	VOLUNTARY SWIMMING POOL LEVY
68.00	0.00	68.00	C	EMERGENCY SERVICES LEVY
=====				
655.89	0.00	655.89		*** TOTALS ***

A412

Financial Summary

Levies				Description
	Receipts	Balance	C/A	
400.00	0.00	400.00	C	Rates
27.61	0.00	27.61	C	Interest
4.15	0.00	4.15	C	ESL PENALTY
50.00	0.00	50.00	C	VOLUNTARY SWIMMING POOL LEVY
68.00	0.00	68.00	C	EMERGENCY SERVICES LEVY
=====				
549.76	0.00	549.76		*** TOTALS ***

A413

Financial Summary

Levies				Description
	Receipts	Balance	C/A	
400.00	0.00	400.00	C	Rates
27.61	0.00	27.61	C	Interest
4.15	0.00	4.15	C	ESL PENALTY
50.00	0.00	50.00	C	VOLUNTARY SWIMMING POOL LEVY
68.00	0.00	68.00	C	EMERGENCY SERVICES LEVY
				=====
549.76	0.00	549.76		*** TOTALS ***

Grand Total \$1,755.41 in rates, levies and charges

Statutory Environment

Local Government Act 1995 and associated regulations.

Policy Implication

Nil

Voting Requirements

Absolute Majority Vote required Simple

Recommendation

That Council

1. agrees to accept the blocks on assessments AS433, AS412 and AS413 and authorise the Shire President and CEO to sign and affix the Shire Common Seal to the transfer of Land Documents.
2. writes off the total amounts owing on Assessments AS433, AS412 and AS413 once transferred.

Council Decision Number – 1477

Moved: Cr Palm

Seconded: Cr Seaby

That Council

- 1. agrees to accept the blocks on assessments AS433, AS412 and AS413 and authorise the Shire President and CEO to sign and affix the Shire Common Seal to the transfer of Land Documents.**
- 2. writes off the total amounts owing on Assessments AS433, AS412 and AS413 once transferred.**

Carried 8/0

AMVR

8.5 Environmental Health/Building Surveyor Officer's Reports

Nil

NB: Shire of Merredin has withdrawn Building Surveyor support to Shire of Mukinbudin at the end of March 2016 due to increasing workloads and the passing of Mr John Mitchell.

Shire of Koorda to supply Building Surveyor services as part of NEW Health agreement

8.6 Mukinbudin Caravan Park Manager's Report

8.6.1 Mukinbudin Caravan Park Report – April 2016	
Location:	Mukinbudin
File Ref:	
Applicant:	Tania Sprigg
Date:	12 th May 2016
Disclosure of Interest:	NIL
Responsible Officer	Stuart Billingham
Author:	Tania Sprigg

Mukinbudin Caravan Park Report April 2016

Caravans are now coming through, ready for their 2016 holidays over Australia!

Over the June long weekend we have "Sandgroper Caravan Club" with 30 vans booked in. This will be a big weekend with them touring around locally and hanging out at the park. I'm a little worried with the West Side of the park not levelled and completed. Is there any chance this could happen in 3 weeks?

Over the last month Ann has organised new linen/towels for the Caravan Park. The bedding is now looking so much fresher. Thank you very much for this, as it was well needed.

We now have three S/C Units occupied by "Water Corp" up until October. I'm still able to accommodate tourist/business people, so everyone's happy!

Tania Sprigg

CEO Comment

The adoption of the 2015/16 Budget will see trees replanted around the Caravan Park and Main Street. Suitable Tree species to be identified and purchased and planted next year as past planting window as sub surface moisture dropping and warmer hot weather upon us. Drive through caravan bays for overflow parking during Spring Festival operated well.

Recommendation

That Council note the above Caravan Park Managers Report.

Cr Ventris re-entered the meeting at 5.00pm

Council Decision Number – 1478

Moved: Cr Comerford

Seconded: Cr Palm

That Council notes the above Caravan Park Managers Report.

Carried 9/0

Mukinbudin Caravan Park Annual Income

	<i>Self Contained</i>			<i>Washing</i>		<i>Total</i>	<i>Total Expense</i>
	<i>Units</i>	<i>Barracks</i>	<i>Sites</i>	<i>Machine</i>	<i>House</i>		
2005/2006	19,358.08	11,082.32	10,521.76	1,171.16	N/A	42,133.32	
2006/2007	22,820.21	9,753.06	17,095.20	981.35	N/A	50,649.82	
2007/2008	27,304.76	5,422.75	11,244.47	678.16	N/A	44,650.14	
2008/2009	37,214.39	10,554.55	16,773.76	663.63	N/A	65,206.33	
2009/2010	33,567.84	9,096.35	15,504.70	1,036.36	N/A	59,205.25	
2010/2011	38,054.93	15,604.59	15,817.92	845.55	N/A	70,322.99	
2011/2012	34,724.53	11,056.46	18,753.08	773.19	N/A	65,307.26	
2012/2013	44,682.83	17,477.98	24,860.15	1,050.17	N/A	88,071.13	
2013/2014	45,332.87	16,194.44	26,393.17	1,278.53	N/A	89,199.01	88,695.34
2014/2015	42,590.61	21,760.04	25,554.90	1,404.95	15,747.32	107,057.82	109,829.90

Mukinbudin Caravan Park Income and Expenditure

	<i>Self Contained</i>			<i>Washing</i>		<i>Total Income</i>	<i>Total Expenditure</i>
	<i>Units</i>	<i>Barracks</i>	<i>Sites</i>	<i>Machine</i>	<i>House</i>		
July 15	5,527.29	2,985.45	2,087.71	0.00	1,636.36	12,236.81	8,796.07
Aug 15	6,436.38	1,489.07	2,425.46	476.82	2,063.63	12,891.36	9,847.18
Sept 15	7,310.02	1,809.11	7,790.54	209.09	1,718.18	18,836.94	14,631.78
Oct 15	4,354.55	1,298.18	1,768.18	0.00	272.72	7,693.63	12,902.65
Nov 15	3,672.74	1,069.09	352.27	0.00	681.80	5,775.90	6,017.75
Dec 15	3,052.27	1,527.26	908.17	132.73	3,818.18	9,438.61	9,861.97
Jan 16	2,054.56	2,745.44	1,178.62	0.00	818.19	6,796.81	8,630.18
Feb 16	900.02	1,441.81	350.92	33.95	1,077.27	3,803.97	7,240.51
Mar 16	7,681.83	1,943.63	1,333.65	0.00	1,363.63	12,322.74	10,416.36
Apr 16	3,490.92	2,025.44	2,641.36	214.55	272.72	8,644.99	12,139.84
May 16						0.00	
Jun 16						0.00	
Total	44,480.58	18,334.48	20,836.88	1,067.14	13,722.68	98,441.76	100,484.29

8.7 Swimming Pool Manager's Report

8.7.1 Mukinbudin Swimming Pool Report April 2016	
Location:	Mukinbudin
File Ref:	ADM
Applicant:	Shannon Seaby
Date:	12 May 2016
Disclosure of Interest:	Nil
Responsible Officer	Stuart Billingham
Author:	Shannon Seaby

Pool Manager Report

No Pool Manager Report this month as Pool Closed

CEO Comment

Shannon has indicated to the CEO she will not be seeking a new contract in 2016/17. Pool Closed Sunday 3 April 2016. The Pool Manager Position was advertised in Muka matters. The position to be advertised in Heartlands WA web site and on Seek.com.

NB: RLSSA WA the only Pool Operations Group 1 Pool Managers training Course runs 18-22 July 2016 before the pool season opens in Sept 2016 Course cost \$900.

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

To be quarantined to the Unspent Grants Reserve for Pool Bowl painting in 2016/17 approx \$64K.

	15/16 Budget	Actual YTD
Install Disabled Unisex Toilet	\$3,460	\$0 to be installed
Total	\$3,460	\$0

- New Disabled toilet installation in progress by Mukinbudin Building as listed in 2015/16 Budget.

Voting Requirements

Simple Majority.

Recommendation

That Council note the above Pool Managers Report.

Council Decision Number – 1479

Moved: Cr Comerford

Seconded: Cr Junk

That Council notes the above Pool Managers Report.

Carried 9/0

9. Information Report

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

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

10.1 Nil

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

11.1 Nil

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

12.1

Item 12.1 is Confidential in accordance with the Local Government Act 1995, Section 5.23

(2) *If a meeting is being held by a Council.....the Council may close to members of the public the meeting, or part of the meeting if the meeting or the part of the meeting deals with any of the following –*

- (a) *a matter affecting an employee or employees;*
- (b) *the personal affairs of any person;*
- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) *a matter that if disclosed, would reveal -*
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,

where the trade secret or information is held by, or is about, a person other than the local government; and

- (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
- and*
- (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
- (h) *such other matters as may be prescribed.*

(3) *A decision to close the meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

Recommendation

That Council close the meeting to members of the public in accordance with the Local Government Act 1995, Section 5.23 as Item deals with matters contained under Section 5.23 (2)(a).

Council Decision Number – 1480

Voting Requirements – Simple Majority

Moved: Cr O’Neil

Seconded: Cr Paterson

That Council close the meeting to members of the public in accordance with the Local Government Act 1995, Section 5.23 as Items deals with matters contained under Section 5.23 (2)(a).

Carried 9 / 0

Meeting went behind closed doors at 5.04 pm

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

Council Decision Number – 1481

Voting Requirements – Simple Majority

Moved: Cr Ventris

Seconded: Cr Seaby

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

Carried 9/0

The meeting was reopened at 5.35 pm

Council Decision Number –1482

Moved: Cr Ventris

Seconded: Cr Palm

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

Carried 9 / 0

Council Decision Number – 1483

Moved: Cr Junk

Seconded: Cr Comerford

That Council accepts the recommendation in confidential & late item 12.2 as presented to Council.

Carried 9/0

General Business

Nil

13. Dates to Remember

13.1 Dates to Remember

ANNUALLY	
Date	Details
January	No Council Meeting this in January
February	Chief Executive Officer and Works Supervisor to inspect all plant evaluate and/or amend its plant replacement programme for recommendation to Council. Audit Committee to review Statutory Compliance Return, meet with Auditor and report to next full Council meeting Local Government Compliance Return 1 January to 31 December each year. Community Strategic Plan, Long Term Financial Plan and Asset Management Plans – commence review process (Every two years)
March	Buildings inspection Shire buildings with Property Manager and report to Council's March or April meeting Roads Inspection – Annual Road inspections to prioritise items of roadwork's for forthcoming year. Councillors to present road proposals to CEO for consideration prior to this inspection. Complete of Annual Budget Review (FM Regulations (33A) Completion of Statutory Compliance Audit Return (LG Act 7.13, Audit Regulations 13-15) to be sent to Department of Local Government prior to 31 March. Arrange AGM Bush Fire Advisory Committee meeting with Chief Bush Fire Control Officer for April
April	Present any items Councillors or Community requests for Budget inclusion – Community & Recreation Grant Forms. (Advertise) Undertake Review of Delegation of Authority Register to Committee and CEO.(written confirmation to staff concerned) CEO to commence a full review of Delegations Register Policy / Procedures Manual Review – CEO to commence review process by including as last item on Council Agenda (if necessary)
May	Undertake Staff Annual Performance Reviews. National Volunteer Week Send out recoups of roads and other projects so grant funding can be received by 30 June Review Councils Fees and Charges for all Council services and facilities including rubbish service and charges MF to review and renew Council's insurance policies with LGIS
June	Sitting fees – Reminder to Councillors re: forthcoming years fees FOI Return (Note: not necessary if Nil return) FOI Statement – Review this month Works Supervisor to provide comments on RRG Submissions, which are due to go to Council in the August meeting. MF to conduct a Finance & Audit Committee meeting and meet with Auditor as per Committee Roles Council's Audit Committee to meet to discuss Interim Audit Every 4 years Financial Management Review due before 30 June WALGA Local Government Convention deadline for nominations 30 June each year – Public Interest Disclosure Return to be submitted for previous period 1/7 to 30/6. Chief Executive Officer's performance and remuneration review – commence this month
July	Draft Budget submitted by Chief Executive Officer and Manager of Finance Issue Employee Group Certificates Councillors and Senior Staff issued with Annual Interest Returns for completion Issue eating house licence renewals CEO performance review
August	Councillors and Senior Staff – reminder of Annual Financial Interest Return to be completed to CEO prior to 31 August Completion/Adoption of budgets (absolute majority). Send copy to Department of Local Government within 30 days (LG Act 6.2, FM Regulations 33) Resolution regarding timing of Annual Electors Meeting
September	Completion of Annual Financial Report & submitted to Auditor. AFR sent Dept. of Local Government within 30 days (LG Act 6.5, FM Regulations 5.1)
October	Review of Council's Code of Conduct – Section 5.103 (if unable to complete full review at this meeting discuss with Council the need to convene a Special Meeting to finalise review at this meeting or simply complete review at December Ordinary Meeting) Local Govt is to review its Code of Conduct within 12 months after each ordinary election day & make such changes to the code as appropriate. Advise Council in the October Information Bulletin of the time, date and venue for the annual staff end of year function. Special Meeting (Election Years Only) advertise special meeting to swear in Councillors, Elect President, Deputy President, Committee etc. for Monday immediately after the Saturday elections.
November	Pensioner rates rebate claim to be lodged Call for nominations for Shire of Mukinbudin Citizens of the Year (Australia Day)
December	Annual Financial Report – Acceptance by Council within two months of receipt of the Auditors report Newsletter & Local Newspaper – advertise date, time and venue of all Council and Committee meetings for next calendar year (with delegated authority, if any) (S.5.251 (g) & Reg 12). Council's Audit Committee to meet to discuss Final Audit Report and Management Letter. Close of nominations for Shire of Mukinbudin Citizens of the Year (Australia Day)

14 Closure of Meeting

14.1 The Shire President declared the meeting closed at 5.57pm

Next Ordinary Council Meeting – Wednesday 15th June 2016 commencing at 10.00am.