



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Wednesday 27 May 2015, in Council Chambers, 80 Monger Street, Bencubbin commencing at 6:45pm.

Cr RN Breakell

President

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been left blank
intentionally**



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AND FAMILIARISE THEMSELVES WITH THE DISCLAIMER**

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Dirk Sellenger
Chief Executive Officer

Chairman Initial

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1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member declared the meeting open at 6:45pm and welcomed the members of the public present in the gallery.

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr RN Breakell	President / Presiding Member
Cr IC Sanders	Deputy President
Cr PA Gillett	Councillor
Cr DA Miguel	Councillor
Cr WJ Beagley	Councillor
Cr JW Munns	Councillor
Mr Dirk Sellenger	Chief Executive Officer
Ms Nadine Richmond	Executive Assistant
Mr Jack Walker	Finance and Administration Manager
Miss Sally Morgan	Community and Recreation Development Officer
Mr Brett Millar	Member of the public
Mr Tony Sachse	Member of the public
Mr Stuart Faulkner	Member of the public
Mrs Sue Mitchell	Member of the public
Mrs Sue Munns	Member of the public
Mrs Vicki Miguel	Member of the public
Mr Chris Jack	Member of the public

Apologies

Nil

3.0 Standing Orders

2015/057 COUNCIL DECISION:

That Standing Orders be suspended for the duration of the meeting to allow for greater debate on items in the agenda.

Moved Cr PA Gillett

Seconded Cr IC Sanders

Carried 6/0

4.0 Public Questions

4.0.1 Question from Mr Chris Kirby:

With the current discussion regarding the finances and future costs to the Shire I was under the understanding when the synthetic bowling greens were put in, the ongoing maintenance costs would be borne by the individual bowling clubs, is this the case?

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4.0.2 Question from Mr Chris Kirby:

With regards to the scale of the proposed Bencubbin multipurpose complex is there some other major reason this facility is a good idea, when everything so far mentioned locally and in the media is covered by existing facilities?

4.1	Response to Public Questions Taken on Notice
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4.1.1 Response from President Breakell to Mr Chris Kirby's public question:

While no formal documentation is in place, the understanding between the Shire and the bowling clubs is that all ongoing maintenance would be borne by the individual club. This was initiated when the Bencubbin Bowling Green was funded through the Department of Sport and Recreation, as the funding required an Operational Management Plan to be in place. This plan stipulated that *'The Bencubbin Bowling Club volunteers will be responsible for the ongoing maintenance and maintenance costs of the playing surface'*.

The cost of future maintenance for both bowling greens is expected to be minimal as the synthetic surface requires minimal attention. If there is an issue with the playing surface, the Shire has a seven (7) year warranty with the supplier and installer, Evergreen Synthetic Grass for onsite repairs to both bowling green surfaces.

Due to the Shire's ownership of the Bencubbin Community Recreation Complex, the maintenance of the Bencubbin facility will be added to the Recreation Complex MOU reflecting the Operational Management Plan. No formal MOU has been agreed to with the Beacon Bowling Club.

4.1.2 Response from President Breakell to Mr Chris Kirby's public question:

A few of the key reasons the proposal was put forward to upgrade the Bencubbin Multipurpose Complex are;

- The Pavilion building which contains the visitors changerooms, umpires room and community gym, has significant building issues which will only continue to deteriorate. Julian Goldacre, our previous Building Surveyor, inspected the building in 2014 and stated that it is at the end of its serviceable life, the condition of the foundation and brickwork is in a state of disrepair meaning any upgrade to the building in its current state is not recommended.
- The lack of space in the activities room inhibits the amount of people that can use the area. In reviewing the annual bookings for the facility, it was identified that over 15% of bookings require a function area for 100+ people. The existing area cannot accommodate this, which often results in people filtering out on to the indoor court. This puts

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excessive and unnecessary wear on the court surface and constrains the types of functions that can be held.

- The location of Bencubbin is centrally located within the district and region, regularly used as a district hub for meetings and sports. The intent being to develop a first class facility that will provide for the future generations of all Mt Marshall residents as well as those in neighbouring NEWROC Shires .

4.2	Public Question Time
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Public Question Time opened at 6:49pm

During public question time Mr Stuart Faulkner, President of the Beacon Progress Association read aloud the following correspondence from the association regarding a recent meeting of community members held in Beacon.

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Beacon Progress Association Inc

11 Rowland Street

BEACON WA 6472

ABN: 55 272 118 292

Shire of Mt Marshall
CEO Dirk Sellinger
Monger Street
BENCUBBIN WA 6477

26/5/2015

Re: Submission of two motions for council meeting 27/5/2015

Dear Dirk & Shire Councillors,

Beacon Progress Association Inc. would like to take this opportunity to congratulate the Mount Marshall Shire on attaining the grant from National Stronger Regions Funding towards the redevelopment of the proposed Multipurpose Complex in Bencubbin.

We would like to make it clear that no one begrudges the success of the grant and congratulate all whom were part of the submission.

A town meeting of Beacon Residents was called by Beacon Progress Association on Sunday 24th May 2015 after a considerable amount of people contacted us asking questions regarding where the balance of funding for this proposal is likely to come from.

Speculation around town was getting out of control, so we as a committee, decided to hold a public forum and have people discuss their questions and issues regarding this and some other council initiatives. We felt that council would appreciate a more unified and focussed approach to expressions of dissatisfaction with the lack of public consultation or regard for the Beacon perspective.

At the town meeting 43 people attended and it was voted unanimously that we move a motion for you to consider at the next Mount Marshall Shire Council meeting to be held in Bencubbin on Wednesday 27th May 2015. Stuart Faulkner, President of the Beacon Progress Association will be in attendance at this meeting to speak to councillors for these motions.

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1. That further consultation and clearer communication occur with regards to the proposed building of the Bencubbin Multipurpose Complex by means of a personally addressed survey of all the residents of the Mt Marshall Shire, stating clearly the financial implications of a project this size on our current and future finances, shire rates and our ability to consider other potential projects that may benefit the whole or other parts of the shire and then ask the following:
A) Do you support the extensions to the Bencubbin Multipurpose Complex? Yes/No
B) Do you support a specified area rate to be applied to the pre-determined zone South of Andrews Tank Rd to be raised to pay for this proposal? Yes/No

MOVED: David Dunne
Voted 43 : 0

2nd: Megan Beagley
CARRIED

Our second motion that we wish to present to the Council for Consideration is

2. That the Mt Marshall Shire raise the remainder of the funds required for the proposed Bencubbin Multipurpose Complex through specified area rates of the southern area only, and that ordinary council budgets, road funding or cash reserves are not to be allocated to this project.

MOVED: Peter Munns
VOTED 43 : 0

2nd: Marian Kirby
CARRIED

Beacon Progress Association Inc. would like to have this tabled at the next shire meeting.

We understand that often these grants are applied for without completely thinking through all aspects of the project until the grant is actually received. We trust that these points will be considered as part of Council deliberations now, as you make a final assessment about the finer points of the project as being in the best interests of all of the shire both now, and into the future.

Yours sincerely
Stuart Faulkner
President
Beacon Progress Association Inc

Public Question time closed at 7:11pm

5.0	Applications for Leave Of Absence
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Nil

6.0	Declarations of Interest
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Cr DA Miguel declared an impartiality interest in Agenda item 11.2.1, being that he is a committee member of the Beacon Bowling Club.

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7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 21 April 2015

2015/058 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 21 April 2015 be confirmed as a true and correct record of proceedings.

Moved Cr PA Gillett

Seconded Cr JW Munns

Carried 6/0

8.0 Announcements by Presiding Person Without Discussion

Nil

9.0 Petitions / Deputations / Presentations / Submissions

Nil

10.0 Reports of Committees

Nil

11.0 Reports of Officers

11.1 Environmental Health Officer / Building Surveyor

Nil

Cr DA Miguel left Council Chambers at 7:13pm, taking no part in discussion or voting in item 11.2.1.

11.2 Community and Recreation Development Officer

11.2.1 Demolition Request - Old Beacon Club Building

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	Beacon Country Club Committee
FILE REFERENCE:	A4/8
AUTHOR:	Sally Morgan – Community and Recreation Development Officer
DISCLOSURE OF INTEREST:	No Interest to Disclose
DATE:	19 May 2015
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Dirk Sellenger – Chief Executive Officer Brett Clark – Beacon Country Club President
STATUTORY ENVIRONMENT:	Nil

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POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Council is not liable for any costs associated with the proposed demolition of the Old Beacon Club building
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

OFFICER RECOMMENDATION:

That Council, pursuant to Clause 5.2 of Town Planning Scheme No 2, approve the proposed demolition of the Old Beacon Club building, Lot 33 Rowlands Street, Beacon, subject to the following conditions;

1. A photographic record is to be made of the existing residence's external and internal fabric prior to demolition and digital copies of the photos be provided to the Shire.
2. A Demolition License is obtained from the Shire.

Advice Note:

A Demolition License is required from the Shire. This record should meet the minimum standards given in the State Heritage Office (SHO) publication 'Guide to preparing an Archival Record', although there should be no requirement for measured drawings to architectural standards.

Moved Cr

Seconded Cr

Carried

2015/059 COUNCIL DECISION:

1. **Shire staff to carry out further investigation regarding the demolition of the Old Beacon Club building to ensure no staff, Councillor or Beacon Country Club member cannot be held liable for the demolition of said building and;**
2. **The item be presented at the June Ordinary Meeting of Council.**

Moved Cr PA Gillett

Seconded Cr IC Sanders

Carried 5/0

Reason Council decision different from that of the officer's recommendation: Due to concerns associated with the demolition of a building included in the Shire's Municipal Heritage Inventory.

BACKGROUND:

The Shire of Mt Marshall recently received the following correspondence from the Beacon Country Club.

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Dear council

I am writing to you as president of the Beacon Country Club to inform the council that at our last committee meeting there was a Notice of Motion moved, That at our next meeting we move to demolish the old club building.

We have gone down this path because of the state of the building and the cost of repairing the building. We believe that this is the only option.

I have been advised that the building is on the councils Municipal Inventory List and we are seeking permission from the shire to follow through our motion.

Please do not hesitate in contacting me if you have any queries .

Yours sincerely

Brett Clark
Pres.
Beacon Country Club

COMMENT:

The Old Beacon Country Club building is listed on the Shire of Mt Marshall Heritage Inventory List. In recent years, the building has been used as a youth centre for Beacon residents and consulting room for a veterinarian, visiting on a casual basis.

The Beacon Country Club has requested permission from the Shire to demolish the building due to the current state of disrepair. Costs to repair the building would be significant. The building is located on a prominent street in a public location. The section of the building previously used as a youth centre has been locked in recent months due to vandalism. Some external walls have been damaged resulting in only the veterinarian section being utilised. Although unconfirmed, there is a high probability the building is constructed of asbestos material.

The relevant extract from the Shire of Mt Marshall Heritage Inventory are included on the following pages:

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Shire of Mt Marshall Heritage Inventory 2004

LOCATION

HCWA Reference Number	
Name of Place	Old Beacon Club
Other	Youth Centre
Street Number and Name	Lot 33 Rowlands Street
Town/Suburb	Beacon
Other Location Description	
Local Government Authority	Shire of Mt Marshall
Map Reference	

OWNERSHIP

Owner	Address	Phone/Fax	Status	No.
Beacon Country Club	Beacon			

LAND DESCRIPTION

Reserve No.	Lot/Location No.	Plan Diagram	Vol/Folio	No.
	Lot 33 Rowlands St, Beacon			

DESCRIPTION OF FEATURE

Construction Date (1)	Approximately 1956
Construction Date (2)	
Source/Details	Shire Minutes
Site Type	Building
Use(s) of the Place:	
ORIGINAL	Beacon Country Club (licensed premises)
PRESENT	Beacon Youth Centre
OTHER	
Architect/Designer	
Other Associated Persons	

Construction Materials

Walls	Fibro Cement	
Roof	Iron	
Other		

Modifications	
Condition	Good
Integrity (how much of the original fabric is intact?)	Intact

Physical Description

Fibro cement building with iron roof, in good condition, kept painted and maintained.

Shire of Mt Marshall Heritage Inventory 2004

Historic Theme(s)	Social and Civic Activities	
Sub-theme(s)	Sport and Recreation	

The first Licensed Premises in Beacon (license now transferred to new Beacon Country Club at Bowling Club). This building is now used by the youth of Beacon as a youth centre on school holidays and weekends.

OTHER

[illegible]

Assessor(s) Name	
Community Committee	
State Register of Heritage Places (Y/N)	
Classified by National Trust (Y/N)	
Register on National Estate (Y/N)	
Local Planning Scheme (Y/N)	

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Cr DA Miguel re-entered Council Chambers at 7:24pm.

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11.2.2 Telstra Repeater and External Communications Antenna – Beacon Recreation Complex

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A6/22, B2/12
AUTHOR:	Sally Morgan – Community and Recreation Development Officer
DISCLOSURE OF INTEREST:	No Interest to Disclose
DATE:	18 May 2015
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Dirk Sellenger – Chief Executive Officer Junior Council Merredin Telephone Services
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	\$2,215.38 from General Ledger Account 111910110 – Beacon Recreation Ground of the 2014/15 Budget
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

OFFICER RECOMMENDATION:

That Council endorses the purchase and installation of a CelFi Telstra Repeater and external Yagi Antenna at the Beacon Recreation Complex, allocating the two thousand, two hundred and fifteen dollars and thirty eight cents (\$2,215.38) expenditure to GL Account 111910110 – Beacon Recreation Ground.

Moved Cr

Seconded Cr

Carried

2015/060 COUNCIL DECISION:

That Council endorses:

- 1. the purchase and installation of a CelFi Telstra Repeater and external Yagi Antenna at the Beacon Recreation Complex, allocating the two thousand, two hundred and fifteen dollars and thirty eight cents (\$2,215.38) expenditure to GL Account 111910110 – Beacon Recreation Ground and;**
- 2. a second repeater and antenna being installed at the Beacon Caravan Park utilising the same expense account and minimising costs by having multiple installations billed under one travel expense.**

Moved Cr RN Breakell

Seconded Cr WJ Beagley

Carried 6/0

Reason Council decision different from that of the officer recommendation: Due to the need for improved mobile service at the Beacon Caravan Park included as a 2015/16 budget request by the Beacon Progress Association.

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BACKGROUND:

Mobile reception is an ongoing issue in Beacon and surrounding areas with residents receiving limited signal.

The Shire has lodged an application to the Regional Telecommunications Project for a Mobile Tower to be installed in Beacon. Whilst Beacon is a priority it remains a competitive environment, for example the regional hospital in Kununoppin remains without mobile service and this has been identified the highest priority at a NEWROC level. Further towns to receive funding are expected to be announced in October 2015, with additional funding to be rolled out in coming years. We are confident that Beacon will be included in these future announcements.

COMMENT:

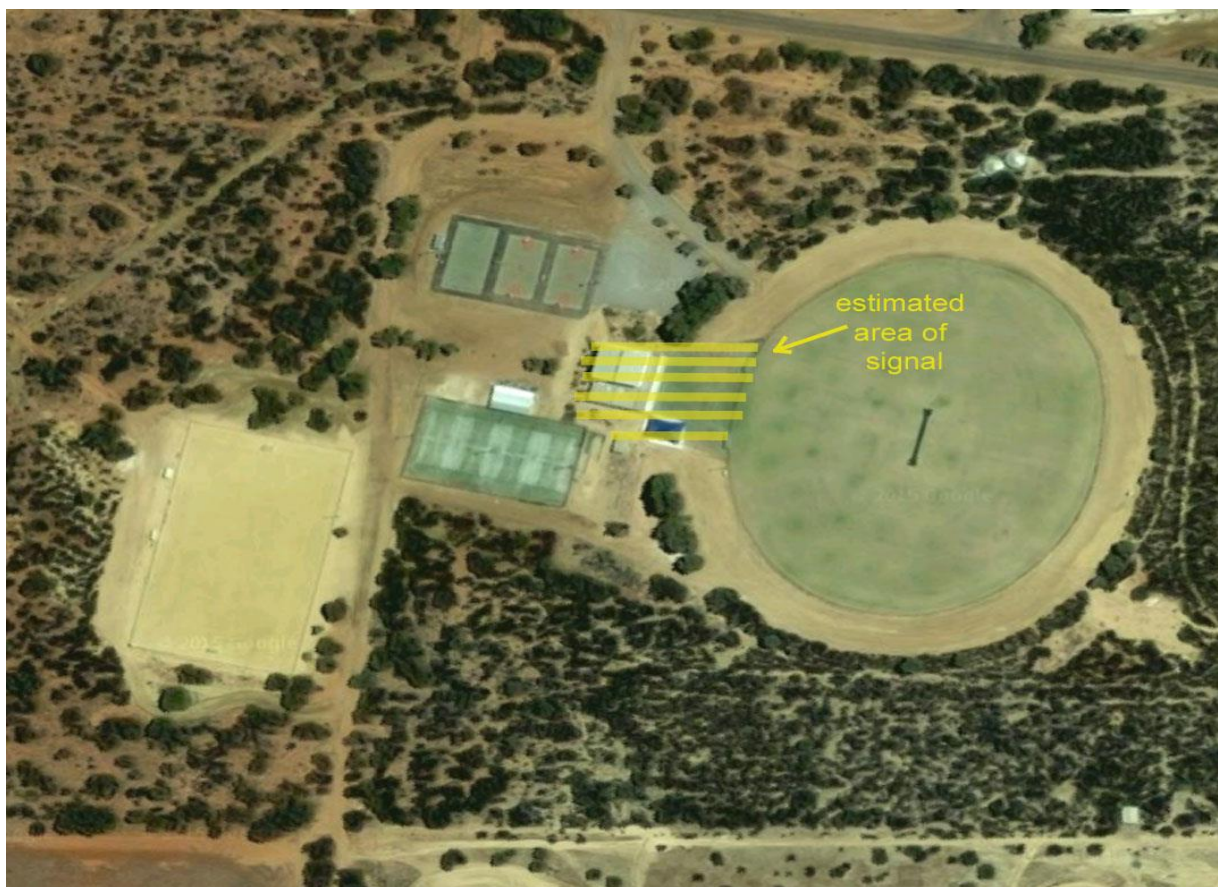
The lack of service in Beacon will continue to be an issue until a Mobile Tower is installed. While this is ultimately the only solution to the issue, there are other options that can be implemented to help improve service for residents in certain locations. A CelFi Telstra Repeater with an external Yagi Antenna is an ACMA approved method of improving service to areas that experience blackspots. It can be installed to help increase mobile coverage in an external location of approx. 30m².

The Beacon Recreation Grounds is used multiple times each week in winter and summer for sporting events, training sessions and social occasions. By installing this equipment, service would be improved for both residents and visitors to the town.

The following quote has been received from Merredin Telephone Services for the supply and installation of this product;

Materials	\$1,013.98
Labour	\$ 400.00
Travel	\$ 600.00
GST	<u>\$ 201.40</u>
Total	\$2,215.38

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11.3 Finance and Administration Manager
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11.3.11 Statement of Financial Activity
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LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/4
AUTHOR:	Nancy Collins – Senior Finance Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	14 May 2015
ATTACHMENT NUMBER:	11.3.11 – Statement of Financial Activity
CONSULTATION:	Jack Walker – Finance and Administration Manager
STATUTORY ENVIRONMENT:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	The statement presented to Council is the most up to date information on its current financial position.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2015/061 OFFICER RECOMMENDATION/COUNCIL DECISION:
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That Council endorse the Statement of Financial Activity for the month ending 30 April 2015.

Moved Cr DA Miguel

Seconded Cr JW Munns

Carried 6/0

BACKGROUND:

Under Regulation 34 of the Local Government (Financial Management) Regulations 1996 a local government is to prepare each month a statement of financial activity which includes annual budget estimates, year to date budget estimates, actual amounts expenditure, revenue and income, material variances and net current assets.

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11.3.12 Accounts Paid

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: F1/4
AUTHOR: Sandy Wyatt – Administration Officer
DISCLOSURE OF INTEREST: Nil
DATE: 18 May 2015
CONSULTATION: Jack Walker – Finance and Administration Manager
STATUTORY ENVIRONMENT: Financial Management Regulations and the Local Government Act 1995
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: An appropriate allowance has been made in the current year's budget to fund and authorise expenditure.
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2015/062 OFFICER RECOMMENDATION/COUNCIL DECISION:

That the Accounts Listed

Municipal Fund	\$ 238,434.72	Eft 9609-9715 Chq 18563-18571
Trust Fund	\$ 13,578.00	Eft 9608
Mastercard	\$ <u>1,897.82</u>	Detailed Statement provided in Councillor Information
Total	\$ 253,910.54	

Be endorsed.

Moved Cr PA Gillett

Seconded Cr RN Breakell

Carried 6/0

BACKGROUND:

Following is a List of Accounts submitted to Council on Wednesday 27 May 2015 for the Municipal Fund, Trust Fund and Mastercard.

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1. Municipal Fund

Chq/EFT	Date	Name	Description	Amount
EFT9609	01/04/2015	CJD EQUIPMENT PTY LTD	REPAIRS TO LOADER	2513.36
EFT9610	01/04/2015	SHIRE OF MERREDIN	HIRE OF ROAD SWEEPER	2332.00
EFT9611	01/04/2015	KTY ELECTRICAL SERVICES	VARIOUS ELECTRICAL REPAIRS	212.01
EFT9612	01/04/2015	BENCUBBIN NEWS & POST	POSTAGE 23.3.15-27.3.15	57.50
EFT9613	01/04/2015	TOTAL EDEN PTY LTD	NOZZLES & HOSE	277.44
EFT9614	01/04/2015	STAPLES AUSTRALIA	STATIONERY	144.08
EFT9615	01/04/2015	WJ & J BEAGLEY	GRAVEL	1219.68
EFT9616	01/04/2015	STAR TRACK EXPRESS	FREIGHT	172.14
EFT9617	01/04/2015	DAVES TREE SERVICE	TREE AND SCRUB CLEARING	7920.00
EFT9618	01/04/2015	RYLAN PTY LTD	KERBING	16676.00
EFT9619	01/04/2015	D & D TRANSPORT	FREIGHT	111.65
EFT9620	01/04/2015	NAUGHTY BUGS PEST CONTROL	SPIDER & INSECT TREATMENT	165.00
EFT9621	01/04/2015	BENNY MART	TRIATHLON	420.80
EFT9622	01/04/2015	JENNI BUNCE - CLEANING	CONTRACT CLEANING 12.3.15-25.3.15	2012.50
EFT9623	01/04/2015	KARNI ENGINEERING	REPAIRS TO SIDETIPPER	4645.65
EFT9624	01/04/2015	RS & JE COOPER & SON	GRAVEL	1042.80
EFT9625	01/04/2015	KC SALES	CATERING	313.50
EFT9626	01/04/2015	WA CONTRACT RANGER SERVICES	CONTRACT RANGER SERVICES	724.62
EFT9627	01/04/2015	SUE VOLOCZI	VARIOUS ACCOUNTING SUPPORT	4677.75
EFT9628	01/04/2015	DC PAYMENTS AUSTRALASIA	ATM FEES	99.28
EFT9629	01/04/2015	LB'S GARDEN & HANDYMAN SERVICE	1ST INSTALMENT-LANDSCAPE & RETICULATION FOR 3 HOUSES	12000.00
EFT9630	01/04/2015	MICHAEL PUTT	GRAVEL	818.09
EFT9631	13/04/2015	COVS	PARTS	103.70
EFT9632	13/04/2015	AVON WASTE	RUBBISH COLLECTION-MARCH15	5547.50
EFT9633	13/04/2015	COURIER AUSTRALIA	FREIGHT	88.28
EFT9634	13/04/2015	KTY ELECTRICAL SERVICES	ELECTRICAL REPAIRS	579.40
EFT9635	13/04/2015	DEPARTMENT OF PREMIER AND CABINET	GAZETTE OF SOMM HEALTH LOCAL LAW	4029.35
EFT9636	13/04/2015	SHIRE OF TRAYNING	ADVERTISING	20.00
EFT9637	13/04/2015	BENCUBBIN NEWS & POST	EXPRESS POST	117.00

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Chq/EFT	Date	Name	Description	Amount
EFT9638	13/04/2015	WA TREASURY CORPORATION	LOAN NO. 119 FIXED COMPONENT - LOAN TO BENNYMART - REPAID IN LEASE PAYM	979.96
EFT9639	13/04/2015	DIELECTRIC SECURITY SERVICES	MONITORING SERVICE 1/5/15-31/7/15	101.20
EFT9640	13/04/2015	BENCUBBIN BULK HAULIERS	HIRE-TRUCK	11988.63
EFT9641	13/04/2015	UHY HAINES NORTON (WA) PTY LTD	TRAINING	1320.00
EFT9642	13/04/2015	ICS CARPENTRY	REPAIRS TO CEILING	9963.80
EFT9643	13/04/2015	D I TOMAS CONTRACTING	FINAL PAYMENT FOR CRICKET NETS	7038.81
EFT9644	13/04/2015	HEMPFIELD SMALL MOTORS	PARTS	108.00
EFT9645	13/04/2015	HILLS FIRE EQUIPMENT SERVICE	SERVICE FIRE EQUIPMENT	1988.25
EFT9646	13/04/2015	HILLVALE BUS CONTRACTORS	BUS-SWIMMING LESSONS	3697.40
EFT9647	13/04/2015	JR & A HERSEY	SPRAY PAINT	81.18
EFT9648	13/04/2015	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	TRAINING-R BREAKELL	495.00
EFT9649	13/04/2015	BENCUBBIN AG SUPPLIES	VARIOUS	2249.73
EFT9650	13/04/2015	5RIVERS PLUMBING AND GAS	REPAIRS	1038.37
EFT9651	13/04/2015	T-QUIP	PARTS	203.30
EFT9652	13/04/2015	FORTUS	GRADER BLADES	4158.00
EFT9653	13/04/2015	TUTT BRYANT EQUIPMENT	AIR DRYER	647.23
EFT9655	13/04/2015	MERREDIN MOWER & CHAINSAW CENTRE	CHAINSAWS-REPLACEMENT	1143.05
EFT9656	13/04/2015	R MUNNS ENGINEERING CONSULTING SERVICES	CONSULTANCY SERVICES	1103.43
EFT9657	13/04/2015	ECHELON AUSTRALIA PTY LTD	RISK MANAGEMENT	5350.33
EFT9658	13/04/2015	GREAT SOUTHERN FUELS	FUEL 31/03/15	13189.14
EFT9659	13/04/2015	WHEATBELT COUNTRY SUPPLIES	PRIZES FOR FOX SHOOT	90.00
EFT9660	13/04/2015	THE KETT FAMILY TRUST	SAND BLAST & PAINT SIGN TRAILER	500.00
EFT9661	13/04/2015	POWERVAC PTY LTD	TOOLS	141.50
EFT9662	20/04/2015	AUSTRALIAN TAXATION OFFICE	BAS - MARCH 2015	9405.00
EFT9663	23/04/2015	COVS	VARIOUS PARTS	81.01
EFT9664	23/04/2015	BOC GASES	GAS CYLINDERS-MARCH'15	70.02
EFT9665	23/04/2015	SHIRE OF KOORDA	EHO EXPENSES-BILL HARDY-JAN/MAR'15	7784.74
EFT9666	23/04/2015	CJD EQUIPMENT PTY LTD	VARIOUS PARTS	728.55
EFT9667	23/04/2015	COURIER AUSTRALIA	FREIGHT-APRIL'15	78.31
EFT9668	23/04/2015	MUKA TYRE MART	TYRES	5615.00

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Chq/EFT	Date	Name	Description	Amount
EFT9669	23/04/2015	NINGHAN SPRAYING & AG SERVICES	PLANT & PROPERTY MAINTENANCE VOUCHER	277.22
EFT9670	23/04/2015	KTY ELECTRICAL SERVICES	ELECTRICAL REPAIRS	861.30
EFT9671	23/04/2015	WHEATBELT SIGNS	SIGNS	1232.00
EFT9672	23/04/2015	JASON SIGNMAKERS	VARIOUS SIGNS	975.70
EFT9673	23/04/2015	BENCUBBIN SPORTS CLUB INC.	VARIOUS REFRESHMENTS	221.00
EFT9674	23/04/2015	SHIRE OF TRAYNING	DOCTOR'S VEHICLE EXPENSES & MEDICAL PRACTICE EXPENSES-MARCH'15-25% SHARE	2354.65
EFT9675	23/04/2015	BENCUBBIN NEWS & POST	PLANT & PROPERTY MAINTENANCE VOUCHERS	330.10
EFT9676	23/04/2015	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	230.00
EFT9677	23/04/2015	AUSTRALIAN COMMUNICATIONS & MEDIA AUTHORITY	ANNUAL TWO WAY LICENCE	55.00
EFT9678	23/04/2015	STAR TRACK EXPRESS	FREIGHT-APRIL'15	414.52
EFT9679	23/04/2015	BENCUBBIN COMMUNITY RESOURCE CENTRE	SECRETARIAL SERVICES-AGE FRIENDLY COMMUNITY AUDIT	408.90
EFT9680	23/04/2015	PORKY'S ENTERPRISES	TYRE REPAIRS-APRIL'15	100.00
EFT9681	23/04/2015	D I TOMAS CONTRACTING	50% INTERIM PAYMENT-FOOTPATHS-BEACON	12581.80
EFT9682	23/04/2015	CR PA GILLET	MEETING FEES & ALLOWANCES 21.4.15	390.95
EFT9683	23/04/2015	FUJI XEROX AUSTRALIA PTY LTD	PHOTOCOPY CHARGES 1/3/15-31/3/15	1054.63
EFT9684	23/04/2015	AG IMPLEMENTS MUKINBUDIN	VARIOUS PARTS	121.44
EFT9685	23/04/2015	HEMPFIELD SMALL MOTORS	VARIOUS PARTS	116.00
EFT9686	23/04/2015	BENCUBBIN TRUCK N AUTO'S	VARIOUS PARTS-MARCH'15	3640.50
EFT9687	23/04/2015	HILLS FIRE EQUIPMENT SERVICE	SERVICE FIRE EQUIPMENT	437.80
EFT9688	23/04/2015	PEERLESS JAL PTY LTD	NETBALL COURT MAINTENANCE	701.45
EFT9689	23/04/2015	D & D TRANSPORT	FREIGHT-MARCH'15	356.96
EFT9690	23/04/2015	JR & A HERSEY	PROTECTIVE CLOTHING	176.00
EFT9691	23/04/2015	CR RN BREAKELL	MEETING FEES & ALLOWANCES 21.4.15	1422.75
EFT9692	23/04/2015	CR DA MIGUEL	MEETING FEES & ALLOWANCES 21.4.15	354.55
EFT9693	23/04/2015	LANDGATE	MINIMUM CHARGE-PROPERTY INQUIRY	36.55
EFT9694	23/04/2015	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	ADVERTISING-SALE OF SURPLUS ITEMS-MARCH'15	228.37

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Chq/EFT	Date	Name	Description	Amount
EFT9695	23/04/2015	HM & NE BATES	ANNUAL TESTING & TAGGING	1579.60
EFT9696	23/04/2015	BENCUBBIN AG SUPPLIES	VARIOUS GOODS	225.46
EFT9697	23/04/2015	5RIVERS PLUMBING AND GAS	PLUMBING REPAIRS	2893.60
EFT9698	23/04/2015	BENNY MART	PLANT & PROPERTY MAINTENANCE VOUCHERS/CARAVAN PARK VOUCHERS	359.35
EFT9699	23/04/2015	CHATFIELD'S	VARIOUS REPAIRS	1408.00
EFT9700	23/04/2015	JENNI BUNCE - CLEANING	VARIOUS CLEANING-BEACON-26/3/15-8/4/15	1653.75
EFT9701	23/04/2015	TRUCK CENTRE (WA) PTY LTD	VARIOUS PARTS	514.98
EFT9702	23/04/2015	CR WJ BEAGLEY	MEETING FEES & ALLOWANCES 21.4.15	374.57
EFT9703	23/04/2015	CR IC SANDERS	MEETING FEES & ALLOWANCES 21.4.15	470.45
EFT9704	23/04/2015	MERREDIN MOWER & CHAINSAW CENTRE	VARIOUS PARTS	437.40
EFT9705	23/04/2015	BRICK MART NORTHAM	RETAINER WALLS & ACCOM-BAXTER ST BENCUBBIN	4141.50
EFT9706	23/04/2015	WALLIS COMPUTER SOLUTIONS	KYOCERA PRINTER-DEPOT	933.79
EFT9707	23/04/2015	CR AJ DUNNE	MEETING FEES & ALLOWANCES 21.4.15	367.29
EFT9708	23/04/2015	CR JW MUNNS	MEETING FEES & ALLOWANCES 21.4.15	491.05
EFT9709	23/04/2015	KC SALES	PLANT & PROPERTY MAINTENANCE VOUCHERS/CARAVAN VOUCHERS	379.50
EFT9710	23/04/2015	SUE VOLOCZI	VARIOUS ACCOUNTING SUPPORT	5494.50
EFT9711	23/04/2015	DC PAYMENTS AUSTRALASIA	ONGOING FEES FOR ATM-MARCH'15	117.51
EFT9712	23/04/2015	POWERVAC PTY LTD	HIGH PRESSURE CLEANER-DEPOT	6589.00
EFT9713	23/04/2015	PK & JS GERAGHTY & SONS	GRAVEL PURCHASE-MARCH'15	176.00
EFT9714	23/04/2015	MICHAEL KETT	REIMBURSEMENT-PRE EMPLOYMENT MEDICAL	217.80
EFT9715	23/04/2015	INSTANT WEIGHING	CALIBRATION SCALES-VOLVO LOADER & STAFF TRAINING	2405.26
18563	01/04/2015	WATER CORPORATION	WATER USAGE-VARIOUS BILLS 15.1.15- 13.3.15	2577.68
18564	01/04/2015	AUSTRALIA POST	ANNUAL RENT	69.00
18565	01/04/2015	SYNERGY	STREETLIGHTS 25.1.15-24.2.15	1875.40
18566	13/04/2015	SHIRE OF MT MARSHALL	PETTY CASH	171.20
18567	13/04/2015	SYNERGY	ELECTRICITY USAGE 3.1.15-5.3.15	536.90

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Chq/EFT	Date	Name	Description	Amount
18568	13/04/2015	PLANWEST (WA) PTY LTD	PLANNING SERVICES ON 2ND HOUSES ON RURAL LOTS	770.00
18569	21/04/2015	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	462.94
18570	23/04/2015	TELSTRA	UTILITY CHARGES 5/3/15-4/4/15	43.37
18571	23/04/2015	SYNERGY	UTILITIES CHARGES 7/2/15-11/4/15	11237.71
				238,434.72

2. Trust

Chq/EFT	Date	Name	Description	Amount
EFT9608	01/04/2015	DEPARTMENT OF TRANSPORT	RECOUP LICENSING - MARCH 2015	13578.00
				13,578.00

3. Mastercard

Details	Amount
SUBSCRIPTION - AGE FRIENDLY AUDIT	5.50
MEAL SUPPLIES - S MORGAN & N RICHMOND - CARAVAN AND CAMPING SHOW	31.78
MEALS - S MORGAN & N RICHMOND - CARAVAN AND CAMPING SHOW	85.00
ACCOMMODATION - S MORGAN & N RICHMOND - CARAVAN AND CAMPING SHOW	628.00
PRIZES FOR FOX SHOOT	423.00
FUEL	91.05
FUEL	104.27
TV FOR BEACON CABIN	263.12
FOXTEL - 229 MURRAY ST	134.00
PROTECTIVE COVERS FOR MOBILE PHONES	25.90
TOWELS FOR BENCUBBIN CABINS	49.00
TAILGATE HINGES	57.20
	1,897.82

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This List of Accounts Paid under Delegation 14 and covering vouchers and direct debits as above was submitted to each Member of the Council for the Ordinary Meeting of **27 May 2015**. All invoices, being the subject of payments made, have been duly certified as to the receipt of goods and services, and prices, computations and costings have been checked against the expenditure authority (i.e. budget, purchase order, delegation).

Dirk Sellenger
Chief Executive Officer

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11.3.13 Interim Audit Report

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/2
AUTHOR:	Nadine Richmond – Executive Assistant
DISCLOSURE OF INTEREST:	Nil
DATE:	19 May 2015
ATTACHMENT NUMBER:	11.3.13 – Interim Audit Report
CONSULTATION:	Dirk Sellenger – Chief Executive Officer Jack Walker – Finance & Admin Manager

STATUTORY ENVIRONMENT:

Local Government Act 1995

7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —
 - (a) the mayor or president; and
 - (b) the CEO of the local government; and
 - (c) the Minister.
- (2) Without limiting the generality of subsection (1), where the auditor considers that —
 - (a) there is any error or deficiency in an account or financial report submitted for audit; or
 - (b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or
 - (c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government,

details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.

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- (3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —
- (a) prepare a report thereon; and
 - (b) forward a copy of that report to the Minister,
- and that direction has effect according to its terms.
- (4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government to be dealt with under section 7.12A.

[Section 7.9 amended by No. 49 of 2004 s. 7.]

POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Council has made an appropriate allowance for costs associated with conducting the recent interim audit.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2015/063 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council receive the Interim Audit Report conducted by Council's Auditor in April 2015 in accordance with the Local Government Act 1995.

Moved Cr RN Breakell

Seconded Cr DA Miguel

Carried 6/0

BACKGROUND:

Council's auditors, UHY Haines Norton attended the Shire offices at the end of April and conducted their Interim Audit for the period ended April 2015.

COMMENT:

The Interim Audit Report has been provided to Council (attachment 11.3.13) for their information. Matters raised with staff and management will be followed up during the auditor's final visit later in 2015 to ensure appropriate action has been implemented.

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11.3.14 Roads to Recovery Project – Bencubbin – Beacon Road

LOCATION/ADDRESS: Bencubbin-Beacon Road, Bencubbin
NAME OF APPLICANT: N/A
FILE REFERENCE: A5/33
AUTHOR: Jack Walker – Finance and Administration Manager
DISCLOSURE OF INTEREST: No interest to disclose
DATE: 20 May 2015
ATTACHMENT NUMBER: Nil
CONSULTATION: Dirk Sellenger – Chief Executive Officer
STATUTORY ENVIRONMENT: Nil
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Council has sufficient funding in the 2014/15 Budget to allow for the project to proceed if resolved by Council.
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2015/064 OFFICERS RECOMMENDATION/COUNCIL DECISION:

That Council endorses the actions of the Chief Executive Officer in allocating \$85,000.00 (Eighty Five Thousand Dollars) to reconstruct and reseal the section of the Bencubbin – Beacon Road SLK 0.030 to SLK 0.560

Moved Cr DA Miguel

Seconded Cr PA Gillett

Carried 6/0

BACKGROUND:

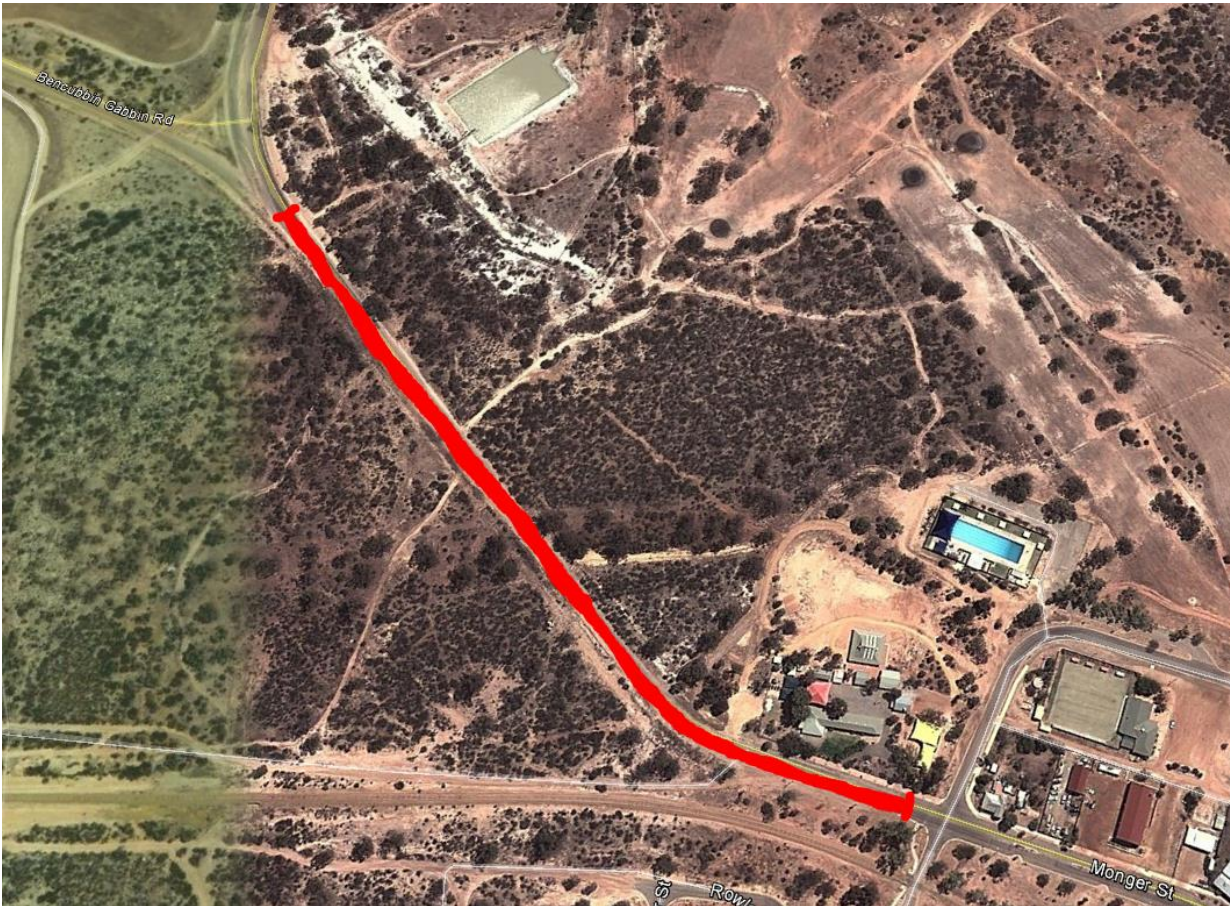
The following projects with the exception of the Bencubbin – Beacon Road were nominated as Roads to Recovery jobs for the 2014/2015 financial year:

Road Name	Actual	Amended
Scotsman Road	91,142	91,142
Collins Street	53,878	53,878
Wren Road	43,360	43,360
Gillett Road	55,649	55,649
Crabb Road	28,840	28,840
Beacon Back Road	67,841	67,841
Bencubbin – Beacon Road		55,806
	340,710	396,516

COMMENT:

Council is required to submit a return of its Roads to Recovery expenditure on a quarterly basis and at the end of April 2015 Council still had \$55,806.00 of the \$396,516.00 allocation to spend, hence the request for Council's endorsement of the Chief Executive Officers decision to include the Bencubbin – Beacon Road as an alternative project. As the works have been estimated at \$85,000.00 it will be necessary for Council to contribute \$29,194.00 of Direct Grants monies to the project.

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Above: Section of Bencubbin-Beacon Road SLK 0.030 to SLK 0.560 (in red)

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Above: Pavement of section in poor condition, severe cracking obvious.



Above: Cracked road surface

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11.4	Chief Executive Officer
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11.4.18	Councillor Vacancy – Extraordinary Election
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LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A1/4
AUTHOR:	Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	20 May 2015
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Matt Hayes – Department of Local Government and Communities Phil Richards – WA Electoral Commission Cr Robert Breakell – Shire President

STATUTORY ENVIRONMENT: Local Government Act 1995

2.32. How extraordinary vacancies occur in offices elected by electors

The office of a member of a council as an elector mayor or president or as a councillor becomes vacant if the member —

- (a) dies; or
- (b) resigns from the office; or
- (c) does not make the declaration required by section 2.29(1) within 2 months after being declared elected to the office; or
- (d) advises or accepts under section 2.27 that he or she is disqualified, or is declared to be disqualified by the State Administrative Tribunal acting on an application under section 2.27; or
- (da) is disqualified by an order under section 5.113, 5.117 or 5.119 from holding office as a member of a council; or
- (e) becomes the holder of any office or position in the employment of the local government; or
- (f) having been elected to an office of councillor, is elected by the electors to the office of mayor or president of the council.

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*[Section 2.32 amended by No. 55 of 2004
s. 686; No. 24 of 2005 s. 58; No. 1 of 2007
s. 5.]*

4.16. Postponement of elections to allow consolidation

(4) If a member's office becomes vacant under section 2.32 —

(a) after the third Saturday in January in an election year; but

(b) before the third Saturday in July in that election year,

the council may, with the approval of the Electoral Commissioner, fix the ordinary elections day in that election year as the day for holding any poll needed for the extraordinary election to fill that vacancy.

*[Section 4.16 amended by No. 66 of 2006
s. 7; No. 2 of 2012 s. 11.]*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The Cost of holding an extraordinary Election prior to the Ordinary Election in October 2015 is expected to cost approximately \$6,000 (six thousand dollars). Council has made an allowance of \$1,000 (one thousand Dollars) in the 2014/2015 Budget. Whilst this isn't sufficient funding to allow for the Extraordinary Election to be held Council may wish to proceed with the Election and exceed the Budget allocation accordingly.

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That in accordance with Section 4.16 (4) of the Local Government Act 1995, Council seek the approval of the Electoral Commissioner to include the recent vacancy caused by the resignation of former Cr Andrew Dunne to be included in the Ordinary October 2015 Local Government Election process.

Moved Cr

Seconded Cr

Carried

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Cr PA Gillett moved the following alternative motion:

2015/065 COUNCIL DECISION:

That an in person Extraordinary Election be called to fill the vacancy caused by former Cr Andrew Dunne's recent resignation.

Moved Cr PA Gillett

Seconded Cr IC Sanders

Carried 4/2

Cr DA Miguel and Cr JW Munns against

Reason Council decision different from that of the officer recommendation: Due to significant Council decisions being required in the next few months combined with the fact ordinary elections will be held in October 2015 possibly resulting in up to three new elected members, the vacancy should be filled as soon as possible.

BACKGROUND:

Former Councillor Andrew Dunne resigned from Council via email on 19th May 2015. As no date was stipulated in the resignation this resignation is deemed effective immediately which reduces the number of Elected Members for the Shire of Mt Marshall to six (6) creating one vacancy.

COMMENT:

Council has two options available to it at this point in time, which include.

- Seek approval from the Electoral Commissioner to include the recently created vacancy as part of the ordinary October 2015 Local Government Elections.
- Advertise the vacancy and hold an Extraordinary Election prior to the Ordinary October 2015 Local Government Elections.

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11.4.19 CBH Group Request - Various Roads Heavy Vehicle RAV4 Rating

LOCATION/ADDRESS:	Various CBH Bin Locations
NAME OF APPLICANT:	CBH Group
FILE REFERENCE:	A5/33
AUTHOR:	Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	20 May 2015
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Mr Allan Monson – Works Supervisor Mr Jack Walker – Finance and Admin Manager
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Council is responsible for maintaining these access roads and allows for the cost associated accordingly. The reason why the Shire of Mt Marshall is responsible for these grain bin access roads, which the CEO considers assets of CBH and not the Shire, remains somewhat unclear and requires future investigation.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2015/066 OFFICER RECOMMENDATION/COUNCIL DECISION:

1. That Council endorse rating the following roads within the Shire of Mt Marshall as Heavy Vehicle RAV Rating 4:
 - Beacon Grain Bin Road
 - Cleary Grain Bin Road
 - Gabbin Grain Bin Road and;
2. That the CEO advise CBH and Main Roads WA of these new RAV Rating allocations accordingly.

Moved Cr RN Breakell

Seconded Cr DA Miguel

**Carried 5/1
Cr PA Gillett against**

BACKGROUND:

The CEO recently received the following request from CBH Land Logistics Coordinator, Mr Adam Wedemeyer as follows:

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Dear Mr Sellenger,

Throughout 2014/2015, CBH in conjunction with Main Road WA HVO and WALGA, have been looking into a review of the WA road network used for grain freight.

We have identified the below roads within your shire in which we are seeking your approval for RAV upgrade assessment by MRWA HVO.

Route/Site	Road	Owner	Shire	Assessment To	Section	Approved/Denied
Beacon	Beacon Grain Bin Rd	Shire	Mt Marshal	RAV 4	Ingleton Rd to CBH Site	
Cleary	Cleary Bin Rd	Shire	Mt Marshal	RAV 4	Burakin-Wialki RD to Burakin-Wialki RD	
Gabbin	Gabbin Bin Rd	Shire	Mt Marshal	RAV 4	Bencubbin-Gabbin Rd to Cleary-Gabbin Rd	

It would be appreciated if the approval or denial of assessment, could be returned to CBH email transport.coordinator@cbh.com.au, as we will be presenting a combined list of assessments from across the state to MRWA HVO's assessment team.

Your help and time is appreciated.

Kind Regards,



ADAM WEDEMEYER
Land Logistics Coordinator

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COMMENT:

This request is considered a formality for roads which have for whatever reason in the past, not been allocated a RAV Rating by the Shire of Mt Marshall.

A RAV4 rating allows for the following combination of vehicle to travel the road, and any vehicle smaller than the combination shown below:



Above: Beacon site

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Above: Cleary site



Above: Gabbin site

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11.4.20 2015 Local Government Election

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: N/A
FILE REFERENCE: A1/4
AUTHOR: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil
DATE: 20 May 2015
ATTACHMENT NUMBER: Nil
CONSULTATION: Mr Phillip Richards – WA Electoral Commission,
Manager, Local Government Elections
STATUTORY ENVIRONMENT: **Local Government Act 1995**

***4.7. Ordinary elections day usually third
Saturday in October***

- (1) The effect of section 4.6 is that —
 - (a) polls for ordinary elections to elect an elector mayor or president will be held on the third Saturday in October every 4 years; and
 - (b) polls for ordinary elections to elect councillors will be held on the third Saturday in October every 2 years.
- (2) If in respect of a particular year in which ordinary elections are required to be held the Electoral Commissioner is of the opinion that it would not be in the public interest to hold polls for those ordinary elections on the third Saturday in October, the Electoral Commissioner may, by notice in the *Gazette*, fix a later Saturday in October, or the first, second or third Saturday in November, to be the day for holding any polls needed for those ordinary elections.
- (3) The election day can be deferred under subsection (2) —
 - (a) for all local governments; or
 - (b) for a local government or local governments specified in the notice; or
 - (c) for a class or classes of local governments specified in the notice.
- (4) In the notice under subsection (2), or by a later notice in the *Gazette*, the Electoral Commissioner may adjust any time, period or date fixed under this Act to take account

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of the election day being deferred under subsection (2).

[Section 4.7 amended by No. 66 of 2006 s. 6.]

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: The CEO has received a quote for the WA Electoral Commission to administer the Election on behalf of the Shire. Should Council wish to proceed in this matter it is necessary to make an appropriate allowance in the 2015/2016 Budget Document for the quoted amount accordingly.

STRATEGIC IMPLICATIONS: Nil

VOTING REQUIREMENT: Absolute Majority

2015/067 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council:

- 1. resolve to hold the Ordinary 2015 Local Government Election by postal method to be administered by the Western Australian Electoral Commission and;**
- 2. make an allowance of \$11,000 (exc GST) in the 2015/2016 Budget for costs associated with the conduct of the Election.**

Moved Cr RN Breakell

Seconded Cr DA Miguel

**Carried 5/1
Absolute Majority
Cr PA Gillet Against**

BACKGROUND:

Postal Elections in Local Government administered by the WA Electoral Commission (WAEC) are becoming more popular. They are also considered to result in higher Elector response rates than in person elections and have become increasingly more popular amongst Local Government since 1995 when four Local Governments utilised this service offered by the WAEC for the first time.

Following is an extract from the WA Electoral Commission Elections Summary report, published in April 2014.

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Since 1995, the Commission has had an increasing commitment to the conduct of local government postal elections.

Any council may conduct its own voting in person election, however only the Electoral Commissioner may conduct a postal voting election. The decision to conduct a postal election must be passed by an absolute majority of council.

From the initial four local governments adopting postal elections in 1995, the Commission's involvement in postal elections has increased at successive local government elections, with 76 postal elections in 2013.

Election Year	Local Governments using Postal Vote System
1997	8
1999	34
2001	47
2003	55
2005	50
2007	64
2009	69
2011	74
2013	76

Table 2: Local Governments using postal voting. Data Source: EMSWA

COMMENT:

The current CEO and author of this item has used postal election services offered by the Electoral Commission in the past and it is understandable why the popularity of this service is increasing amongst local governments which is considered popular amongst candidates and electors who utilise the postal election service.

The CEO has requested and received a quote for the WAEC to conduct a postal election on behalf of the shire of Mt Marshall as follows:

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WESTERN AUSTRALIAN Electoral Commission

LGE 028

Mr Dirk Sellenger
Chief Executive Officer
Shire of Mt Marshall
PO Box 20
BENCUBBIN WA 6477

Dear Mr Sellenger

Local Government Ordinary Election: 2015

I refer to your email dated 18 May 2015 requesting a cost estimate for the Western Australian Electoral Commission to conduct the Shire of Mt Marshall 2015 Local Government Ordinary election as a postal election.

The estimated cost to conduct the ordinary election as a postal election would be \$10,000 including GST which has been based on the following assumptions:

- 400 electors;
- three vacancies;
- appointment of a local Returning Officer;
- response rate of approximately 50%;
- count to be conducted at the offices of the Shire of Mt Marshall; and
- standard Australia Post delivery service to apply.

Costs not incorporated in this estimate include:

- non-statutory advertising (i.e. additional advertisements in community newspapers and promotional advertising);
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns;
- one local government staff member to work in the polling place on election day; and
- any additional postage rate increase by Australia Post.

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The Commission is required by the *Local Government Act 1995* to conduct local government elections on a full cost recovery basis. Please note that this is an estimate only and may vary depending on a range of factors including the cost of materials or number of replies received. The basis for our charges is all materials at cost and a margin on staff time only. Should a significant change in this figure become evident prior to or during the election you will be advised as early as possible.

The current procedure required by the *Local Government Act 1995* is that my written agreement has to be obtained before the vote by Council is taken. To facilitate the process, you can take this letter as my agreement to be responsible for the conduct of the ordinary election in 2015 for the Shire of Mt Marshall in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required.

In order to achieve this, your council will now need to pass the following two motions by absolute majority:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2015 ordinary elections together with any other elections or polls which may be required
- Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

If you have any further queries please contact Phil Richards, Manager Local Government Elections on 9214 0443.

Yours sincerely



David Kerslake
ELECTORAL COMMISSIONER

19 May 2015

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11.4.21 Shire Banking Services

LOCATION/ADDRESS:	Administration Office, 80 Monger Street, Bencubbin
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/14
AUTHOR:	Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	21 May 2015
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Jack Walker – Finance and Admin Manager Bankwest Staff representatives Bendigo Community Bank Manager – Mukinbudin David Burton – CEO Shire of Koorda and Bendigo Bank Customer.
STATUTORY ENVIRONMENT:	Local Government Act 1995

6.6. *Funds to be established*

- (1) A local government is to have —
 - (a) a municipal fund; and
 - (b) a trust fund.
- (2) The municipal fund is to be kept separate and distinct from the trust fund.

6.7. *Municipal fund*

- (1) All money and the value of all assets received or receivable by a local government are to be held and brought to account in its municipal fund unless required by this Act or any other written law to be held in the trust fund.
- (2) Money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by this Act or any other written law.

POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	The Shire is required to have a Municipal Fund and a Trust Fund. The financial institution is used to make and receive payments on a daily basis. Councils reserve funds remain free to invest with other recognised financial institutions as the CEO deems most appropriate and beneficial for the Shire.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

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2015/068 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council award its banking services to Bendigo Community Bank, Mukinbudin effective 1st January 2016.

Moved Cr PA Gillett

Seconded Cr IC Sanders

Carried 6/0

BACKGROUND:

The Shire of Mt Marshall has been considering banking services options for some time and recently invited submissions from both Bankwest (existing banking provider) and Bendigo Community Bank, Mukinbudin whom have expressed an interest in the Shire of Mt Marshall's banking requirements for some time.

COMMENT:

Only Bendigo Bank chose the option to address Council at the April Ordinary Meeting of Council. The benefits of a local bank with a manager who is able to be contacted compared to the existing large corporate structure of Bankwest does have its advantages and both the CEO and the Finance and Admin Manager believe switching to Bendigo Bank is both warranted and justified.

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11.5 Executive Assistant

11.5.5 Councillor Meeting Fees and Allowances

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/3, A1/6
AUTHOR:	Nadine Richmond – Executive Assistant
DISCLOSURE OF INTEREST:	Nil
DATE:	14 May 2015
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Dirk Sellenger – Chief Executive Officer
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Council will make appropriate allowances for any costs associated with Elected Member allowances or fees in the draft 2015/16 Budget document.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2015/069 OFFICER RECOMMENDATION/COUNCILLOR DECISION:

That Council endorses:

1. a 5% increase in the following Elected Member Meeting Fees and Allowances,

President's allowance	\$5,250*	per annum
President's meeting attendance fees	\$10,500	per annum
Deputy President's allowance (25%*)	\$1,312.50	per annum
Councillor's meeting fees (annualised)	\$3,675	per annum
2. a 10% increase in Travel reimbursement to \$1.00 per kilometre and;
3. the Councillor's ITC Allowance being increased to \$1,750 per annum

adopting Elected Members' Meeting Fees and Allowances for the 2015/16 financial year as above.

Moved Cr RN Breakell

Seconded Cr JW Munns

Carried 6/0

BACKGROUND:

Councillors fees and allowances were last reviewed in August 2014 last year when the previous Acting CEO, Mr Robert Cooper developed the Council policy C & C.1.4 Councillor Meeting Fees, Allowances and Reimbursements. The policy states that *All Council members are to receive "Annual Meeting Attendance Fees" within the range permitted by SAT and that allowance will be paid monthly in arrears. The amount to be paid is to be set in the annual budget.*

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Currently the annual meeting allowances being paid to Councillors monthly in arrears are as follows:

Annual Meeting Fees	Amount
Council member who holds the office of President	\$10,000.00
Council member other than the President	\$3,500.00
Annual Allowances	Amount
President	\$5,000.00
Deputy President	\$1,250.00
Annual ICT Allowances	Amount
All Elected Members	\$400
Travel Reimbursements	\$0.91 p/klm

COMMENT:

The Salary and Allowances Tribunal (SAT) has determined each Local Government in Western Australia falls into a category which is largely based on population and Member representation. The Shire of Mt Marshall is classed as a Category 4 Council and the following ranges apply:

Payment to Elected Members (non Presidential)	Minimum	Maximum
Annual Meeting Fees	\$3,500	\$9,000
Travel Reimbursements	Nil	\$1.60 p/klm
Information, Communication & Technology (ICT) Allowance	\$500	\$3,500
Payment to Elected Members (Presidential)	Minimum	Maximum
Annual Presidential Allowance*	\$500	\$19,000
*Deputy President 25% of Presidential Allowance	\$125	\$4,750
Annual Meeting Fees	\$3,500	\$18,500
Travel Reimbursements	Nil	\$1.60 p/klm
Information, Communication & Technology (ICT) Allowance	\$500	\$3,500

While the majority of the current allowances are within the SAT determined range, the ITC allowance is currently below minimum.

Due to an increase in costs of information, communication and technology in remote rural areas, the minimum amount is not considered adequate with the amount recommended to be increased from \$400 to \$1,750 being half the allowable maximum of \$3,500.

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12.0	Elected Members Motions of Which Previous Notice Has Been Given
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Nil

13.0	New Business of an Urgent Nature Introduced by Decision of the Meeting
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2015/070 COUNCIL DECISION:

That the late item 13.1.1 be considered as presented.

Moved Cr PA Gillett

Seconded Cr RN Breakell

Carried 6/0

13.1.1 Specified Area Rate – Beacon Central
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LOCATION/ADDRESS:	Beacon Central, Rowlands Street, Beacon.
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A4/5, A4/17, F1/3
AUTHOR:	Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	26 May 2015
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Mr Jack Walker – Finance and Admin Manager
STATUTORY ENVIRONMENT:	

6.37. Specified area rates

- (1) A local government may impose a specified area rate on rateable land within a portion of its district for the purpose of meeting the cost of the provision by it of a specific work, service or facility if the local government considers that the ratepayers or residents within that area —
 - (a) have benefited or will benefit from; or
 - (b) have access to or will have access to; or
 - (c) have contributed or will contribute to the need for,that work, service or facility.
- (2) A local government is required to —
 - (a) use the money from a specified area rate for the purpose for which the rate is imposed in the financial year in which the rate is imposed; or
 - (b) to place it in a reserve account established under section 6.11 for that purpose.

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- (3) Where money has been placed in a reserve account under subsection (2)(b), the local government is not to —
 - (a) change the purpose of the reserve account; or
 - (b) use the money in the reserve account for a purpose other than the service for which the specified area rate was imposed,and section 6.11(2), (3) and (4) do not apply to such a reserve account.
- (4) A local government may only use the money raised from a specified area rate —
 - (a) to meet the cost of providing the specific work, service or facility for which the rate was imposed; or
 - (b) to repay money borrowed for anything referred to in paragraph (a) and interest on that money.
- (5) If a local government receives more money than it requires from a specified area rate on any land or if the money received from the rate is no longer required for the work, service or facility the local government —
 - (a) may, and if so requested by the owner of the land is required to, make a refund to that owner which is proportionate to the contributions received by the local government; or
 - (b) is required to allow a credit of an amount proportionate to the contribution received by the local government in relation to the land on which the rate was imposed against future liabilities for rates or service charges in respect of that land.
- (6) Where —
 - (a) before the coming into operation of the *Local Government Amendment Act 2012* Part 2 Division 5, a specified area rate was imposed, or purportedly imposed, under this section by a local government for the purpose of the provision of underground electricity; and

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- (b) the underground electricity was not, or will not, be provided, or not wholly provided, by the local government,

the rate is, and is taken always to have been, as validly imposed under this section as it would have been if, at the time of the imposition of the rate, the local government were to provide the underground electricity.

[Section 6.37 amended by No. 2 of 2012 s. 20.]

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Council has in the past effectively collected a Specified Area Rate for the purpose of Building Maintenance of a non-Shire owned building. The Shire of Mt Marshall isn't responsible for any costs associated with the operations of the Beacon Central Building and it is not lawful to collect a Specified Area Rate accordingly.

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

2015/071 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council endorse:

1. the Shire ceasing to levy a Specified Area Rate for the Beacon Central Building as it is unlawful to do so under the Local Government Act 1995 and;
2. the Beacon Progress Association being advised of this change accordingly.

Moved Cr PA Gillett

Seconded Cr IC Sanders

Carried 6/0

BACKGROUND:

Correspondence was recently received from the Beacon Progress Association regarding various Budget requests in the 2015/2016 financial year. Whilst the items requested will be considered by Council as part of the normal Budget process, the request for Specified Area Rates (SAR) required further investigation.

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Beacon Progress Association Inc

11 Rowland Street

BEACON WA 6472

ABN: 55 272 118 292

27th April 2015

Shire of Mt Marshall Council
C/- CEO Dirk Sellinger
Monger Street
BENCUBBIN WA 6477

Dear Dirk and Councillors,

Items for consideration and inclusion in Shire of Mt Marshall Budget 2015/2016

At the 2015 Annual General Meeting of the Beacon Progress Association held on 31st March, it was resolved by the members at the meeting to request that the MM Shire Council consider the following items to be included in the forthcoming financial year budget:-

1. **Specified Area Rate** for northern ratepayers for Beacon Central at 11 Rowlands Street, Beacon to be raised again for 2015-2016 Budget. This is an ongoing annual request.

COMMENT:

The CEO was not familiar with this particular SAR prior to the 27 April 2015 correspondence and subsequent budget request above and questioned the Finance and Administration Manager in relation to the background of the SAR. The CEO also held concerns regarding the lawfulness of such a process which was effectively requiring the Local Government to collect a contribution on behalf of a non-Shire owned facility with no end date apparent, both of which are requirements of Specified Area Rates.

Clarification was sought from the Department of Local Government and Communities (DLGC) with regards to this matter and the following response was received from the DLGC on 25 May 2015:

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Dear Mr Walker

SPECIFIED AREA RATE

I refer to your letter of 12 May 2015 regarding a specified area rate which Council has imposed since 2003.

Section 6.37 of the Local Government Act 1995 authorises a local government to impose a specified area rate on rateable land within a portion of its district for the purpose of meeting the cost of the provision by it of a specific work, service or facility (emphasis added). Accordingly, a specified area rate can only be imposed to cover the cost of a work service or facility provided by the Shire of Mt Marshall. As the Shire does not provide the Community Resource Centre facility, the specified area rate has been unlawfully imposed.

If the Shire wishes to continue to provide a contribution to the Beacon Progress Association to assist with the annual maintenance of the Community Resource Centre, the \$6,000 could be recovered through general rates and provided as a donation to the association each year.

Given that the specified area rate is not imposed in accordance with the Act, the Department would expect that the Shire no longer impose this rate to avoid action being taken in the State Administrative Tribunal to have the rate quashed in accordance with section 6.82 of the Act.

If you wish to clarify any aspect of this further please contact Mr Vern McKay, Manager Sector Monitoring on 6552 1513 or at vern.mckay@dlgc.wa.gov.au.

Yours sincerely

Jenni Law

DIRECTOR LOCAL GOVERNMENT REGULATION AND SUPPORT

May 2015

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14.0	Next Meeting – Tuesday 16 June commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin
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15.0	Closure of Meeting
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The Presiding Member thanked the members of the public attending the meeting and declared the meeting closed at 8:19pm.

These Minutes were confirmed by the Council at its Ordinary Meeting held on

Date

Cr RN Breakell

President