



**SHIRE OF MT MARSHALL**

# **MINUTES**

**Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 18 August 2020, in Council Chambers, 71 Monger St, Bencubbin, commencing at 3:00pm.**

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Cr ARC Sachse

President

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been left blank  
intentionally**

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# DISCLAIMER

## MEMBERS OF THE PUBLIC ARE REQUESTED TO READ THROUGH AND FAMILIARISE THEMSELVES WITH THE DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Mt Marshall for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Mt Marshall 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 Mt Marshall 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 Mt Marshall. The Shire of Mt Marshall warns that anyone who has an application lodged with the Shire of Mt Marshall 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 Mt Marshall in respect of the application.

John Nuttall  
Chief Executive Officer

\_\_\_\_\_  
Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 18 August 2020**

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The President represented the Shire at the following meetings and training opportunities from 21 July to 18 August 2020.

|                   |   |
|-------------------|---|
| <b>21/07/2020</b> | <b>20/21 Budget discussions, Council Chambers, with Deputy President Cr Nick Gillett, Cr Brendan Geraghty, Cr Tanya Gibson, Cr Leeanne Gobbart, Cr Stuart Putt, Cr Ian Sanders, CEO John Nuttall and FAM Tanika McLennan.</b>   |
| <b>23/07/2020</b> | <b>Western Australia Country Health service (WACHS) Stakeholder Information Meeting, Merredin, with WACHS representatives, Marian Kirby (Beacon Silver Chain Branch Committee) and Donna Cooper (Bencubbin Silver Chain Branch Committee).</b>  |
| <b>24/07/2020</b> | <b>Reopening of the Merredin Dryland Research Institute (DRI) with Hon Allanah MacTiernan MLC Minister for Regional Development, Agriculture and Food, Ports, Minister Assisting the Minister for State Development, Jobs and Trade.</b><br><b>Agriculture Round table Discussion, Merredin DRI, with Hon Allanah MacTiernan MLC Minister for Regional Development, Agriculture and Food, Ports, Minister Assisting the Minister for State Development, Jobs and Trade, and other stakeholders.</b> |
| <b>28/07/2020</b> | <b>Central East Aged Care Alliance Inc (CEACA) Independent Living Units Opening, with Hon Allanah MacTiernan MLC Minister for Regional Development, Agriculture and Food, Ports, Minister Assisting the Minister for State Development, Jobs and Trade, and other CEACA representatives.</b>  |
| <b>29/07/2020</b> | <b>20/21 Budget discussions with Cr Tanya Gibson and CEO John Nuttall</b>   |

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- 10/08/2020 Great Eastern Country Zone (GECZ) Executive Meeting, Western Australian Local Government Association (WALGA) office, Perth.
- 11/08/2020 Local Emergency Management Committee Meeting, Council Chambers, with CEO John Nuttall, RO Jack Walker and CDO Rebecca Watson.
- 12/08/2020 Australian Red Cross Drought and Well Being Series “Tune In and Tune Up – Preparing for Tough Times” Webinar.
- Corporate Information Session, Council Chambers, with Deputy President Cr Nick Gillett, Cr Brendan Geraghty, Cr Tanya Gibson, Cr Leanne Gobbart, Cr Stuart Putt, Cr Ian Sanders and CEO John Nuttall.
- 14/08/2020 WALGA Webinar, State Briefing to Sector with CEO, John Nuttall
- 18/08/2020 Beacon Silver Chain Branch Committee AGM, Beacon CWA
- Bencubbin Silver Chain AGM, Bencubbin Resource Centre.

**9.2 Councillors**

10. Petitions / Deputations / Presentations / Submissions
11. Reports of Committees
12. Reports of Officers
- 12.1 Chief Executive Officer
- 12.1.23 Beacon Gun Club – Danger Fallout Area Agreement
- 12.2 Works Supervisor
- 12.3 Executive Assistant
- 12.3.11 Status Report July 2020
- 12.4 Finance and Administration Manager
- 12.4.16 Accounts Paid to 31 July 2020
- 12.4.17 Statement of Financial Activity Statement to 30 June 2020
- 12.4.18 RD Watts - Request to Write Off Interest
- 12.5 Community Development Officer
- 12.5.5 Mt Marshall Swimming Pool Policies S&R.2.1 Patron Code of Conduct – Pool Rules and S&R.2.2 Free Pool Entry for Teachers
- 12.6 Regulatory Officer
- 12.6.2 Provision of Goods and Services - Bitumen Supply – 2020/21
- 12.7 Development
- 12.7.2 Application for Development Approval – Bencubbin Truck N Autos
- 12.8 Environmental Health Officer
13. Elected Members’ Motions of Which Previous Notice Has Been Given
- 13.1 Cr Tanya Gibson
- 13.1.1 Mt Marshall Aquatic Facility – Option to Tile
14. New Business of an Urgent Nature Introduced by Decision of the Meeting
15. Next Meeting – Tuesday 15 September 2020 commencing at 3:00pm in Council Chambers, Monger St, Bencubbin

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**Minutes of the Ordinary Meeting of Council**  
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**16. Closure of Meeting**

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**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 18 August 2020**

**1.0 Declaration of Opening / Announcement of Visitors**

The Presiding Member declared the meeting open at 3.00pm and welcomed all those present.

**2.0 Record of Attendance / Apologies / Approved Leave of Absence**

**In Attendance**

|                     |                                    |                            |
|---------------------|------------------------------------|----------------------------|
| Cr ARC Sachse       | President                          |                            |
| Cr NR Gillett       | Deputy President                   |                            |
| Cr LN Gobbart       | Councillor                         | 3:00-3:19pm, 3:30-3:57pm   |
| Cr TM Gibson        | Councillor                         |                            |
| Cr IC Sanders       | Councillor                         |                            |
| Cr BC Geraghty      | Councillor                         |                            |
| Cr SR Putt          | Councillor                         |                            |
| Mr John Nuttall     | Chief Executive Officer            |                            |
| Ms Tanika McLennan  | Finance and Administration Manager |                            |
| Miss Meg Wyatt      | Customer Service Officer           |                            |
| Miss Rebecca Watson | Community Development Officer      |                            |
| Mr Len Cargeeg      | Member of the Public               | 3:00–3:40pm, 3:48 – 3:57pm |
| Mrs Tracy Tranter   | Member of the Public               |                            |

**Apologies**

Nil

**3.0 Standing Orders**

**2020/8-001 COUNCIL DECISION:**

***That Standing Order number 9.2 - Limitation of Number of Speeches be suspended for the duration of the meeting to allow for greater debate on items in the agenda.***

***Moved Cr SR Putt***

***Seconded Cr TM Gibson***

***Carried 7/0***

**4.0 Public Questions**

**4.1 Response to Public Questions Taken on Notice**

Nil

**4.2 Public Question Time**

The Presiding Member declared public question time open at 3.01pm.

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**Minutes of the Ordinary Meeting of Council**  
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**4.2.1 Summary of question from Mrs Tracy Tranter:**

Why is the risk assessment recorded as “Nil” in agenda item 12.7.1 when the business adjoins another liquor property and could impact financially on other businesses in Beacon and Bencubbin?

**Summary of response from the Presiding Member:**

The Presiding Member invited the Chief Executive Officer to respond who informed the meeting that it is recorded that way as there is no financial risk to Council. The item deals with a planning application, not a liquor licensing issue and therefore has no financial impact for Council.

The Presiding Member declared public question time closed at 3.03pm.

**5.0 Applications for Leave of Absence**

Nil

**6.0 Declarations of Interest**

Cr TM Gibson declared an impartiality interest in item 12.1.23 being that she is a member of the Beacon Gun Club.

Cr LN Gobbart declared a proximity interest in item 12.7.1 being that her mother lives at the back of the business applying for the change in use.

Cr ARC Sachse declared an impartiality interest in item 12.7.1 being that he is a member of the Bencubbin Sports Club.

Cr BC Geraghty declared an impartiality interest in item 12.7.1 being that he is a member of the Bencubbin Sports Club.

**7.0 Confirmation of Minutes of Previous Meetings**

**7.1 Minutes of the Ordinary Meeting held on Tuesday 21 July 2020**

**2020/8-002 OFFICER RECOMMENDATION/COUNCIL DECISION:**

***That the Minutes of the Ordinary Meeting of Council held on Tuesday 21 July 2020 be confirmed as a true and correct record of proceedings.***

***Moved Cr TM Gibson***

***Seconded Cr BC Geraghty***

***Carried 7/0***

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**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 18 August 2020**

**7.2 Minutes of the Special Meeting held on Friday 31 July 2020**

**2020/8-003 OFFICER RECOMMENDATION/COUNCIL DECISION:**

*That the Minutes of the Special Meeting of Council held on Friday 31 July 2020 be confirmed as a true and correct record of proceedings.*

*Moved Cr IC Sanders*

*Seconded Cr NR Gillett*

*Carried 7/0*

**8.0 Announcements by Presiding Person Without Discussion**

The Shire of Mt Marshall continues to work with State and Federal Government agencies in regard to the COVID-19 State of Emergency. This involves closely watching any developments and planning for any second wave. Remember that it continues to be very important to maintain good hygiene and social distancing. Remember too that if you are feeling unwell please seek medical advice as soon as possible.

The Shire of Mt Marshall would like to pay our condolences to the family and friends of Ronald Eric Petchell, or "Horrie" as he was affectionally known, on his recent passing on Tuesday 21 July, 2020. Horrie lived and worked doing rural fencing in the area over recent decades, and will be sadly missed. His funeral was held at the Bencubbin Cemetery on Friday, 31 July 2020. Rest in Peace.

**9.0 Report's of Councillors**

**9.1 President's Report**

Purpose:

This report is prepared by the President to provide Council and the community of Mt Marshall with information about activities undertaken.

Comment:

The President represented the Shire at the following meetings and training opportunities from 21 July to 18 August 2020:

21/07/2020 20/21 Budget discussions, Council Chambers, with Deputy President Cr Nick Gillett, Cr Brendan Geraghty, Cr Tanya Gibson, Cr Leeanne Gobbart, Cr Stuart Putt, Cr Ian Sanders, CEO John Nuttall and FAM Tanika McLennan.

23/07/2020 Western Australia Country Health service (WACHS) Stakeholder Information Meeting, Merredin, with WACHS representatives, Marian Kirby (Beacon Silver Chain Branch Committee) and Donna Cooper (Bencubbin Silver Chain Branch Committee).

24/07/2020 Reopening of the Merredin Dryland Research Institute (DRI) with Hon Allanah MacTiernan MLC Minister for Regional Development, Agriculture and Food, Ports, Minister Assisting the Minister for State Development, Jobs and Trade.

Agriculture Round table Discussion, Merredin DRI, with Hon Allanah MacTiernan MLC Minister for Regional Development, Agriculture and

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Food, Ports, Minister Assisting the Minister for State Development, Jobs and Trade, and other stakeholders.

Central East Aged Care Alliance Inc (CEACA) Independent Living Units Opening, with Hon Allanah MacTiernan MLC Minister for Regional Development, Agriculture and Food, Ports, Minister Assisting the Minister for State Development, Jobs and Trade, and other CEACA representatives.

28/07/2020 Central East Aged Care Alliance Inc (CEACA) Committee Meeting, Kellerberrin, with CEO John Nuttall.

29/07/2020 20/21 Budget discussions with Cr Tanya Gibson and CEO John Nuttall

10/08/2020 Great Eastern Country Zone (GECZ) Executive Meeting, Western Australian Local Government Association (WALGA) office, Perth.

11/08/2020 Local Emergency Management Committee Meeting, Council Chambers, with CEO John Nuttall, RO Jack Walker and CDO Rebecca Watson.

12/08/2020 Australian Red Cross Drought and Well Being Series "Tune In and Tune Up – Preparing for Tough Times" Webinar.

Corporate Information Session, Council Chambers, with Deputy President Cr Nick Gillett, Cr Brendan Geraghty, Cr Tanya Gibson, Cr Leanne Gobbart, Cr Stuart Putt, Cr Ian Sanders and CEO John Nuttall.

14/08/2020 WALGA Webinar, State Briefing to Sector with CEO, John Nuttall

18/08/2020 Discussion with Department of Environmental and Water Resources staff on water resources in the Shire of Mt Marshall, by telephone.

Wheatbelt Operational Area Support Group (OASG) Human Epidemic COVID-19 Meeting, Zoom.

Discussions with the Silver Chain Beacon Branch representative Marian Kirby and Silver Chain Bencubbin Branch representative Donna Cooper regarding an invitation by the Shire of Mt Marshall to Western Australia Country Health Service (WACHS) CEO Jeffry Moffet and Acting Regional Director Wheatbelt Rachele Ferrari to visit both branches of the Silver Chain in Mt Marshall. By telephone.

## **9.2 Councillors**

Nil

## **10.0 Petitions / Deputations / Presentations / Submissions**

### **10.1 Bencubbin Sports Club**

The following submission was received from the Bencubbin Sports Club on Monday 17 August 2020.

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*BENCUBBIN SPORTS CLUB  
8 BROWN ST  
BENCUBBIN 6477  
17 August 2020*

*Re Agenda Item 12.7.1*

*Dear Council*

*We are extremely disappointed that the Officers recommendation is to accept the applicant's proposal.*

*Whilst we acknowledge that it is only the first step in a lengthy process it will be deemed by Councils acceptance of this proposal to be encouragement for the applicant to continue the process.*

*We are also disappointed that in the Officers "Community and Strategic Objectives" there is no mention of the negative impacts this application would have on the Community and the local Community Sports Club.*

*The Bencubbin Sports Club is run and staffed by local volunteers, any profits it makes are put back into the Community, it provides a service and a venue to the Community. The applicant's proposal is in direct competition to the Club and would seek to focus on the selling of packaged liquor, thus removing the viability of the Sports Club.*

*We ask that you would consider rejecting this application, thus saving the applicant the cost of continuing, or at least delay the application until we seek legal advice.*

*Your Sincerely*

*The President & Committee Bencubbin Sports Club*

**11.0 Reports of Committees**

Nil

**12.0 Reports of Officers**

**12.1 Chief Executive Officer**

Cr TM Gibson declared an impartiality interest in item 12.1.23 being that she is a member of the Beacon Gun Club.

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**12.1.23 Beacon Gun Club – Danger Fallout Area Agreement**

|                                 |   |
|---------------------------------|---|
| <b>File No:</b>                 | 4.0268  |
| <b>Location/Address:</b>        | 1593 Beacon Rock Road, Beacon   |
| <b>Name of Applicant:</b>       | Beacon Gun Club   |
| <b>Name of Owner:</b>           | N/A   |
| <b>Author:</b>                  | John Nuttall – Chief Executive Officer                                  |
| <b>Attachments:</b>             | 12.1.23 - Correspondence and Relevant<br>Paperwork from Beacon Gun Club |
| <b>Declaration of Interest:</b> | C   |
| <b>Voting Requirements:</b>     | Simple Majority   |
| <b>Previously Considered:</b>   | Nil   |

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**Background:**

Correspondence has been received from the Beacon Gun Club regarding the 'Danger Fallout Area' associated with their gun club activities, and a request that Council approve such an area. Copies of the correspondence are attached.

The gun club is situated next to Beacon Rock Tank, and Council will recall that recently a licence to occupy that area was provided to the Shire (pending the land being gifted to the Shire once Native Title issues are resolved). It is apparent from the correspondence received that a portion of the area now leased to the Shire encompasses the Beacon Gun Club's 'Danger Fallout Zone'.

The Shire were not made aware by Water Corporation during the lease process that there was a 'Danger Fallout Area' in part of the leased land. This report requests that Council consider granting the gun club a similar approval as they currently have with Water Corporation.

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Nil

**Risk Assessment:**

There is a risk that if no agreement is reached regarding the Danger Fallout Zone that either the gun club will not be able to carry out their activities or there will be uncontrolled danger to members of the public accessing the area during shooting activities.

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**Community & Strategic Objectives:**

*Outcome 1.3 Active and passive recreation facilities and services*

1.3.2 Partner with stakeholders to achieve greater community participation in recreational facilities and services

1.3.3 Provide support for community owned facilities

**Comment:**

From the correspondence received it appears that the gun club have operated for a number of years utilising a simple process to close off and control the 'Danger Fallout Area'. Given that such a process seems to have worked without issue for such a time it is recommended that Council approve a similar scheme between the Shire and Beacon Gun Club.

**2020/8-004 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***That Council:***

- 1. Approve the 'Danger Fallout Area' as delineated in the attached template (attachment 12.1.23)***
- 2. Direct the Chief Executive Officer to write to Beacon Gun Club confirming the 'Danger Fallout Area' and requiring that they abide by the following rules when shooting is taking place:***
  - Prior to shooting ensure that the 'Danger Fallout Zone' is free of any members of the public or vehicles***
  - check the BEACON Gun Club entrance gate is locked over the rock/tank access road with a sign directing people to the club shed if they are require access***
  - Ensure a red flag is flying at all times that shooting is in progress***
  - Maintain appropriate insurance and association membership at all times***

***Moved Cr TM Gibson***

***Seconded Cr SR Putt***

***Carried 7/0***

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**12.2 Works Supervisor**

Nil

**12.3 Executive Assistant**

**12.3.11 Status Report – July 2020**

|                                 |                                       |
|---------------------------------|---------------------------------------|
| <b>File No:</b>                 | N/A                                   |
| <b>Location/Address:</b>        | N/A                                   |
| <b>Name of Applicant:</b>       | Nil                                   |
| <b>Name of Owner:</b>           | N/A                                   |
| <b>Author:</b>                  | Nadine Richmond – Executive Assistant |
| <b>Attachments:</b>             | 12.3.11 – Status Report July 2020     |
| <b>Declaration of Interest:</b> | Nil                                   |
| <b>Voting Requirements:</b>     | Simple Majority                       |
| <b>Previously Considered:</b>   | Nil                                   |

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**Background:**

The status report is a register of Council resolutions that are allocated to Shire staff for actioning. When staff have progressed or completed any action in relation to Council's decision, comments are provided until the process is completed or superseded by more recent Council resolutions.

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Nil

**Risk Assessment:**

Nil

**Community & Strategic Objectives:**

CIVIC LEADERSHIP - Provide efficient and effective management

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

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**Comment:**

In the interest of increased transparency and communication with the community, the status report is provided for information.

**2020/8-005 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

*The Status Report for July 2020 be received.*

*Moved Cr SR Putt*

*Seconded Cr IC Sanders*

*Carried 7/0*

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**12.4 Finance and Administration Manager**

**12.4.16 Accounts Paid to 31 July 2020**

**File No:** 4.0042  
**Location/Address:** N/A  
**Name of Applicant:** Nil  
**Name of Owner:** N/A  
**Author:** Sandy Wyatt – Finance Officer  
**Attachments:** Nil  
**Declaration of Interest:** Nil  
**Voting Requirements:** Simple Majority  
**Previously Considered:** Nil

**Background:**

Following is a List of Accounts submitted to Council on Tuesday 18 August 2020 for the Municipal Fund, Trust Fund and Mastercard. Councillor questions regarding any payments can be directed to Finance and Administration Manager, Tanika McLennan, prior to the meeting.

**1. Municipal Fund**

| Chq/EFT  | Date       | Name  | Description  | Amount   |
|----------|------------|---|--|----------|
| 183      | 23/07/2020 | TELSTRA   | UTILITY CHARGES-JUNE20                                       | 1412.95  |
| 184      | 23/07/2020 | WATER CORPORATION                               | UTILITY CHARGES 6.5.20-16.7.20                               | 29021.54 |
| 185      | 23/07/2020 | WHEATBELT AGCARE COMMUNITY SUPPORT SERVICES INC | CONTRIBUTION TO RURAL FAMILY COUNSELLING SERVICE FOR 2020/21 | 550.00   |
| EFT16373 | 01/07/2020 | CRISP WIRELESS PTY LTD                          | BUSINESS LITE SUBSCRIPTION-INTERNET ACCESS                   | 328.90   |
| EFT16374 | 06/07/2020 | EASISALARY                                      | PAYROLL DEDUCTIONS   | 396.17   |
| Eft16375 |            | JUNE PAYMENT                                    |  |          |

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| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>  | <b>Description</b>                      | <b>Amount</b> |
|----------------|-------------|--|---|---------------|
| EFT16376       | 07/07/2020  | NINGHAN SPRAYING & AG SERVICES                         | VOUCHER-BEACON HOCKEY CLUB              | 959.20        |
| EFT16377       | 07/07/2020  | BEACON CO-OPERATIVE LTD                                | CARAVAN PARK VOUCHERS                   | 210.00        |
| EFT16378       | 07/07/2020  | ICS CARPENTRY  | JUNE REPAIRS                            | 319.00        |
| EFT16379       | 07/07/2020  | BENCUBBIN COMMUNITY RESOURCE CENTRE                    | CARAVAN PARK VOUCHER                    | 10.00         |
| EFT16380       | 07/07/2020  | PORKY'S ENTERPRISES                                    | REPAIR & RESHEET ANDREWS TANK ROAD      | 50209.50      |
| EFT16381       | 07/07/2020  | REBECCA WATSON   | REIMBURSEMENT-KEYS & FREIGHT            | 82.68         |
| EFT16382       | 07/07/2020  | THE WORKWEAR GROUP PTY LTD                             | HAND SANITISER                          | 554.40        |
| EFT16383       | 07/07/2020  | BENCUBBIN TRUCK N AUTO'S                               | ONLINE PRESENCE FUNDING                 | 1000.00       |
| EFT16384       | 07/07/2020  | BOB WADDELL & ASSOCIATES PTY LTD                       | VARIOUS ACCOUNTING SUPPORT              | 627.00        |
| EFT16385       | 07/07/2020  | ENVIRONMENTAL HEALTH AUSTRALIA (WESTERN AUSTRALIA) INC | FULL MEMBERSHIP-P.TOBOSS 1.7.20-30.6.21 | 325.00        |
| EFT16386       | 07/07/2020  | FIRE & SLICE MOBILE PIZZA                              | ONLINE PRESENCE FUNDING                 | 1000.00       |
| EFT16387       | 07/07/2020  | WAYNES DESIGN AND DRAFTING                             | DRAW & PROVIDE PLANS                    | 1375.00       |
| EFT16388       | 07/07/2020  | THE BODY COACH   | ONLINE PRESENCE FUNDING                 | 1000.00       |
| EFT16389       | 07/07/2020  | TABLE & TASTE  | WEBSITE DESIGN                          | 999.00        |
| EFT16390       | 07/07/2020  | SYNERGY  | UTILITY CHARGES 1.5.20-10.6.20          | 75.98         |
| EFT16391       | 08/07/2020  | SYNERGY  | UTILITY CHARGES 21.5.20-17.6.20         | 489.50        |
| EFT16392       | 09/07/2020  | SHIRE OF WYALKATCHEM                                   | EHO RENT 9.6.20-6.7.20                  | 720.00        |
| EFT16393       | 09/07/2020  | AVON WASTE   | RUBBISH COLLECTION-JUNE20               | 6962.40       |
| EFT16394       | 09/07/2020  | BOC GASES  | GAS CYLINDERS                           | 41.38         |
| EFT16395       | 09/07/2020  | NINGHAN SPRAYING & AG SERVICES                         | CARAVAN PARK VOUCHER                    | 10.00         |
| EFT16396       | 09/07/2020  | KTY ELECTRICAL SERVICES                                | JUNE REPAIRS                            | 960.72        |
| EFT16397       | 09/07/2020  | BENCUBBIN NEWS & POST                                  | POSTAGE 22.6.20-26.6.20                 | 29.37         |
| EFT16398       | 09/07/2020  | BENCUBBIN BULK HAULIERS                                | TRANSPORT MACHINERY                     | 445.50        |
| EFT16399       | 09/07/2020  | ICS CARPENTRY  | JUNE REPAIRS                            | 407.00        |
| EFT16400       | 09/07/2020  | D & D TRANSPORT  | FREIGHT-MARCH20                         | 660.38        |
| EFT16401       | 09/07/2020  | LANDGATE   | RURAL UV'S CHARGEABLE 30.5.20-12.6.20   | 67.85         |
| EFT16402       | 09/07/2020  | BENCUBBIN AG SUPPLIES                                  | VOUCHER                                 | 10.00         |
| EFT16403       | 09/07/2020  | REFUEL AUSTRALIA                                       | FUEL-JUNE20                             | 274.18        |
| EFT16404       | 09/07/2020  | GREAT SOUTHERN FUELS                                   | FUEL-JUNE20                             | 13000.46      |

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| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>  | <b>Description</b>  | <b>Amount</b> |
|----------------|-------------|--|---|---------------|
| EFT16405       | 09/07/2020  | MARTY GRANT BULLDOZING                                       | PUSHING GRAVEL  | 6545.00       |
| EFT16406       | 09/07/2020  | AMPAC DEBT RECOVERY PTY LTD                                  | DEBT RECOVERY COSTS-1043  | 616.00        |
| EFT16407       | 09/07/2020  | KC SALES   | CARAVAN PARK VOUCHERS   | 398.70        |
| EFT16408       | 09/07/2020  | WA CONTRACT RANGER SERVICES                                  | RANGER SERVICES 16.6.20 & 29.6.20   | 467.50        |
| EFT16409       | 09/07/2020  | ECOWATER SERVICES  | MAINTENANCE-BIOMAX SYSTEM-229<br>MURRAY STREET  | 150.40        |
| EFT16410       | 09/07/2020  | PALM PLUMBING  | JUNE REPAIRS  | 2050.37       |
| EFT16411       | 09/07/2020  | MARKET CREATIONS   | COMPUTER SERVICES   | 1365.36       |
| EFT16412       | 09/07/2020  | MARKETFORCE PTY LTD  | DEATH NOTICE-A.GILLETT  | 77.86         |
| EFT16413       | 09/07/2020  | JOHN GOSPER DESIGN   | NEW HEALTH-BUILDING SURVEYING<br>SERVICE  | 1100.00       |
| EFT16414       | 09/07/2020  | MORGAN TIRRAWA FARMS   | GRAVEL  | 2838.00       |
| EFT16415       | 09/07/2020  | AUSTRALIA POST   | POSTAGE-BEACON LIBRARY  | 42.90         |
| EFT16416       | 09/07/2020  | THE BENCUBBIN SHOP   | VOUCHERS  | 1323.35       |
| EFT16417       | 09/07/2020  | MODULAR WA   | CONSTRUCTION & SITING OF EXECUTIVE<br>HOUSE   | 80954.00      |
| EFT16418       | 09/07/2020  | RUROCK FARMS (M & L COLOTTI ATF THE<br>COLOTTI FAMILY TRUST) | GRAVEL  | 2674.10       |
| EFT16419       | 13/07/2020  | SYNERGY  | UTILITY CHARGES 17.4.20-17.6.20   | 5400.22       |
| EFT16420       | 14/07/2020  | SYNERGY  | UTILITY CHARGES 17.4.20-17.6.20   | 64.06         |
| EFT16421       | 14/07/2020  | BENDIGO BANK   | JUNE SUPPLIES   | 1815.21       |
| EFT16422       | 20/07/2020  | EASISALARY   | PAYROLL DEDUCTIONS  | 396.17        |
| EFT16423       | 23/07/2020  | SHIRE OF MT MARSHALL   | NEW HEALTH RECOUP 30.6.20   | 4904.98       |
| EFT16424       | 23/07/2020  | BEACON BULLETIN  | ONLINE PRESENCE FUNDING   | 1000.00       |
| EFT16425       | 23/07/2020  | WESFARMERS KLEENHEAT GAS P/L                                 | FACILITY FEE-GAS CYLINDERS  | 237.60        |
| EFT16426       | 23/07/2020  | LOCAL HEALTH AUTHORITIES ANALYTICAL<br>COMMITTEE             | ANALYTICAL SERVICES 2020/21 (LESS<br>COVID-19 DISC)   | 198.00        |
| EFT16427       | 23/07/2020  | NINGHAN SPRAYING & AG SERVICES                               | JULY SUPPLIES   | 621.73        |
| EFT16428       | 23/07/2020  | KTY ELECTRICAL SERVICES                                      | JULY REPAIRS  | 2129.27       |
| EFT16429       | 23/07/2020  | SHIRE OF TRAYNING  | MEDICAL PRACTICE EXPENSES PLUS<br>DOCTORS HOUSE RENT 31.5.20-27.6.20 &<br>DOCTORS VEHICLE EXPENSES JUNE20 | 3627.55       |

\_\_\_\_\_  
Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 18 August 2020**

| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>                                     | <b>Description</b>                                       | <b>Amount</b> |
|----------------|-------------|---|--|---------------|
| EFT16430       | 23/07/2020  | BENCUBBIN NEWS & POST                           | NEWSPAPERS-JUNE20  | 130.96        |
| EFT16431       | 23/07/2020  | BEACON CENTRAL COMMUNITY RESOURCE CENTRE        | ONLINE PRESENCE FUNDING                                  | 1000.00       |
| EFT16432       | 23/07/2020  | AUSTRALIAN TAXATION OFFICE                      | BAS-JUNE20   | 9356.00       |
| EFT16433       | 23/07/2020  | BEACON PROGRESS ASSOCIATION INC.                | ECONOMIC DEVELOPMENT GRANT                               | 4189.55       |
| EFT16434       | 23/07/2020  | MERREDIN TELEPHONE SERVICES                     | RELOCATE YAGI ANTENNAS                                   | 356.18        |
| EFT16435       | 23/07/2020  | BEACON CO-OPERATIVE LTD                         | ECONOMIC DEVELOPMENT GRANT FUNDING                       | 7839.00       |
| EFT16436       | 23/07/2020  | DIELECTRIC SECURITY SERVICES                    | MONITORING FEES 1.8.20-31.10.20                          | 101.20        |
| EFT16437       | 23/07/2020  | LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA     | ANNUAL MEMBERSHIP 2020/21                                | 1247.00       |
| EFT16438       | 23/07/2020  | MOORE AUSTRALIA (WA) PTY LTD                    | FBT RETURN   | 1650.00       |
| EFT16439       | 23/07/2020  | WINC AUSTRALIA PTY LTD                          | JULY SUPPLIES  | 319.09        |
| EFT16440       | 23/07/2020  | ICS CARPENTRY                                   | JUNE REPAIRS   | 12653.40      |
| EFT16441       | 23/07/2020  | WA DISTRIBUTORS PTY LTD-ALL-WAYS FOODS          | JULY SUPPLIES  | 1267.35       |
| EFT16442       | 23/07/2020  | PORKY'S ENTERPRISES                             | VOUCHER-BEACON PROGRESS ASSOCIATION                      | 1500.00       |
| EFT16443       | 23/07/2020  | BENCUBBIN TRUCK N AUTO'S                        | JUNE REPAIRS   | 898.20        |
| EFT16444       | 23/07/2020  | LEISURE INSTITUTE OF WA AQUATICS (INC)          | MEMBERSHIP & ACCREDITATION FEE PLUS CONFERENCE           | 231.00        |
| EFT16445       | 23/07/2020  | CIVIC LEGAL                                     | PROJECT AWARE GOVERNANCE PROGRAM                         | 1650.00       |
| EFT16446       | 23/07/2020  | IT VISION                                       | SYNERGYSOFT & UNIVERSE ANNUAL LICENCE FEE 1.7.20-30.6.21 | 30697.70      |
| EFT16447       | 23/07/2020  | WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION | SUBSCRIPTIONS 1.7.20-30.6.21                             | 23849.31      |
| EFT16448       | 23/07/2020  | DEPARTMENT OF PLANNING, LANDS & HERITAGE        | LEASE FOR FUEL DEPOT 1.7.20-31.12.20                     | 924.00        |
| EFT16449       | 23/07/2020  | CR IC SANDERS                                   | MEETING FEES & ALLOWANCES 17.6.20-21.7.20                | 493.18        |
| EFT16450       | 23/07/2020  | NADINE RICHMOND                                 | REIMBURSEMENT-UNIFORM PURCHASE                           | 59.95         |

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Chairperson Initial

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|----------------|-------------|---|---|---------------|
| EFT16451       | 23/07/2020  | BOB WADDELL & ASSOCIATES PTY LTD            | VARIOUS ACCOUNTING SUPPORT                      | 1474.00       |
| EFT16452       | 23/07/2020  | DYLAN COPELAND                              | PROVISION OF NATURAL RESOURCE MANAGEMENT-JUNE20 | 924.00        |
| EFT16453       | 23/07/2020  | KC SALES                                    | CATERING  | 314.60        |
| EFT16454       | 23/07/2020  | SANDRA WYATT                                | REIMBURSEMENT-KEY CUT-ROOM 2                    | 8.95          |
| EFT16455       | 23/07/2020  | PALM PLUMBING                               | JUNE REPAIRS                                    | 2563.54       |
| EFT16456       | 23/07/2020  | MARKET CREATIONS                            | COMPUTER SERVICES                               | 1089.00       |
| EFT16457       | 23/07/2020  | INITIAL HYGIENE                             | SANITARY DISPOSAL SERVICE 11.8.20-10.9.20       | 577.50        |
| EFT16458       | 23/07/2020  | CR ARC SACHSE                               | MEETING FEES & ALLOWANCES 17.6.20-21.7.20       | 1689.47       |
| EFT16459       | 23/07/2020  | HANDS ON THERAPEUTIC MASSAGE                | ONLINE PRESENCE FUNDING                         | 1000.00       |
| EFT16460       | 23/07/2020  | CENTRAL EAST AGED CARE ALLIANCE (INC)       | ANNUAL CONTRIBUTION 2020/21                     | 22000.00      |
| EFT16461       | 23/07/2020  | RAMM SOFTWARE PTY LTD                       | ANNUAL SUPPORT & MAINTENANCE 1.7.20-30.6.21     | 7513.52       |
| EFT16462       | 23/07/2020  | RDA WHEATBELT INC                           | SUBSCRIPTION                                    | 467.50        |
| EFT16463       | 23/07/2020  | CR NICK GILLETT                             | MEETING FEES & ALLOWANCES 17.6.20-21.7.20       | 721.41        |
| EFT16464       | 23/07/2020  | DEASE FARM                                  | GRAVEL  | 913.50        |
| EFT16465       | 23/07/2020  | ALLTOILETS (WA)                             | FORMIT UNISEX TOILETS                           | 22704.00      |
| EFT16466       | 23/07/2020  | CR STUART PUTT                              | MEETING FEES & ALLOWANCES 17.6.20-21.7.20       | 701.45        |
| EFT16467       | 23/07/2020  | LEEANNE NOLA GOBBART                        | MEETING FEES & ALLOWANCES 17.6.20-21.7.20       | 619.29        |
| EFT16468       | 23/07/2020  | WHEATBELT LIQUID WASTE MANAGEMENT           | SEPTIC PUMP OUT                                 | 572.00        |
| EFT16469       | 23/07/2020  | JAMES BOYD                                  | CLEANING & BOOKING AGENT FEE-JUNE20             | 2068.70       |
| EFT16470       | 23/07/2020  | WIALONNING RURAL TRADING AS TMJ O'NEIL & CO | FENCING/PEST MGT ALLOWANCE                      | 4195.50       |
| EFT16471       | 23/07/2020  | ACUMENTIS (WA) PTY LTD                      | VALUATION REPORT                                | 660.00        |
| EFT16472       | 23/07/2020  | SALLY J DESIGN                              | DESIGN-TOURIST BROCHURE                         | 450.00        |
| EFT16473       | 23/07/2020  | CR TM GIBSON                                | MEETING FEES & ALLOWANCES 17.6.20-21.7.20       | 978.52        |

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|----------------|-------------|--|--|---------------|
| EFT16474       | 23/07/2020  | CR B C GERAGHTY                          | MEETING FEES & ALLOWANCES 17.6.20-21.7.20          | 493.18        |
| EFT16475       | 23/07/2020  | WJ & J BEAGLEY                           | GRAVEL   | 2762.10       |
| EFT16476       | 23/07/2020  | MRS MUNNS MUSIC STUDIO                   | VOUCHER-BEACON PLAYGROUP                           | 2500.00       |
| EFT16477       | 29/07/2020  | CJD EQUIPMENT PTY LTD                    | JULY SUPPLIES                                      | 463.25        |
| EFT16478       | 29/07/2020  | KTY ELECTRICAL SERVICES                  | JULY REPAIRS                                       | 555.90        |
| EFT16479       | 29/07/2020  | BENCUBBIN SPORTS CLUB INC.               | REFRESHMENTS-RALPH'S FAREWELL                      | 292.00        |
| EFT16480       | 29/07/2020  | BENCUBBIN NEWS & POST                    | POSTAGE 13.7.20-17.7.20                            | 31.10         |
| EFT16481       | 29/07/2020  | LGIS INSURANCE BROKING                   | CONTRACT WORKS                                     | 1530.00       |
| EFT16482       | 29/07/2020  | BEACON CENTRAL COMMUNITY RESOURCE CENTRE | CARAVAN PARK VOUCHERS                              | 30.00         |
| EFT16483       | 29/07/2020  | WINC AUSTRALIA PTY LTD                   | JULY SUPPLIES                                      | 67.85         |
| EFT16484       | 29/07/2020  | ICS CARPENTRY                            | JULY REPAIRS                                       | 6215.00       |
| EFT16485       | 29/07/2020  | BENCUBBIN COMMUNITY RESOURCE CENTRE      | HR TRUCK DRIVING TRAINING & ASSESSMENT-A.BAUER     | 950.00        |
| EFT16486       | 29/07/2020  | LGIS PROPERTY                            | PROPERTY   | 119384.38     |
| EFT16487       | 29/07/2020  | BENCUBBIN TRUCK N AUTO'S                 | JULY REPAIRS                                       | 3698.87       |
| EFT16488       | 29/07/2020  | BENCUBBIN AG SUPPLIES                    | JULY SUPPLIES                                      | 1036.48       |
| EFT16489       | 29/07/2020  | IT VISION USER GROUP INC                 | MEMBERSHIP SUBSCRIPTION 2020/21                    | 748.00        |
| EFT16490       | 29/07/2020  | ECHELON AUSTRALIA PTY LTD                | WARDEN TRAINING & 47 EVACUATION DIAGRAMS           | 2843.50       |
| EFT16491       | 29/07/2020  | GREAT SOUTHERN FUELS                     | FUEL-JULY20  | 4549.55       |
| EFT16492       | 29/07/2020  | BOB WADDELL & ASSOCIATES PTY LTD         | VARIOUS ACCOUNTING SUPPORT                         | 198.00        |
| EFT16493       | 29/07/2020  | KC SALES                                 | CARAVAN PARK VOUCHERS                              | 327.00        |
| EFT16494       | 29/07/2020  | PALM PLUMBING                            | JULY REPAIRS                                       | 1859.63       |
| EFT16495       | 29/07/2020  | KOMATSU AUSTRALIA PTY LTD                | JULY SUPPLIES                                      | 333.36        |
| EFT16496       | 29/07/2020  | COMFORT STYLE MERREDIN                   | JULY SUPPLIES                                      | 399.00        |
| EFT16497       | 29/07/2020  | TOLL TRANSPORT PTY LTD                   | FREIGHT-JULY20                                     | 44.66         |
| EFT16498       | 29/07/2020  | SCUD AG SUPPLIES                         | JULY SUPPLIES                                      | 52.64         |
| EFT16499       | 23/07/2020  | SYNERGY                                  | STREETLIGHTS 25.5.20-24.6.20                       | 1904.78       |
| EFT16500       | 23/07/2020  | WA TREASURY CORPORATION                  | GOVERNMENT GUARANTEE FEE FOR PERIOD ENDING 30.6.20 | 3712.47       |

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| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>                         | <b>Description</b>             | <b>Amount</b>     |
|----------------|-------------|-------------------------------------|--------------------------------|-------------------|
| EFT16501       | 28/07/2020  | SYNERGY                             | UTILITY CHARGES 10.6.20-7.7.20 | 1025.56           |
| Eft16502       |             | TRUST PAYMENT BELOW                 |                                |                   |
| EFT16503       | 29/07/2020  | SYNERGY                             | UTILITY CHARGES 18.4.20-8.7.20 | 445.24            |
| EFT16504       | 30/07/2020  | CARDTRONICS AUSTRALASIA PTY LTD     | ONGOING FEES FOR ATM-JUNE20    | 39.30             |
| Eft16505       |             | AUGUST PAYMENT                      |                                |                   |
| Eft16506       |             | TRUST PAYMENT BELOW                 |                                |                   |
| DD10096.1      | 01/07/2020  | WALGS PLAN                          | PAYROLL DEDUCTIONS             | 7278.15           |
| DD10096.2      | 01/07/2020  | AUSTRALIAN SUPER                    | SUPERANNUATION CONTRIBUTIONS   | 781.78            |
| DD10096.3      | 01/07/2020  | CBUS SUPER                          | SUPERANNUATION CONTRIBUTIONS   | 260.02            |
| DD10096.4      | 01/07/2020  | MTAA SUPERANNUATION                 | SUPERANNUATION CONTRIBUTIONS   | 209.35            |
| DD10096.5      | 01/07/2020  | ESSENTIAL SUPER                     | SUPERANNUATION CONTRIBUTIONS   | 88.19             |
| DD10096.6      | 01/07/2020  | LEGALSUPER                          | SUPERANNUATION CONTRIBUTIONS   | 584.60            |
| DD10096.7      | 01/07/2020  | PRIME SUPER                         | SUPERANNUATION CONTRIBUTIONS   | 191.71            |
| DD10096.8      | 01/07/2020  | ASGARD INFINITY EWRAP SUPER ACCOUNT | SUPERANNUATION CONTRIBUTIONS   | 167.38            |
| DD10114.1      | 15/07/2020  | WALGS PLAN                          | PAYROLL DEDUCTIONS             | 9192.64           |
| DD10114.2      | 15/07/2020  | MTAA SUPERANNUATION                 | SUPERANNUATION CONTRIBUTIONS   | 209.35            |
| DD10114.3      | 15/07/2020  | AUSTRALIAN SUPER                    | SUPERANNUATION CONTRIBUTIONS   | 781.33            |
| DD10114.4      | 15/07/2020  | CBUS SUPER                          | SUPERANNUATION CONTRIBUTIONS   | 256.15            |
| DD10114.5      | 15/07/2020  | ESSENTIAL SUPER                     | SUPERANNUATION CONTRIBUTIONS   | 96.77             |
| DD10114.6      | 15/07/2020  | LEGALSUPER                          | SUPERANNUATION CONTRIBUTIONS   | 584.60            |
| DD10114.7      | 15/07/2020  | PRIME SUPER                         | SUPERANNUATION CONTRIBUTIONS   | 191.71            |
| DD10114.8      | 15/07/2020  | ASGARD INFINITY EWRAP SUPER ACCOUNT | SUPERANNUATION CONTRIBUTIONS   | 167.38            |
| DD10127.1      | 29/07/2020  | WALGS PLAN                          | PAYROLL DEDUCTIONS             | 7584.24           |
| DD10127.2      | 29/07/2020  | AUSTRALIAN SUPER                    | SUPERANNUATION CONTRIBUTIONS   | 781.78            |
| DD10127.3      | 29/07/2020  | MTAA SUPERANNUATION                 | SUPERANNUATION CONTRIBUTIONS   | 208.56            |
| DD10127.4      | 29/07/2020  | CBUS SUPER                          | SUPERANNUATION CONTRIBUTIONS   | 256.15            |
| DD10127.5      | 29/07/2020  | ESSENTIAL SUPER                     | SUPERANNUATION CONTRIBUTIONS   | 87.23             |
| DD10127.6      | 29/07/2020  | LEGALSUPER                          | SUPERANNUATION CONTRIBUTIONS   | 584.60            |
| DD10127.7      | 29/07/2020  | PRIME SUPER                         | SUPERANNUATION CONTRIBUTIONS   | 191.71            |
| DD10127.8      | 29/07/2020  | ASGARD INFINITY EWRAP SUPER ACCOUNT | SUPERANNUATION CONTRIBUTIONS   | 133.91            |
|                |             |                                     |                                | <b>599,515.00</b> |

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Chairperson Initial

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**2. Trust**

| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>             | <b>Description</b>     | <b>Amount</b>    |
|----------------|-------------|-------------------------|------------------------|------------------|
| EFT16502       | 29/07/2020  | MARIAN KIRBY            | REFUND-GYM KEY DEPOSIT | 10.00            |
| EFT16506       | 31/07/2020  | DEPARTMENT OF TRANSPORT | MMSO20200702           | 15,722.25        |
|                |             |                         |                        | <b>15,732.25</b> |

**3. Mastercard**

| <b>Details</b>                  | <b>Amount</b>   |
|---------------------------------|-----------------|
| Little hotelier fees            | 81.95           |
| Little hotelier fees            | 81.95           |
| Zoom                            | 23.09           |
| Bank fees                       | 4.00            |
| Insurance-T.O'Grady             | 327.85          |
| Insurance-C.Begley              | -111.43         |
| Insurance-C.Bland               | 472.84          |
| Accomm.T.O'Grady-training       | 131.17          |
| Gift-R.English                  | 99.99           |
| Bank fees                       | 4.00            |
| Advertising-Seek-Plant Operator | 313.5           |
| Bus inspection                  | 189.15          |
| Bus inspection                  | 189.15          |
| Bank fees                       | 4.00            |
| Bank fees                       | 4.00            |
|                                 | <b>1,815.21</b> |

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**Minutes of the Ordinary Meeting of Council**  
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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 **18 August 2020**. 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).

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John Nuttall  
Chief Executive Officer

**Consultation:**

Tanika McLennan – Finance and Administration Manager

**Statutory Environment:**

*Financial Management Regulations and the Local Government Act 1995*

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

An appropriate allowance has been made in the current year's budget to fund and authorise expenditure.

**Risk Assessment:**

Nil

**Community & Strategic Objectives:**

*CIVIC LEADERSHIP - Provide efficient and effective management*

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

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Chairperson Initial



**Minutes of the Ordinary Meeting of Council**  
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**Comment:**

Nil

**2020/8-006 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***That the Accounts Listed***

|                              |                             |
|------------------------------|-----------------------------|
| <b><i>Municipal Fund</i></b> | <b>\$ 599,515.00</b>        |
| <b><i>Trust Fund</i></b>     | <b>\$ 15,732.25</b>         |
| <b><i>Mastercard</i></b>     | <b>\$ <u>1815.21</u></b>    |
| <b><i>Total</i></b>          | <b>\$ <u>617,062.46</u></b> |

***Be endorsed.***

***Moved Cr TM Gibson***

***Seconded Cr SR Putt***

***Carried 7/0***

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Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
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**12.4.17 Statement of Financial Activity to 30 June 2020**

|                                 |   |
|---------------------------------|---|
| <b>File No:</b>                 | 4.0042  |
| <b>Location/Address:</b>        | N/A   |
| <b>Name of Applicant:</b>       | Nil   |
| <b>Name of Owner:</b>           | N/A   |
| <b>Author:</b>                  | Tanika McLennan – Finance & Admin Manager                 |
| <b>Attachments:</b>             | 12.4.17 – Statement of Financial Activity to 30 June 2020 |
| <b>Declaration of Interest:</b> | Nil   |
| <b>Voting Requirements:</b>     | Simple Majority   |
| <b>Previously Considered:</b>   | Nil   |

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**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.

**Consultation:**

Nil

**Statutory Environment:**

*Local Government Act 1995 and Local Government (Financial Management) Regulations 1996*

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

The statement presented to Council is the most up to date information on its current financial position.

**Risk Assessment:**

Nil

**Community & Strategic Objectives:**

*CIVIC LEADERSHIP - Provide efficient and effective management*

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

**Comment:**

Nil

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Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
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**2020/8-007 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***The Statement of Financial Activity for the month ending 30 June 2020 be endorsed.***

***Moved Cr BC Geraghty***

***Seconded Cr LN Gobbart***

***Carried 7/0***

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Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
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**12.4.18 RD Watts - Request to Write Off Interest**

|                                 |   |
|---------------------------------|---|
| <b>File No:</b>                 | 4.0278                                    |
| <b>Location/Address:</b>        | Lots 97 & 98 Shemeld Street, Beacon       |
| <b>Name of Applicant:</b>       | Russell David Watts                       |
| <b>Name of Owner:</b>           | Russell David Watts                       |
| <b>Author:</b>                  | Tanika McLennan – Finance & Admin Manager |
| <b>Attachments:</b>             | Nil                                       |
| <b>Declaration of Interest:</b> | Nil                                       |
| <b>Voting Requirements:</b>     | Absolute Majority                         |
| <b>Previously Considered:</b>   | Nil                                       |

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**Background:**

The 2020/21 Annual Levy Rates Notices were issued 7 August 2020. Upon receipt of his notice, Mr Russell Watts telephoned the Shire and spoke to the author in relation to his rates being almost double what he was expecting. It was explained to Mr Watts that payment had not been received for his 2019/20 rates and the notice therefore included two years' worth of rates and service charges, along with interest on the outstanding amount from 2019/20.

Subsequent to this conversation, Mr Watts sent the following correspondence via email:

*Hi Tanika,*

*I wasn't sure how to start this email as you present it later in a shire meeting. So, and with terrible grammar.*

*Further to my telephone conversation with T McLennan on Tues 11 of Aug regarding my rates amount being so high, I honestly did not realise I missed last years rates altogether.*

*I rang the shire on Tuesday to find out why my rates were so high and we together came to the conclusion that it was due to last years non payment, anyway to try n make this short story shorter I am asking you all to consider my on time payments for consecutive years past that I may be granted the reversal of any interest charged due to late payment and as a show of good faith I have or will after concluding this email pay last years rates in full today Tues 11 August. Hoping to hear from you in the next couple of business weeks with a positive outcome from your meeting.*

*Yours sincerely*

*RDWatts*

In accordance with section 6.41 of the Local Government Act 1995, Mr Watts was issued with an Annual Rates Levy Notice for his 2019/20 rates on 22 August 2019 and a Final Notice for same on 14 October 2019.

It is noted that Mr Watts emailed the Shire on 9 July 2020 to change his address.

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Chairperson Initial

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**Consultation:**

Nil

**Statutory Environment:**

*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.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

*[Section 6.12 amended by No. 64 of 1998 s. 39.]*

*6.41. Service of rate notice*

- (1) A local government is required to give to —
  - (a) the owner of rateable land; and
  - (b) the owner or occupier, as the case requires, of land on which a service charge is imposed,a rate notice stating the date the rate notice was issued and incorporating or accompanied by the details and particulars prescribed.
- (2) The rate notice is to be given —
  - (a) as soon as practicable after —
    - (i) the rate record of the land is completed; or
    - (ii) the rate record of the land is amended, if that amendment results in a change in the amount of rates or service charges payable on that land;

or

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- (b) where an election has been made under section 6.45 to pay rates or service charges by instalments, not less than 28 days before each instalment is due.
- (3) Notwithstanding sections 75 and 76 of the *Interpretation Act 1984* service of the rate notice is deemed to have been effected if delivered to the address shown in the rate record for the owner at the time of delivery.

**Relevant Plans and Policy:**

N/A

**Financial Implications:**

If the interest is written off there will be a reduction in the amount of income expected.

**Risk Assessment:**

There is a risk of receiving other similar applications should it be successful.

**Community & Strategic Objectives:**

*Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable*

4.3.6 Operate in a financially sustainable manner

**Comment:**

Whilst not actually relevant to whether he paid his 2019/20 rates, Mr Watts has asked that his previous payment history be considered. This payment history is summarised below:

- Payment of 2018/19 rates received 5 December 2018, due 28 September 2018.
- Payment of 2017/18 rates received 5 October 2017, due 6 October 2017.
- Prior to this date, Mr Watts paid via an agreed weekly payment plan.

Interest was raised on the overdue 2019/20 rates and service charges at the rate of 11% per annum, as adopted by Council in accordance with section 6.51(1) and subject to section 5.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulation 1996.

As payment of rates by the due date was the responsibility of the rate payer, it is not recommended that this interest be written off.

**2020/8-008 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***That Mr Russell Watts be advised that the interest charges against Assessment 6073 will not be written off.***

***Moved Cr NR Gillett***

***Seconded Cr IC Sanders***

***Carried 7/0***

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**12.5 Community Development Officer**

**12.5.5 Mt Marshall Swimming Pool Policies S&R.2.1 Patron Code of Conduct – Pool Rules and S&R.2.2 Free Pool Entry for Teachers**

|                                 |  |
|---------------------------------|--|
| <b>File No:</b>                 | 4.0203   |
| <b>Location/Address:</b>        | Cnr Brown and Murray Streets, Bencubbin  |
| <b>Name of Applicant:</b>       | N/A  |
| <b>Name of Owner:</b>           | Shire of Mt Marshall   |
| <b>Author:</b>                  | Rebecca Watson – Community Development Officer   |
|                                 | 12.5.5a - Watch Around Water Program Information   |
| <b>Attachments:</b>             | 12.5.5b - Amended S&R.2.1 – Patrons Code of Conduct – Pool Rules                                 |
|                                 | 12.5.5c - Amended S&R 2.2 – Free Pool Entry for Teachers   |
| <b>Declaration of Interest:</b> | Nil  |
| <b>Voting Requirements:</b>     | Simple Majority  |
| <b>Previously Considered:</b>   | S&R.2.1 - Amendment: 2012/115 (15 August 2012)<br>S&R.2.2 - Amendment: 2012/115 (15 August 2012) |

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**Background:**

Council has two policies regarding the Mt Marshall Aquatic Centre, being *S&R.2.1 – Patron Code of Conduct – Pool Rules* and *S&R.2.2 – Free Pool Entry for Teachers*. These Policies were endorsed by Council in August 2012.

The Mt Marshall Aquatic Centre closed in April 2016 and due to its deteriorating condition, the facility has remained closed since this time. With the redevelopment of the facility underway with completion expected in September 2020, all of the regulatory documents such as the operation manual and other policies and procedures are all required to be redrafted for the new facility to comply with all the current regulations and legislation.

The amended Patrons Code of Conduct-Pool Rules policy (S&R 2.1) will be included within the facilities Operation Manual. Without an updated operation manual there is a high risk that the Mt Marshall Aquatic Centre will not be able to attain a certificate of compliance which would prevent it from opening to the public as a class 1 aquatic facility.

Watch Around Water is an education and awareness campaign run at public swimming pools that aims to reduce drowning and aquatic injuries amongst children through improved parental supervision.

The program was started in 2004 following a number of high-profile drowning deaths at public pools in WA involving young children and growing industry concern about the level of parental supervision of children while visiting public pools. Since the program was introduced there has been no drowning deaths involving young children at public

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swimming pools in WA and the rate of aquatic injuries has decreased significantly, meaning our public swimming pools are safer for the community to use. The program is highly regarded within the aquatic industry with most regional swimming pools in the wheatbelt involved in the program adopting the supervision policies at their centres.

**Consultation:**

John Nuttall - Chief Executive Office, Shire of Mt Marshall

Stephanie Green – Health Promotions Officer, Royal Life Saving Society of WA

**Statutory Environment:**

Nil

**Relevant Plans and Policy:**

S&R.2.1 – Patrons Code of Conduct – Pool Rules

S&R.2.2 – Free Pool Entry for Teachers

Code of Practice for the Design, Construction, Operation, Management & Maintenance of Aquatic Facilities (January 2020)

**Financial Implications:**

Nil

**Risk Assessment:**

Without an updated Patrons Code of Conduct-Pool Rules policy there is a high risk that the Mt Marshall Aquatic Facility will not be able to attain a certificate of compliance which would prevent it from being able to open to the public as a class 1 aquatic facility.

**Community & Strategic Objectives:**

*Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable*

4.3.3 Ensure compliance with all relevant legislation

**Comment:**

Several additions and modifications have been made to Policy S&R.2.1 – Patrons Code of Conduct – Pool Rules, to comply with the current Code of Practice for the Design, Construction, Operation, Management & Maintenance of Aquatic Facilities (January 2020) and other best practise standards and legislative requirements. The changes made to this policy include:

- Changing of the supervision policy/rules to comply with the Watch Around Water Supervision policies that have been developed based on national and international best practice standards and legislative requirements. Information on the Watch Around Water program delivered by the Royal Life Saving Society of WA are attached for Councils information. The supervision policies are not compulsory for aquatic centres to comply with but with the success of the program delivered throughout most swimming pools in Western Australia, it is seen as best practice standards to adopt the policy and participate in the program.

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- Making the facility a smoke free facility
- Inclusion of the rule that persons suffering from any gastrointestinal disease, skin infection or other disease that is communicable in an aquatic environment is not permitted to enter the facility as per Section 7.6 of the Code of Practice.
- Modifying of the rule that animals are not permitted on pool grounds to make an exception for animals trained to assist the person to alleviate the effect of a disability to be able to access the facility. These animals are still not permitted to enter the water as per Section 7.7 of the Code of Practice.

Suggested amendments to Policy S&R.2.2 – Free Pool Entry for Teachers are to include swimming teachers as well as the school teachers who are at the pool in a supervisory role.

**2020/8-009 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***That Council adopt the amended Policy S&R.2.1 – Patrons Code of Conduct – Pool Rules, and amended Policy S&R.2.2 – Free Pool Entry for Teachers.***

***Moved Cr TM Gibson***

***Seconded Cr SR Putt***

***Carried 7/0***

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**12.6 Regulatory Officer**

**12.6.2 Provision of Goods and Services - Bitumen Supply – 2020/21**

|                                 |   |
|---------------------------------|---|
| <b>File No:</b>                 | Tender Register   |
| <b>Location/Address:</b>        | N/A   |
| <b>Name of Applicant:</b>       | N/A   |
| <b>Name of Owner:</b>           | N/A   |
| <b>Author:</b>                  | Jack Walker – Regulatory Officer  |
| <b>Attachments:</b>             | 12.6.2 – F&R.2.5 Purchasing Policy  |
| <b>Declaration of Interest:</b> | Nil   |
| <b>Voting Requirements:</b>     | Recommendations 1 & 2: Simple Majority<br>Recommendation 3: Absolute Majority |
| <b>Previously Considered:</b>   | Nil   |

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**Background:**

This report seeks Council endorsement for a call for a Request for Tender (RFT) to provide bitumen supplies to the Shire for the 2020/2021 road sealing program.

Council has approved this expenditure within the current financial year budget. This report seeks Council endorsement for the selection criteria to be used to assess any tenders received, along with approval for the Chief Executive Officer to award the contract to the most appropriate tender.

**Consultation:**

Mr John Nuttall – Chief Executive Officer  
Mr Aaron Wootton – Works Supervisor

**Statutory Environment:**

Council is able to call for tenders pursuant to Part 4 of the Local Government (Functions and General) Regulations, 1996. This is reflected in Regulation 14 (2a) and Regulation 11 (2) (b)

*14. Publicly inviting tenders, requirements for*

(2a) "If a Local Government -

(a) is required to invite a Tender; or

(b) not being required to invite a Tender, decides to invite a Tender.

The Local Government must, before Tenders are publicly invited, determine in writing the criteria for deciding which Tender should be accepted."

*11. When tenders have to be publicly invited*

(2) Tenders do not have to be publicly invited according to the requirements of this Division if —

(b) the supply of the goods or services is to be obtained through the WALGA Preferred Suppliers Program.

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Council may also afford delegation to the CEO to pursuant to Section 5.42 of the Local Government Act, 1995:

*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.

**Relevant Plans and Policy:**

Shire Policy *F&R.2.5 Purchasing Policy* deals with purchasing and tenders, but it does not set a standard selection criteria. A copy of that policy is attached (**Attachment 12.6.2**). Accordingly, Council are invited to consider the appropriate selection criteria through this report.

**Financial Implications:**

Application of appropriate selection criteria for the tender process will assist in ensuring that tenderers offer the "best value" with respect to the supply of goods and services. The costs for bitumen supply have been included in the 2020/21 budget.

**Risk Assessment:**

The matter will have to be put to tender due to the value of the supply contract. Failure to do so would be a breach of the Local Government Act.

**Community & Strategic Objectives:**

*Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable*

4.3.3 Ensure compliance with all relevant legislation

4.3.6 Operate in a financially sustainable manner

**Comment:**

To be compliant with the tender regulations Council is required to approve the selection criteria which is to be used to evaluate the tenders received. The selection criteria to be used in the documentation for this tender is included in the officer recommendation below.

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**2020/8-010 OFFICER'S RECOMMENDATION'S/COUNCIL DECISION'S:**

**Officer's Recommendation 1:**

***That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 call for Tenders (RFT MM01.20/21) for the provision of Bitumen Supplies for a period of 1 year through the WALGA Preferred Supplier Program (r. 11 (2)(b).***

**Officer's Recommendation 2:**

***That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 set the Qualitative Evaluation Criteria for RFT MM01.20/21, as follows:***

|  |                   |
|--|-------------------|
| <b><i>Relevant Experience</i></b>                    | <b><i>25%</i></b> |
| <b><i>Submitted Rates</i></b>                        | <b><i>25%</i></b> |
| <b><i>Resources &amp; Current Commitments</i></b>    | <b><i>25%</i></b> |
| <b><i>Confirmation rates are fixed for 20/21</i></b> | <b><i>25%</i></b> |

**Officer's Recommendation 3:**

***That Council pursuant to Section 5.42 of the Local Government Act, 1995 delegate authority to the Chief Executive Officer to award the bitumen supply contract in accordance with the results of the tender evaluation process.***  
***Absolute Majority***

***Moved Cr SR Putt***

***Seconded Cr IC Sanders***

***Carried 7/0***

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**12.7 Development**

Cr BC Geraghty and Cr ARC Sachse declared an impartiality interest in item 12.7.2 being that they are members of the Bencubbin Sports Club.

Cr LN Gobbart declared a proximity interest in item 12.7.2 being that her mother lives at the back of the business applying for the change in use. Cr LN Gobbart left the meeting at 3:19pm.

**12.7.2 Application for Development Approval – Bencubbin Truck N Autos**

|                                 |   |
|---------------------------------|---|
| <b>File No:</b>                 | 4.0262  |
| <b>Location/Address:</b>        | Lot 41 (31) Monger St, Bencubbin  |
| <b>Name of Applicant:</b>       | Craig Nicholas Sachse   |
| <b>Name of Owner:</b>           | N/A   |
| <b>Author:</b>                  | Peter Toboss – Principal Environmental Health Officer   |
| <b>Attachments:</b>             | 12.7.2a - Correspondence from Bencubbin Truck N Autos<br>12.7.2b - Application for Development Approval – Mr C Sachse |
| <b>Declaration of Interest:</b> | Nil   |
| <b>Voting Requirements:</b>     | Simple Majority   |
| <b>Previously Considered:</b>   | Nil   |

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**Background:**

Approval is sought by Bencubbin Truck N Autos for a change of use from Motor Vehicle Repair to Liquor Store at Shop 41(31) Monger Street, Bencubbin. The applicant has advised that the store will run in conjunction with the Bencubbin Truck N Auto's (Benny Truck). The proposed hours of operation for the business are as follows:

- Monday: 9.00am to 7.00pm.
- Tuesday: 9.00am to 9.00pm
- Wednesday: 9.00am to 9.00pm
- Thursday: 9.00am to 10.00pm
- Friday: 9.00am to 10.00pm
- Saturday: 8.30am to 10.00pm.

The application seeks discretionary assessments against the Local Planning Scheme No. 3 (LPS3). These discretionary assessments include the following:

- Land use (Liquor Store).

Although an indicative floor plan has been provided, the application does not include an internal fitout or details of any proposed works to the building. Any future works will require further building, health and/or development approval.

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*What is a 'Change of Use' application?*

A change of use application is required when a business or owner wants to change from an approved activity to another activity or 'use', such as changing from a 'Shop' to a 'Liquor store'. Some change of use proposals require Development Approval prior to commencing operation on a site, unless the use is exempted from requiring approval by the Planning and Development (Local Planning Schemes) Regulations 2015 or Shire of Mt Marshall Local Planning Scheme No.3 (LPS3). LPS3 defines different land uses and identifies whether these uses are:

- 'P' Uses: Permitted if they comply with the relevant development standards and the requirements of the Scheme;
- 'D' Uses: Not permitted unless the local government has exercised its discretion by granting development approval;
- 'A' Uses: Not permitted unless the local government has advertised the proposal and granted development approval; and
- 'X' Uses: Not permitted.

A key role of the planning system is to protect the amenity of an area, and a use that has been identified as a permitted (P) use is generally considered not to impact on the amenity of an area. Other uses such as 'Discretionary' uses may be appropriate provided they can demonstrate that any amenity impacts can be managed, but a development application is required to show this.

The *Planning and Development (Local Planning Schemes) Regulations 2015* state that approval is not required for a change of use where the proposal is a permitted (P) use under Shire of Mt Marshall LPS3 and the development has no works component.

This is usually the case with 'Change of Use' applications.

For the purpose of this report, change of use proposals are categorised into two types:-

- **Simple/partial** change of use proposals are developments where no works are required, or development approval is not required for the works component of the development.
- **Complex** change of use proposals can involve an increase in floor area or significant alterations to the external appearance of a building.

*Land Use*

The Shire of Marshall Local Planning Scheme No. 3 (LPS3) does not contain a land use classification for a 'Liquor Store', which means that the use is not permitted unless the Council has exercised its discretion by granting planning approval and given special notice in accordance with regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, clause 2.

In considering a land use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the Council may –

- a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;

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- b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

**Consultation:**

John Nuttall – Chief Executive Officer

**Statutory Environment:**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

**Relevant Plans and Policy:**

*Shire of Marshall Local Planning Scheme No 3*

**Financial Implications:**

Nil

**Risk Assessment:**

Nil

**Community & Strategic Objectives:**

*Outcome 2.1 Actively support and develop local and new business*

2.1.6 Support opportunities for all businesses

*Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable*

4.3.3 Ensure compliance with all relevant legislation

**Comment:**

Based on the above considerations, the proposed change of use to Liquor Store is considered appropriate in accordance with the recommended conditions of development approval. It is noted that further development approval will be required if future internal fit out or alteration to this use is carried out.

The applicant will be advised that any proposed work including an internal fit out and/or signage may be subject to a separate application for planning approval.

The premises must comply with the Food Act 2008, regulations and the Food Safety Standards incorporating AS 4674-2004 Design, construction and fit-out of food premises. Detailed architectural plans and elevations must be submitted to Principal Environmental Health Officer for approval prior to construction. The food business is required to be registered under the Food Act 2008.

The application is recommended for conditional approval.

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**2020/8-011 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***That Council approve, under the Local Planning Scheme No. 3, partial change of use to Liquor Store at Lot 41 (No. 31) Monger Street, Bencubbin, subject to the following condition(s):***

- 1. This approval relates only to the development as indicated on the approved plans. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.***
- 2. Prior to the issue of a building permit, a Business Management Plan is to be submitted and approved to the satisfaction of the Shire of Marshall, including, but not limited to the following:***
  - Delivery management plan.***
  - The number of employees for the business.***
- 3. The business shall operate in accordance with the approved business management plan thereafter. Any amendments to the management plan shall be submitted to, and approved by the Shire of Marshall, prior to implementing the amended management plan.***
- 4. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.***

***Moved Cr SR Putt***

***Seconded Cr IC Sanders***

***Carried 5/1***

Cr LN Gobbart returned to the meeting at 3:30pm.



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**12.8 Environmental Health Officer**

Nil

Mr Len Cargeeg left the meeting at 3.40pm.

Mr Len Cargeeg re-entered the meeting at 3.48pm

**13.0 Elected Members' Motions of Which Previous Notice Has Been Given**

**13.1 Cr Tanya Gibson**

**13.1.1 Mt Marshall Aquatic Facility – Option to Tile**

|                                 |   |
|---------------------------------|---|
| <b>File No:</b>                 | 4.0225  |
| <b>Location/Address:</b>        | Mt Marshall Aquatic Facility, Cnr Murray St & Brown St, Bencubbin           |
| <b>Name of Applicant:</b>       | N/A   |
| <b>Name of Owner:</b>           | Shire of Mt Marshall  |
| <b>Author:</b>                  | Cr Tanya Gibson and Cr Leeanne Gobbart                                      |
| <b>Attachments:</b>             | Nil   |
| <b>Declaration of Interest:</b> | Nil   |
| <b>Voting Requirements:</b>     | Recommendations 1-3: Absolute Majority<br>Recommendation 4: Simple Majority |
| <b>Previously Considered:</b>   | Nil   |

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**Background:**

This Elected Member motion relates to the current redevelopment of the Mt Marshall Aquatic Facility. The budget for the redevelopment was set in the 2019/20 budget adoption meeting, and further renewed when the 2020/21 budget was adopted at a Special Council Meeting held on 31 July 2020.

During the discussions regarding the Aquatic Facility redevelopment Council were required to make a decision regarding the pool bowl. Options and costings were provided to Council with the alternatives being painting or tiling the pool. Given the limited budget and the desire to ensure other works were completed (such as the provision of a new 'toddler pool' the decision taken was to paint the pool rather than tiling. The savings realised by that decision were in the region of \$20,000.

After the Special Council Meeting held on 31 July 2020, Cr Gibson and Cr Gobbart attended the Aquatic Facility, standing outside the safety fence observing work progression and whilst there we were approached by John Meli, who was supervising the undertaking of the construction works. During the discussions the subject of painting rather than tiling was raised. Painting lasts 5-8years and tiling lasts a minimum of 20 years. It was suggested that due to the COVID-19 pandemic tiles would be at a half price cost (understanding limited sales of tiles and reduced buildings being built

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worldwide). The standard of tiles is of the utmost highest quality due to regulation standards. The tiles are only sourced from Italy. In which the kids pool will have the same tiles fitted. This will delay the pool opening, pushing it back to December in time for swimming lessons. We were told to discuss with CEO and get back to him by the 19th August 2020 at the latest to purchase tiles, for the December deadline of opening the pool.

**Consultation:**

Cr Gibson and Cr Gobbart have spoken with the pool contractors onsite. There have been subsequent discussions between officers and Dynamic Pools.

**Statutory Environment:**

*Local Government Act 1995*

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution\*; or

(c) is authorised in advance by the mayor or president in an emergency.

\* Absolute majority required.

6.20. Power to borrow

(1) Subject to this Act, a local government may —

(a) borrow or re borrow money; or

(b) obtain credit; or

(c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit, to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

(2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (power to borrow) and details of that proposal have not been included in the annual budget for that financial year —

(a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and

(b) the resolution to exercise that power is to be by absolute majority.

(3) Where a local government has exercised a power to borrow and —

(a) it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or

(b) after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized, the local government may resolve\* to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.

\* Absolute majority required.

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(4) A local government is not required to give local public notice under subsection (3)

—  
(a) where the change of purpose has been disclosed in the annual budget of the local government for the relevant financial year; or

(b) in such other circumstances as are prescribed.

(5) A change of purpose referred to in subsection (3) is to be disclosed in the annual financial report for the year in which the change occurs.

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

No written quote has been obtained regarding the possibility of tiling the pool bowl to determine what the exact additional cost will be. Originally the 'saving' by painting rather than tiling was in the region of \$20,000 so it is reasonable to assume that this would be a good indication of the additional budget required.

This additional money could be found by either reducing or deleting something currently in the budget, utilising one of the Shire reserves (likely the Public Amenities and Buildings Reserve) or by borrowing the additional money. The legislation (provided above) regarding borrowing would lead to an additional delay due to the requirement to advertise outside the budget adoption process.

**Risk Assessment:**

There is a significant risk to the funding should a decision be made to alter the scope of the current works and resolve to install tiles rather than painting. There is currently \$122,000 of funding yet to be claimed for this project.

Additionally, a decision to install tiles rather than paint will lead to a delay in completion of the project of several months – the estimate being the construction works would not finish until December at the earliest.

**Community & Strategic Objectives:**

*Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable*

4.3.1 Promote and support elected members and staff participation in training, education and professional development

4.3.2 Provide sufficient resources to facilitate effective governance

4.3.4 Ensure that facilities are being maintained, developed/rationalised in line with the Asset Management Plan and Long Term Financial Plan

4.3.5 Use resources efficiently and effectively

4.3.6 Operate in a financially sustainable manner

**Elected Member Comment:**

We believe the main aim of this Elected Members recommendation is to cost save ratepayers and Shire communities future funding of the Aquatic Centre.

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To tile the 25m pool instead of painting will reduce costs in the long term. Painting pool will cost an average of \$50,000 per 5-8yrs, depending on wear and tear. Additional cost in the future of tiling will be greater, due to the preparation of removing paint and prepping the surface for tile installation, which is extensive works at a cost to the Shire. Hence saving funds now will reduce costs for future. The pool won't generate enough funds to cover its own maintenance and running costs. The cost saving of tiling now and no maintenance on pool surface for 20yrs minimum, will be saving the Shire approximately \$100,000+. Even though it will delay opening of the pool until December (just before swimming lessons start).

With the economic downturn due to COVID-19 pandemic has had around the nation, we believe that if we can find the extra money now, it will be of a financial benefit in the future.

**Officer Comment:**

For several reasons listed below, respectfully this elected member motion is not supported by the administration:

- A delay of this length of time will seriously jeopardise the CSRFF funding - \$122,000 of which is still to be claimed when the project is completed.
- The matter was discussed at length when council were determining the pool upgrade and the decision taken to save costs with the current construction by painting rather than tiling. Any savings now available are outweighed by the delay which would be caused to the project.
- The pool has (deliberately) been designed in such a way that will allow for tiles to be installed relatively easily in 8-10 years when the paint needs to be replaced.
- No full costing for a change to tiles from painting has been requested or received so it is not clear what the exact cost of any change would be.
- The pool contractor has been arranged from late September (in line with current completion dates) and so would potentially have to be paid under that contract even if the pool upgrade was not completed until December.
- A delay (from October to December) will be caused in the opening time to the detriment of the community.
- There is concern that the delay would in fact be substantially longer - three months shipping from order means the tiles would not arrive in WA until mid to late November. Once installed the pool then needs to be filled and balanced prior to use. It may be late December to early January before the pool could be used by the public.
- Having discussed and determined to paint rather than tile it would be extremely unfortunate (and not displaying consistency of decision making) for council to make a complete U turn only a few weeks prior to the upgrade being completed due to a chance conversation by councillors on site with the contractor.
- A brief conversation between the Chief Executive Officer and Mr John Meli (Dynamic Pools) indicated that they are not pushing for a change to tiles due to the delay in importation and the stage the current upgrade has reached.

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Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 18 August 2020**

**ELECTED MEMBER'S RECOMMENDATION**

That Council:

1. *Subject to Local Government Act 1995 section 6.8 (1) (b) Increase the budget for the Mt Marshall Aquatic Facility Redevelopment (1123050 8188) by \$187,160.50*
2. *Subject to Local Government Act 1995 section 6.8 (1) (b) reduce the budget for the following:*
  - *Replica Tank (1183050) by \$35,000*
  - *Beacon Rock Reserve (1183050) by 30,000*
  - *Lot 156 Brown Street, Bencubbin Capital Expenditure (0913041 8571) by \$40,000*
  - *Bencubbin War Memorial (1043001) by \$28,000*
  - *Bencubbin Community Bus Shed (1433001) \$27,000*
3. *Subject to Local Government Act 1995 section 6.8 (1) (b) transfer \$27,160.50 from Public Amenities & Buildings Reserve*
4. *Direct the Chief Executive Officer to obtain a formal quotation from Dynamic Pools to change from painting of the pool bowl to the installation of tiles in the pool bowl.*
5. *Direct the Chief Executive Officer to inform Dynamic Pools that the Mt Marshall Aquatic Facility Redevelopment should now be undertaken using tiles rather than painting of the pool bowl subject to the formal quotation being \$100,000 or less*
6. *Direct the Chief Executive Officer to make an application to the Department of Local Government, Sport and Cultural Industries to defer the CSRFF funding until the completion of the project*

Moved Cr TM Gibson

Seconded Cr LN Gobbart

Lost 2/5

\_\_\_\_\_  
Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 18 August 2020**

**14.0 New Business of an Urgent Nature Introduced by Decision of the Meeting**

Nil

**15.0 Next Meeting – Tuesday 15 September 2020 commencing at 3:00pm in Council Chambers, Monger St, Bencubbin.**

**16.0 Closure of Meeting**

The Presiding Member thanked everyone for attending and declared the meeting closed at 3.57pm.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cr ARC Sachse      President