



**SHIRE OF MT MARSHALL**

# **MINUTES**

**Notice is hereby given that an Ordinary Meeting of Council was held on Wednesday 28 April 2021 in Council Chambers, Monger St, Bencubbin commencing at 5:00pm.**

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Cr ARC Sachse

President

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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

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Chairperson Initial

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12.8      Environmental Health Officer

- 13.      Elected Members' Motions of Which Previous Notice Has Been Given
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- 15.      Next Meeting – Tuesday 18 May 2021 commencing at 3:00pm in Council  
            Chambers, Monger St, Bencubbin
- 16.      Closure of Meeting

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Chairperson Initial

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

The Presiding Member declared the meeting open at 5.00pm and welcomed all those present.

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

**In Attendance**

Cr ARC Sachse	President	5.06 – 6.09pm
Cr NR Gillett	Councillor	
Cr SR Putt	Councillor	
Cr LN Gobbart	Councillor	
Cr TM Gibson	Councillor	
Mr John Nuttall	Chief Executive Officer	
Ms Nadine Richmond	Executive Assistant	
Mr David Tapscott	Member of the Public	
Mr Len Cargeeg	Member of the Public	

**Apologies**

Cr IC Sanders	Councillor
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**3.0 Standing Orders**

**2021/3-001 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 TM Gibson***

***Seconded Cr SR Putt***

***Carried 4/0***

**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 5.01pm

The following questions were received prior to the meeting.

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**4.2.1 Summary of question from Mr Len Cargeeg:**

With the appointment of a new grader driver, is there any induction by competent persons on how to use the machine?

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

As this is an operational matter Council can not provide you with an answer today, however I will ask the CEO to provide you with an answer by email.

**4.2.2 Summary of question from Mr Len Cargeeg:**

When an employee uses a item of machinery for the first time, is there an induction by a competent person on how to operate the machine and the safety issues involved?

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

As this is an operational matter Council can not provide you with an answer today, however I will ask the CEO to provide you with an answer by email.

The Presiding Member invited questions from the gallery.

**4.2.3 Summary of question from Mr Len Cargeeg:**

Does the Shire know that today is World Safety and Health at Work Day as well as Workers Memorial Day?

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

No, but we do now thanks.

Public question time closed at 5.04pm.

**5.0 Applications for Leave of Absence**

**2021/3-002 RECOMMENDATION/COUNCIL DECISION:**

***That subject to the Local Government Act 1995, Section 2.25, Council approve leave of absence for Cr IC Sanders for the May 2021 Ordinary meeting of Council.***

***Moved Cr SR Putt***

***Seconded Cr LN Gobbart***

***Carried 4/0***

Cr NR Gillett entered the meeting at 5.06pm

**6.0 Declarations of Interest**

Cr ARC Sachse declared a proximity interest in item 12.7.1 being that he owns land that borders land in proposed sub-division. Cr ARC Sachse will not partake in voting on item 12.7.1.

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Cr ARC Sachse declared an impartiality interest in item 11.1.1 being that he is a member of the Bencubbin Sports Club.

Cr SR Putt declared an impartiality interest in item 11.1.1 being that he is a member of the Bencubbin Sports Club.

Cr LN Gobbart declared a financial interest in item 11.1.1 being that she is the treasurer of the Bencubbin Sports Club who has applied for Economic Development Grant Funding. Cr LN Gobbart will not partake in voting on item 11.1.1.

Cr NR Gillett declared an impartiality interest in item 11.1.1 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 16 March 2021**

**2021/3-003 OFFICER RECOMMENDATION/COUNCIL DECISION:**

***That the Minutes of the Ordinary Meeting of Council held on Tuesday 16 March 2021 be confirmed as a true and correct record of proceedings.***

***Moved Cr SR Putt***

***Seconded Cr NR Gillett***

***Carried 5/0***

**7.2 Minutes of the Ordinary Meeting held on Tuesday 20 April 2021**

**2021/3-004 OFFICER RECOMMENDATION/COUNCIL DECISION:**

***That the Minutes of the Ordinary Meeting of Council held on Tuesday 20 April 2021 be confirmed as a true and correct record of proceedings.***

***Moved Cr TM Gibson***

***Seconded Cr SR Putt***

***Carried 5/0***

**8.0 Announcements by Presiding Person Without Discussion**

Cyclone Seroja passed through the Shire in the early hours of Monday, 12th April 2021 causing considerable damage to infrastructure and vegetation, as well as disrupting power supply and communications. The Shire of Mt Marshall would like to thank residents for adhering to the Cyclone advice from DFES and Emergency WA, and for their understanding with the closing of many roads in the Shire while recovery work is undertaken. Special thanks to all those Shire employees who have worked extremely hard during recovery operations. There have been some significant impacts to people's welfare, private assets, business assets and functionality, and to the Shire's extensive road network. The Shire will continue to monitor the recovery closely and again wishes to acknowledge the efforts of all those who have assisted us during this most difficult time. Thankyou.

Winter Sports in the Central Wheatbelt commenced again recently and Mt Marshall is represented with two senior hockey teams, two senior netball teams, two senior AFL football teams as well as junior teams in the different sports. Although the COVID-19 pandemic is still a major concern, it is very pleasing that these community sporting

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events have commenced this year. We wish all participants and teams all the very best for the season.

ANZAC Day this coming weekend is a national day of remembrance for all those Australian and New Zealand soldiers who have served for their country. We especially remember all those who have fallen and all those who have suffered in wars, conflicts and peace keeping operations. Lest We Forget.

The Shire of Mt Marshall expresses our condolences to the family of Murray Brown, who passed away recently. Murray was CEO of the Shire of Mt Marshall from 1989 to 1995. Rest in Peace.

The Shire of Mt Marshall would like to pass our deepest sympathy to former employee Bill Reid on the passing of his wife Ann. 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 17 March to 20 April 2021.

- 19/03/2021 Rural Water Council WA (Inc) Meeting, Merredin, with CEO John Nuttall.
- 25/03/2021 Mt Marshall Land Conservation District Committee (LCDC) Annual General Meeting and General Meeting, Beacon Sports Club.
- 30/03/2021 Corporate Business Plan Session, Council Chambers, with Stephen Grimmer, Cr Stuart Putt, Cr Leeanne Gobbart (Telephone), Cr Tanya Gibson (Telephone) and CEO John Nuttall.
- 7/04/2021 Operational Area Support Group (OASG) Wheatbelt Meeting – COVID-19 Vaccination Program Update, Microsoft Teams.
- 8/04/2021 NEWHealth Scheme Meeting, Zoom, with CEO John Nuttall and FAM Tanika McLennan.
- 9/04/2021 Operational Area Support Group (OASG) Wheatbelt Pre-emptive Meeting for information on Cyclone Seroja and possible impacts, Microsoft Teams.
- 12/04/2021 Operational Area Support Group (OASG) Wheatbelt Meeting – Cyclone Seroja, Microsoft Teams.
- 13/04/2021 Operational Area Support Group (OASG) Wheatbelt Meeting – Cyclone Seroja, Microsoft Teams, with CEO John Nuttall.
- 15/04/2021 WALGA Great Eastern Country Zone (GECZ) Executive Meeting, Teleconference.  
Wheatbelt Human Services Managers Meeting North, Zoom.
- 20/04/2021 Presentation by Giles Perryman from ASK Waste Management, with Deputy President Cr Nick Gillett, Cr Leeanne Gobbart, Cr Tanya Gibson, Cr Stuart Putt and CEO John Nuttall.

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**9.2 Councillors**

Cr TM Gibson – 25 April 2021, ANZAC Day Service, Beacon  
Cr NR Gillett – 25 April 2021, ANZAC Day Service, Bencubbin

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

Nil

**11.0 Reports of Committees**

**11.1 Economic Development Grant Fund Committee**

Cr NR Gillett declared an impartiality interest in item 11.1.1 being that he is a member of the Bencubbin Sports Club.

Cr ARC Sachse declared an impartiality interest in item 11.1.1 being that he is a member of the Bencubbin Sports Club.

Cr SR Putt declared an impartiality interest in item 11.1.1 being that he is a member of the Bencubbin Sports Club.

Cr LN Gobbart declared a financial interest in item 11.1.1 being that she is the treasurer of the Bencubbin Sports Club who has applied for Economic Development Grant Funding. Cr LN Gobbart will not partake in voting on item 11.1.1.

Cr LN Gobbart left the meeting at 5.17pm

**11.1.1 Economic Development Grant Fund Applications Round 2 –  
2020/21 Financial Year & Minutes of Economic Development Grant Fund  
Committee Meeting held Tuesday 2 March 2021**

<b>File No:</b>	4.0371
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Various
<b>Name of Owner:</b>	N/A
<b>Author:</b>	John Nuttall – Chief Executive Officer
<b>Attachments:</b>	11.1.1a – Minutes of Economic Development Grant Fund Committee Meeting held Tuesday 2 March 2021
	11.1.1b – CS.3.2 Economic Development Grant Fund Policy
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	Nil

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**Background:**

As part of the Mt Marshall annual budget for 2020/2021, Council continued the Economic Development Fund (EDF) with a total allocation of \$40,000.00. The fund is

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open twice annually for Community Groups and Businesses to make applications for funding of projects which benefit the community and promote economic development within the Shire of Mt Marshall. The second round saw 2 applications received totalling \$1,800.87. There is \$13,040.30 available for this round. It should be noted that \$9945.22 of this financial year's \$40,000 allocation has been committed to Bencubbin Truck and Autos from the previous financial year funding round.

A Council appointed committee met on Tuesday 2 March 2021 to assess the applications. This item presents the applications, and the committee recommendation relating to each application. Also presented with this report are the minutes from the committee meeting.

As the applications contain both financial and sensitive business information it is not appropriate that they are presented as attachments to this item as they would then be open for public inspection. However, Councillors are able to view any and all of the documents in advance of the Council meeting.

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Relevant Plans and Policy:**

Council adopted Policy CS3.2 (copy attached) relating to this funding.

**Financial Implications:**

This year Council set aside \$40,000 to the fund, to be awarded over two rounds. The Audit Committee is recommending awarding \$1465.92 in this round. \$9945.22 of this financial year's \$40,000 allocation has been committed to Bencubbin Truck and Autos from the previous financial year funding round.

**Risk Assessment:**

There is a risk that if this funding were not available Council would be requested to fund projects without the necessary scrutiny and need for formal application, assessment and acquittal.

**Community & Strategic Objectives:**

*Governance and Leadership*

Implement systems and processes that meet our legal and audit obligations and the needs of the community.

**Comment:**

The Economic Development Fund Committee met on 2 March 2021 and discussed the two applications at length. The minutes of the meeting are at **attachment 11.1.1a**. It is important to note that it will be a requirement for all grant money recipients to properly acquit the grant funding, and an amount less than awarded may be provided subject to the provision of receipts.

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Listed below is information relating to each application and reasons for the committee recommendation.

**Beacon Co-Operative – Office Equipment Upgrade**

Purchase of office equipment; desktop PC, Microsoft 365, laser printer and two office chairs.

Purpose of upgrade is to improve the operational efficiency of community grocery store, including communications, stock and financial management.

The Co-Op is the main supplier of food products in the town, the support and development of such businesses provides significant community benefit and economic benefit.

Upgrade to facilities and the purchase of equipment fit the criteria for the funding.

**Bencubbin Sports Club – Under Bench Bar Fridge**

Purchase of new equipment would allow the club to provide a greater variety of products to customers.

Cool room at capacity, can be difficult to store orders of sporting clubs for long periods of time.

The Sports Club is the central hub for social gatherings for many locals and visitors, expanding what they offer provides both community and economic benefit.

Upgrade to facilities and purchase of equipment fit the criteria for the funding.

Have requested to be considered as a community group, not in the commercial stream, however the committee determined (in line with earlier decisions regarding similar entities) that the club falls into the commercial stream.

No audited financial statements received, profit and loss summary for 2020 provided.

**2021/3-005 OFFICER'S / COMMITTEE RECOMMENDATION/COUNCIL DECISION:**

***That Council:***

- 1. Receive the minutes from the Economic Development Committee of 2 March 2021 at attachment 11.1.1a;***
- 2. Endorse the recommendations (as detailed above) of the Economic Development Committee by making the following awards:***
  - a) Beacon Co-Operative be awarded \$796.00 towards the purchase of office equipment; and***
  - b) Bencubbin Sports Club be awarded \$669.92 towards the purchase of a new fridge (subject to the club supplying audited financial statements).***

***Moved Cr NR Gillett***

***Seconded Cr SR Putt***

***Carried 4/0***

Cr LN Gobbart re-entered the meeting at 5.18pm.

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**12.0 Reports of Officers**

**12.1 Chief Executive Officer**

**12.1.9 Model Code of Conduct for Council Members, Committee Members and Candidates**

<b>File No:</b>	3.0158
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>Name of Owner:</b>	N/A
<b>Author:</b>	John Nuttall – Chief Executive Officer
<b>Attachments:</b>	12.1.9a - DRAFT Code of Conduct for Council Members, Committee Members and Candidates 12.1.9b - DRAFT Complaint About Alleged Breach of Code of Conduct Form
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Previously Considered:</b>	Nil

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**Background:**

This report updates Council on recent legislative changes (3 February 2021) with regards to the Model Code of Conduct (for Council Members, Committee Members and Candidates); and Chief Executive Officer (CEO) Employment Standards.

The matters requiring Council decisions resultant from the 3 February legislation will be progressively brought to Council for its consideration over coming months.

This report recommends Council adopt a new Code of Conduct (for Council Members, Committee Members and Candidates); approve a standard complaints form for dealing with alleged (Division 3 - Behaviour) breaches of the Code of Conduct; and authorise the Chief Executive Officer to receive complaints (and withdrawals of complaints) under the Code.

**Consultation:**

There has been some documentation released by the Department of Local Government, Sport and Cultural Industries and WALGA which the Chief Executive Officer has considered. Further assistance by way of templates is to be released by WALGA shortly.

**Statutory Environment:**

Local Government (Model Code of Conduct) Regulations 2021 provides at Schedule 1, the legislated model Code of Conduct for Council Members, Committee Members and Candidates.

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Clause 11 (Complaint about alleged breach) outlines that a person may make a complaint alleging a breach of the Code, but that complaint must be made in writing in the form approved by the local government; and the local government must authorise at least one person to receive those complaints.

**Relevant Plans and Policy:**

There are no current plans or policies relevant. However, it should be noted that the current Code of Conduct is impacted by this new legislation and is effectively no longer 'in force'. A new Employees Code of Conduct will be prepared to replace the current document once new templates are prepared and released.

**Financial Implications:**

The process of understanding the new legislation, and putting into place the temporary authorised officer, and the form, has taken several hours of officer time – including attending an information forum in Perth.

Whilst no formal complaints have been lodged at the time of completing this report, any complaints lodged will inevitably also consume officer time and this has the potential to be extensive on occasions.

**Risk Assessment:**

As the legislation requires Council to adopt this model code – and in fact it is automatically 'deemed' to be in effect before it is adopted – a breach of that legislation would occur should Council fail to adopt the code.

**Community & Strategic Objectives:**

*Governance and Leadership*

- Provide informed and transparent decision making that, meets our legal obligations, reflect the level of associated risk, and are adequately explained to community.
- Implement systems and processes that meet our legal and audit obligations and the needs of the community.

**Comment:**

**Code of Conduct**

Previously, each local government had its own code of conduct to manage behaviour.

The new model code of conduct replaces (at least in part) the individual codes and applies to all members and candidates. A separate code of conduct will be developed for employees, including the CEO.

The new model code of conduct provides for a high-level process to deal with complaints to ensure a more consistent approach across the sector. The intent of the document is to address behaviour through education rather than sanctions.

If a Councillor does not comply with any action required following a substantiated breach of Division 3 (Behaviour) of the model code of conduct, the matter may be referred to the Standards Panel as an alleged contravention of Division 4 (Rules of Conduct). The Standards Panel has the authority to make binding decisions to resolve minor breaches.

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Local governments can incorporate any additional behaviour requirements in Division 3 (Behaviour) that are not represented in the model code of conduct. Any changes must be consistent with the model code of conduct. To adopt the code and any amendments requires a resolution passed by absolute majority. The adopted code must then be published on the Shire's official website.

**Complaints Form**

The DLGSC has provided a template that local governments can use to receive complaints. This form has been customised for the Shire of Mt Marshall but requires Council approval. The form is attached.

**Authorised Officers to receive complaints (and withdrawals)**

The model code of conduct requires Council to authorise one or more persons to receive complaints and withdrawal of complaints related specifically to Division 3 (Behaviour) of the Code.

The purpose of the Complaints Officer under section 5.120 is effectively 'just a mailbox' to receive minor breach complaints arising from the Code's Division 4 (Rules of Conduct) and forward them to the Standards Panel for assessment.

The person or persons authorised under the model code of conduct will be required to deal with the complaint in accordance with the complaints handling policy and procedures. That complaints handling policy and procedures needs to be developed and adopted by Council, which should occur in the next couple of months.

The Governance Team at WALGA has suggested to the industry that it may be prudent to not have the CEO receive complaints under Code. The CEO is effectively the only employee directly appointed by Council. Handling behavioural complaints could unnecessarily compromise the vital working relationship the CEO maintains with the elected members and there is a risk that this could create the perception of bias and a conflict of interest.

The alternative options are to engage an external party or to authorise one or more employees considered to have the experience and qualifications to handle a complaint, particularly recognising the requirement for procedural fairness and natural justice.

Notwithstanding the above advice it is recommended that for the time being, the Chief Executive Officer be initially authorised to receive complaints and withdrawals under Division 3 of the Code. This authorisation can be reviewed by Council at any time, and particularly during the development of a Complaint Handling Policy and Procedure.

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**2021/3-006 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***That Council:***

- 1. Endorses the Chief Executive Officer's actions of putting in place the temporary procedures of providing a Complaint Lodgement Form and appointing the Chief Executive Officer to receive any complaints and complaint withdrawals;***
- 2. Adopts the attached Code of Conduct (for Council Members, Committee Members and Candidates);***
- 3. Adopts the attached Complaint about Alleged Breach form (for the lodgement of any complaints of breaches of the Code of Conduct);***
- 4. Appoints the Chief Executive Officer as the person to receive any complaints and complaint withdrawals relevant to the Code of Conduct;***
- 5. Notes that the adopted Code of Conduct (for Council Members, Committee Members and Candidates) will be published on the Shire's official website; and***
- 6. Notes that for Employees and Contractors the relevant parts of the existing Shire of Mt Marshall Code of Conduct will continue to be applicable.***

***Moved Cr TM Gibson***  
***Absolute Majority***

***Seconded Cr LN Gobbart***

***Carried 5/0***

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**12.1.10 Beacon Football Club Request to Vary Rental Charge**

<b>File No:</b>	4.0239
<b>Location/Address:</b>	Unspecified Property, Beacon
<b>Name of Applicant:</b>	Mr Greg Clark
<b>Name of Owner:</b>	Shire of Mt Marshall
<b>Author:</b>	John Nuttall, Chief Executive Officer
<b>Attachments:</b>	12.1.10 – Email from Greg Clark – Beacon Football Club President
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Previously Considered:</b>	Nil

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**Background:**

An email has been received from Mr Greg Clark (copy attached) on behalf of the Beacon Football Club. The email requests Council to consider varying the rate of the current cost of leasing a Shire house in Beacon. The Football Club are considering leasing the property for their Perth based footballer's and as they will only utilise the property for a weekend at a time several times (home games) they request that a lower rent be applied.

**Consultation:**

Nil

**Statutory Environment:**

*Local Government Act 1995*

Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed\* during a financial year; and
- (b) amended\* from time to time during a financial year.

\* Absolute majority required.

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

It is difficult to determine as a house that is currently not rented is not bringing any rental income into the Shire.

**Risk Assessment:**

The potential that other requests of a similar nature may be made which effectively turn Shire long term rental stock into short term rental stock.

**Community & Strategic Objectives:**

*Environment (Built and Natural)*

- Deliver sustainable long-term planning for infrastructure that meets the needs of the community

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- Design, construct and maintain infrastructure in a manner that maximise its life, capacity, and function

**Comment:**

Council currently has properties which are let out to long term tenants and others for short term accommodation use. It is not recommended that Council resolves to use these separate property types in different ways. Whilst there is some sympathy for the football clubs wish to house its players, it is respectfully suggested that \$175 per week is not a high rent to be able to do so, particularly if there are several players who will be staying.

Alternatives are available at the caravan park but renting a house on the normal long term rental rate would be substantially cheaper than hiring a cabin or room every home game weekend.

It is further respectfully contended that any rental would be subject to the usual legislation and so it would not necessarily be simple to require a group who are renting property to vacate with little or no notice if another tenant was interested.

**OFFICER'S RECOMMENDATION:**

*That Council refuse the request from Mr Greg Clark to vary the weekly rental charge of a property in Beacon for Beacon Football Club player use.*

**2021/3-007 COUNCILLOR MOTION/COUNCIL DECISION:**

***That Council:***

- 1. Refuse the request from Mr Greg Clark to vary the weekly rental charge of a property in Beacon for Beacon Football Club player use.***
- 2. Subject to Local Government Act 1995 s6.16 (a) and (b) impose the following fees and charges:***

***Use of Accommodation cabins at Bencubbin and Beacon Caravan Parks by Bencubbin and Beacon Football Clubs (to be used by registered players only) on Saturday nights during the winter sport season – 15 % discount on the adopted fees and charges***

- 3. Subject to Local Government Act 1995 s6.19 the new charge stipulated in item 2 come into force as of 30 May 2021 and the new charge be advertised as required by legislation.***

***Moved Cr TM Gibson***  
***Absolute Majority***

***Seconded Cr LN Gobbart***

***Carried 5/0***

**Reason Council decision is different to Officers recommendation:** The amendments to the Officer's recommendation allow for a discount on Shire owned accommodation for local football clubs and their players travelling from Perth to play.

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**12.2 Works Supervisor**

Nil

**12.3 Executive Assistant**

**12.3.4 Status Report – March 2021**

<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>	12.3.4 – Status Report March 2021
<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:**

*Governance and Leadership*

Provide informed and transparent decision making that, meets our legal obligations, reflect the level of associated risk, and are adequately explained to community.

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Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
**held on Wednesday 28 April 2021**

**Comment:**

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

**2021/3-008 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***The Status Report for March 2021 be received.***

***Moved Cr SR Putt***

***Seconded Cr NR Gillett***

***Carried 5/0***

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

**Minutes of the Ordinary Meeting of Council**  
**held on Wednesday 28 April 2021**

**12.3.5 Council and Committee Meetings 2021/2022**

<b>File No:</b>	4.0202
<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>	Nil
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	Nil

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**Background:**

Ordinary Meetings of Council are typically held on the third Tuesday afternoon of each month commencing at 3:00pm in Council Chambers. Two (2) meetings were held in Beacon in the current year, down from three (3) the previous year.

The November 2020 ordinary meeting of Council was held in the children's entertainment room of the Beacon Country Club, however, was deemed unsuitable by staff to be an option again. The April 2021 ordinary meeting of Council will be held in the Beacon Hall. It's suitability as a meeting venue is not known at the time this item was written.

The Shire is required to provide local public notice, at least once each year, of its meetings and those of its committees in accordance with *the Local Government Act 1995*, s1.7 (2)(a)(b).

**Consultation:**

Nil

**Statutory Environment:**

*Local Government Act 1995*,  
Section 1.7 - Local Public Notice (1)(a)(b)(c) and (2)(a)(b)

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Nil

**Risk Assessment:**

Nil

**Community & Strategic Objectives:**

*Governance and Leadership*

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Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
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Provide informed and transparent decision making that, meets our legal obligations, reflect the level of associated risk, and are adequately explained to community.

**Comment:**

Finding a suitable meeting venue in Beacon to hold Council meetings continues to be difficult and there is a deal of effort required by staff to hold meetings in Beacon. The minimal logistics when holding the meetings in Bencubbin where there is a purpose-built facility is worth noting.

The recommendation here is to continue holding two (2) meetings a year in Beacon due to staff's understanding this is a preferred option of Council.

The date of the February meeting is quite often amended to meet statutory requirements whereby Council are required to endorse the Annual Report within 2 months of the annual financials being accepted. It is desirable to present the financials at the December meeting. For this reason it is recommended to schedule the February meeting on the second Tuesday of the month to ensure the time frame requirements are satisfied.

Dates and commencement times for the remainder of Council's committees are yet to be scheduled and public notice will be provided once dates are set.

**2021/3-009 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

*That a notice specifying the following meeting dates and times for 2020/21:*

<b>20 July 2021</b>	<b>at 3pm</b>	<b>Council Chambers, Bencubbin</b>
<b>17 August 2021</b>	<b>at 3pm</b>	<b>Council Chambers, Bencubbin</b>
<b>21 September 2021</b>	<b>at 3pm</b>	<b>Council Chambers, Bencubbin</b>
<b>19 October 2021</b>	<b>at 3pm</b>	<b>Council Chambers, Bencubbin</b>
<b>15 November 2021</b>	<b>at 3pm</b>	<b>Beacon (Location TBA)</b>
<b>20 December 2021</b>	<b>at 3pm</b>	<b>Council Chambers, Bencubbin</b>
<b>Recess – January 2022</b>		
<b>8 February 2022</b>	<b>at 3pm</b>	<b>Council Chambers, Bencubbin</b>
<b>15 March 2022</b>	<b>at 3pm</b>	<b>Council Chambers, Bencubbin</b>
<b>19 April 2022</b>	<b>at 3pm</b>	<b>Beacon (Location TBA)</b>
<b>17 May 2022</b>	<b>at 3pm</b>	<b>Council Chambers, Bencubbin</b>
<b>21 June 2022</b>	<b>at 3pm</b>	<b>Council Chambers, Bencubbin</b>

***be approved for advertisement in The Gimlet Newspaper, the Beacon Bulletin, Shire notice boards, and the Shire's website and social media sites.***

**Moved Cr SR Putt**

**Seconded Cr NR Gillett**

**Carried 5/0**

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

**Minutes of the Ordinary Meeting of Council**  
**held on Wednesday 28 April 2021**

**12.4 Finance and Administration Manager**

**12.4.8 Accounts Paid to 31 March 2021**

**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 20 April 2021 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
205	18/03/2021	TELSTRA	UTILITY CHARGES-FEBRUARY21	2582.78
206	18/03/2021	WATER CORPORATION	UTILITY CHARGES 6.1.21-9.3.21	36265.44
207	25/03/2021	WATER CORPORATION	UTILITY CHARGES 15.1.21-19.3.21	130.47
EFT17257	05/03/2021	ICS CARPENTRY	FEBRUARY REPAIRS	2420.00
EFT17258	05/03/2021	PORKY'S ENTERPRISES	CONSTRUCT NEW ROAD & SMALL CARPARK INTO BEACON AIRSTRIP	21268.50
EFT17259	05/03/2021	EASISALARY	PAYROLL DEDUCTIONS	396.17

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

**Minutes of the Ordinary Meeting of Council**  
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Chq/EFT	Date	Name	Description	Amount
EFT17260	05/03/2021	COMFORT STYLE MERREDIN	LOUNGES-ACCOMMODATION	2400.00
EFT17261	09/03/2021	RETECH RUBBER	DEPOSIT-CRICKET WICKET COVER	2477.20
EFT17262	03/03/2021	SYNERGY	UTILITY CHARGES 13.1.21-9.2.21	1188.87
EFT17263	11/03/2021	SHIRE OF MT MARSHALL	NEW HEALTH RECOUP 33.11.20-31.1.21	8402.72
EFT17264	11/03/2021	AVON WASTE	RUBBISH COLLECTION-FEBRUARY21	5165.76
EFT17265	11/03/2021	BOC GASES	GAS CYLINDERS	39.12
EFT17266	11/03/2021	ST JOHN AMBULANCE AUSTRALIA	FIRST AID COURSE	3186.00
EFT17267	11/03/2021	STEWART & HEATON CLOTHING CO PTY LTD	PROTECTIVE CLOTHING	326.13
EFT17268	11/03/2021	NINGHAN SPRAYING & AG SERVICES	FEBRUARY SUPPLIES	1381.60
EFT17269	11/03/2021	SHERIDAN'S	PLAQUE	401.50
EFT17270	11/03/2021	KTY ELECTRICAL SERVICES	FEBRUARY REPAIRS	341.00
EFT17271	11/03/2021	BENCUBBIN NEWS & POST	POSTAGE 22.2.21-26.2.21	137.92
EFT17272	11/03/2021	BENCUBBIN BULK HAULIERS	AGGREGATE	5028.21
EFT17273	11/03/2021	ICS CARPENTRY	FEBRUARY REPAIRS	877.80
EFT17274	11/03/2021	BENCUBBIN PRIMARY SCHOOL	ARTS AWARD 2020	20.00
EFT17275	11/03/2021	BENCUBBIN COMMUNITY RESOURCE CENTRE	TRAVEL MUGS-FOX SHOOT	301.50
EFT17276	11/03/2021	BENCUBBIN TRUCK N AUTO'S	FEBRUARY SUPPLIES	3626.00
EFT17277	11/03/2021	LANDGATE	MINING TENEMENTS CHARGEABLE 16.1.21-16.2.21	40.60
EFT17278	11/03/2021	BENCUBBIN AG SUPPLIES	FEBRUARY SUPPLIES	870.34
EFT17279	11/03/2021	REFUEL AUSTRALIA	FUEL-FEBRUARY21	25.52
EFT17280	11/03/2021	CHATFIELD'S	BIODIVERSE SEEDLING MIX DEPOSIT-N.MIGUEL	3063.33
EFT17281	11/03/2021	TUTT BRYANT EQUIPMENT	FEBRUARY SUPPLIES	270.39
EFT17282	11/03/2021	GREAT SOUTHERN FUELS	FUEL-FEBRUARY21	2730.99
EFT17283	11/03/2021	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS-1043	1101.24
EFT17284	11/03/2021	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMENT-FEBRUARY21	792.00
EFT17285	11/03/2021	WA CONTRACT RANGER SERVICES	RANGER SERVICES 8.2.21 & 22.2.21	654.50
EFT17286	11/03/2021	MARKET CREATIONS	COMPUTER SUPPORT	2262.43

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



**Minutes of the Ordinary Meeting of Council**  
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Chq/EFT	Date	Name	Description	Amount
EFT17287	11/03/2021	JAMES BOYD	CLEANING & BOOKING AGENT FEE-FEBRUARY21	1457.40
EFT17288	11/03/2021	AUSTRALIA POST	POSTAGE-BEACON LIBRARY	17.90
EFT17289	11/03/2021	KOMATSU AUSTRALIA PTY LTD	GRADER SERVICE	8232.32
EFT17290	11/03/2021	TOLL TRANSPORT PTY LTD	FREIGHT-FEBRUARY21	33.39
EFT17291	11/03/2021	SCUD AG SUPPLIES	FEBRUARY SUPPLIES	28.60
EFT17292	11/03/2021	MINERAL CRUSHING SERVICES (WA) PTY LTD	AGGREGATE	1444.96
EFT17293	11/03/2021	DYNAMIC POOLS AUSTRALIA PTY LTD	MT MARSHALL AQUATIC CENTRE UPGRADE	43124.40
EFT17294	11/03/2021	SYNERGY	UTILITY CHARGES 11.12.20-16.2.21	5864.38
EFT17295	16/03/2021	EASISALARY	PAYROLL DEDUCTIONS	396.17
EFT17296	14/03/2021	BENDIGO BANK	FEBRUARY SUPPLIES	5185.46
EFT17297		TRUST PAYMENT BELOW		
EFT17298	09/03/2021	PERKBOX AUSTRALIA	STANDARD L&W BUNDLE	198.00
EFT17299	18/03/2021	SHIRE OF MT MARSHALL	ACCOMMODATION-POOL UPGRADE	110122.00
EFT17300	18/03/2021	WESFARMERS KLEENHEAT GAS P/L	FACILITY FEE-GAS CYLINDERS	85.80
EFT17301	18/03/2021	KTY ELECTRICAL SERVICES	MARCH REPAIRS	11100.69
EFT17302	18/03/2021	JASON SIGNMAKERS	SIGNS	2195.76
EFT17303	18/03/2021	BENCUBBIN SPORTS CLUB INC.	VOUCHERS	416.00
EFT17304	18/03/2021	SHIRE OF TRAYNING	DOCTORS HOUSE RENT 31.1.21-27.2.21 & VEHICLE EXPENSES-FEB21	893.23
EFT17305	18/03/2021	BENCUBBIN NEWS & POST	NEWSPAPERS	85.18
EFT17306	18/03/2021	AUSTRALIAN COMMUNICATIONS & MEDIA AUTHORITY	ANNUAL LICENCE	104.00
EFT17307	18/03/2021	WINC AUSTRALIA PTY LTD	MARCH SUPPLIES	158.92
EFT17308	18/03/2021	ICS CARPENTRY	MARCH REPAIRS	266.20
EFT17309	18/03/2021	WA DISTRIBUTORS PTY LTD-ALL-WAYS FOODS	MARCH SUPPLIES	865.90
EFT17310	18/03/2021	METROCOUNT	TRAFFIC COUNTERS	7449.20
EFT17311	18/03/2021	BENCUBBIN TRUCK N AUTO'S	MARCH SUPPLIES	84.30
EFT17312	18/03/2021	NAUGHTY BUGS PEST CONTROL	PEST CONTROL	220.00

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

**Minutes of the Ordinary Meeting of Council**  
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<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT17313	18/03/2021	BENCUBBIN AG SUPPLIES	MARCH SUPPLIES	592.08
EFT17314	18/03/2021	SANDRA WYATT	RIBBON & TEASPOONS	12.00
EFT17315	18/03/2021	PALM PLUMBING	MARCH REPAIRS	35528.68
EFT17316	18/03/2021	INITIAL HYGIENE	SANITARY DISPOSAL SERVICE 11.4.21-10.5.21	550.00
EFT17317	18/03/2021	MERREDIN REFRIGERATION & AIR CONDITIONING	SUPPLY & INSTALL NEW CONDENSING UNIT	9394.40
EFT17318	18/03/2021	CR ARC SACHSE	MEETING FEES & ALLOWANCES 10.2.21-16.3.21	1794.40
EFT17319	18/03/2021	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPIER CHARGES	345.41
EFT17320	18/03/2021	AUSQ TRAINING	DEPOSIT-BASIC WORKSITE TRAFFIC MANAGEMENT & TRAFFIC CONTROLLER REACCREDITATION & FULL COURSE	1000.00
EFT17321	18/03/2021	CR NICK GILLET	MEETING FEES & ALLOWANCES 10.2.21-16.3.21	757.72
EFT17322	18/03/2021	CR STUART PUTT	MEETING FEES & ALLOWANCES 10.2.21-16.3.21	493.18
EFT17323	18/03/2021	LEEANNE NOLA GOBBART	MEETING FEES & ALLOWANCES 10.2.21-16.3.21	523.75
EFT17324	18/03/2021	MEG LEE WYATT	REIMBURSEMENT-TRAVEL BFB PPE AUDIT MEETING	88.14
EFT17325	18/03/2021	TOLL TRANSPORT PTY LTD	FREIGHT-MARCH21	119.74
EFT17326	18/03/2021	SCUD AG SUPPLIES	MARCH SUPPLIES	72.16
EFT17327	18/03/2021	MINERAL CRUSHING SERVICES (WA) PTY LTD	AGGREGATE	2115.52
EFT17328	18/03/2021	BOSSHEALTH GROUP PTY LTD	ENVIRONMENTAL HEALTH SERVICES-MARCH21	2475.00
EFT17329	18/03/2021	CONTRACT AQUATIC SERVICES	MONTHLY CONTRACT FEE-FEBRUARY21	16500.00
EFT17330	18/03/2021	SCITECH	RETURN OF FUNDS-SCITECH SMALL GRANTS FUND 2020	500.01

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Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
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<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT17331	19/03/2021	DEPARTMENT OF PLANNING, LANDS & HERITAGE	DEPOSIT-PURCHASE LAND	2213.00
EFT17332	19/03/2021	SYNERGY	UTILITY CHARGES 12.12.20-25.2.21	157.42
EFT17333	23/03/2021	CENTRAL EAST AGED CARE ALLIANCE (INC)	RATES REFUND FOR ASSESSMENT A6994 43 BROWN ST BENCUBBIN WA 6477	1393.49
EFT17334	24/03/2021	AUSTRALIAN TAXATION OFFICE	BAS-FEBRUARY21	4833.00
EFT17335	23/03/2021	SYNERGY	UTILITY CHARGES 19.12.20-16.2.21	105.31
EFT17336	25/03/2021	SYNERGY	STREETLIGHTS 25.1.21-24.2.21	1969.03
EFT17337		TRUST PAYMENT BELOW		
EFT17338	25/03/2021	KTY ELECTRICAL SERVICES	MARCH REPAIRS	439.01
EFT17339	25/03/2021	WHEATBELT SIGNS	SIGNS	625.00
EFT17340	25/03/2021	BENCUBBIN NEWS & POST	POSTAGE 15.3.21-19.3.21	12.72
EFT17341	25/03/2021	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	230.00
EFT17342	25/03/2021	ICS CARPENTRY	MARCH REPAIRS	69499.10
EFT17343	25/03/2021	PORKY'S ENTERPRISES	CONSTRUCT AND RESHEET	41266.50
EFT17344	25/03/2021	BENCUBBIN TRUCK N AUTO'S	GRADER TYRE	3342.94
EFT17345	25/03/2021	PLANWEST (WA) PTY LTD	PLANNING SERVICES	363.00
EFT17346	25/03/2021	SIPPE'S MUKINBUDIN	DIESEL PUMP	269.00
EFT17347	25/03/2021	BENCUBBIN AG SUPPLIES	MARCH SUPPLIES	680.90
EFT17348	25/03/2021	ADVANCED AUTOLOGIC PTY LTD	MARCH SUPPLIES	242.00
EFT17349	25/03/2021	KUNUNOPPIN MEDICAL PRACTICE	PRE EMPLOYMENT MEDICAL-C.MURRAY	165.00
EFT17350	25/03/2021	GREAT SOUTHERN FUELS	FUEL-MARCH21	5218.92
EFT17351	25/03/2021	BOB WADDELL & ASSOCIATES PTY LTD	VARIOUS ACCOUNTING SUPPORT	2376.00
EFT17352	25/03/2021	KC SALES	CARAVAN PARK VOUCHERS	130.00
EFT17353	25/03/2021	ECOWATER SERVICES	MAINTENANCE-BIOMAX SYSTEM-229 MURRAY STREET	150.40
EFT17354	25/03/2021	MINERAL CRUSHING SERVICES (WA) PTY LTD	AGGREGATE	2106.72
EFT17355	25/03/2021	INTERFIRE AGENCIES	PROTECTIVE CLOTHING	296.29
EFT17356	01/03/2021	CRISP WIRELESS PTY LTD	BUSINESS LITE SUBSCRIPTION-INTERNET ACCESS	328.90

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

**Minutes of the Ordinary Meeting of Council**  
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Chq/EFT	Date	Name	Description	Amount
EFT17357	26/03/2021	EASISALARY	PAYROLL DEDUCTIONS	396.17
EFT17358	31/03/2021	CARDTRONICS AUSTRALASIA PTY LTD	ONGOING FEES FOR ATM-FEBRUARY21	40.27
EFT17359		TRUST PAYMENT BELOW		
DD10415.1	10/03/2021	AWARE SUPER	PAYROLL DEDUCTIONS	6431.20
DD10415.2	10/03/2021	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	374.99
DD10415.3	10/03/2021	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	212.21
DD10415.4	10/03/2021	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	181.95
DD10415.5	10/03/2021	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	88.76
DD10415.6	10/03/2021	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	593.77
DD10415.7	10/03/2021	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	195.06
DD10415.8	10/03/2021	IOOF	SUPERANNUATION CONTRIBUTIONS	177.18
DD10439.1	24/03/2021	AWARE SUPER	PAYROLL DEDUCTIONS	6388.05
DD10439.2	24/03/2021	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	376.42
DD10439.3	24/03/2021	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	213.02
DD10439.4	24/03/2021	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	180.97
DD10439.5	24/03/2021	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	88.76
DD10439.6	24/03/2021	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	593.77
DD10439.7	24/03/2021	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	195.06
DD10439.8	24/03/2021	IOOF	SUPERANNUATION CONTRIBUTIONS	177.18
				<b>538,386.82</b>

**2. Trust**

Chq/EFT	Date	Name	Description	Amount
EFT17297	17/03/2021	BENCUBBIN SPORTS CLUB INC.	SOCIAL CLUB PURCHASES	95.00
EFT17337	25/03/2021	NADINE RICHMOND	REIMBURSEMENT FOR SOCIAL CLUB PURCHASES	14.95
EFT17359	31/03/2021	DEPARTMENT OF TRANSPORT	MMSO20210312	14157.15
				<b>14,267.10</b>

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

**Minutes of the Ordinary Meeting of Council**  
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**3. Mastercard**

<b>Details</b>	<b>Amount</b>
Licensing	200.00
Water pump parts	3321.30
Bank fees	4.00
Vehicle cleaning products	165.30
Safety mat/toilet brushes	45.90
Toilet brush	-2.00
Bank fees	4.00
Ingredients-Staff farewell	13.50
Ice	13.50
Ice	4.50
Daycare membership-C.Bell	489.17
A3 brochure	614.30
Flowers-R.Watson	117.00
Bank fees	4.00
Little hotelier	81.95
Little hotelier	81.95
Zoom-February	23.09
Bank fees	4.00
	<b>5185.46</b>

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

**Minutes of the Ordinary Meeting of Council**  
**held on Wednesday 28 April 2021**

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 **20 April 2021**. 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:**

*Governance and Leadership*

Implement systems and processes that meet our legal and audit obligations and the needs of the community.

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Chairperson Initial

**Minutes of the Ordinary Meeting of Council**  
**held on Wednesday 28 April 2021**

**Comment:**

Nil

**2021/3-010 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***That the Accounts Listed***

<b><i>Municipal Fund</i></b>	<b>\$</b>	<b>538,386.82</b>
<b><i>Trust Fund</i></b>	<b>\$</b>	<b>14,267.10</b>
<b><i>Mastercard</i></b>	<b>\$</b>	<b><u>5,185.46</u></b>
<b><i>Total</i></b>	<b>\$</b>	<b>557,839.38</b>

***Be endorsed.***

***Moved Cr LN Gobbart***

***Seconded Cr SR Putt***

***Carried 5/0***

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

**Minutes of the Ordinary Meeting of Council**  
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**12.4.9 Statement of Financial Activity to 31 March 2021**

<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>	12.4.9 – Statement of Financial Activity to 31 March 2021
<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:**

*Governance and Leadership*

Implement systems and processes that meet our legal and audit obligations and the needs of the community.

**Comment:**

Nil

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Chairperson Initial



**Minutes of the Ordinary Meeting of Council**  
**held on Wednesday 28 April 2021**

**2021/3-011 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***The Statement of Financial Activity for the month ending 31 March 2021 be endorsed.***

***Moved Cr SR Putt***

***Seconded Cr NR Gillett***

***Carried 5/0***

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

**Minutes of the Ordinary Meeting of Council**  
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**12.5 Community Development Officer**

Nil

**12.6 Regulatory Officer**

**12.6.2 Approval of Expenditure for New Water Tank – Wialki Bush Fire Brigade**

**File No:** 4.0326  
**Location/Address:** Wialki Bush Fire Brigade Facilities  
**Name of Applicant:** N/A  
**Name of Owner:** Shire of Mt Marshall  
**Author/s:** Meg Wyatt – Regulatory Officer  
**Attachments** Nil  
**Declaration of Interest:** Nil  
**Voting Requirements:** Absolute Majority

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**Background:**

Previous Regulatory Officer, Jack Walker was successful in his application for the State Government WA Recovery Plan – Water Tank Allocations. The Shire has been allocated an amount of \$16,476.00 for a 50,000L water tank at the Wialki Bush Fire Brigade facilities.

**Consultation:**

Department of Fire and Emergency Services Area Officer, Daniel Hendriksen has been consulted regarding the new water tank.

**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.*

**Relevant Plans and Policy:**

Nil.

**Financial Implications:**

Council will be required to approve an expenditure of \$16,476.00 in the 2020/2021 financial year.

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**Risk Assessment:**

There is a risk of a breach of legislation should the work be undertaken without prior Council approval.

**Community & Strategic Objectives:**

*Environment (Built & Natural)*

- Design, construct and maintain infrastructure in a manner that maximise its life, capacity, and function.

*Governance and Leadership*

- Provide informed and transparent decision making that, meets our legal obligations, reflect the level of associated risk, and are adequately explained to community.

**Comment:**

The Shire have received confirmation that the funding for the water tank has been approved. This funding will work the same way the Local Governments Grants Scheme works, meaning the Shire will initially have to fund the project but will be reimbursed once completed.

This expenditure was not included in this year's budget due to timing issues and will need to be authorised by resolution of Council, as required by the Local Government Act 1995.

**2021/3-012 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***That expenditure of \$16,476.00 from account 0513021 be approved in the 2020/2021 financial year for the purpose of funding a new water tank at the Wialki Bush Fire Brigade facilities.***

***Moved Cr TM Gibson***  
***Absolute Majority***

***Seconded Cr SR Putt***

***Carried 5/0***

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**12.7 Development**

Cr ARC Sachse declared a proximity interest in item 12.7.1 being that he owns land that borders land in proposed sub-division.

Cr ARC Sachse left the meeting at 5.53pm.

Deputy President, Cr NR Gillett assumed the Chair.

**12.7.1 Application for Subdivision Revised – Lot 2757 Barbalin-Koonkoobing Rd, Welbungin**

<b>File No:</b>	4.0210
<b>Location/Address:</b>	Lot 2757 Barbalin-Koonkoobing Road, Welbungin
<b>Name of Applicant:</b>	Horizon Surveys
<b>Name of Owner:</b>	N/A
<b>Author:</b>	Meg Wyatt, Regulatory Officer
<b>Attachments:</b>	12.7.1 – WA Planning Commission Approval for Subdivision Lot 2757 Barbalin-Koonkoobing Rd, Welbungin
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	N/A

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**Background:**

Horizon Surveys has forwarded a modification to a proposed subdivision application for the Council's comment prior to a formal request is made to the WA Planning Commission.

The original subdivision proposal was submitted by Horizon Surveys on behalf of the owners Universal Enterprises Group Co Pty Ltd to create a 'homestead lot'. The WA Planning Commission approved the subdivision on 6 January 2021. A copy of the approval is at **attachment 12.7.1**.

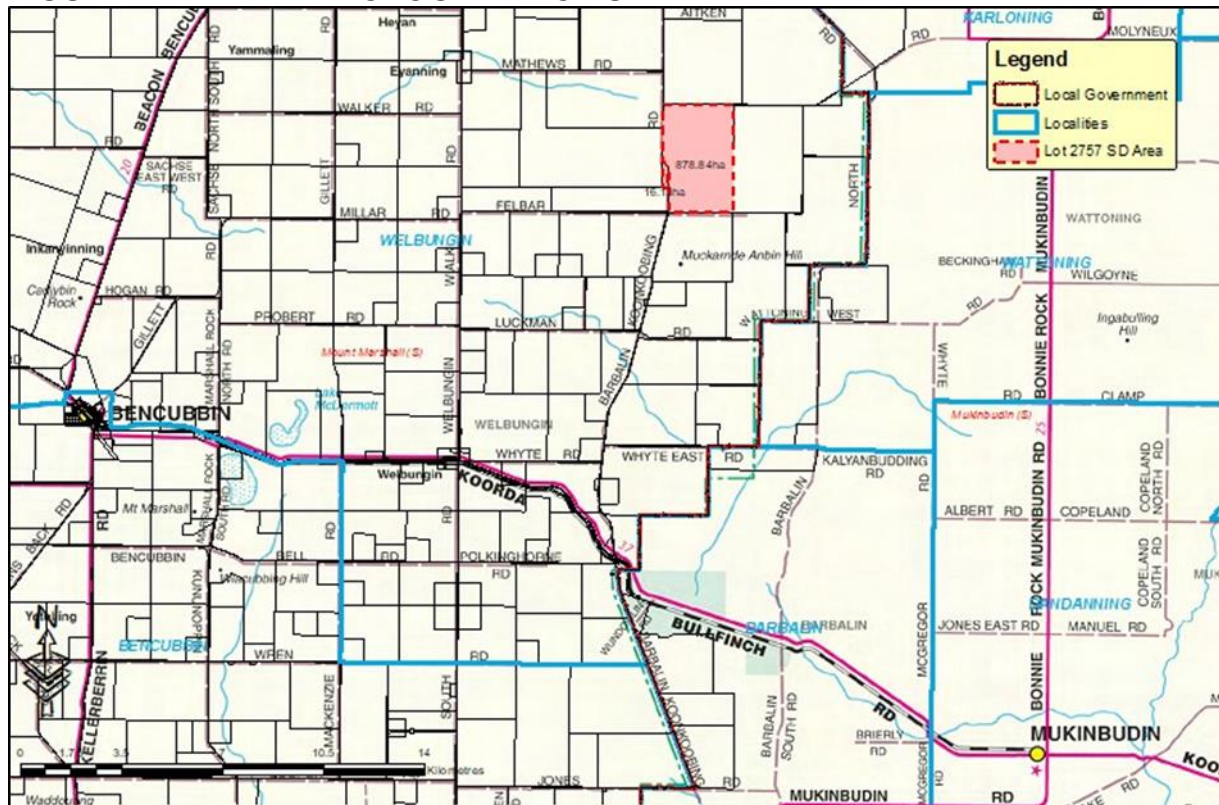
**Location and Landuse**

The subject land is located about 22 kilometres northeast of Bencubbin townsite and 24 kilometres north west of Mukinbudin townsite. The land is in two parcels of 16.5 hectares and 875.1 hectares. These two parts are separated by Barbalin-Koonkoobing Road. The property appears to have several improvements including two dwellings, both of which will be contained within the new homestead lot.

**Figure 1** shows a location plan of the proposed subdivision whilst **Figure 2** shows an aerial photograph of the subject land. As the photograph demonstrates the land is currently used for rural purposes.

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FIGURE 1 – AERIAL PHOTOGRAPH OF SITE



Source: Landgate, PLANWEST

### Homestead Lots

The definition of a homestead lot is as set out in Appendix 1 of the Development Control Policy 3.4 (DC 3.4) as published by the WA Planning Commission in December 2016. The definition is as follows;

#### **Homestead lot**

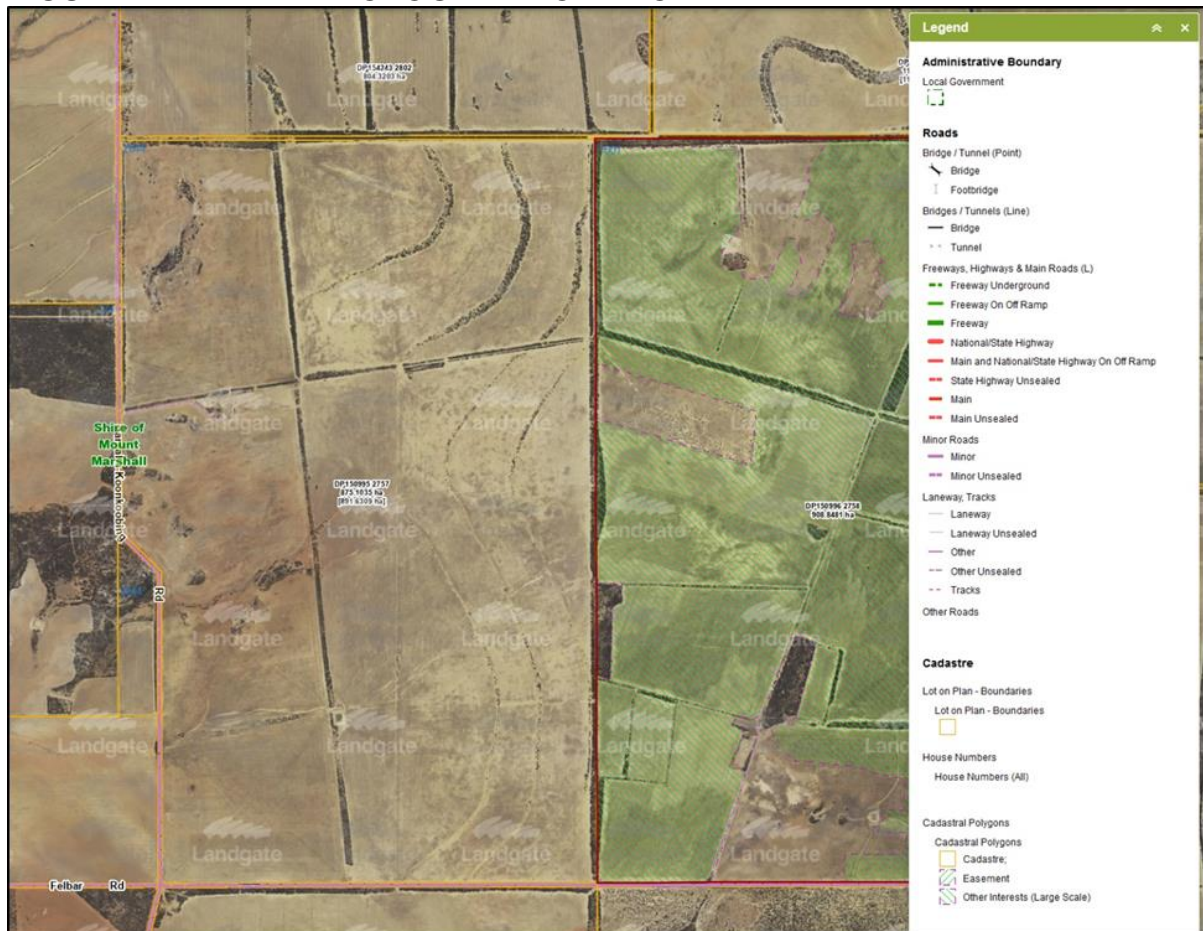
*A small lot generally ranging from one to four hectares, but may be up to 20 hectares in size depending on site specific circumstances, which is excised from a larger farm holding for separate occupation, such as by a retiring farmer wishing to remain in an approved existing dwelling.*

This policy only applies to a specific area of the State and is defined in Appendix 2 of DC 3.4. The whole of the Shire of Mt Marshall is within the Homestead Lot Policy Area.

The creation of homestead lots is intended to allow primary producers to continue to occupy their dwelling when they cease to farm and provide settlement opportunities in areas where land fragmentation is limited and unlikely to increase.

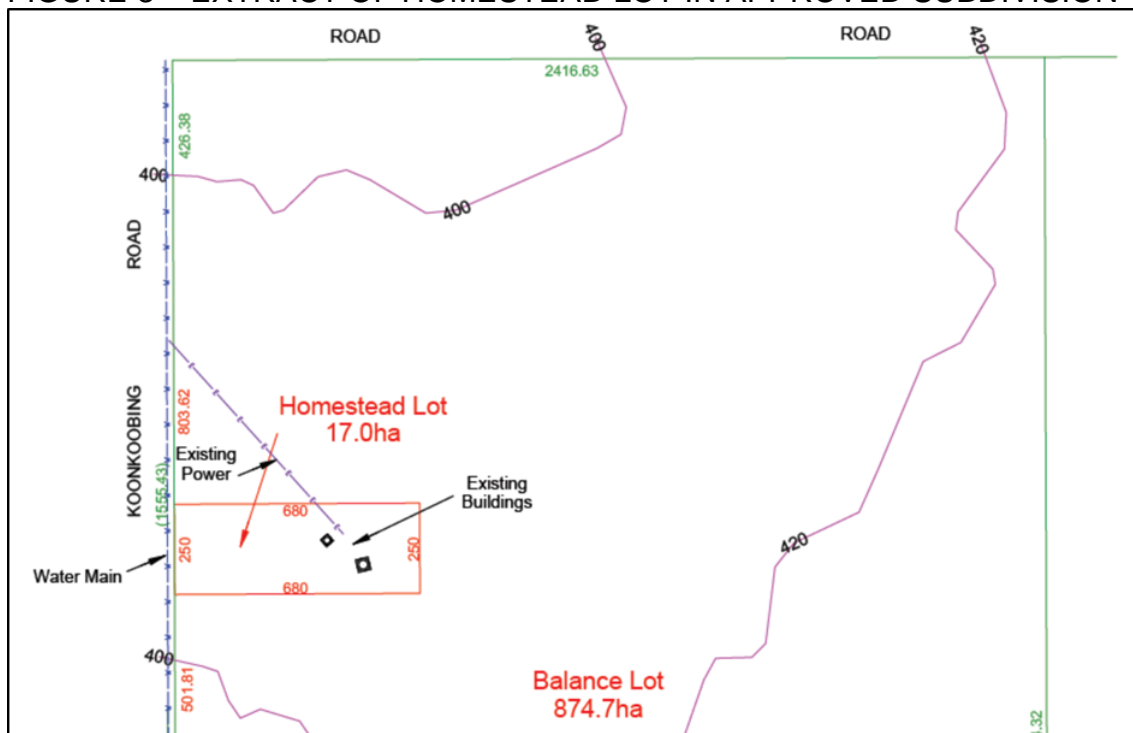
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FIGURE 2 – AERIAL PHOTOGRAPH OF PROPERTY



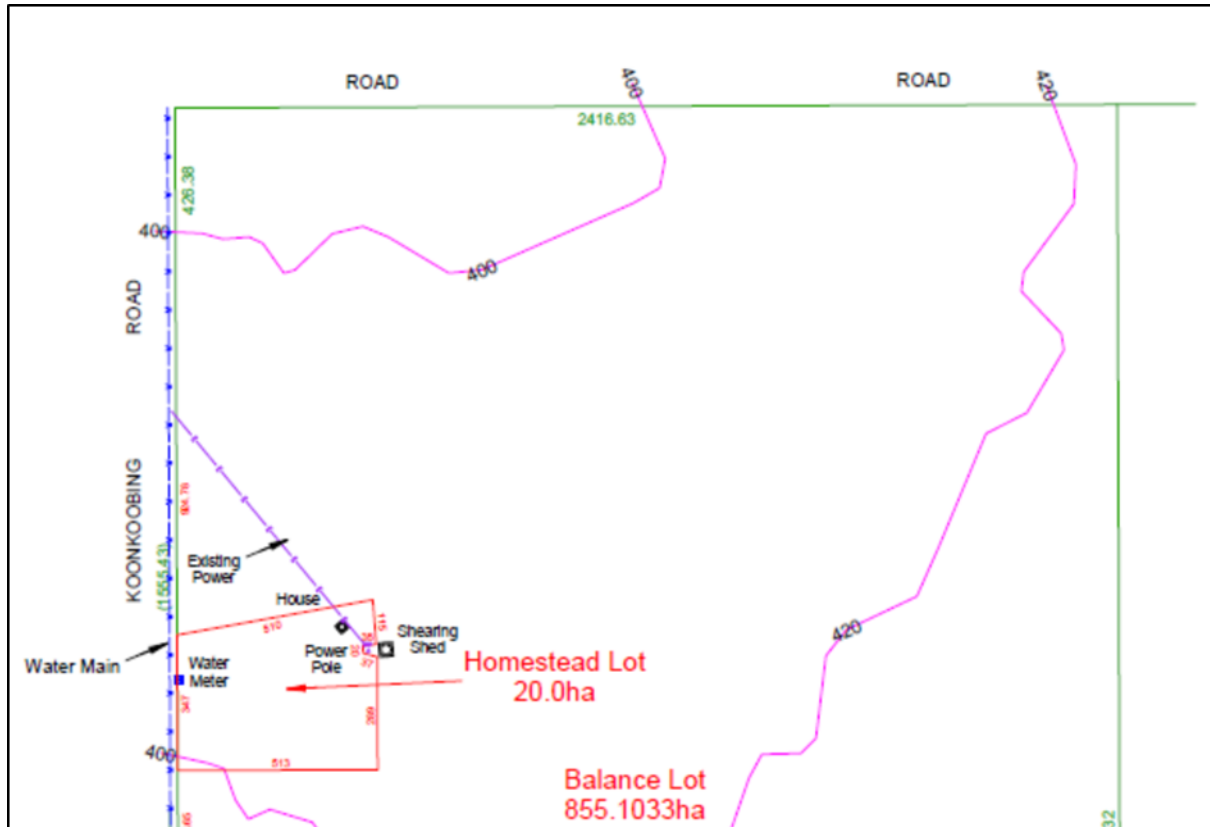
Source: Landgate, PLANWEST

FIGURE 3 – EXTRACT OF HOMESTEAD LOT IN APPROVED SUBDIVISION



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FIGURE 4 – EXTRACT OF HOMESTEAD LOT IN REVISED SUBDIVISION



**Consultation:**

Paul Bashall, Planwest (WA) Pty Ltd

**Statutory Environment:**

Shire of Mt Marshall Local Planning Scheme No 3

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Nil

**Risk Assessment:**

There is a risk that the WA Planning Commission will make a decision regarding this matter without the input of Council, should this matter not be determined.

**Community & Strategic Objectives:**

*Governance and Leadership*

Implement systems and processes that meet our legal and audit obligations and the needs of the community.

**Comment:**

The WA Planning Commission has already approved the creation of the homestead lot of 17 hectares subject to 2 conditions relating to power and building clearances (see Attachment A).

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The proposed revision only slightly varies from the original design and is still not more than 20 hectares – thus still complying with the Homestead definition.

Figure 3 shows an extract of the homestead lot as already approved, whilst Figure 4 shows the modified homestead lot.

**2021/3-013 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That the applicant be advised that the Shire has no objection to the proposed modification to the subdivision, however will recommend to the WA Planning Commission that the same conditions be imposed as originally suggested, with a footnote advising of the on-going need for annual firebreaks.***

***Moved Cr TM Gibson***

***Seconded Cr LN Gobbart***

***Carried 4/0***

Cr ARC Sachse re-entered the meeting at 5.54pm and resumed the chair.



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**12.7.2 Application for Development Approval, Lot 40 Monger St, Bencubbin**

<b>File No:</b>	4.0394
<b>Location/Address:</b>	Lot 40 Monger St, Bencubbin
<b>Name of Applicant:</b>	Craig Sachse
<b>Name of Owner:</b>	Craig Sachse
<b>Author:</b>	Paul Bashall, Consultant Planner - Planwest
<b>Attachments:</b>	12.7.2 – Application for Development Approval – Lot 40 Monger St, Bencubbin
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	Nil

**Background:**

A DA (Development Approval) application has been lodged by Craig Sachse (the owner) for a 20x14m shed on his property at 29 Monger Street in Bencubbin. The plans show the building is to be set back 6m from the Monger Street boundary and will be used for mechanical and tyre repair purposes incorporating an internal office and shop front.

**1 The Property**

The subject land (Lot 40) Monger Street is owned by the applicant. A copy of the title is attached to the DA application. Figure 1 provides location plan of the property in relation to the Bencubbin townsite.

As indicated by the aerial photographs, the property is currently undeveloped.

Figure 1 – Location Plan



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Figure 2 – Aerial Photograph of Subject Land



**Figure 2** shows an enlargement of the subject land facing Monger Street.

## **2 The Scheme**

The land is zoned Commercial under the Shire of Mt Marshall Town Planning Scheme No 3 (the Scheme). Figure 3 provides an extract from the Scheme Map showing the subject land in relation to the surrounding area.

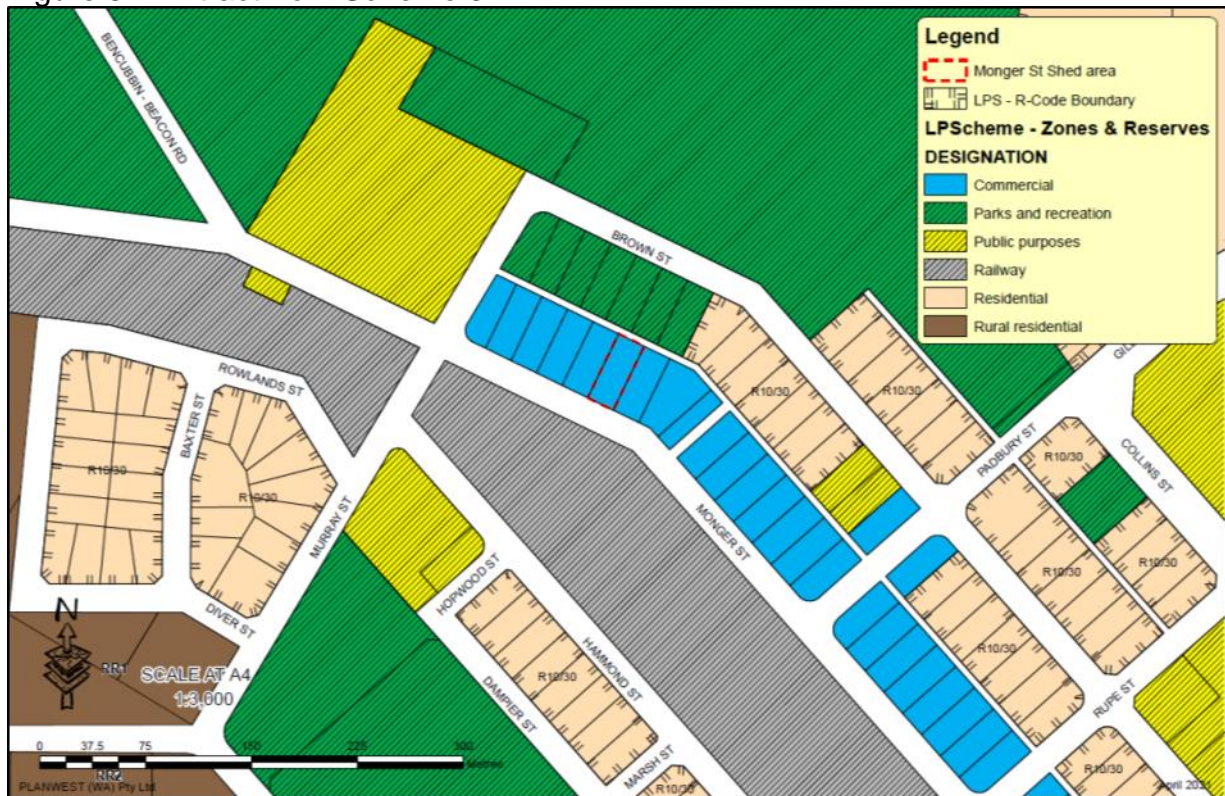
As the figure shows, the land to the north (over the right of way) is classified for Parks and Recreation to reflect the town's recreation centre - and the subject land faces the railway reserve to the south.

The Scheme objectives for the Commercial zone includes service functions. The use class of 'Industry – service' is a discretionary use (D) which means *that the use is not permitted unless the local government has exercised its discretion by granting development approval.*



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Figure 3 – Extract from Scheme 3



### 3 Proposal

The proposal is composed of a single steel building setback from the street by 6m with a 3m setback from its boundary with Lot 39 to the west of the site. The building frontage to Monger Street is 14m wide with about two thirds being sliding doors with a glazed double door to the office and shop front. The ridge height is nearly 6.5 m high.

The rear elevation shows three sliding doors over the whole width of the building. There are no openings to the northwest side of the building and a single door on the southeast side. A small single toilet is shown towards the rear of the building near what is shown as an existing leach drain.

There is no information about carparking layout, access to Monger Street, landscaping, or whether the 3m access to the rear of the building is adequate for the vehicles expected to use the site. The site does have a lane way (or ROW) at the rear. The detail of the drainage and ablution requirements will be assessed through the building permit process.

#### **Consultation:**

Chief Executive Officer (CEO), John Nuttall

Contract Environmental Health Officer (EHO), Peter Toboss

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**Statutory Environment:**

*Planning and Development Act 2005*

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

*Shire of Marshall Local Planning Scheme No 3*

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

The appropriate fees have been paid by the applicant.

**Risk Assessment:**

Risk of non-compliant buildings if development approvals are not dealt with in an appropriate manner.

**Community & Strategic Objectives:**

*Environment (Built and Natural)*

- Deliver sustainable long-term planning for infrastructure that meets the needs of the community.
- Design, construct and maintain infrastructure in a manner that maximise its life, capacity, and function.

**Comment:**

The building shows little appeal to the main street of Bencubbin. However, the other buildings in Monger Street are very varied in appearance, shape, size, and setback. The large building to the left of the subject land (HN 27) is set back about 9m from Monger Street and incorporates some landscaping in the setback area. This building appears to use Lot 38 for its parking and presents a blank wall towards the subject land.

The building to the right of the subject land (HN 31) is set back about 19m from Monger Street and appears to service vehicles. HN 33 to the south of HN 31 appears to be offices and is built almost to the street frontage.

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**2021/3-014 OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

***That the application for Development Approval (DA) for a Colorbond shed and office on Lot 40 Monger Street, Bencubbin as submitted on 01/04/2021, be granted subject to the following conditions.***

- 1. The preparation of a parking layout including a crossover to Monger Street and construction of the layout, to the satisfaction of the local government.***
- 2. The preparation of a landscaping plan and the installation of the landscaping to the satisfaction of the local government.***

***Advice Notes***

- If the development, the subject of this approval, is not substantially commenced within a period of 2 years from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term "substantially commenced" has the meaning given to it in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time.***
- Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first being sought and obtained.***
- The granting of this approval does not constitute a building permit and that an application for a building permit must be submitted to the local government and be approved before any work can commence on site.***
- If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005.***

***Moved Cr SR Putt***

***Seconded Cr NR Gillett***

***Carried 3/2***

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**12.8 Environmental Health Officer**

Nil

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

Nil

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

Nil

**15.0 Next Meeting – Tuesday 18 May 2021 commencing at 3:00pm in Council Chambers, 71 Monger St, Bencubbin**

**16.0 Closure of Meeting**

The Presiding Member thanked everyone for attending and declared the meeting closed at 6.09pm.

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

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Date

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Cr ARC Sachse      President