



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 19 October 2021 in Council Chambers, Monger St, Bencubbin commencing at 3:05pm.

Cr ARC Sachse

President

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intentionally**

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John Nuttall
Chief Executive Officer

Chairperson Initial

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1.0 Declaration of Opening / Announcement of Visitors

CEO, John Nuttall declared the meeting open at 3.05pm and welcomed all those present.

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr ARC Sachse	Councillor	
Cr NR Gillett	Councillor	
Cr LN Gobbart	Councillor	3.00-3.32, 3.36-4.48pm
Cr IC Sanders	Councillor	3.00-3.32, 3.36-4.48pm
Cr SR Putt	Councillor	
Cr TM Gibson	Councillor	
Cr MR Beagley	Councillor	

Mr John Nuttall	Chief Executive Officer	
Ms Nadine Richmond	Executive Assistant	3.00-4.31, 4.32-4.48pm
Ms Tanika McLennan	Finance and Administration Manager	
Mr Len Cargeeg	Member of the Public	

Apologies

Nil

3.0 Election of President and Deputy President

3.1 Election of President

Written nominations for President were received by the CEO for Cr ARC Sachse. The CEO invited any further nominations for President. None were received.

The Chief Executive Officer declared Cr ARC Sachse as President of the Shire of Mt Marshall.

Cr ARC Sachse made his declaration of Office.

3.2 Election of Deputy President

The President invited the CEO to undertake the election of Deputy President.

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Written nominations for Deputy President were received by the CEO for Cr NR Gillett and Cr TM Gibson. The CEO invited any further nominations for Deputy President. None were received.

Elected Members were provided with voting slips.

The Chief Executive Officer advised the outcome of the vote as follows:

Cr TM Gibson -	2 votes
Cr NR Gillett -	5 votes

The Chief Executive Officer declared Cr NR Gillett as Deputy President of the Shire of Mt Marshall.

Cr NR Gillett made his declaration of Office

President ARC Sachse thanked the Chief Executive Officer for conducting the election of Deputy President and assumed the chair.

4.0 Standing Orders

2021/9-001 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 7/0

5.0 Public Questions

5.1 Response to Public Questions Taken on Notice

5.1.1 Summary of question from Mr Len Cargeeg:

Why was the usual list of Justices of the Peace left out of the Shire information attachments to the Shire rates notices?

Summary of response from the Presiding Member:

The preparation of the rates notices is an administrative function. In reviewing the document this year a decision was taken to remove the list of JP's from the brochure.

5.2 Public Question Time

The Presiding Member declared public question time open at 3.15pm.

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5.2.1 Summary of question from Mr Len Cargeeg:

Who is the Person conducting a Business or Undertaking (PCBU) at the Shire of Mt Marshall?

Summary of response from the Presiding Member:

The Presiding Member advised Mr Cargeeg he had no knowledge of this person so will take the question on notice.

5.2.2 Summary of question from Mr Len Cargeeg:

Is there a current Safety Plan for the Shire of Mt Marshall?

Summary of response from the Presiding Member:

The Presiding Member advised Mr Cargeeg he would take the question on notice in the interest of providing a accurate response.

The Presiding Member declared public question time closed at 3.18pm.

6.0 Applications for Leave of Absence

Nil

7.0 Declarations of Interest

Cr ARC Sachse declared an impartiality interest in item 12.1.1 being that he is a member of the Bencubbin Sports Club who have applied for the Economic Development Grant Fund.

Cr ARC Sachse declared an impartiality interest in item 13.6.5 being that he is a member and Captain of the Welbungin Bushfire Brigade and member of the LGGS SES Grants Committee.

Cr LN Gobbart declared an indirect financial interest in item 12.1.1 being that she is the Treasurer of the Bencubbin Sports Club who have applied for the Economic Development Grant Fund.

Cr SR Putt declared an impartiality interest in item 12.1.1 being that he is a member of the Bencubbin Sports Club who have applied for the Economic Development Grant Fund.

Cr SR Putt declared an impartiality interest in item 13.6.5 being that he is the President of the Welbungin Bushfire Brigade.

Cr NR Gillett declared an impartiality interest in item 12.1.1 being that he is a member of the Bencubbin Sports Club who have applied for the Economic Development Grant Fund.

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Cr IC Sanders declared an impartiality interest in item 12.1.1 being that he is a member of the Bencubbin Sports Club who have applied for the Economic Development Grant Fund.

Cr TM Gibson declared an impartiality interest in item 12.1.1 being that she is a member of the Beacon Community Resource Centre.

Cr TM Gibson declared an impartiality interest in item 12.1.1 being that she is a member of the Beacon Country Club.

Cr TM Gibson declared an impartiality interest in item 12.1.1 being that she is a member of the Beacon P & C Association.

Cr MR Beagley declared an impartiality interest in item 12.1.1 being that she is a member of the Beacon Community Resource Centre.

Cr MR Beagley declared an impartiality interest in item 12.1.1 being that she is a member of the Beacon Country Club.

Cr MR Beagley declared an impartiality interest in item 13.1.31 being that her husband is nominated for membership of the Facilities and Services Committee

8.0 Confirmation of Minutes of Previous Meetings

8.1 Minutes of the Ordinary Meeting held on Thursday 23 September 2021

2021/9-002 OFFICER RECOMMENDATION/COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Thursday 23 September 2021 be confirmed as a true and correct record of proceedings.

Moved Cr TM Gibson

Seconded Cr SR Putt

Carried 6/1

9.0 Announcements by Presiding Person Without Discussion

The Shire of Mt Marshall would like to thank past and present Councillors for their contribution over the last two years, and welcome the new Council and Elected Members.

As the 2021 harvest period commences, we encourage everyone to be careful at this busy time. There will be an increase in heavy vehicle movements and extra vigilance and patience is encouraged.

The Shire of Mt Marshall expresses our condolences to the family of Kevan Collins, who passed away yesterday, 18th October 2021. Kevan lived and farmed in Bencubbin and was a very active community member and sportsman. Rest in Peace.

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10.0 Report's of Councillors

10.1 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 24 September to 19 October 2021.

1/10/2021 Shire of Mt Marshall Bush Fire Advisory Meeting, Beacon Country Club, with the Chief Bush Fire Control Officer, Bush Fire Control Officers and Regulatory Officer Meg Wyatt

5/10/2021 RDA DDSW Digital Community Webinar with Telstra CEO Andrew Penn, Electronic Zoom, with CEO John Nuttall

Economic Development Committee Meeting, Council Chambers, with Deputy President Cr Nick Gillett, Cr Tanya Gibson, CEO John Nuttall, EDO Sarah Moug and EA Nadine Richmond

13/10/2021 Wheatbelt District Emergency Management Committee Meeting, Northam DFES.

14/10/2021 Citizenship Ceremony – Jean Cashmore, Council Chambers with Cr Tanya Gibson, CEO John Nuttall and EA Nadine Richmond

15/10/2021 Rural Water Council (Inc) Meeting, Water Corporation Northam

10.2 Councillors

Cr SR Putt – Eastern Wheatbelt Biodiversity Group AGM, 29 September 2021
Cr TM Gibson - Citizenship Ceremony, 14 October 2021

11.0 Petitions / Deputations / Presentations / Submissions

Nil

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12.0 Reports of Committees

12.1 Economic Development Grant Fund Committee

Cr ARC Sachse declared an impartiality interest in item 12.1.1 being that he is a member of the Bencubbin Sports Club who have applied for the Economic Development Grant Fund.

Cr LN Gobbart declared an indirect financial interest in item 12.1.1 being that she is the Treasurer of the Bencubbin Sports Club who have applied for the Economic Development Grant Fund.

Cr SR Putt declared an impartiality interest in item 12.1.1 being that he is a member of the Bencubbin Sports Club who have applied for the Economic Development Grant Fund.

Cr SR Putt declared an impartiality interest in item 13.6.5 being that he is a member of the Welbungin Bushfire Brigade.

Cr NR Gillett declared an impartiality interest in item 12.1.1 being that he is a member of the Bencubbin Sports Club who have applied for the Economic Development Grant Fund

Cr IC Sanders declared a financial interest in item 12.1.1 being that his company, ICS Carpentry provided a quote on the installation of a shade sail at the BencubbinSports Club who have applied for the Economic Development Grant Fund.

Cr TM Gibson declared an impartiality interest in item 12.1.1 being that she is a member of Beacon P & C Association who have applied for the Economic Development Grant Fund.

Cr TM Gibson declared an impartiality interest in item 12.1.1 being that she is a member of the Beacon Community Resource Centre who have applied for the Economic Development Grant Fund.

Cr TM Gibson declared an impartiality interest in item 12.1.1 being that she is a member of the Beacon Country Club who have applied for the Economic Development Grant Fund.

Cr MR Beagley declared an impartiality interest in item 12.1.1 being that she is a member of the Beacon Community Resource Centre who have applied for the Economic Development Grant Fund.

Cr MR Beagley declared an impartiality interest in item 12.1.1 being that she is a member of the Beacon Country Club who have applied for the Economic Development Grant Fund.

Cr MR Beagley declared an impartiality interest in item 13.1.31 being that she is a

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Cr IC Sanders and Cr LN Gobbart left the meeting at 3.32pm.

**12.1.1 Economic Development Grant Fund Applications Round 1 –
2021/22 Financial Year & Minutes of Economic Development Grant
Fund Committee Meeting held Tuesday 5 October 2021**

File No:	4.0371
Location/Address:	N/A
Name of Applicant:	Various
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.1a – Minutes of Economic Development Grant Fund Committee Meeting held Tuesday 5 October 2021
	12.1.1b – CS.3.2 Economic Development Grant Fund Policy
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

As part of the Mt Marshall annual budget for 2021/2022, Council continued the Economic Development Fund (EDF) with a total allocation of \$40,000.00. The fund is 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 first round saw 4 applications received totalling \$13,756.00

A Council appointed committee met on Tuesday 5 October 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.

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Financial Implications:

This year Council set aside \$40,000 to the fund, to be awarded over two rounds. The Committee is recommending awarding \$13,462.00 in this 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 5 October 2021 and discussed the four applications at length. The minutes of the meeting are at **attachment 12.1.1a**. 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.

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

Bencubbin Sports Club – Shade Sail

Installation of a shade sail over the front courtyard area.

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.

Beacon Country Club

Application didn't meet minimum request condition.

Beacon Central

Kitchen upgrade – Required to be more user friendly and efficient for larger events, such as the wildflower tours. Providing a suitable area to store and prepare all food and drinks that are supplied on the wildflower tours. Bringing benefit to the volunteers who run the tours and currently prepare all food and refreshments in their own home. The Beacon Wildflower Tours were attended by 172 people this season, and it is hoped that if the tour continues to improve it will attract more visitors to our area. The upgrade will also make it possible for other events, meetings and so on to use the kitchen facility. \$20,304.00 to be funded by the Beacon Progress Association for the project.

Beacon P & C Association

Purchase of equipment; a deep fryer to be used for catering at fundraising events such as sporting and community events. Economic benefits; generating money within the local community, supporting the school to achieve catering projects. The

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equipment will also be available to use by other community groups for events. Letter of support received from Craig Lewington, Principal of Beacon Primary School.

2021/9-003 COMMITTEE RECOMMENDATION / COUNCIL DECISION:

That Council:

- 1. Receive the minutes from the Economic Development Committee of 5 October 2021 at attachment 11.1.1a;***
- 2. Endorse the recommendations (as detailed above) of the Economic Development Committee by making the following awards:***
 - a) Bencubbin Sports Club be awarded \$2860.00 GST inclusive towards the purchase and installation of a shade sail;***
 - b) Beacon Central be awarded \$10,000.00 GST inclusive towards the upgrade of their kitchen***
 - c) Beacon P & C Association be awarded \$602.00 GST inclusive towards the purchase of a new deep fryer***
 - d) Beacon Country Club application be refused on the basis it does not meet the minimum request as per the guidelines.***

Moved Cr TM Gibson

Seconded Cr NR Gillett

Carried 5/0

Cr IC Sanders and Cr LN Gobbart re-entered the meeting at 3.36pm.

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12.2 Bushfire Advisory Committee

12.2.1 Minutes of the Bushfire Advisory Committee Meeting held on 1 October 2021

File No:	4.0117
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	Meg Wyatt – Regulatory Officer
Attachments:	12.2.1 – Minutes of the Bushfire Advisory Committee Meeting held 1 October 2021
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	N/A

Background:

The Bush Fire Advisory Committee Meeting is held annually at the start of October. The committee is a Committee of Council and includes a Council representative, Bushfire Control Officers and Shire staff. The annual meeting is where Bush Fire Control Officers update the committee on any concerns regarding their particular area and recommendations may be made to Council by way of committee decisions. This item is seeking Council's receipt of the minutes and their consideration of the Committee's recommendation made at the meeting held on Friday 1 October 2021.

Consultation:

Bush Fire Advisory Committee
Mr John Nuttall – Chief Executive Officer
Mr Daniel Hendriksen – DFES Area Officer

Statutory Environment:

Bush Fires Act (1954)

24F. Burning garden refuse during limited burning times

- (1) A person must not burn garden refuse at a place (other than a rubbish tip) during the limited burning times for that place unless it is burned —
 - (a) in an incinerator in accordance with subsection (2); or
 - (b) on the ground in accordance with subsection (3).

Penalty: \$3 000.

- (2) Garden refuse burned in an incinerator is burned in accordance with this subsection if —
 - (a) the incinerator is designed and constructed so as to prevent the escape of sparks or burning material; and

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- (b) either —
 - (i) the incinerator is situated 2 m or more away from any building or fence; or
 - (ii) if the incinerator is within 2 m of a building or fence, the local government has given written permission for the incinerator to be used;and
 - (c) there is no inflammable material within 2 m of the incinerator while it is in use; and
 - (d) at least one person is present at the site of the fire at all times until it is completely extinguished; and
 - (e) when the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth.
- (3) Garden refuse burned on the ground is burned in accordance with this subsection if —
- (a) there is no inflammable material (other than that being burned) within 5 m of the fire at any time while the fire is burning; and
 - (b) the fire is lit between 6 p.m. and 11 p.m. and is completely extinguished before midnight on the same day; and
 - (c) at least one person is present at the site of the fire at all times until it is completely extinguished; and
 - (d) when the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth.

24G. Minister or local government may further restrict burning of garden refuse

- (1) On the recommendation of the FES Commissioner the Minister may, by notice published in the *Gazette*, prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under section 24F.
- (2) A local government may, by notice published in the *Gazette* and a newspaper circulating in its district, prohibit or impose restrictions on the burning of garden refuse within its district that is otherwise permitted under section 24F.
- (3) A person must not burn garden refuse contrary to a prohibition or restriction imposed under this section.
Penalty: \$3 000.
- (4) In a notice under this section the Minister or a local government must specify —
 - (a) the person or class of persons to whom; and
 - (b) the area in which; and
 - (c) the period during which,

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the notice applies.

- (5) The Minister or a local government may vary or cancel a notice under subsection (1) or (2) by publishing a further notice under the relevant subsection.

[Section 24G inserted: No. 38 of 2002 s. 24; amended: No. 22 of 2012 s. 55.]

Financial Implications:

Costs incurred by Gazettal of new fire break order.

Risk Assessment:

Although the author is not aware of any bush fires that have started from burning of garden refuse it is always a concern that it could happen.

Community & Strategic Objectives:

Community

Encourage and support volunteers and community groups to grow an active volunteer base that feels valued

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:

At the Bush Fire Advisory Committee Meeting held on Friday 1 October 2021, a recommendation to increase the restrictions on burning garden refuse was made. It recommended that restrictions on burning of garden refuse throughout the restricted burning period be increased to include a permit being required and restrictions on burning of garden refuse throughout the prohibited burning period be increased to include prohibition. This recommendation was carried by the Committee. There is currently no Shire policy for the burning of garden refuse and community members are required to abide by the legislation included in the Statutory Environment section of this item.

DFES Area Officer Daniel Hendriksen agreed with the recommendation that the restrictions on burning garden refuse throughout the prohibited burning period be increased to include prohibition however did not agree to permits being required to burn garden refuse during the restricted period.

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13.0 Reports of Officers

13.1 Chief Executive Officer

13.1.27 Policy Manual Review 2021

File No:	4.0478
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	13.1.27 - DRAFT Policy and Procedures Manual 2021
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

A Policy & Procedures Manual is a way in which Council are able to guide the decision making of local government officers. It directs officers to know what decision Council would make if they were faced with the same decision.

The Policy Statement at the front of the Policy & Procedures Manual gives the objectives of the Policy & Procedures Manual. It also requires Council to conduct a review of policies each even year.

Consultation:

There has been consultation amongst the staff regarding this item.

Statutory Environment:

Nil

Relevant Plans and Policy:

This is a review of the Policy Manual

Financial Implications:

There are no financial implications from conducting this review, but many of the policies do have financial implications.

Risk Assessment:

It would present a risk to Council to fail to review the policy manual.

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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.

Comment:

The Policies & Procedures Manual is due to be reviewed this year. A draft of the manual has been attached to this report.

The suggested amendments, and if appropriate reasoning behind the suggestion, are as follows:

ADMIN 1.5 Risk Management

Minor change in 'operational guidelines' section. Council no longer Appoints the Auditors – this is done by the Auditor General – so wording change to 'receive' suggested.

E&E 1.9 Staff Uniforms

References to the provision of uniform for Aquatic Facility staff have been removed as the management and staffing of the facility has been put out to contract.

EH 1.1 First Aid Kits

Wording changed as we do not require all staff to have a basic first aid certificate, but we do encourage it.

F&R 2.2 Significant Accounting Policies

Remove this policy. It is not required as Council adopts the policy annually when adopting the annual budget.

FC 2.8 Personnel Protective Equipment

Additional detail provided regarding the provision of protective clothing.

R&V 1.6 Extraction of Gravel & Sand

Wording changed so that amounts payable are referred to the Fees & Charges schedule – in this way there is no need to change the policy any time the rate is changed by Council.

Prop 1.2 Staff Housing – Tenancy Agreement

Change of government department name overseeing the agreements.

2021/9-005 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council adopt the revised Policy and Procedures Manual 2021.

Moved Cr SR Putt

Seconded Cr IC Sanders

Carried 7/0

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13.1.28 WALGA Draft Elected Member Superannuation Policy Proposal – Request for Council Comment

File No:	4.0480
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	13.1.28 - WALGA Draft Elected Member Superannuation Policy Proposal
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

A draft policy proposal paper has been received from WALGA relating to the payment of Superannuation to Councillors becoming a requirement with the necessary changes to the Local Government Act proposed to facilitate this change. A copy of that paper is provided as an attachment.

Council are asked to determine if it supports the current WALGA proposed recommendation to the Minister for Local Government as follows:

That the *Local Government Act 1995* be amended to require Local Governments to pay Elected Members, into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each elected member

Consultation:

This item relates to the WALGA consultation which is currently running.

Statutory Environment:

The paper details the current legislative position in relation to the *Local Government Act 1995*, the *Superannuation Guarantee (Administration) Act 1992 (Cth)* and the *Taxation Administration Act 1953 (Cth)*.

Relevant Plans and Policy:

Nil

Financial Implications:

Should legislation be changed as per the WALGA proposal the financial implication would be an additional amount of funds to be budgeted annually to pay for the superannuation allowance. Currently that would be 10% of the total allowances paid to councillors but is of course determined by the superannuation guarantee rate set by the Commonwealth Government.

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Risk Assessment:

The paper refers to an ongoing risk of not attracting traditionally underrepresented demographics to stand as councillors and becoming aligned with the objective of the superannuation system.

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

Comment:

WALGA have clearly set out in the paper provided the reasons they are recommending this proposal and why they feel the legislation should change. The process for this matter to be dealt with is that the Council decision will be communicated to WALGA and then each WALGA zone will collate the responses and provide a zone response to WALGA.

OFFICER'S RECOMMENDATION:

That Council direct the Chief Executive Officer to inform WALGA that it supports the following WALGA recommendation:

That the Local Government Act 1995 be amended to require Local Governments to pay Elected Members, into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each elected member

2021/9-006 COUNCILLOR MOTION / COUNCIL DECISION:

That Council direct the Chief Executive Officer to inform WALGA that the Shire of Mt Marshall does not support the WALGA recommendation relating to a requirement to pay superannuation to Elected Members but does support the ability for Council's to choose to pay superannuation to Elected Members under the principal of general competency.

Moved Cr NR Gillett

Seconded Cr SR Putt

Carried 7/0

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13.1.29 Retrospective Approval for Use of Common Seal

File No:	4.0122
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	13.1.29 – Audit Partners Australia Fraud Representation Letter
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The assigned audit firm to undertake the annual audit on behalf of the Auditor General changed this year to Audit Partners Australia. One of the documents which is always to be provided to the audit firm is a Fraud Representation letter. Under the previous auditors this document was prepared by the Chief Executive Officer and was simply signed by the Chief Executive Officer and the Shire President.

Audit Partners have undertaken a different process. They have provided a document to be completed relating to fraud (see copy attached) but required that document to be signed by the Chief Executive Officer and the Common Seal to be appended. In order to avoid delay to the audit process the common seal was used (without prior approval) and this report seeks the retrospective approval of Council.

Consultation:

This was the first time such a process had been used and there was no prior notification provided.

Statutory Environment:

Local Government Act 1995

9.49A. Execution of documents

- (1) A document is duly executed by a local government if —
 - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
 - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of —
 - (a) the mayor or president; and

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- (b) the chief executive officer or a senior employee authorised by the chief executive officer,

each of whom is to sign the document to attest that the common seal was so affixed.

- (4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

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

Comment:

Unfortunately, with the change to a new audit company it was not anticipated that a requirement to seal the fraud representation letter would be made. This report seeks the retrospective approval of Council for use of the seal. In future years the request will be made in advance now that officers are aware of the need.

2021/9-007 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council, subject to the Local Government Act 1995 Section 9.49a, grant retrospective approval for use of the Shire Common Seal upon the Audit Fraud Representation Letter on 29 September 2021.

Moved Cr SR Putt

Seconded Cr NR Gillett

Carried 7/0

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13.1.30 WALGA Quarterly Report

File No:	Nil
Location/Address:	N/A
Name of Applicant:	WALGA
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	13.1.30 - WALGA Quarter 3 2021 Report
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

WALGA produce every quarter a personalised document for each Council relating to services that they have provided to that Council in the last quarter. This document is provided to the Chief Executive Officer, with a request that it is formally presented to Council. Accordingly, attached to this item is a copy of the most recent quarterly report.

Consultation:

Nil

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil, but WALGA request that the whole Council receives a copy of the document each time it is produced.

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

Comment:

WALGA will provide an information each quarter detailing which of their services have been utilised in the previous quarter.

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2021/9-008 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council receive the attached WALGA quarterly report, relating to quarter 3 2021.

Moved Cr NR Gillett

Seconded Cr IC Sanders

Carried 7/0

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Cr MR Beagley declared an impartiality interest in item 13.1.31 being that her husband is nominated for membership of the Facilities and Services Committee.

13.1.31 Appointment of Elected Members to Committee, Working Groups and External Organisations

File No:	4.0081
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	Nil
Author:	John Nuttall – Chief Executive Officer
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

At the first meeting following Local Government Ordinary Elections it is a requirement that membership of Council committees, working groups and external organisations are established.

Section 5.10 Local Government Act 1995 provides for the appointment of committee members. A decision to appoint committee members requires an absolute majority decision of Council.

At any given time each Council member is entitled to be a member of at least one (1) committee that comprises Council members only, or Council members and employees. If a Council member nominates him/herself to be a member of such committee/s, the Council is to include that Council member to at least one of those committees as the Council determines.

If the Council is to make an appointment to a committee that has, or could have a Council member as a member and the President informs Council of his/her wish to be a member of the committee, the Council is to appoint the President to be a member of the committee.

If the Council is to make an appointment to a committee that has or will have an employee as a member and the Chief Executive Officer informs the Council of his/her wish:

- a. to be a member of the committee; or
- b. that a representative of the Chief Executive Officer be a member of the committee, the Council is to appoint the Chief Executive Officer or the Chief Executive Officer's representative, as the case may be, to be a member of the committee.

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Consultation:

Executive Assistant – Nadine Richmond

Statutory Environment:

Local Government Act 1995

5.8. Establishment of committees

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

* Absolute majority required.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

(a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and

(b) persons who are appointed to be members of the committee under subsection (4) or (5).

* Absolute majority required.

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

(5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

(a) to be a member of the committee; or

(b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11A. Deputy committee members

(1) The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.

* Absolute majority required.

(2) A person who is appointed as a deputy of a member of a committee is to be —

(a) if the member of the committee is a council member — a council member; or

(b) if the member of the committee is an employee — an employee; or

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(c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or

(d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.

(3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.

(4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

5.11. Committee membership, tenure of

(1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —

(a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or

(b) the person resigns from membership of the committee; or

(c) the committee is disbanded; or

(d) the next ordinary elections day,
whichever happens first.

(2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —

(a) the term of the person's appointment as a committee member expires; or

(b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or

(c) the committee is disbanded; or

(d) the next ordinary elections day,
whichever happens first.

Relevant Plans and Policy:

Nil

Financial Implications:

Meeting and Travel Allowances are included in the 2021/2022 Budget

Risk Assessment:

There would be a breach of legislation if Council did not make committee appointments as required.

Community & Strategic Objectives:

Governance and Leadership

Work with groups from across the community to address their concerns regarding equity in facilities and services

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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Comment:

Councillors are invited to nominate themselves for the various committees that are provided in the list. It is important that nominations are made for committees where attendance can be made on a regular basis.

The previous NEWHealth committee is no longer functioning so that has been removed from the list.

One new committee (which was set up by Council at the August Ordinary Council Meeting) appears on the list. Along with nominating two Councillors for this committee there is also a need to appoint four (4) community members. To assist, the following nominations have been received (and some details about community groups that they have been or are associated with):

- Krista Lancaster (Sporting bodies; Beacon Progress Association)
- Sue Munns (Family oriented groups such as Playgroup/P&C; sporting bodies; Townscape committee; Beacon Progress Association; Beacon CRC; tourism group)
- Nigel Beagley (Beacon Co-op; school bus; Beacon Progress Association; sporting bodies; LCDC and P&C)
- Michael Carr (Beacon Progress Association; Sporting bodies)

A request for expressions of interest to be on this committee was advertised in the local papers along with staff making direct approaches to members of the community who they felt would be able to offer much to the committee.

2021/9-009 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council:

1. ***in accordance with Section 5.10 of the Local Government Act 1995, endorse the following Committees and representations on External Organisations with appointed Elected Member and Staff as listed below:***

Committees of Council

Audit Committee

<i>Elected Member</i>	<i>Cr. ARC Sachse</i>
<i>Elected Member</i>	<i>Cr. SR Putt</i>
<i>Elected Member</i>	<i>Cr. NR Gillett</i>

There are no staff members appointed to this committee, but external appointments could be made at a future time.

Bushfire Advisory Committee

<i>Elected Member</i>	<i>Cr. SR Putt</i>
<i>Deputy Elected Member</i>	<i>Cr. IC Sanders</i>

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Mt Marshall Local Emergency Management Committee

Elected Member Cr. ARC Sachse

Elected Member Cr. LN Gobbart

Economic Development Grant Fund Committee

Elected Member Cr. NR Gillett

Elected Member Cr. MR Beagley

Elected Member Cr. TM Gibson

Chief Executive Officer

Economic Development Officer or Community Development Officer

Facilities and Services Committee

Elected Member Cr. ARC Sachse

Elected Member Cr. TM Gibson

Community Member Mrs Krista Lancaster

Community Member Mrs Sue Munns

Community Member Mr Michael Carr

Community Member Mr Nigel Beagley

Chief Executive Officer (no voting rights)

Community Development Officer (no voting rights)

External Organisations

Great Eastern Country Zone – WALGA

President

Deputy President

Chief Executive Officer

North Eastern Wheatbelt Organisation of Councils (NEWROC)

President

Deputy President

Chief Executive Officer

North Eastern Wheatbelt Travel Scheme (NEWTravel)

Delegate Cr. TM Gibson

Deputy Delegate Cr. MR Beagley

Rural Water Council

Elected Member Cr. ARC Sachse

Deputy Elected Member Cr. TM Gibson

Kununoppin Hospital Local Health Advisory Committee (LHAG)

Elected Member Cr. ARC Sachse

Wheatbelt North Sub-Regional Road Group

Elected Member Cr. SR Putt

Elected Member Cr. TM Gibson

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Mt Marshall Land Conservation District Committee (LCDC)

Elected Member Cr. ARC Sachse

Elected Member Cr. IC Sanders

Wheatbelt Development Assessment Panel

Elected Member Cr. IC Sanders

Elected Member Cr. MR Beagley

Alternate Elected Member Cr. LN Gobbart

Alternate Elected Member Cr. TM Gibson

Kununoppin Medical Practice Management Committee

Elected Member Cr. ARC Sachse

Elected Member Cr. NR Gillett

Chief Executive Officer

Central East Aged Care Alliance (CEACA)

Delegate Chief Executive Officer

Eastern Wheatbelt Biosecurity Group

Elected Member Cr. SR Putt

Deputy Elected Member Cr. IC Sanders

Skeleton Weed Search Program

Elected Member Cr. SR Putt

Community Member Mr Murray Cooper (Farmer Rep)

2. ***Where community positions exist:***
 - a. ***Current members be approached inviting them to continue their membership;***
 - b. ***Where vacancies exist/occur, advertising take place seeking expressions of interest.***

Moved Cr TM Gibson
Absolute Majority

Seconded Cr SR Putt

Carried 7/0

Ms Nadine Richmond left the meeting at 4.31pm.

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13.2 Works Supervisor

13.2.6 Works Report October 2021

File No:	N/A
Location/Address:	Mt Marshall District
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	Aaron Wootton – Works Supervisor
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

In the interest of better communications the following report of activities and tasks carried out by the Shire's works department is provided to Council.

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.

Comment:

Roads

Scotsman Rd.

Pavement works have all been done but will require a quick trim and water before the sealing crew get out there to primer seal the road.

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Koorda – Bullfinch Rd – East and West

The western section has now been fully gravelled and laid out in readiness for the wet mixer which will be here on the 12th of October. From there both sections will be water bound in readiness for sealing on Monday the 25th of October.

Bencubbin – Kununoppin Rd

Staff have continued to clear back the verge along this road in readiness for gravel.

Parks and Gardens

Our Parks and Gardens Leading Hand, Dallas Pierpoint has been away completing his long service leave. In his absence we have had Grant Wyatt filling in casually and recently engaged a LOGO employee – Norman Parker. Norman is very experienced in the turf industry and his assistance has been extremely useful.

Maintenance Works

Staff have been regularly carrying out cleaning duties in Beacon as well as some in Bencubbin. They have also been maintenance patching roads and repairing/replacing signage throughout the district.

Maintenance Grading

They are currently working in the following locations:

Stretch - working in the Mouroubra area.

Kevin - working his way back up to the north via Gillett Road. Unfortunately Kevin will be resigning as of Friday 15 October.

Alex - has been over the southern end of his division and will now start heading north again in the coming week.

2021/9-010 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the October 2021 report of the Works Supervisor be received.

Moved Cr SR Putt

Seconded Cr IC Sanders

Carried 7/0

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13.3 Executive Assistant

13.3.15 Status Report – September 2021

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	13.3.15 – Status Report September 2021
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

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.

Comment:

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

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2021/9-011 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The Status Report for September 2021 be received.

Moved Cr SR Putt

Seconded Cr IC Sanders

Carried 7/0

Ms Nadine Richmond re-entered the meeting at 4.32pm.

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13.3.16 Christmas and New Year 2021/22 Office Hours

File No:	N/A
Location/Address:	Shire of Mt Marshall Administration Office
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

Shire office closure arrangements over the Christmas and New Year period have been varied depending on the CEO at the time and whether staff were leaving the area for holidays. The time of year is usually a quiet period for the administration and works department.

Consultation:

John Nuttall – Chief Executive Officer

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil

Community & Strategic Objectives:

Nil

Comment:

The author recommends the Shire office closing for the periods listed in the recommendation with the majority of administration staff wishing to go away over this period. Staff with insufficient leave may be offered to work over the period, provided there is work available or permitted to take leave without pay.

Advertising will take place to ensure all community members are made aware of the office closure and a senior staff member will be contactable during the shutdown period.

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2021/9-012 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council endorses the following office closure during the 2021/22 Christmas and New Year period:

***Thursday 23 December -
Friday 24 December -***

***9.00am to 4.00pm
Closed – Christmas Eve***

***Monday 27 December -
Tuesday 28 December-
Wednesday 29 December
Thursday 30 December
Friday 31 December***

***Closed – Christmas Day Holiday
Closed – Boxing Day Holiday
Closed
Closed
Closed***

***Monday 3 January
Tuesday 4 January***

***Closed – New Years Day Holiday
9.00am – 4.00pm***

Moved Cr IC Sanders

Seconded Cr TM Gibson

Carried 7/0

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13.4 Finance and Administration Manager

13.4.23 Accounts Paid to 30 September 2021

File No: 4.0458
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 19 October 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
64	30/09/2021	BANK FEES - BANK FEES	BANK FEES	764.29
219	16/09/2021	WATER CORPORATION	UTILITY CHARGES 2.7.21-8.9.21	7650.49
220	24/09/2021	WATER CORPORATION	UTILITY CHARGES 20.7.21-20.9.21	237.42
EFT17927		AUGUST PAYMENT		
EFT17928	07/09/2021	BOC GASES	GAS CYLINDERS	43.32
EFT17929	07/09/2021	KTY ELECTRICAL SERVICES	AUGUST REPAIRS	509.80
EFT17930	07/09/2021	BENCUBBIN NEWS & POST	NEWSPAPERS-AUGUST21	64.00
EFT17931	07/09/2021	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	CARAVAN PARK VOUCHERS	260.00

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Chq/EFT	Date	Name	Description	Amount
EFT17932	07/09/2021	BENCUBBIN BULK HAULIERS	TRANSPORT BACKHOE	286.00
EFT17933	07/09/2021	WINC AUSTRALIA PTY LTD	AUGUST SUPPLIES	248.47
EFT17934	07/09/2021	WA DISTRIBUTORS PTY LTD-ALL-WAYS FOODS	AUGUST SUPPLIES	293.45
EFT17935	07/09/2021	BENCUBBIN COMMUNITY RESOURCE CENTRE	CARAVAN PARK VOUCHER	10.00
EFT17936	07/09/2021	BENCUBBIN TRUCK N AUTO'S	AUGUST REPAIRS	7385.80
EFT17937	07/09/2021	CIVIC LEGAL	PROFESSIONAL FEES	11292.33
EFT17938	07/09/2021	BENCUBBIN AG SUPPLIES	AUGUST SUPPLIES	2258.44
EFT17939	07/09/2021	REFUEL AUSTRALIA	MONTHLY CARD FEE	6.38
EFT17940	07/09/2021	BEACON GARAGE	AUGUST REPAIRS	2933.70
EFT17941	07/09/2021	GREAT SOUTHERN FUELS	DIESEL	20558.67
EFT17942	07/09/2021	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS-1043	1131.17
EFT17943	07/09/2021	WOODLANDS DISTRIBUTORS & AGENCIES PTY LTD	AUGUST SUPPLIES	204.60
EFT17944	07/09/2021	KC SALES	UNIFORMS	1034.81
EFT17945	07/09/2021	MARKET CREATIONS T/A INTEGRATED ICT	COMPUTER SERVICES	2122.82
EFT17946	07/09/2021	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISING-AROUND THE TOWNS-AUGUST21	99.00
EFT17947	07/09/2021	TOLL TRANSPORT PTY LTD	FREIGHT-AUGUST21	12.65
EFT17948	07/09/2021	THE BENCUBBIN SHOP	AUGUST SUPPLIES	226.72
EFT17949	07/09/2021	SCUD AG SUPPLIES	AUGUST SUPPLIES	176.00
EFT17950	07/09/2021	MINERAL CRUSHING SERVICES (WA) PTY LTD	AGGREGATE	6598.24
EFT17951	07/09/2021	ITR WESTERN AUSTRALIA	GRADER BLADES	9020.00
EFT17952	01/09/2021	CRISP WIRELESS PTY LTD	MONTHLY INTERNET SUBSCRIPTION-3 SERVICES	526.90
EFT17953	08/09/2021	SYNERGY	UTILITY CHARGES 15.7.21-18.8.21	961.18
EFT17954	10/09/2021	EASISALARY	PAYROLL DEDUCTIONS	396.17
EFT17955	09/09/2021	SYNERGY	UTILITY CHARGES 23.6.21-17.8.21	6312.18
EFT17956	10/09/2021	SYNERGY	UTILITY CHARGES 23.6.21-20.8.21	174.76
EFT17957	14/09/2021	BENDIGO BANK	AUGUST SUPPLIES	1937.50

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Chq/EFT	Date	Name	Description	Amount
EFT17958	16/09/2021	AVON WASTE	RUBBISH COLLECTION-AUGUST21	7035.18
EFT17959	16/09/2021	BEACON BULLETIN	ANNUAL ADVERTISING CONTRIBUTION	2750.00
EFT17960	16/09/2021	NINGHAN SPRAYING & AG SERVICES	AUGUST SUPPLIES	16.50
EFT17961	16/09/2021	KTY ELECTRICAL SERVICES	SEPTEMBER REPAIRS	21093.09
EFT17962	16/09/2021	SHIRE OF TRAYNING	DOCTORS HOUSE RENT 28.6.21-1.8.21 PLUS MEDICAL EXPENSES JAN-JUNE21	15960.00
EFT17963	16/09/2021	THE GIMLET NEWSPAPER INC	ANNUAL ADVERTISING CONTRIBUTION 2021/22	2750.00
EFT17964	16/09/2021	BENCUBBIN NEWS & POST	POSTAGE 6.9.21-10.9.21	143.18
EFT17965	16/09/2021	BEACON CO-OPERATIVE LTD	JULY SUPPLIES (INVOICE WASN'T RECEIVED UNTIL 14.9.21)	148.79
EFT17966	16/09/2021	ICS CARPENTRY	SEPTEMBER REPAIRS	2607.00
EFT17967	16/09/2021	WA DISTRIBUTORS PTY LTD-ALL-WAYS FOODS	SEPTEMBER SUPPLIES	568.00
EFT17968	16/09/2021	BENCUBBIN COMMUNITY RESOURCE CENTRE	CARAVAN PARK VOUCHERS	30.00
EFT17969	16/09/2021	PORKY'S ENTERPRISES	ABANDONED VEHICLE	350.00
EFT17970	16/09/2021	LGIS PROPERTY	PROPERTY ADJUSTMENT 2020/21	226.57
EFT17971	16/09/2021	HITACHI	SEPTEMBER SUPPLIES	3217.37
EFT17972	16/09/2021	REBECCA WATSON	REIMBURSEMENT-ACCOMMODATION	684.00
EFT17973	16/09/2021	BENCUBBIN TRUCK N AUTO'S	SEPTEMBER SUPPLIES	57.50
EFT17974	16/09/2021	LEISURE INSTITUTE OF WA AQUATICS (INC)	REGIONAL POOL CONFERENCE-R.WATSON	99.00
EFT17975	16/09/2021	HILLS FIRE EQUIPMENT SERVICE	FIRE EQUIPMENT	170.50
EFT17976	16/09/2021	CARROLL AND RICHARDSON FLAGWORLD	FLAG POLE BASE KIT & FLAG POLES	339.20
EFT17977	16/09/2021	BENCUBBIN AG SUPPLIES	SEPTEMBER SUPPLIES	59.07
EFT17978	16/09/2021	CHATFIELD'S	BIODIVERSE SEEDLING MIX -N.MIGUEL (INVOICE FOR JULY NOT RECEIVED UNTIL 14/9)	1452.20
EFT17979	16/09/2021	KUNUNOPPIN MEDICAL PRACTICE	HEPATITIS A&B VACCINE	1295.50
EFT17980	16/09/2021	NORTHAM CARPETS PTY LTD	SEPTEMBER SUPPLIES	10938.00
EFT17981	16/09/2021	MARTY GRANT BULLDOZING	PUSH GRAVEL	12870.00
EFT17982	16/09/2021	BOB WADDELL & ASSOCIATES PTY LTD	VARIOUS ACCOUNTING SUPPORT	8943.00
EFT17983	16/09/2021	KC SALES	CARAVAN PARK VOUCHERS	600.00

Chairperson Initial

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Chq/EFT	Date	Name	Description	Amount
EFT17984	16/09/2021	WA CONTRACT RANGER SERVICES	RANGER SERVICES 23.8.21 & 9.9.21	911.63
EFT17985	16/09/2021	INITIAL HYGIENE	SANITARY DISPOSAL SERVICE 11.10.21-10.11.21	550.00
EFT17986	16/09/2021	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPIER CHARGES	203.97
EFT17987	16/09/2021	WHEATBELT LIQUID WASTE MANAGEMENT	RV DUMP POINT-PUMP OUT	759.00
EFT17988	16/09/2021	CENTRAL REGIONAL TAFE	STUDY-LOCAL GOVERNMENT ADMINISTRATION-M.WYATT	146.40
EFT17989	16/09/2021	TOLL TRANSPORT PTY LTD	FREIGHT-SEPTEMBER21	22.15
EFT17990	16/09/2021	SCUD AG SUPPLIES	AUGUST SUPPLIES	162.14
EFT17991	16/09/2021	AFGRI EQUIPMENT AUSTRALIA	JOHN DEERE Z997R DIESEL RIDE ON MOWER	38720.00
EFT17992	16/09/2021	MINERAL CRUSHING SERVICES (WA) PTY LTD	AGGREGATE	7177.28
EFT17993	16/09/2021	BOSSHEALTH GROUP PTY LTD	ENVIRONMENTAL HEALTH SERVICE-SEPTEMBER21	2475.00
EFT17994	16/09/2021	BRICK AND MORTAR RESTORATION	WORKS-BENCUBBIN HALL DEPOSIT	6028.79
EFT17995	21/09/2021	COOYA AGRICULTURE PTY LTD	RATES REFUND FOR ASSESSMENT A6046 LOT CLEARY-GABBIN RD CLEARY WA 6472	488.13
EFT17997	22/09/2021	SYNERGY	STREETLIGHTS 25.7.21-24.8.21	2015.50
EFT17998	22/09/2021	SYNERGY	UTILITY CHARGES 22.6.21-31.8.21	9218.91
EFT17999	24/09/2021	EASISALARY	PAYROLL DEDUCTIONS	396.17
EFT18000	24/09/2021	TELSTRA	UTILITY CHARGES-AUGUST21	1557.44
EFT18001	24/09/2021	NINGHAN SPRAYING & AG SERVICES	SEPTEMBER SUPPLIES	33.77
EFT18002	24/09/2021	KTY ELECTRICAL SERVICES	SEPTEMBER SUPPLIES	26861.73
EFT18003	24/09/2021	MUKA MATTERS	ADVERTISING	25.00
EFT18004	24/09/2021	BENCUBBIN SPORTS CLUB INC.	REFRESHMENTS	55.00
EFT18005	24/09/2021	BENCUBBIN NEWS & POST	POSTAGE 13.9.21-17.9.21	50.12
EFT18006	24/09/2021	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	760.00
EFT18007	24/09/2021	METAL ARTWORK CREATIONS	DESK PLAQUE	22.88
EFT18008	24/09/2021	WINC AUSTRALIA PTY LTD	SEPTEMBER SUPPLIES	122.33
EFT18009	24/09/2021	LIONS CLUB OF BENCUBBIN & DISTRICTS	REFUND OF RATES	497.47
EFT18010	24/09/2021	ICS CARPENTRY	SEPTEMBER REPAIRS	28191.02

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Chq/EFT	Date	Name	Description	Amount
EFT18011	24/09/2021	WA DISTRIBUTORS PTY LTD-ALL-WAYS FOODS	SEPTEMBER SUPPLIES	893.90
EFT18012	24/09/2021	NEWROC	SUBSCRIPTION 2021/22	14300.00
EFT18013	24/09/2021	BENCUBBIN TRUCK N AUTO'S	AUGUST REPAIRS (INVOICE RECEIVED IN SEPTEMBER)	2262.29
EFT18014	24/09/2021	HERSEY'S SAFETY PTY LTD	SEPTEMBER SUPPLIES	481.25
EFT18015	24/09/2021	BENCUBBIN AG SUPPLIES	SEPTEMBER SUPPLIES	20.90
EFT18016	24/09/2021	ADVANCED AUTOLOGIC PTY LTD	SEPTEMBER SUPPLIES	335.00
EFT18017	24/09/2021	OCLC (UK) LTD	AMLIB SUBSCRIPTION 21.9.21-30.9.22	2147.96
EFT18018	24/09/2021	NORTHAM CARPETS PTY LTD	SEPTEMBER SUPPLIES	2869.00
EFT18019	24/09/2021	CORSIGN WA PTY LTD	SEPTEMBER SUPPLIES	1364.00
EFT18020	24/09/2021	CR IC SANDERS	MEETING FEES & ALLOWANCES 18.8.21-23.9.21	493.18
EFT18021	24/09/2021	GREAT SOUTHERN FUELS	DIESEL	5857.98
EFT18022	24/09/2021	KC SALES	CATERING	205.70
EFT18023	24/09/2021	ECOWATER SERVICES	MAINTENANCE-BIOMAX SYSTEM-229 MURRAY STREET	165.40
EFT18024	24/09/2021	CR ARC SACHSE	MEETING FEES & ALLOWANCES 20.8.21-23.9.21	1739.78
EFT18025	24/09/2021	CR STUART PUTT	MEETING FEES & ALLOWANCES 18.8.21-23.9.21	493.18
EFT18026	24/09/2021	LEEANNE NOLA GOBBART	MEETING FEES & ALLOWANCES 18.8.21-23.9.21	523.75
EFT18027	24/09/2021	SALLY J DESIGN	VISITORS GUIDE	170.50
EFT18028	24/09/2021	KOMATSU AUSTRALIA PTY LTD	SEPTEMBER SUPPLIES	899.12
EFT18029	24/09/2021	TOLL TRANSPORT PTY LTD	FREIGHT-OCTOBER21	264.86
EFT18030	24/09/2021	THE BENCUBBIN SHOP	CARAVAN PARK VOUCHERS	400.00
EFT18031	24/09/2021	MINERAL CRUSHING SERVICES (WA) PTY LTD	AGGREGATE	5619.68
EFT18032	24/09/2021	CR TM GIBSON	MEETING FEES & ALLOWANCES 18.8.21-23.9.21	924.06
EFT18033	24/09/2021	WJ & J BEAGLEY	GRAVEL	1927.34
EFT18035	29/09/2021	SYNERGY	UTILITY CHARGES 26.6.21-7.9.21	1217.63

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Chq/EFT	Date	Name	Description	Amount
EFT18036		OCTOBER PAYMENT		
EFT18037		OCTOBER PAYMENT		
EFT18038		OCTOBER PAYMENT		
EFT18039	17/09/2021	PERKBOX AUSTRALIA	STANDARD L&W BUNDLE	198.00
DD10644.1	08/09/2021	AWARE SUPER	PAYROLL DEDUCTIONS	6777.04
DD10644.2	08/09/2021	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	415.67
DD10644.3	08/09/2021	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	245.58
DD10644.4	08/09/2021	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	556.52
DD10644.5	08/09/2021	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	95.79
DD10644.6	08/09/2021	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	625.02
DD10644.7	08/09/2021	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	219.19
DD10644.8	08/09/2021	IOOF	SUPERANNUATION CONTRIBUTIONS	191.22
DD10659.1	22/09/2021	AWARE SUPER	PAYROLL DEDUCTIONS	6808.60
DD10659.2	22/09/2021	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	252.10
DD10659.3	22/09/2021	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	409.48
DD10659.4	22/09/2021	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	558.06
DD10659.5	22/09/2021	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	95.79
DD10659.6	22/09/2021	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	625.02
DD10659.7	22/09/2021	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	219.19
DD10659.8	22/09/2021	IOOF	SUPERANNUATION CONTRIBUTIONS	191.22
DD10659.9	22/09/2021	HESTA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	97.34
				371,750.03

2. Trust

Chq/EFT	Date	Name	Description	Amount
EFT17926	01/09/2021	DEPARTMENT OF TRANSPORT	MMSO20210816	14557.40
EFT17996	21/09/2021	BENCUBBIN SPORTS CLUB INC.	SOCIAL CLUB PURCHASES- INVIV00000000332A	27.00
EFT18034	30/09/2021	DEPARTMENT OF TRANSPORT	MMSO20210914	12533.00
				27,117.40

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3. Mastercard

Details	Amount
Little hotelier	81.95
Little hotelier	81.95
Parking-J.Nuttall-Civic Legal	11.21
Train-J.Nuttall-Sat hearing	4.90
Train-J.Nuttall-Sat hearing	4.90
Zoom-August	23.09
Bank fees	4.00
Bank fees	4.00
Sandalwood book	41.95
Facebook advertising	30.54
Council snacks	33.78
Parts	59.93
R.Watson-Ticket for Dowerin Field	26.13
Citizenship gift-J.Cashmore	33.98
Facebook advertising	40.00
Brochures	510.00
E-zyme crystals 500g	80.95
Bank fees	4.00
Facebook advertising	40.00
R.Watson-Ticket Glow event	50.50
Flag rope and clips	50.40
Australian flag	75.68
Office chair	399.00
Chargers and cable	161.76
Key safe	23.00
Delivery fee	18.64
Delivery fee	18.63
Delivery fee	18.63
Bank fees	4.00
	1937.50

Chairperson Initial

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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 **19 October 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).

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.

Chairperson Initial

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Comment:

Nil

2021/9-013 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Accounts Listed

<i>Municipal Fund</i>	\$	371,750.03
<i>Trust Fund</i>	\$	27,117.40
<i>Mastercard</i>	\$	<u>1,937.50</u>
<i>Total</i>	\$	400,804.93

Be endorsed.

Moved Cr SR Putt

Seconded Cr LN Gobbart

Carried 7/0

Chairperson Initial

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13.4.24 Statement of Financial Activity to 30 September 2021

File No:	4.0458
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Tanika McLennan – Finance & Admin Manager
Attachments:	13.4.24 – Statement of Financial Activity to 30 September 2021
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

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

Chairperson Initial

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2021/9-014 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The Statement of Financial Activity for the month ending 30 September 2021 be endorsed.

Moved Cr SR Putt

Seconded Cr IC Sanders

Carried 7/0

Chairperson Initial

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13.5 Community Development Officer

Nil

13.6 Regulatory Officer

Cr SR Putt declared an impartiality interest in item 13.6.5 being that he is the President of the Welbungin Bushfire Brigade.

Cr ARC Sachse declared an impartiality interest in item 13.6.5 being that he is a member and Captain of the Welbungin Bushfire Brigade and member of the LGGS SES Grant Committee.

13.6.5 RFT MM04.21/22 – Design and Construction of Bushfire Brigade Building in Welbungin

File No:	Tender Register
Location/Address:	Reserve 33045, Koorda-Bullfinch Rd, Welbungin
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	Meg Wyatt – Regulatory Officer
Attachments:	13.6.5 - DFES Correspondence Advising Approved LGGS Capital Grants
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

In September 2021 the Shire received advice from the Department of Fire and Emergency Services that we were successful in the LGGS Capital Grant Round 2021/2022 for funding of a new Welbungin Bushfire Facility. The current facility is a one bay shed housing two appliances, with the Welbungin Brigade expecting a new, larger 4.4 broadacre fire appliance soon to replace the current 2.4 rural fire appliance. Having two appliances in a one bay shed causes an issue as the doors of the appliances are unable to be opened without making contact with the other appliance or the shed walls.

DFES Area Officer, Daniel Hendriksen recommended the Shire apply for funding of a new facility for Welbungin. He explained that if we were successful, we would not only be replacing the shed but also gaining a facility which included toilets and showers, a meeting room, office, washroom, changeroom and tearoom.

Funding of a new Bencubbin Brigade facility was applied for however this was unsuccessful. This facility was prioritised over a new facility for the Gabbin Brigade as the Shire is currently trying to source land for a new Gabbin facility. The Shire also noted in their application that they would look at applying for a new facility in Tampu in the next five years.

Chairperson Initial

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Consultation:

Mr Daniel Hendriksen - DFES

Mr Colin Lange – Lange Consulting & Software

Statutory Environment:

The 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.

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 qualitative evaluation criteria. Accordingly, Council is invited to consider the appropriate qualitative evaluation criteria through this report.

Financial Implications:

This report seeks Council's approval of a tender process in order to properly determine the financial implication of the work required.

Risk Assessment:

Due to the likely expenditure involved, failure to obtain contractors through a tender process would be a breach of the Local Government Act 1995.

Chairperson Initial

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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

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 qualitative evaluation criteria to be used in the documentation for this tender is included in the officer recommendation below.

2021/9-015 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

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 MM04.21/22) for the design and construction of bush fire brigade building in Welbungin.

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 MM04.21/22, as follows:

- ***Relevant Experience -*** ***50%***
- ***Resources and Capacity -*** ***20%***
- ***Methodology -*** ***30%***

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 contract in accordance with the results of the tender evaluation process.

Moved Cr TM Gibson
Absolute Majority

Seconded Cr NR Gillett

Carried 7/0

Chairperson Initial

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13.7 Development

Nil

13.8 Environmental Health Officer

Nil

14.0 Elected Members' Motions of Which Previous Notice Has Been Given

Nil

15.0 New Business of an Urgent Nature Introduced by Decision of the Meeting

2021/9-016 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

Agenda item 15.1 Appointment of Bushfire Control Officers - Permit Issuing Officers Only, be considered as presented.

Moved Cr SR Putt

Seconded Cr MR Beagley

Carried 7/0

15.1 Appointment of Bushfire Control Officers - Permit Issuing Officers Only

File No:	4.0217
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	Nil
Author:	John Nuttall – Chief Executive Officer
Attachments:	Nil
Declaration of Interest:	Finance and Administration Manager, Tanika McLennan and Customer Service Officer, Lucia Scari are the subject of this report
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

Meg Wyatt the Shire's Regulatory Officer has provided her notice of resignation to the Chief Executive Officer. One of the roles of the position is dealing with emergency management including bush fire control.

One of the requirements of the Bushfires Act 1954 is that burning permits are required to be obtained at certain times of the year. Currently many of the local residents make a request for a permit to the Shire. The Chief Executive Officer is delegated by Council to be able to sign these permits, but once Miss Wyatt leaves on 8 November there will again be nobody else within the office who is authorised to sign. This means that on days when

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the Chief Executive Officer is not in the office or available there is nobody who can provide a permit. This report therefore seeks Council's authority for Tanika McLennan and Lucia Scari to be appointed as a Bush Fire Control Officers – Permit Issuing Officers Only and therefore be able to grant and sign burning permits.

Consultation:

With the proposed permit issuing officers

Statutory Environment:

Bush Fires Act 1954

38. Local government may appoint bush fire control officer

(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

(2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

There is a risk that permits would not be able to be prepared and granted in a reasonable time if this authorisation is not made.

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.

Comment:

Council is requested to consider this authorisation as appropriate pending the filling of the role of Regulatory Officer in order that the need to be able to approve and provide, or to reject, applications for a burning permit made by local community members can be fulfilled.

In relation to the officers who are recommended Ms McLennan has already received training in the role of Bush Fire Control Officers, and appropriate training in relation to the granting, refusing and preparation of burning permits will be provided to Miss Scari prior to the date that Miss Wyatt finishes her role at the Shire.

Should this recommendation be approved by Council the appropriate notifications in the local newspapers will be made as required by the legislation.

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2021/9-017 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council, subject to Section 38(1) Bush Fires Act 1954, appoint Tanika McLennan and Lucia Scari as Bush Fire Control Officers – Permit Issuing Officers Only for the Shire of Mt Marshall.

Moved Cr IC Sanders

Seconded Cr LN Gobbart

Carried 7/0

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16.0 Next Meeting – Tuesday 16 November 2021 commencing at 3:00pm in Beacon Hall, Hamilton St, Beacon

17.0 Closure of Meeting

The Presiding Member thanked everyone for attending and declared the meeting closed at 4.48pm.

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

Date

Cr ARC Sachse President