



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 19 April 2022 in Beacon Town Hall, Rowlands St, Beacon commencing at 3:00pm.

Cr ARC Sachse

President

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intentionally**

DISCLAIMER

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John Nuttall
Chief Executive Officer

Chairperson Initial

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13. **Elected Members' Motions of Which Previous Notice Has Been Given**
14. **New Business of an Urgent Nature Introduced by Decision of the Meeting**
15. **Next Meeting – Tuesday 17 May 2022 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin**
16. **Closure of Meeting**

Chairperson Initial

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1.0 Declaration of Opening / Announcement of Visitors

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

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr ARC Sachse	Councillor/President
Cr NR Gillett	Councillor/Deputy President
Cr SR Putt	Councillor
Cr TM Gibson	Councillor
Cr MR Beagley	Councillor

Mr John Nuttall	Chief Executive Officer
Ms Nadine Richmond	Executive Assistant

Apologies

Cr LN Gobbart	Councillor
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Approved Leave of Absence

Cr IC Sanders	Councillor
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3.0 Standing Orders

2022/3-001 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 MR Beagley

Carried 5/0

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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 and closed at 3.02pm.

5.0 Applications for Leave of Absence

Nil

6.0 Declarations of Interest

Nil

7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 15 March 2022

2022/3-002 OFFICER RECOMMENDATION/COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 15 March 2022 be confirmed as a true and correct record of proceedings.

Moved Cr SR Putt

Seconded Cr NR Gillett

Carried 5/0

8.0 Announcements by Presiding Person Without Discussion

The Shire of Mt Marshall wishes everyone involved with the 2022 agricultural seeding program, which has now begun with the current good seasonal conditions, all the best. Please stay safe during this very busy time of the year.

The Shire of Mt Marshall expresses our deepest sympathy to Marilyn, Catherine, Andrew, Michael, David and their families on the passing of their husband and father John Dunne at Kununoppin on 25th March, 2022. John lived, went to school and farmed in Beacon all his life. He was very active within community, serving on a wide-ranging amount of community and sporting groups. John also served as a Councillor and Deputy President of the Shire of Mt Marshall. He will be sadly missed. John's funeral took place in Beacon on Monday 11th April, 2022. Rest in Peace.

9.0 Report's of Councillors

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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 16 March 2022 to 19 April 2022.

- 16/3/2022 Wheatbelt District Emergency Management Committee (DEMC) Meeting, Northam DFES.
- 18/3/2022 Rural Water Council (Inc), Zoom Electronic, with Cr Tanya Gibson.
- 18/3/2022 Shire of Mt Marshall meeting with the Hon Mia Davies MLA, Leader of the Opposition; Shadow Minister for Regional Development; Finance, Electoral Affairs; Federal-State Relations; Public Sector Management; Women's Interests; Jobs and Trade; Regional Cities, Council Chambers with CEO John Nuttall.
- 24/3/2022 North Eastern Wheatbelt Regional Organisation of Councils (NEWROC) and Positive Off Grid Solutions Meeting, Microsoft Teams, with CEO John Nuttall and NEWROC and Positive Off Grid representatives.
- 25/3/2022 Shire of Mt Marshall Bush Fire Advisory Meeting, Council Chambers, with CEO John Nuttall and RO Jordan Bairstow.
- 26/3/2022 Red Card Fox Shoot Awards and Breakfast Function, Damian Tomas' property, with Community Development Officer Rebecca Watson.
- 29/3/2022 North Eastern Wheatbelt Regional Organisation of Councils (NEWROC) Meeting, Wyalkatchem and Microsoft Teams, with CEO John Nuttall.
- 29/3/2022 Agricultural Freight Group Meeting with the Hon Rita Saffioti MLA, Minister for Transport and Planning.
- 30/3/2022 WALGA State Council Special Meeting, Microsoft Teams.
- 1/4/2022 Shire of Mt Marshall CEO Recruitment Committee Briefing with Cr Megan Beagley, Cr Leeanne Gobbart, Peter Casey (Mills Recruitment) and Gary Martin.
- 4/4/2022 Wheatbelt Operational Area Support Group (OASG) Debrief Workshop: Shackleton Fire Complex, Microsoft Teams.
- 14/4/2022 WALGA Great Eastern Country Zone (GECZ) Executive Meeting, Electronic.
- 14/4/2022 North Eastern Wheatbelt Regional Organisation of Councils (NEWROC) and Positive Off Grid Solutions Meeting, Microsoft Teams, with NEWROC and Positive Off Grid representatives.

9.2 Councillors

- Cr MR Beagley – WALGA Understanding Financial Reports and Budgets Training Module on 13 April at the Shire of Trayning.
- Cr TM Gibson – WALGA Understanding Financial Reports and Budgets Training Module on 13 April at the Shire of Trayning.
WNE SRRG Meeting on 4 April via Zoom.

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10.0 Petitions / Deputations / Presentations / Submissions

Nil.

11.0 Reports of Committees

11.1. Bushfire Advisory Committee

11.1.1 Minutes of the Bushfire Advisory Committee Meeting held 25 March 2022

File No:	4.0117, 4.0515, 4.0403
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	Jordan Bairstow – Regulatory Officer 11.1.1a – Minutes of the Bushfire Advisory Committee Meeting held 25 March 2022
Attachments:	11.1.1b - CURRENT FC.2.2 Prohibited and Restricted Burning Times Policy 11.1.1c - DRAFT FC.2.2 Prohibited and Restricted Burning Times Policy
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	N/A

Background:

The Bush Fire Advisory Committee Meeting is held annually at a minimum or as required should issues need to be addressed sooner. The committee is a Committee of Council and includes a Council representative, Bushfire Control Officers, and Shire staff. The meeting is where Bush Fire Control Officers update the committee on any concerns regarding their 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 25 March 2022.

Consultation:

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

Statutory Environment:

Bush Fires Act 1954 (as amended)

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Shire of Mt Marshall Firebreak Order 2021/2022

Restricted and Prohibited Burning times

The "Restricted Burning Time" means the 19th September through until 31st October and the 1st March through until 31st March each calendar year (inclusive, and as varied pursuant to Sections 17 and 18 of the Bush Fires Act 1954).

The "Prohibited Burning Time" means the 1st November each calendar year through until 28th February the following calendar year (inclusive, and as varied pursuant to Sections 17 and 18 of the Bush Fires Act 1954).

Relevant Plans and Policy:

FC.2.2 – Prohibited and Restricted Burning Times – (**Attachment 11.1.1b**)

Financial Implications:

Costs incurred by Gazettal of new fire break order.

Risk Assessment:

Failure to make the changes will have the potential for a large fire within the shire, putting volunteers and the community at risk.

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 25 March 2022, a recommendation to change the restricted burning period to 1st March to 31st March annually was made. This recommendation was carried by the Committee. The current policy listed in the Fire Break Order states restricted burning period to end 15th March. Fire Break Order 2021/2022 is to be reviewed with changes to restricted burning times to be included.

DFES Area Officer Daniel Hendriksen agreed with the recommendation and confirmed that the restricted burning period can be brought forward by 14 days (17th March) or extended by 14 days (15th April) annually as per the judgement of the Chief Bush Fire Control Officer.

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2022/3-003 OFFICER AND COMMITTEE RECOMMENDATION / COUNCIL DECISION:

That:

- 1. The minutes of the Bushfire Advisory Committee meeting held on Friday 25 March 2022 be endorsed; and***

- 2. Council endorse an amendment to Policy FC.2.2 Prohibited and Restricted Burning Times to reflect a change in restricted burning times being 1st March to 31st March annually whereby permits are required during this time, as per attachment 11.1.1c.***

Moved Cr TM Gibson

Seconded Cr SR Putt

Carried 5/0

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12.0 Reports of Officers

12.1 Chief Executive Officer

12.1.6 Offer to Purchase Lot 308 (8) & Lot 309 (10) Askew Street Beacon

File No:	4.0531
Location/Address:	Lot 308 (8) & Lot 309 (10) Askew Street Beacon
Name of Applicant:	Mr Brandon and Mrs Krista Lancaster
Name of Owner:	Shire of Mt Marshall
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.6a - Letter of Offer from Mr & Mrs Lancaster to Purchase Vacant Land in Beacon
	12.1.6b - Excerpt from Health Local Law 2018
	12.1.6c - Askew St Map
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The Shire owns various pieces of land suitable for residential property construction across both Bencubbin and Beacon. Some of this land has been advertised as being available for purchase for several years through various channels, including on-line.

The administration staff were recently contacted by Mr Brandon & Mrs Krista Lancaster with an offer to purchase Lots 308 and 309 (8 & 10) Askew Street, Beacon. A copy of the letter is attached to this item.

The offer made is \$1000 per block and the letter explains what Mr & Mrs Lancaster intend to do with the land if their offer is accepted.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

3.58. Disposing of property

(1) In this section —

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

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

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- (2) Except as stated in this section, a local government can only dispose of property to —
- (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

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Relevant Plans and Policy:

Nil

Financial Implications:

There has been nothing budgeted this financial year for the sale of these pieces of land.

Risk Assessment:

Previous offers have been both accepted and refused by Council for other vacant land in the Shire. Previous refusals have been on the basis of the offer being too low (around the \$2000 to \$3000 mark) and/or that there was no serious intention to build on the land within a reasonable timeframe.

Community & Strategic Objectives:

Environment (Built and Natural)

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

Comment:

The land in question has not been the subject of any previous offers that the administration is aware of. The amount offered is lower than that accepted for similar sized lots recently. The Shire would be required to obtain a valuation before any final decision can be made as required by legislation.

Should Council resolve that they are prepared to accept the offer made there would be a requirement for the offer to be put out for public consultation. This period would then allow Council to receive feedback from the community and take account of any comments or objections prior to a final decision being made by Council at a future Council Meeting.

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12.1.7 Chief Executive Officer Position Description

File No:	4.0524
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.7 - Chief Executive Officer Position Description Nil – the current Chief Executive Officer will play no decision making role in the recruitment process
Declaration of Interest:	Simple Majority
Voting Requirements:	Nil
Previously Considered:	

Background:

As is required by legislation the Chief Executive Officer is employed under contract. The current contract is due to expire in February 2023. As part of the review process held in February 2022 the Chief Executive Officer provided Council with confirmation that at the end of the current contract he would not sign a new contract.

At the March Ordinary Council Meeting the following resolutions were passed:

2022/2-016 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council:

1. *Subject to the Local Government (Administration) Amendment Regulations 2021 appoint the following Councillors to the Chief Executive Officer Recruitment Selection Panel:*
 - *Cr. ARC Sachse*
 - *Cr. IC Sanders*
 - *Cr. LN Gobbart*
 - *Cr. MR Beagley*
2. *Subject to the Local Government (Administration) Amendment Regulations 2021 appoint Mr Gary Martin to the Chief Executive Officer Recruitment Selection Panel: and*
3. *Appoints Mills as the Recruitment Consultancy Firm to assist Council with the Chief Executive Officer recruitment process and directs the Chief Executive Officer to confirm the same and provide the relevant purchase documentation*

Moved Cr SR Putt

Seconded Cr MR Beagley

Carried 6/0

The next stage of the process is for Council to formally adopt the Position Description which will be used during the recruitment process. The Recruitment Panel have met and considered the required contents of this document. The proposed position description is presented for adoption.

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Consultation:

The CEO Recruitment Panel met with Mr Peter Casey (Mills) on 1 April to consider the contents of the Position Description.

Statutory Environment:

Local Government Act 1995

Division 4 — Local government employees

5.36. *Local government employees*

- (1) A local government is to employ —
 - (a) a person to be the CEO of the local government; and
 - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
 - (2) A person is not to be employed in the position of CEO unless the council —
 - (a) believes that the person is suitably qualified for the position; and
 - (b) is satisfied* with the provisions of the proposed employment contract.
- * *Absolute majority required.*
- (3) A person is not to be employed by a local government in any other position unless the CEO —
 - (a) believes that the person is suitably qualified for the position; and
 - (b) is satisfied with the proposed arrangements relating to the person's employment.

5.39. *Contracts for CEO and senior employees*

- (1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.

Relevant Plans and Policy:

Council, as required by legislation, adopted the 'Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination'. A copy of that document is attached. This document sets out the requirements that must be followed by Council during the recruitment process.

Financial Implications:

Not relevant for the adoption of a Position Description

Risk Assessment:

As it is required that a Position Description is adopted by Council failure to do so would leave Council open to challenge during the course of the recruitment process.

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.

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Comment:

Council are required to adopt a position description which will be used in the recruitment process. The Recruitment Panel have met and determined the appropriate contents of the document and it is now presented for adoption.

2022/3-005 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council adopt the attached Chief Executive Officer Position Description to be used during the Chief Executive Officer recruitment process.

Moved Cr NR Gillett

Seconded Cr MR Beagley

Carried 5/0

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12.1.8 Tender MM05.21/22 - Provision of Waste Services

File No:	Tender Register
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.8a - Extract from Avon Waste Tender Document 12.1.8b - Tender MM05.21/22 Evaluation Document
Declaration of Interest:	Nil
Voting Requirements:	Resolutions 1-2: Simple Majority Resolution 3: Absolute Majority
Previously Considered:	Nil

Background:

The current agreement with Avon Waste to provide waste services across the Shire expired some months ago. At the Ordinary Meeting of Council held in December 2021 Council authorised the service to be released for tender as required.

Only one response has been received and that is from Avon Waste. A copy of the full tender is available for inspection by Councillors should they wish to do so.

Consultation:

There has been a public tender as per the resolution of Council.

Statutory Environment:

Local Government (Functions and General) Regulations 1996

11. When tenders have to be publicly invited

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.

Relevant Plans and Policy:

Nil

Financial Implications:

Council budgets annually for the provision of waste services across the Shire. A slight increase over the current rates has been included in the tender.

Risk Assessment:

There is a risk that the Shire would have no waste services should an agreement not be reached.

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Community & Strategic Objectives:

Environment (Built and Natural)

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

Comment:

Given that Avon Waste have provided the only tender response, and that they are only seeking a small increase on the rates they currently charge it is recommended to council that they are awarded the contract. It is intended that the contract run to tie in with other NEWROC Local Governments so that any future regional waste plans will be able to be dealt with in bulk.

2022/3-006 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

That Council:

- 1. Resolve to accept the tender for the provision of waste services lodged by Avon Waste;***
- 2. Direct the Chief Executive Officer to write to Avon Waste informing them of the outcome; and***
- 3. Direct the Chief Executive Officer to prepare the necessary paperwork to effect the tender by way of an agreement and authorise the Chief Executive Officer to apply the common seal in accordance with Local Government Act 1995, section 9.49A(3), if necessary.***

Moved Cr MR Beagley
Absolute Majority

Seconded Cr SR Putt

Carried 5/0

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12.2 Works Supervisor

Nil

12.3 Executive Assistant

12.3.4 Status Report – March 2022

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	12.3.4 – Status Report March 2022
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.

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Comment:

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

2022/3-007 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

The Status Report for March 2022 be received.

Moved Cr SR Putt

Seconded Cr NR Gillett

Carried 5/0

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12.3.5 Council and Committee Meetings 2022/2023

File No:	4.0202
Location/Address:	N/A
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:

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 which have been held in the Beacon Town Hall rather than the Beacon Country Club which has been an improvement on space and accessibility.

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

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

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AMENDED MOTION:

That a notice specifying the following meeting dates and times for 2022/23:

<i>19 July 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>16 August 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>20 September 2022</i>	<i>at 3pm</i>	<i>Beacon Town Hall, Beacon</i>
<i>18 October 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>15 November 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>20 December 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>Recess – January 2023</i>		
<i>14 February 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>21 March 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>18 April 2023</i>	<i>at 3pm</i>	<i>Beacon Town Hall, Beacon</i>
<i>16 May 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>21 June 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>

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 3/2

2022/3-008 COUNCIL DECISION:

That a notice specifying the following meeting dates and times for 2022/23:

<i>19 July 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>16 August 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>20 September 2022</i>	<i>at 3pm</i>	<i>Beacon Town Hall, Beacon</i>
<i>18 October 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>15 November 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>20 December 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>Recess – January 2023</i>		
<i>14 February 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>21 March 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>18 April 2023</i>	<i>at 3pm</i>	<i>Beacon Town Hall, Beacon</i>
<i>16 May 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>20 June 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>

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

Carried 5/0

Chairperson Initial

Minutes of the Ordinary Meeting of Council
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FORESHADOWED MOTION:

That a notice specifying the following meeting dates and times for 2022/23:

<i>19 July 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>16 August 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>20 September 2022</i>	<i>at 3pm</i>	<i>Beacon Town Hall, Beacon</i>
<i>18 October 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>15 November 2022</i>	<i>at 3pm</i>	<i>Beacon Town Hall, Beacon</i>
<i>20 December 2022</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>Recess – January 2023</i>		
<i>14 February 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>21 March 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>18 April 2023</i>	<i>at 3pm</i>	<i>Beacon Town Hall, Beacon</i>
<i>16 May 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>
<i>20 June 2023</i>	<i>at 3pm</i>	<i>Council Chambers, Bencubbin</i>

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 MR Beagley

Lapsed

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12.4 Finance and Administration Manager

12.4.8 Accounts Paid to 31 March 2022

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 April 2022 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
226	08/03/2022	WATER CORPORATION	PROPERTY RENTAL CHARGES	550.00
227	15/03/2022	WATER CORPORATION	UTILITY CHARGES 12.11.21-13.1.22	46.20
228	25/03/2022	WATER CORPORATION	UTILITY CHARGES 4.1.22-3.3.22	197.89
229	30/03/2022	WATER CORPORATION	UTILITY CHARGES 14.1.22-11.3.22	38269.67
70	31/03/2022	BANK FEES - BANK FEES	BANK FEES	350.88
DD10869.1	09/03/2022	AWARE SUPER	PAYROLL DEDUCTIONS	5971.63
DD10869.2	09/03/2022	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	504.09
DD10869.3	09/03/2022	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	1456.67

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Chq/EFT	Date	Name	Description	Amount
DD10869.4	09/03/2022	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	301.79
DD10869.5	09/03/2022	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	114.90
DD10869.6	09/03/2022	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	625.02
DD10869.7	09/03/2022	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	240.87
DD10881.1	23/03/2022	AWARE SUPER	PAYROLL DEDUCTIONS	6028.78
DD10881.2	23/03/2022	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	2255.45
DD10881.3	23/03/2022	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	485.24
DD10881.4	23/03/2022	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	276.16
DD10881.5	23/03/2022	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	104.79
DD10881.6	23/03/2022	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	625.02
DD10881.7	23/03/2022	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	232.87
EFT18557	02/03/2022	EASISALARY	PAYROLL DEDUCTIONS	420.66
EFT18558	01/03/2022	SYNERGY	UTILITY CHARGES 12.1.22-8.2.22	1685.94
EFT18560	08/03/2022	SHIRE OF MT MARSHALL	STAFF GYM MEMBERSHIP	59.00
EFT18561	08/03/2022	WESFARMERS KLEENHEAT GAS P/L	FACILITY FEE-GAS CYLINDERS	858.00
EFT18562	08/03/2022	SHIRE OF MERREDIN	MEMBERSHIP-CENTRAL WHEATBELT VISITORS CENTRE 2021/22	193.00
EFT18563	08/03/2022	KTY ELECTRICAL SERVICES	TESTING & TAGGING	2840.31
EFT18564	08/03/2022	BENCUBBIN SPORTS CLUB INC.	REFRESHMENTS-CHRISTMAS FUNCTION	1780.10
EFT18565	08/03/2022	BENCUBBIN NEWS & POST	NEWSPAPERS-FEBRUARY22	87.59
EFT18566	08/03/2022	DEPARTMENT OF FIRE & EMERGENCY SERVICES	ESLB 3RD QTR CONTRIBUTION	12962.40
EFT18567	08/03/2022	ICS CARPENTRY	FEBRUARY REPAIRS	1881.00
EFT18568	08/03/2022	WA DISTRIBUTORS PTY LTD-ALL-WAYS FOODS	FEBRUARY SUPPLIES	896.20
EFT18569	08/03/2022	PORKY'S ENTERPRISES	RE SHEET ASKEWS ROAD	79037.20
EFT18570	08/03/2022	DAVES TREE SERVICE	TRIMMING TREES	17864.00
EFT18571	08/03/2022	REBECCA WATSON	REIMBURSEMENT FOR RENEWAL OF WORKING WITH CHILDREN	142.12
EFT18572	08/03/2022	BENCUBBIN TRUCK N AUTO'S	FEBRUARY SUPPLIES	62.00
EFT18573	08/03/2022	HILLVALE BUS CONTRACTORS	HIRE OF BUS & BOOSTER SEATS	1045.08

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Chq/EFT	Date	Name	Description	Amount
EFT18574	08/03/2022	LANDGATE	MINING TENEMENTS CHARGEABLE 28.1.22-4.2.22	41.30
EFT18575	08/03/2022	CLAW ENVIRONMENTAL PTY LTD	CONTAINERS FOR DRUMMUSTER	1544.13
EFT18576	08/03/2022	BENCUBBIN AG SUPPLIES	FEBRUARY SUPPLIES	88.00
EFT18577	08/03/2022	KOORDA MEAT SUPPLY	MEAT FOR NIGHT SWIM 19.2.22	500.00
EFT18578	08/03/2022	CORSIGN WA PTY LTD	PLANT NUMBERS	151.80
EFT18579	08/03/2022	GREAT SOUTHERN FUELS	DIESEL	22266.08
EFT18580	08/03/2022	NADINE RICHMOND	REIMBURSEMENT FOR UNIFORM EXPENSE	12.00
EFT18581	08/03/2022	LO-GO APPOINTMENTS	CONTRACT SERVICES	9255.03
EFT18582	08/03/2022	WA CONTRACT RANGER SERVICES	RANGER SERVICES 8.2.22 & 21.2.22	561.00
EFT18583	08/03/2022	PALM PLUMBING	FEBRUARY REPAIRS	1036.40
EFT18584	08/03/2022	INSTANT WEIGHING	CALIBRATION-LOADER SCALES	1265.00
EFT18585	08/03/2022	INITIAL HYGIENE	SANITARY DISPOSAL SERVICE 11.3.22-10.4.22	550.00
EFT18586	08/03/2022	DAIMLER TRUCKS PERTH	FEBRUARY SUPPLIES	918.43
EFT18587	08/03/2022	TOLL TRANSPORT PTY LTD	FREIGHT-JANUARY22	22.15
EFT18588	08/03/2022	AARON WOOTTON	REIMBURSEMENT-LIGHT FOR BEACON AIRSTRIP	25.00
EFT18589	08/03/2022	THE BENCUBBIN SHOP	FEBRUARY SUPPLIES	179.82
EFT18590	08/03/2022	CONTRACT AQUATIC SERVICES	MONTHLY CONTRACT FEE-FEBRUARY22 & CHEMICALS	17204.00
EFT18591	08/03/2022	FRONTLINE FIRE & RESCUE EQUIPMENT	FITTINGS FOR FIRETRUCKS	10572.43
EFT18592	08/03/2022	COOYA AGRICULTURE PTY LTD	REIMBURSEMENT-TYRE	489.50
EFT18593	08/03/2022	SAFEMASTER SAFETY PRODUCTS PTY LTD	RECERTIFICATION HEIGHT SAFETY SYSTEM	778.80
EFT18594	01/03/2022	CRISP WIRELESS PTY LTD	MONTHLY INTERNET SUBSCRIPTION-3 SERVICES	526.90
EFT18596	14/03/2022	EASISALARY	PAYROLL DEDUCTIONS	420.66
EFT18597	10/03/2022	SYNERGY	UTILITY CHARGES 20.1.22-16.2.22	640.32
EFT18598	14/03/2022	BENDIGO BANK	FEBRUARY SUPPLIES	3633.56
EFT18599	15/03/2022	AVON WASTE	RUBBISH COLLECTION-FEBRUARY22	5198.48
EFT18600	15/03/2022	BOC GASES	GAS CYLINDERS	40.38

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Chq/EFT	Date	Name	Description	Amount
EFT18601	15/03/2022	MUKA TYRE MART	TYRES	370.00
EFT18602	15/03/2022	NINGHAN SPRAYING & AG SERVICES	FEBRUARY SUPPLIES	691.13
EFT18603	15/03/2022	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	690.00
EFT18604	15/03/2022	BENCUBBIN BULK HAULIERS	CART GRAVEL	17650.04
EFT18605	15/03/2022	WA DISTRIBUTORS PTY LTD-ALL-WAYS FOODS	FEBRUARY SUPPLIES	285.60
EFT18606	15/03/2022	BENCUBBIN COMMUNITY RESOURCE CENTRE	FEBRUARY SUPPLIES	280.00
EFT18607	15/03/2022	HITACHI	FEBRUARY SUPPLIES	611.06
EFT18608	15/03/2022	BENCUBBIN TRUCK N AUTO'S	FEBRUARY REPAIRS	890.00
EFT18609	15/03/2022	CIVIC LEGAL	PROFESSIONAL FEES	3388.00
EFT18610	15/03/2022	BENCUBBIN AG SUPPLIES	FEBRUARY SUPPLIES	1145.10
EFT18611	15/03/2022	REFUEL AUSTRALIA	FUEL-FEBRUARY22 & MONTHLY CARD FEE	228.92
EFT18612	15/03/2022	CORSIGN WA PTY LTD	SIGNS	255.20
EFT18613	15/03/2022	GREAT SOUTHERN FUELS	FUEL-FEBRUARY22	4192.00
EFT18614	15/03/2022	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS-1043	55.00
EFT18615	15/03/2022	PALM PLUMBING	FEBRUARY REPAIRS	293.99
EFT18616	15/03/2022	MARKET CREATIONS T/A INTEGRATED ICT	COMPUTER SERVICES	13386.85
EFT18617	15/03/2022	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISING	99.00
EFT18618	15/03/2022	KOMATSU AUSTRALIA PTY LTD	FEBRUARY SUPPLIES	923.08
EFT18619	15/03/2022	TOLL TRANSPORT PTY LTD	FREIGHT-FEBRUARY22	134.15
EFT18620	15/03/2022	THE BENCUBBIN SHOP	FEBRUARY SUPPLIES	295.37
EFT18621	15/03/2022	SCUD AG SUPPLIES	FEBRUARY SUPPLIES	230.89
EFT18622	15/03/2022	MINERAL CRUSHING SERVICES (WA) PTY LTD	AGGREGATE	2154.24
EFT18623	15/03/2022	MARKET CREATIONS AGENCY	ENVELOPES	495.00
EFT18624	17/03/2022	SYNERGY	UTILITY CHARGES 16.12.21-16.2.22	6325.39
EFT18625	22/03/2022	AUSTRALIAN TAXATION OFFICE	BAS-FEBRUARY22	17468.00
EFT18628	25/03/2022	STAFF SOCIAL CLUB	PAYROLL DEDUCTIONS	890.00
EFT18629	25/03/2022	EASISALARY	PAYROLL DEDUCTIONS	420.66
EFT18630	25/03/2022	SHERIDAN'S	PLAQUES	2607.00

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Chq/EFT	Date	Name	Description	Amount
EFT18631	25/03/2022	SHIRE OF TRAYNING	DOCTORS HOUSE RENT 4.2.22-4.3.22 & DOCTORS VEHICLE EXPENSESFEB22	887.55
EFT18632	25/03/2022	AUSTRALIAN COMMUNICATIONS & MEDIA AUTHORITY	ANNUAL LICENCE	104.00
EFT18633	25/03/2022	BEACON CO-OPERATIVE LTD	CARAVAN PARK VOUCHERS	70.00
EFT18634	25/03/2022	ICS CARPENTRY	MARCH REPAIRS	12076.35
EFT18635	25/03/2022	BENCUBBIN TRUCK N AUTO'S	MARCH REPAIRS	425.65
EFT18636	25/03/2022	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	RAPID ANTIGEN TESTS	16060.00
EFT18637	25/03/2022	KOORDA COMMUNITY RESOURCE CENTRE	ADVERTISING	25.00
EFT18638	25/03/2022	KC SALES	VOUCHERS	165.00
EFT18639	25/03/2022	LO-GO APPOINTMENTS	CONTRACT SERVICES	8968.71
EFT18640	25/03/2022	SANDRA LEE WYATT	FURNITURE	2000.00
EFT18641	25/03/2022	PALM PLUMBING	MARCH REPAIRS	755.45
EFT18642	25/03/2022	CR ARC SACHSE	MEETING FEES & ALLOWANCES 9.2.22-15.3.22	1665.26
EFT18643	25/03/2022	CR STUART PUTT	MEETING FEES & ALLOWANCES 9.2.22-15.3.22	493.18
EFT18644	25/03/2022	LEEANNE NOLA GOBBART	MEETING FEES & ALLOWANCES 9.2.22-15.3.22	523.75
EFT18645	25/03/2022	ABSOLUTELY ALL ELECTRICAL	MARCH REPAIRS	490.60
EFT18646	25/03/2022	TOLL TRANSPORT PTY LTD	FREIGHT-MARCH22	56.11
EFT18647	25/03/2022	THE BENCUBBIN SHOP	MARCH SUPPLIES	677.23
EFT18648	25/03/2022	CR TM GIBSON	MEETING FEES & ALLOWANCES 9.2.22-15.3.22	697.63
EFT18649	25/03/2022	MURRAY BENNETT	RESHEETING PATHS-BOTANIC GARDENS	2200.00
EFT18650	25/03/2022	CR MEGAN BEAGLEY	MEETING FEES & ALLOWANCES 9.2.22-15.2.22	893.48
EFT18651	25/03/2022	HBP SERVICES WA	ENVIRONMENTAL HEALTH SERVICE-FEBRUARY22	1008.60
EFT18654	25/03/2022	SYNERGY	STREETLIGHTS 25.1.22-24.2.22	2015.50
EFT18655	29/03/2022	SYNERGY	UTILITY CHARGES 9.2.22-8.3.22	840.70

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Chq/EFT	Date	Name	Description	Amount
EFT18656	30/03/2022	TELSTRA	UTILITY CHARGES-FEBRUARY22	2014.92
EFT18657	30/03/2022	SHIRE OF MT MARSHALL	STAFF GYM MEMBERSHIP	118.00
EFT18658	30/03/2022	EASTERN HILLS SAWS & MOWERS PTY LTD	MARCH SUPPLIES	42.00
EFT18659	30/03/2022	WESFARMERS KLEENHEAT GAS P/L	FACILITY FEE-GAS CYLINDERS	85.80
EFT18660	30/03/2022	KTY ELECTRICAL SERVICES	MARCH REPAIRS	2473.69
EFT18661	30/03/2022	BENCUBBIN NEWS & POST	POSTAGE 14.3.22-18.3.22	5.26
EFT18662	30/03/2022	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	FINANCE FOR NON-FINANCIAL PEOPLE-MAY22	785.00
EFT18663	30/03/2022	ICS CARPENTRY	MARCH REPAIRS	16768.40
EFT18664	30/03/2022	WA DISTRIBUTORS PTY LTD-ALL-WAYS FOODS	MARCH SUPPLIES	422.40
EFT18665	30/03/2022	HITACHI	MARCHS SUPPLIES	2517.10
EFT18666	30/03/2022	ACCENT RUBBER STAMPS & TROPHIES	MARCH SUPPLIES	61.00
EFT18667	30/03/2022	BENCUBBIN TRUCK N AUTO'S	MARCH GOODS	3599.04
EFT18668	30/03/2022	DEPARTMENT OF MINES,INDUSTRY REGULATION AND SAFETY (DMIRS)	BUILDING SERVICES LEVY	431.09
EFT18669	30/03/2022	TUTT BRYANT EQUIPMENT	MARCH GOODS	1053.29
EFT18670	30/03/2022	GREAT SOUTHERN FUELS	DIESEL	18117.00
EFT18671	30/03/2022	MARTY GRANT BULLDOZING	PUSH GRAVEL	5698.00
EFT18672	30/03/2022	KC SALES	MARCH SUPPLIES	1234.93
EFT18673	30/03/2022	LO-GO APPOINTMENTS	CONTRACT SERVICES	6322.23
EFT18674	30/03/2022	PALM PLUMBING	MARCH REPAIRS	1846.00
EFT18675	30/03/2022	INITIAL HYGIENE	SANITARY DISPOSAL SERVICE 11.4.22-10.5.22	550.00
EFT18676	30/03/2022	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPIER CHARGES	328.60
EFT18677	30/03/2022	MORGAN TIRRA NA FARMS	GRAVEL	816.25
EFT18678	30/03/2022	SALLY J DESIGN	DESIGN WADDOURING SIGN	360.80
EFT18679	30/03/2022	AUSTRALIA POST	POSTAGE-BEACON LIBRARY	18.10
EFT18680	30/03/2022	KOMATSU AUSTRALIA PTY LTD	MARCH SUPPLIES	98.74
EFT18681	30/03/2022	TOLL TRANSPORT PTY LTD	FREIGHT-MARCH22	12.65
EFT18682	30/03/2022	FULTON HOGAN INDUSTRIES PTY LTD	BITUMEN SURFACING	222594.09

Chairperson Initial

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Chq/EFT	Date	Name	Description	Amount
EFT18683	30/03/2022	MINERAL CRUSHING SERVICES (WA) PTY LTD	AGGREGATE	3866.72
EFT18684	30/03/2022	ITR WESTERN AUSTRALIA	MARCH SUPPLIES	6732.00
EFT18685	30/03/2022	OFFICE OF THE AUDITOR GENERAL	FEE FOR AUDIT 30.6.21	53130.00
EFT18687	31/03/2022	SYNERGY	UTILITY CHARGES 4.1.22-3.3.22	3889.92
				749,092.13

2. Trust

Chq/EFT	Date	Name	Description	Amount
EFT18595	09/03/2022	BENCUBBIN SPORTS CLUB INC.	SOCIAL CLUB PURCHASES-INV00000339	56.00
EFT18626	24/03/2022	NADINE RICHMOND	REIMBURSE SOCIAL CLUB EXPENSES	363.49
EFT18627	24/03/2022	THE FARMHOUSE KITCHEN CATERING	CATERING SOCIAL CLUB DINNER 19.3.22	1000.00
EFT18652	25/03/2022	REBECCA WATSON	REFUND OF HOUSING BOND	340.00
EFT18653	25/03/2022	SANDRA LEE WYATT	REFUND GYM KEY BOND	10.00
EFT18688	31/03/2022	DEPARTMENT OF TRANSPORT	POLICE LICENSING	16702.70
				18,472.19

Chairperson Initial

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3. Mastercard

Details	Amount
Car service and tyres	1629.74
Little hotelier	149.00
Connectors for CEO laptop to run to monitor	45.36
Zoom-February	20.99
Bank fees	4.00
GST	184.51
Bank fees	4.00
Bank fees	4.00
Day Care	48.60
Flagpole cleats	28.76
Urinal tabs	101.38
Freight	41.17
Ezyme Crystals	74.50
Staff Farewell	102.66
A3 brochure	486.36
Council lunch	77.00
Daycare items	86.35
Toilet Brush	5.46
Cutting Board	17.27
Cobweb broom	5.02
Daycare Items	69.37
Telstra-recharge for COVID phone	300.00
Bank fees	3.64
Delivery	48.10
GST	96.32
	3,633.56

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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 April 2022**. 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

Chairperson Initial

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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

2022/3-009 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

That the Accounts Listed

<i>Municipal Fund</i>	\$	749,092.13
<i>Trust Fund</i>	\$	18,472.19
<i>Mastercard</i>	\$	<u>3,633.56</u>
<i>Total</i>	\$	771,197.88

Be endorsed.

Moved Cr SR Putt

Seconded Cr MR Beagley

Carried 5/0

Chairperson Initial

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12.4.9 Statement of Financial Activity to 31 March 2022

File No:	4.0458
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Tanika McLennan – Finance & Admin Manager
Attachments:	12.4.9 – Statement of Financial Activity to 31 March 2022
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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2022/3-010 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

The Statement of Financial Activity for the month ending 31 March 2022 be endorsed.

Moved Cr NR Gillett

Seconded Cr MR Beagley

Carried 5/0

Chairperson Initial

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12.4.10 Request to Write Off Interest - Wedge

File No:	4.0278, A6370
Location/Address:	Lot 91 (88) Brown Street, Bencubbin
Name of Applicant:	Mr Rob Wedge
Name of Owner:	Mr Michael Wedge (Deceased)
Author:	Tanika McLennan – Finance & Admin Manager
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority (Unless Section 6.12 (1)(c) is applied)
Previously Considered:	Nil

Background:

Rates and charges on A6370 remain outstanding, dating back to the 2019/20 financial year. The matter was first lodged with AMPAC, the Shire's debt collection agency on 20 November 2020. The following is a timeline of the events to date:

- 20/11/20 Letter of Demand issued
- 7/12/20 No response to letter of demand, AMPAC instructed to proceed to court summons (General Procedure Claim GPC)
- 15/12/20 GPC sent for Service – ISWA
- 23/2/21 Bailiff attempted to serve and advised

“A6370 – 11859/2020 – SHIRE OF MT MARSHALL v MICHAEL JOHN WEDGE

I attended 88 BROWN STREET, BENCUBBIN and there was no response to the door on the 4 visits that have been made. On the first visit 18/12/20 we left a note in the front door and that same note was still in the same place in the front door on our final visit 20/2/20.

The front and back doors appear to have not been opened for quite some time, the bins are empty except for a newspaper dated July 2020 and there is no power running into the house (the metre is not moving). It would appear, that although there is furniture and other household items around the yard that the house is not currently occupied.

Our enquiries with the owner of KC's cafe in town and other locals indicate the subject died a few years ago of cancer. They further advised that they believed his wife was LEEANNE WEDGE but they weren't sure where she is.

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“Good morning,

I Leeanne Wedge would like to make arrangements to pay the outstanding amount, in fortnightly payments of \$100. Starting on the Friday Jan 7th, by direct debit...

My reference is 250935..

I am on disability benefits, an can only afford \$100 per fortnight...

Im hoping you can help me...

Many thanks, Leeanne Wedge. “

10/1/22 Shire response:

“Whilst I am sympathetic to Ms Wedge being on disability benefits, unfortunately the proposal below will mean the current debt will take approximately 4 years to settle. This does not take into account annual rates that will be added during that time. On that basis, we cannot accept this offer.”

31/1/22 AMPAC conducted rates, orders and requisitions enquiry in preparation for sale

2/3/22 AMPAC advised “We have received notification from the Bailiff that the auction is proceeding on Wednesday 23rd March 2022 at 2:30 pm at the address of 88 Brown Street, BENCUBBIN, WA 6477”

22/3/22 Various emails received from Rob Wedge, brother of Michael Wedge requesting further information about the property being auctioned, which resulted in Mr Wedge offering a payment arrangement:

“Unfortunately Leeanne doesn't tell me the entire story and I can understand the payment arrangement would not have been suitable, it would never have been paid. I can sympathise with any local government not receiving rates that are due.

Would the Shire consider \$1000 per month by direct credit and I'll pay it myself?

Thanks again and I apologise for the actions of Leeanne Wedge”

22/3/22 Emailed response from Shire:

“Thanks for your time on the phone earlier today and apologies it has taken some time to respond – we have been waiting for advice from our debt collection agents before I could make a final decision.

Unfortunately I have to tell you that the auction will proceed tomorrow (23 March) unless the debt is paid in full before the auction time (which I understand is 2.30pm).

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Whilst your offer was a generous one (given you are not currently the owner of the property) regrettably at this late stage of the proceedings I am not able to accept it.

What I can say is that should the property be passed in tomorrow I would be happy to come back to you and look at ways in which we might be able to make arrangements to try to avoid a second auction taking place.

I know that this is not what you were hoping to hear so I can only thank you for your communication and wish you well – certainly should you have further queries I would be happy to try to answer them for you.

23/3/22 Mr Wedge advised:

“Further to our recent telephone conversation, I confirm that there were no registered bidders and the property was passed in at auction today. As a result, I am pleased to advise that the Shire is willing to accept your proposed payment arrangement of \$1,000 per month until the rates are brought up to date and accordingly I attach a reissue of the Rates Notice, which includes the Shire’s bank details for you to set up the Direct Debit arrangement. If you could please advise what date you will be making the first payment I will then update the notes on this assessment to ensure no further legal action is taken whilst the payment plan is in place.

Please also advise if you would like the postal address updated on this assessment as I assume you will want future notices to come to you?

Thank you once again for your willingness to work with the Shire to get this matter resolved.

24/3/22 Mr Wedge paid first instalment of \$1,000 and asked:

“I would like the Shire to consider no more interest charges on the outstanding rates from today, I can understand the new rates collecting interest if I am late paying though.”

Consultation:

AMPAC – debt collection agency
John Nuttall – Chief Executive Officer

Statutory Environment:

Local Government Act 1995

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

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

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which is owed to the local government.

* *Absolute majority required.*

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

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

6.41. Service of rate notice

- (1) A local government is required to give to —
 - (a) the owner of rateable land; and
 - (b) the owner or occupier, as the case requires, of land on which a service charge is imposed,

a rate notice stating the date the rate notice was issued and incorporating or accompanied by the details and particulars prescribed.

- (2) The rate notice is to be given —
 - (a) as soon as practicable after —
 - (i) the rate record of the land is completed; or
 - (ii) the rate record of the land is amended, if that amendment results in a change in the amount of rates or service charges payable on that land;
 - or
 - (b) where an election has been made under section 6.45 to pay rates or service charges by instalments, not less than 28 days before each instalment is due.
- (3) Notwithstanding sections 75 and 76 of the *Interpretation Act 1984* service of the rate notice is deemed to have been effected if delivered to the address shown in the rate record for the owner at the time of delivery.

Relevant Plans and Policy:

N/A

Financial Implications:

If Council chooses to write off the debt the amount would be the future interest.

Risk Assessment:

There is a risk that future similar applications could be made.

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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

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

Comment:

Interest is currently accruing at 7% per annum, as adopted by Council in accordance with section 6.51(1) and subject to section 5.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulation 1996.

Penalty interest applies to all overdue rates and service charges and is calculated daily. This means that as the outstanding balance is reduced, so too will the interest amount reduce. All rate payers are subject to the same conditions and as such it is not recommended that this interest be written off for this rate payer.

2022/3-011 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

That Mr Rob Wedge be advised that future interest charges against Assessment 6370 will not be written off.

Moved Cr NR Gillett

Seconded Cr SR Putt

Carried 4/1

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12.4.11 Debt Write Off

File No: 3.0054
Location/Address: N/A
Name of Applicant: N/A
Name of Owner: N/A
Author: Tanika McLennan – Finance and Administration Officer
Attachments: Nil
Declaration of Interest: Nil
Voting Requirements: Absolute Majority
Previously Considered: Nil

Background:

The Finance and Administration Manager routinely checks the outstanding debtors and pursues overdue debts. The following debts have been deemed unrecoverable as per the comments:

Debtor No.	Debtor Name	Amount	Notes
81783	Rebekah Morgan	20.00	Account relates to lost library books invoiced 10/5/21. Ms Morgan has left the area and her whereabouts is unknown. It is uneconomical to pursue this debt.
81782	Jane Morgan	20.00	Account relates to lost library books invoiced 10/5/21. Ms Morgan has left the area and her whereabouts is unknown. It is uneconomical to pursue this debt.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

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

(1) Subject to subsection (2) and any other written law, a local government may —

- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
- (b) waive or grant concessions in relation to any amount of money; or
- (c) write off any amount of money, which is owed to the local government.

* *Absolute majority required.*

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

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

Relevant Plans and Policy:

Nil

Financial Implications:

Loss of Income - \$40.00 accounted for in provision for doubtful debts

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

Comment:

Delegation FIN 002, delegates authority to the Chief Executive Officer under section 6.12 (1)(c), to write off any amount of money owed to the Shire, provided that it is less than \$10.00. As these amounts are both greater than \$10.00, Council approval is required to write them off.

The Chief Executive Officer's delegated authority to write off small debts is considered low and prohibits staff from performing simple tasks autonomously, therefore creating an unnecessary administrative burden with the requirement to refer small matters to Council. Whilst it is important to balance the level of risk associated with increasing the CEO's delegated authority, it is not considered high risk to increase the CEO's authority to write off debts up to \$100.

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OFFICER'S RECOMMENDATION:

That:

1. *the following bad debts be written off:*

<i>Debtor No.</i>	<i>Debtor Name</i>	<i>Amount</i>
<i>81783</i>	<i>Rebekah Morgan</i>	<i>20.00</i>
<i>81782</i>	<i>Jane Morgan</i>	<i>20.00</i>

2. *in accordance with section 6.12 (1)(c) of the Local Government Act 1995, the Chief Executive Officer be delegated authority to write off any amount of money owed to the Shire, provided that it is less than \$100.00.*
3. *Delegation FIN 002 be updated to reflect the increase to the Chief Executive Officer's delegated authority.*

Moved Cr SR Putt

Seconded Cr NR Gillett

Lost 3/2

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12.5 Community Development Officer

Nil

12.6 Regulatory Officer

Nil

12.7 Development

Nil

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 17 May 2022 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 4.18pm.

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

Date

Cr ARC Sachse President