



**SHIRE OF MT MARSHALL**

# **MINUTES**

**Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 16 June 2015, in Council Chambers, 80 Monger Street, Bencubbin commencing at 3:01pm.**

---

Cr RN Breakell

President

**This page has  
been left blank  
intentionally**

---

# DISCLAIMER

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

No responsibility whatsoever is implied or accepted by the Shire of Mt Marshall for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Mt Marshall disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Mt Marshall during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Mt Marshall. The Shire of Mt Marshall warns that anyone who has an application lodged with the Shire of Mt Marshall must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Mt Marshall in respect of the application.

Dirk Sellenger  
Chief Executive Officer

---

Chairman Initial

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**TABLE OF CONTENTS**

1. Declaration of Opening / Announcement of Visitors
2. Record of Attendance / Apologies / Approved Leave of Absence
3. Standing Orders
4. Public Questions
  - 4.1 Response to Previous Public Questions Taken On Notice
  - 4.2 Public Question Time
5. Applications for Leave of Absence
6. Declarations of Interest
7. Confirmation of Minutes of Previous Meetings
  - 7.1 Minutes of the Ordinary Meeting held on Wednesday 27 May 2015
8. Announcements by Presiding Person Without Discussion
9. Petitions / Deputations / Presentations / Submissions
10. Reports of Committees
11. Reports of Officers
  - 11.1 Environmental Health Officer/Building Surveyor
  - 11.2 Community & Recreation Development Officer
  - 11.3 Finance and Administration Manager
    - 11.3.15 Accounts Paid
  - 11.4 Chief Executive Officer
    - 11.4.21 Councillor Vacancy – Extraordinary Election
    - 11.4.22 Tender MM02.15/16 – Building Maintenance Services
    - 11.4.23 Tender MM03.15/16 – Road Material Cartage
    - 11.4.24 Expressions of Interest – Lot 39 Monger St, Bencubbin
  - 11.5 Executive Assistant
    - 11.5.6 Election of Audit Committee Chairman
12. Elected Members' Motions of Which Previous Notice Has Been Given
13. New Business of an Urgent Nature Introduced by Decision of the Meeting
14. Next Meeting – Tuesday 21 July 2015 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin
15. Closure of Meeting

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

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

The Presiding Member declared the meeting open at 3:01pm, and welcomed the members of the public present in the gallery.

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

**In Attendance**

|                    |                                    |
|--------------------|------------------------------------|
| Cr RN Breakell     | President / Presiding Member       |
| Cr IC Sanders      | Deputy President                   |
| Cr PA Gillett      | Councillor                         |
| Cr DA Miguel       | Councillor                         |
| Cr JW Munns        | Councillor                         |
| Cr JW Beagley      | Councillor 3:05pm – 3:34pm         |
| Mr Dirk Sellenger  | Chief Executive Officer            |
| Ms Nadine Richmond | Executive Assistant                |
| Mr Jack Walker     | Finance and Administration Manager |
| Mrs Sue Mitchell   | Member of the public               |
| Mrs Jenni Bunce    | Member of the public               |
| Mrs Megan Beagley  | Member of the public               |
| Mr Stuart Faulkner | Member of the public               |

**Apologies**

Nil

**3.0 Standing Orders**

**2015/072 COUNCIL DECISION:**

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

**Moved Cr PA Gillett**

**Seconded Cr JW Munns**

**Carried 5/0**

**4.0 Public Questions**

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

Nil

**4.2 Public Question Time**

Public Question Time opened at 3:02pm, there being no questions, public question time was immediately closed.

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**5.0 Applications for Leave Of Absence**

**2015/073 COUNCIL DECISION:**

**That Cr JW Munns be approved leave of absence from the July 2015 Ordinary Meeting of Council.**

**Moved Cr DA Miguel**

**Seconded Cr IC Sanders**

**Carried 5/0**

**6.0 Declarations of Interest**

Cr IC Sanders declared a financial interest in item 11.4.22 being that his business ICS Carpentry has submitted a tender for the MM02.15/16 Building Maintenance Services.

**7.0 Confirmation of Minutes of Previous Meetings**

**7.1 Minutes of the Ordinary Meeting held on Wednesday 27 May 2015**

**2015/074 COUNCIL DECISION / OFFICER RECOMMENDATION:**

**That the Minutes of the Ordinary Meeting of Council held on Wednesday 27 May 2015 be confirmed as a true and correct record of proceedings.**

**Moved Cr DA Miguel**

**Seconded Cr PA Gillett**

**Carried 5/0**

**8.0 Announcements by Presiding Person Without Discussion**

The Presiding member passed on Council's condolences to the Heal family of Cleary after the recent passing of Mr Alan Heal. Alan was the father in law of Cr Des Miguel.

*Cr JW Beagley entered Council Chambers at 3:05pm.*

**9.0 Petitions / Deputations / Presentations / Submissions**

The following correspondence was received from the Beacon Progress Association Inc on the 9 June 2015 and is included for Council information:

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**



Beacon Progress Association Inc  
11 Rowland Street  
BEACON WA 6472

ABN: 55 272 118 292

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

09/06/2015

Re: Submission of three motions for tabling at the Council meeting 16/06/2015

Dear Dirk & Shire Councillors,  
Beacon Progress Association Inc. requests that you represent motions no: 1 & 2 contained in this letter to be tabled for discussion and motioned at next week's Council meeting of 16/6/2015.

1. That further consultation and clearer communication occur with regards to the proposed building of the Bencubbin Multipurpose Complex by means of a personally addressed survey of all the residents of the Mt Marshall Shire, stating clearly the financial implications of a project this size on our current and future finances, shire rates and our ability to consider other potential projects that may benefit the whole or other parts of the shire and then ask the following:

- A) Do you support the extensions to the Bencubbin Multipurpose Complex? Yes/No
- B) Do you support a specified area rate to be applied to the pre-determined zone South of Andrews Tank Rd to be raised to pay for this proposal? Yes/No

MOVED: David Dunne  
Voted 43 : 0

2<sup>nd</sup>: Megan Beagley  
CARRIED

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

MOVED: Peter Munns  
VOTED 43 : 0

2<sup>nd</sup>: Marian Kirby  
CARRIED

Further to our initial letter dated 26/5/2015, which you received and minuted at the last Council Meeting on 27/5/2015, the Association also requests that you present motion no: 3 which was moved at a meeting of the Beacon Progress Association Committee on the 8/6/2015.





**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

|             |                              |
|-------------|------------------------------|
| <b>10.0</b> | <b>Reports of Committees</b> |
|-------------|------------------------------|

Nil

|             |                            |
|-------------|----------------------------|
| <b>11.0</b> | <b>Reports of Officers</b> |
|-------------|----------------------------|

|             |   |
|-------------|---|
| <b>11.1</b> | <b>Environmental Health Officer / Building Surveyor</b> |
|-------------|---|

Nil

|             |   |
|-------------|---|
| <b>11.2</b> | <b>Community and Recreation Development Officer</b> |
|-------------|---|

Nil

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**11.3 Finance and Administration Manager**

**11.3.15 Accounts Paid**

**LOCATION/ADDRESS:** N/A  
**NAME OF APPLICANT:** N/A  
**FILE REFERENCE:** F1/4  
**AUTHOR:** Sandy Wyatt – Administration Officer  
**DISCLOSURE OF INTEREST:** Nil  
**DATE:** 8 June 2015  
**CONSULTATION:** Jack Walker – Finance and Administration Manager  
**STATUTORY ENVIRONMENT:** Financial Management Regulations and the Local Government Act 1995  
**POLICY IMPLICATIONS:** Nil  
**FINANCIAL IMPLICATIONS:** An appropriate allowance has been made in the current year's budget to fund and authorise expenditure.  
**STRATEGIC IMPLICATIONS:** Nil  
**VOTING REQUIREMENT:** Simple Majority

**2015/075 OFFICER RECOMMENDATION/COUNCIL DECISION:**

That the Accounts Listed

|                |               |   |
|----------------|---------------|---|
| Municipal Fund | \$ 201,656.53 | Eft 9717-9814 Chq 18572-18583                         |
| Trust Fund     | \$ 31,772.00  | Eft 9716,9777,9778                                    |
| Mastercard     | \$ 1,897.82   | Detailed Statement provided in Councillor Information |
| Total          | \$ 235,326.35 |   |

Be endorsed.

Moved Cr PA Gillett

Seconded Cr RN Breakell

Carried 6/0

**BACKGROUND:**

Following is a List of Accounts submitted to Council on Tuesday 16 June 2015 for the Municipal Fund, Trust Fund and Mastercards.

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**1. Municipal Fund**

| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>                    | <b>Description</b>                                   | <b>Amount</b> |
|----------------|-------------|--------------------------------|--|---------------|
| EFT9717        | 01/05/2015  | CJD EQUIPMENT PTY LTD          | VARIOUS PARTS  | 725.96        |
| EFT9718        | 01/05/2015  | COURIER AUSTRALIA              | FREIGHT-APRIL'15                                     | 22.10         |
| EFT9719        | 01/05/2015  | NINGHAN SPRAYING & AG SERVICES | VARIOUS GOODS  | 35.20         |
| EFT9720        | 01/05/2015  | BENCUBBIN NEWS & POST          | POSTAGE 20/4/15-24/4/15                              | 32.20         |
| EFT9721        | 01/05/2015  | MOBILE MASTERS                 | RADIO REPAIRS  | 385.00        |
| EFT9722        | 01/05/2015  | WA HINO SALES & SERVICE        | VARIOUS PARTS  | 84.95         |
| EFT9723        | 01/05/2015  | BEACON CO-OPERATIVE LTD        | POSTAGE-VARIOUS                                      | 96.09         |
| EFT9724        | 01/05/2015  | STAPLES AUSTRALIA              | STATIONERY   | 83.30         |
| EFT9725        | 01/05/2015  | STAR TRACK EXPRESS             | FREIGHT-APRIL'15                                     | 144.01        |
| EFT9726        | 01/05/2015  | JASTA ENTERPRISES PTY LTD      | GRAVEL PURCHASES-APRIL'15                            | 2349.60       |
| EFT9727        | 01/05/2015  | BENCUBBIN TRUCK N AUTO'S       | BATTERIES  | 326.00        |
| EFT9728        | 01/05/2015  | JR & A HERSEY                  | VARIOUS GOODS  | 494.40        |
| EFT9729        | 01/05/2015  | LANDGATE                       | RURAL UV GEN VALUATION SHARED                        | 5763.68       |
| EFT9730        | 01/05/2015  | HM & NE BATES                  | VARIOUS REPAIRS-APRIL'15 VARIOUS<br>REPAIRS-APRIL'15 | 1540.00       |
| EFT9731        | 01/05/2015  | 5RIVERS PLUMBING AND GAS       | PLUMBING REPAIRS-APRIL'15                            | 308.82        |
| EFT9732        | 01/05/2015  | BENNY MART                     | VARIOUS REFRESHMENTS                                 | 112.60        |
| EFT9733        | 01/05/2015  | T-QUIP                         | REPAIRS-APRIL'15                                     | 489.50        |
| EFT9734        | 01/05/2015  | JENNI BUNCE - CLEANING         | VARIOUS CLEANING-BEACON 9/4/15-22/4/15               | 1575.00       |
| EFT9735        | 01/05/2015  | FORTUS                         | VARIOUS PARTS  | 151.80        |
| EFT9736        | 01/05/2015  | MW GRANT                       | HIRE-EXCAVATOR                                       | 3907.75       |
| EFT9737        | 01/05/2015  | ECOWATER SERVICES              | MAINTENANCE BIOMAX SYSTEM-229<br>MURRAY ST           | 203.05        |
| EFT9738        | 04/05/2015  | AUSTRALIAN SERVICES UNION      | PAYROLL DEDUCTIONS                                   | 75.30         |
| EFT9739        | 04/05/2015  | LGRCEU                         | PAYROLL DEDUCTIONS                                   | 58.20         |
| EFT9740        | 04/05/2015  | WALGS PLAN                     | SUPERANNUATION CONTRIBUTIONS                         | 18328.68      |
| EFT9741        | 04/05/2015  | MTAA SUPERANNUATION            | SUPERANNUATION CONTRIBUTIONS                         | 509.77        |
| EFT9742        | 04/05/2015  | DL SELLENGER SUPERFUND         | SUPERANNUATION CONTRIBUTIONS                         | 3432.12       |
| EFT9743        | 04/05/2015  | STAFF SOCIAL CLUB              | PAYROLL DEDUCTIONS                                   | 330.00        |
| EFT9744        | 04/05/2015  | TASPLAN                        | SUPERANNUATION CONTRIBUTIONS                         | 2922.96       |

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>                                   | <b>Description</b>  | <b>Amount</b> |
|----------------|-------------|---|---|---------------|
| EFT9745        | 12/05/2015  | COVS  | VARIOUS GOODS   | 521.27        |
| EFT9746        | 12/05/2015  | BOC GASES                                     | GAS CYLINDERS-APRIL'15  | 67.77         |
| EFT9747        | 12/05/2015  | CJD EQUIPMENT PTY LTD                         | REPAIRS-APRIL'15  | 3079.53       |
| EFT9748        | 12/05/2015  | COURIER AUSTRALIA                             | FREIGHT-APRIL'15  | 28.60         |
| EFT9749        | 12/05/2015  | BEACON BULLETIN                               | ADVERTISING 17/3 & 2/4  | 10.00         |
| EFT9750        | 12/05/2015  | NINGHAN SPRAYING & AG SERVICES                | GLYPHOSATE  | 305.14        |
| EFT9751        | 12/05/2015  | JASON SIGNMAKERS                              | SIGNS   | 181.50        |
| EFT9752        | 12/05/2015  | BENCUBBIN SPORTS CLUB INC.                    | REFRESHMENTS-29/4/15  | 101.00        |
| EFT9753        | 12/05/2015  | BENCUBBIN NEWS & POST                         | NEWSPAPERS-APRIL'15   | 82.65         |
| EFT9754        | 12/05/2015  | WA HINO SALES & SERVICE                       | VARIOUS PARTS   | 229.31        |
| EFT9755        | 12/05/2015  | WA TREASURY CORPORATION                       | LOAN NO. 119 FIXED COMPONENT - LOAN TO BENNYMART - REPAID IN LEASE PAYM | 979.96        |
| EFT9756        | 12/05/2015  | PORKY'S ENTERPRISES                           | REPAIRS   | 100.00        |
| EFT9757        | 12/05/2015  | D I TOMAS CONTRACTING                         | FINAL PAYMENT-BEACON FOOTPATHS  | 12870.55      |
| EFT9758        | 12/05/2015  | FUJI XEROX AUSTRALIA PTY LTD                  | PHOTOCOPY CHARGES-APRIL'15  | 181.30        |
| EFT9759        | 12/05/2015  | CLIFF HAINES TYRES                            | TYRES   | 570.00        |
| EFT9760        | 12/05/2015  | D & D TRANSPORT                               | FREIGHT-APRIL'15  | 223.30        |
| EFT9761        | 12/05/2015  | HOWARD PORTER                                 | VARIOUS PARTS   | 225.48        |
| EFT9762        | 12/05/2015  | NAUGHTY BUGS PEST CONTROL                     | VARIOUS PEST CONTROL-APRIL'15   | 440.00        |
| EFT9763        | 12/05/2015  | AUSTRALASIAN PERFORMING RIGHT ASSOCIATION LTD | ANNUAL LICENCE-HOLD MUSIC 1/6/15-31/5/16                                | 151.47        |
| EFT9764        | 12/05/2015  | LANDGATE                                      | PROPERTY INQUIRY  | 36.55         |
| EFT9765        | 12/05/2015  | BENCUBBIN AG SUPPLIES                         | VARIOUS GOODS   | 1207.46       |
| EFT9766        | 12/05/2015  | RADIOWEST BROADCASTERS PTY LTD                | RADIO ADVERTISING-APRIL'15  | 33.00         |
| EFT9767        | 12/05/2015  | BENNY MART                                    | CARAVAN PARK VOUCHERS-APRIL'15  | 70.00         |
| EFT9768        | 12/05/2015  | JENNI BUNCE - CLEANING                        | VARIOUS CLEANING BEACON 23/4/15-6/5/15                                  | 1575.00       |
| EFT9769        | 12/05/2015  | BROOKS HIRE SERVICE PTY LTD                   | HIRE-13T ROLLER   | 2221.12       |
| EFT9770        | 12/05/2015  | GREAT SOUTHERN FUELS                          | FUEL-BEACON DEPOT-APRIL15   | 7408.03       |
| EFT9771        | 12/05/2015  | REEPAR ASSET PROTECTION                       | TRAFFIC MANAGEMENT 5/5/15-8/5/15  | 2147.75       |
| EFT9772        | 12/05/2015  | DYLAN COPELAND                                | NATURAL RESOURCE MANAGEMENT OFFICER SERVICES-MARCH'15                   | 1705.00       |
| EFT9773        | 12/05/2015  | CUMMINS LIQUID WASTE DISPOSALS                | SEPTIC PUMP OUT   | 498.00        |

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>  | <b>Description</b>  | <b>Amount</b> |
|----------------|-------------|--|---|---------------|
| EFT9774        | 12/05/2015  | WA CONTRACT RANGER SERVICES                        | RANGER SERVICES 09/04/15-22/04/15   | 654.50        |
| EFT9775        | 12/05/2015  | SUE VOLOCZI  | VARIOUS ACCOUNTING SUPPORT  | 5050.65       |
| EFT9776        | 12/05/2015  | TREDWELL MANAGEMENT SERVICES                       | DEVELOP.OF SPORTING & RECREATION<br>MASTER PLAN-COMPLETION OF STAGE 1&2-<br>50% | 12072.50      |
| EFT9779        | 22/05/2015  | GERAGHTYS ENG & AUTO ELECTRICS                     | HEAVY VEHICLE INSPECTION  | 144.30        |
| EFT9780        | 22/05/2015  | AVON WASTE   | RUBBISH COLLECTION-APRIL'15   | 4775.68       |
| EFT9781        | 22/05/2015  | CJD EQUIPMENT PTY LTD                              | VARIOUS PARTS   | 360.86        |
| EFT9782        | 22/05/2015  | COURIER AUSTRALIA                                  | FREIGHT-MAY'15  | 24.46         |
| EFT9783        | 22/05/2015  | WHEATBELT SIGNS                                    | MAGNETS-HOUSING & MAINTENANCE   | 198.00        |
| EFT9784        | 22/05/2015  | JASON SIGNMAKERS                                   | VARIOUS SIGNS   | 486.20        |
| EFT9785        | 22/05/2015  | SHIRE OF TRAYNING                                  | DOCTOR'S VEHICLE & MEDICAL PRACTICE<br>EXPENSES-APRIL'15-25% SHARE              | 2323.95       |
| EFT9786        | 22/05/2015  | BENCUBBIN NEWS & POST                              | POSTAGE-MAY'15  | 156.20        |
| EFT9787        | 22/05/2015  | BEACON COUNTRY CLUB INC.                           | REFRESHMENTS-BUSY BEE-BEACON  | 250.00        |
| EFT9788        | 22/05/2015  | BEACON CO-OPERATIVE LTD                            | VOUCHERS  | 190.00        |
| EFT9789        | 22/05/2015  | UHY HAINES NORTON (WA) PTY LTD                     | AUDIT SERVICES YEAR ENDED 30/6/15   | 11825.00      |
| EFT9790        | 22/05/2015  | BURGESS RAWSON (WA) PTY LTD                        | UTILITY CHARGES-10/3/15-11/5/15   | 70.18         |
| EFT9791        | 22/05/2015  | ICS CARPENTRY                                      | CAR SHELTER AT DEPOT & VARIOUS<br>REPAIRS                                       | 22900.35      |
| EFT9792        | 22/05/2015  | STAR TRACK EXPRESS                                 | FREIGHT-MAY'15  | 375.13        |
| EFT9793        | 22/05/2015  | ALL-WAYS FOODS                                     | VARIOUS GOODS-APRIL'15  | 814.13        |
| EFT9794        | 22/05/2015  | BENCUBBIN COMMUNITY RESOURCE CENTRE                | GRAVEL RECEIVAL BOOKS   | 86.00         |
| EFT9795        | 22/05/2015  | AG IMPLEMENTS MUKINBUDIN                           | VARIOUS PARTS   | 408.96        |
| EFT9796        | 22/05/2015  | D & D TRANSPORT                                    | FREIGHT-MAY'15  | 111.65        |
| EFT9797        | 22/05/2015  | JR & A HERSEY                                      | VARIOUS GOODS   | 689.70        |
| EFT9798        | 22/05/2015  | DRIVE STRAIGHT ALIGNMENT & BRAKE<br>SERVICES       | WHEEL ALIGNMENT   | 198.00        |
| EFT9799        | 22/05/2015  | WESTERN AUSTRALIAN LOCAL GOVERNMENT<br>ASSOCIATION | ADVERTISING-APRIL'15  | 469.65        |
| EFT9800        | 22/05/2015  | MERREDIN GLAZING SERVICE                           | REPAIRS   | 3229.60       |
| EFT9801        | 22/05/2015  | 5RIVERS PLUMBING AND GAS                           | VARIOUS REPAIRS   | 2742.12       |
| EFT9802        | 22/05/2015  | T-QUIP   | VARIOUS PARTS   | 386.20        |

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>                           | <b>Description</b>                                      | <b>Amount</b>     |
|----------------|-------------|---------------------------------------|---|-------------------|
| EFT9803        | 22/05/2015  | CENTRAL WHEATBELT FOOTBALL LEAGUE     | 2015 CONTRIBUTION TO CWWS EXECUTIVE OFFICER POSITION    | 2500.00           |
| EFT9804        | 22/05/2015  | REEPAR ASSET PROTECTION               | TRAFFIC MANAGEMENT 11/05/15-13/05/15                    | 1769.62           |
| EFT9805        | 22/05/2015  | BENCUBBIN PLAYGROUP                   | CATERING-24/4/15  | 150.00            |
| EFT9806        | 22/05/2015  | KC SALES                              | VOUCHERS  | 276.00            |
| EFT9807        | 28/05/2015  | AUSTRALIAN SERVICES UNION             | PAYROLL DEDUCTIONS                                      | 50.20             |
| EFT9808        | 28/05/2015  | LGRCEU                                | PAYROLL DEDUCTIONS                                      | 38.80             |
| EFT9809        | 28/05/2015  | WALGS PLAN                            | SUPERANNUATION CONTRIBUTIONS                            | 11551.75          |
| EFT9810        | 28/05/2015  | PRIME SUPER                           | SUPERANNUATION CONTRIBUTIONS                            | 249.15            |
| EFT9811        | 28/05/2015  | MTAA SUPERANNUATION                   | SUPERANNUATION CONTRIBUTIONS                            | 362.44            |
| EFT9812        | 28/05/2015  | DL SELLENGER SUPERFUND                | SUPERANNUATION CONTRIBUTIONS                            | 2481.10           |
| EFT9813        | 28/05/2015  | STAFF SOCIAL CLUB                     | PAYROLL DEDUCTIONS                                      | 220.00            |
| EFT9814        | 28/05/2015  | TASPLAN                               | SUPERANNUATION CONTRIBUTIONS                            | 357.96            |
| 18572          | 01/05/2015  | TELSTRA                               | UTILITY CHARGES-9/4/15                                  | 3843.36           |
| 18573          | 01/05/2015  | SHIRE OF MT MARSHALL                  | PETTY CASH-APRIL'15                                     | 167.45            |
| 18574          | 04/05/2015  | WATER CORPORATION SUPERANNUATION PLAN | SUPERANNUATION CONTRIBUTIONS                            | 558.37            |
| 18575          | 04/05/2015  | COLONIAL FIRST STATE INVESTMENTS      | SUPERANNUATION CONTRIBUTIONS                            | 462.93            |
| 18576          | 12/05/2015  | WATER CORPORATION                     | UTILITY CHARGES 3/3/15-4/5/15                           | 270.05            |
| 18577          | 12/05/2015  | SYNERGY                               | STREETLIGHTS 25/3/15-24/4/15                            | 1990.15           |
| 18578          | 12/05/2015  | PLANWEST (WA) PTY LTD                 | PLANNING SERVICES 2ND HOUSES ON RURAL LOTS-24/3-31/4/15 | 2750.00           |
| 18579          | 22/05/2015  | TELSTRA                               | UTILITY CHARGES-9/5/15                                  | 2006.16           |
| 18580          | 22/05/2015  | WATER CORPORATION                     | UTILITY CHARGES 9/3/15-11/5/15                          | 14682.61          |
| 18581          | 22/05/2015  | BEACON COMMUNITY REC COUNCIL          | CONTRIBUTION-POWER BILL                                 | 1500.00           |
| 18582          | 28/05/2015  | WATER CORPORATION SUPERANNUATION PLAN | SUPERANNUATION CONTRIBUTIONS                            | 377.06            |
| 18583          | 28/05/2015  | COLONIAL FIRST STATE INVESTMENTS      | SUPERANNUATION CONTRIBUTIONS                            | 308.62            |
|                |             |                                       |   | <b>201,656.53</b> |

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**2. Trust**

| <b>Chq/EFT</b> | <b>Date</b> | <b>Name</b>             | <b>Description</b>                         | <b>Amount</b>    |
|----------------|-------------|-------------------------|--|------------------|
| EFT9716        | 01/05/2015  | DEPARTMENT OF TRANSPORT | LICENSING - APRIL 2015                     | 15078.95         |
| EFT9777        | 19/05/2015  | DEPARTMENT OF TRANSPORT | ONLINE PAYMENTS FOR LICENSING TO 15/5/2015 | 4505.35          |
| EFT9778        | 20/05/2015  | DEPARTMENT OF TRANSPORT | ONLINE TRANSACTIONS TO 15/5/2015           | 12187.70         |
|                |             |                         |  | <b>31,772.00</b> |

**3. Mastercard**

| <b>Details</b>                               | <b>Amount</b>   |
|--|-----------------|
| NORTHAM COURTHOUSE-BALIFF SERVICE-T.ROWLINGS | 131.70          |
| FOXTEL-229 MURRAY ST                         | 134.00          |
| 2 TYRES                                      | 693.00          |
| MOBILE PHONE BATTERY-0427851204              | 49.95           |
| SUBSCRIPTION-SAFETY AUDIT                    | 5.50            |
| ACCOMMODATION-SENIORS TRIP                   | 2340.00         |
| FAREWELL-R.WATSON                            | 100.52          |
| FAREWELL-R.WATSON                            | 36.20           |
| REFRESHMENTS-COUNCIL                         | 32.50           |
| LEAVING GIFT-R.WATSON                        | 250.00          |
| MIRROR FIXINGS-BEACON GYM                    | 23.20           |
| LINEN & CROCKERY-BEN.CABINS                  | 431.47          |
| TEA TOWELS-OFFICE                            | 5.00            |
| SAUCEPANS & CROCK.-BEN.CABINS                | 51.00           |
| SAUCEPANS & CROCK.-ACCOM.UNIT                | 45.00           |
| TV- BENCUBBIN CABIN                          | 405.75          |
| TV- BENCUBBIN ACCOM.UNIT                     | 405.75          |
| WALL MOUNTED ASHTRAYS-BEN.CABINS             | 216.07          |
| WALL MOUNTED ASHTRAY-BEN.CVN PARK            | 108.04          |
| WALL MOUNTED ASHTRAY-ACCOM.UNIT              | 108.04          |
| HOT PLATE-BEACON CVN PARK                    | 98.00           |
| MATTRESS & BASE-BEN.CABIN(L)                 | 809.00          |
|  | <b>6,479.69</b> |

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

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 **16 June 2015**. All invoices, being the subject of payments made, have been duly certified as to the receipt of goods and services, and prices, computations and costings have been checked against the expenditure authority (i.e. budget, purchase order, delegation).

---

Dirk Sellenger  
Chief Executive Officer



**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

|                                     |
|-------------------------------------|
| <b>11.4 Chief Executive Officer</b> |
|-------------------------------------|

|  |
|--|
| <b>11.4.21 Councillor Vacancy – Extraordinary Election</b> |
|--|

|                                |   |
|--------------------------------|---|
| <b>LOCATION/ADDRESS:</b>       | Mt Marshall District  |
| <b>NAME OF APPLICANT:</b>      | N/A   |
| <b>FILE REFERENCE:</b>         | A1/4  |
| <b>AUTHOR:</b>                 | Dirk Sellenger – Chief Executive Officer  |
| <b>DISCLOSURE OF INTEREST:</b> | Nil   |
| <b>DATE:</b>                   | 9 June 2015   |
| <b>ATTACHMENT NUMBER:</b>      | Nil   |
| <b>CONSULTATION:</b>           | Matt Hayes – Department of Local<br>Government and Communities<br>Phil Richards – WA Electoral Commission<br>Cr Robert Breakell – Shire President |
| <b>STATUTORY ENVIRONMENT:</b>  | <b>Local Government Act 1995</b>  |

***2.32. How extraordinary vacancies occur  
in offices elected by electors***

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

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

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

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

**4.16.            *Postponement of elections to allow  
consolidation***

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

- (a) after the third Saturday in January in an election year; but
- (b) before the third Saturday in July in that election year,

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

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

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

Nil

**VOTING REQUIREMENT:**

Simple Majority

**2015/076 OFFICER RECOMMENDATION/COUNCIL DECISION (1):**

**That Council rescind decision 2015/065 from the May 2015 Ordinary Meeting of Council as follows:**

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

***Moved Cr PA Gillett***

***Seconded Cr IC Sanders***

***Carried 4/2***

***Cr DA Miguel and Cr JW Munns against***

**Moved Cr RN Breakell**

**Seconded Cr JW Munns**

**Carried 6/0**

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**2015/077 OFFICER RECOMMENDATION/COUNCIL DECISION (2):**

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

**Moved Cr RN Breakell**

**Seconded Cr JW Munns**

**Carried 6/0**

**BACKGROUND:**

Former Councillor Andrew Dunne resigned from Council via email on 19<sup>th</sup> May 2015 and as no date was stipulated in the resignation, this resignation is deemed effective immediately which reduces the number of Elected Members for the Shire of Mt Marshall to six (6) creating one vacancy. The matter was discussed at the Ordinary Meeting of Council in May, when the CEO recommended as follows:

**OFFICER RECOMMENDATION:**

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

Moved Cr

Seconded Cr

Carried

However, Councillor PA Gillett moved a motion different to the recommendation and was minuted as follows:

*Cr PA Gillett moved the following alternative motion:*

**2015/065 COUNCIL DECISION:**

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

Moved Cr PA Gillett

Seconded Cr IC Sanders

Carried 4/2

Cr DA Miguel and Cr JW Munns against

*Reason Council decision different from that of the officer recommendation:*

*Due to significant Council decisions being required in the next few months combined with the fact ordinary elections will be held in October 2015 possibly resulting in up to three new elected members, the vacancy should be filled as soon as possible.*

Following the decision of Council the CEO contacted the Department of Local Government and Communities to formally commence the Extraordinary Election process as resolved by Council. The Department has some concerns with regards to this decision and the following email was received on 9 June 2015:

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

Hi Dirk,

*We understand that council has opted to hold an extraordinary election to fill a recent vacancy prior to the ordinary elections in October. While this is legislatively possible, there are going to be some likely logistical problems.*

*Should an extraordinary election be held prior to the ordinary elections in October, the earliest possible date would be around 8 August 2015. This is because you would be required to prepare a new electoral roll for the extraordinary election, and the first step in that process is to advertise for voter enrolments. (For an election on 8 August, that would need to happen no later than 13 June).*

*Unfortunately the Local Government Act 1995 provides no exemption from preparing a new electoral roll for the ordinary elections, so you're going to have to go through the same process twice in the space of a couple of months, and the two election timetables will start to overlap one another. For instance, if an extraordinary election is held on 8 August, the polling day for that election will occur in the same period that you're advertising for voter enrolments for the October election.*

*You'll have two closing dates for voter enrolments (one in late June and one in late August), two separate electoral roll updates, and two council nomination periods (one in early July and one in early September). Apart from the administrative complexities and costs of two separate preparation processes (with the first polling day scheduled in the middle of the preparation period for the second polling day), this may become confusing to the community.*

*Keep in mind that this is based on the earliest possible date of around 8 August. Any polling day later than that is going to cause even more of an overlap in the election timetables, with the end result that the vacancy will only be filled for at most two council meetings before the ordinary elections are held anyway. As such, the Department would strongly recommend that further consideration be given to postponing the election until October to avoid the potential confusion caused by two separate election processes occurring at the same time.*

*If we can assist further please give us a call*

*Regards*

**Jenni Law**

*Director*

*Local Government Regulation and Support*

*Department of Local Government and Communities*

**COMMENT:**

Whilst Council is well within its rights to make the decision it has and proceed with the Extraordinary Election as resolved at the May 2015 Ordinary Meeting of Council the CEO believes Council should consider the recommendation and advice from the Department of Local Government, as per the email received.

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

*Cr Ian Sanders left Council Chambers at 3:18pm due to a financial interest in agenda item 11.4.22, taking no part in discussion or voting on this item.*

**11.4.22 Tender MM02.15/16 – Building Maintenance Services**

|                                |   |
|--------------------------------|---|
| <b>LOCATION/ADDRESS:</b>       | Mt Marshall District  |
| <b>NAME OF APPLICANT:</b>      | N/A   |
| <b>FILE REFERENCE:</b>         | F1/28   |
| <b>AUTHOR:</b>                 | Dirk Sellenger – Chief Executive Officer  |
| <b>DISCLOSURE OF INTEREST:</b> | Nil   |
| <b>DATE:</b>                   | 9 June 2015   |
| <b>ATTACHMENT NUMBER:</b>      | Nil   |
| <b>CONSULTATION:</b>           | Allan Monson – Works Supervisor<br>Sally Morgan – Community and Recreation<br>Development Officer |
| <b>STATUTORY ENVIRONMENT:</b>  | <b>Local Government Act 1995</b>  |

**3.57. Tenders for providing goods or services**

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

**Local Government (Functions and General) Regulations 1996**

|                                |  |
|--------------------------------|--|
| <b>POLICY IMPLICATIONS:</b>    | Nil  |
| <b>FINANCIAL IMPLICATIONS:</b> | Council will make an allowance in the 2015/2016 Budget for costs associated with the Tender process. Despite the awarding of the Tender, Council gives no guarantee of work. |
| <b>STRATEGIC IMPLICATIONS:</b> | Nil  |
| <b>VOTING REQUIREMENT:</b>     | Simple Majority  |

**2015/078 OFFICER RECOMMENDATION/COUNCIL DECISION:**

**That Council award Tender M002.15/16 - Building Maintenance Services for the period 1<sup>st</sup> July 2015 until 30<sup>th</sup> June 2017 to ICS Carpentry, Bencubbin.**

**Note: The awarding of the Tender does not give the successful tenderer exclusive rights to any and all Shire projects/works. The Shire reserves the right to call additional tenders for specific building projects if required and to utilise the services of Kevin Smith Building Services or any other builder of the Shire's choice if considered beneficial to do so.**

**Moved Cr DA Miguel**

**Seconded Cr JW Munns**

**Carried 5/0**

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**BACKGROUND:**

Whilst Council has not called tenders previously for this service, given the regular nature and amount of work undertaken in this area, the CEO considers it good practice to formalise this process by way of calling tenders.

Council considered the matter at the March 2015 Ordinary Meeting of Council and resolved as follows:

**2015/031 OFFICER RECOMMENDATION / COUNCIL DECISION:**

That Council call tenders for the following goods or services to be provided to the Shire for the period, 1<sup>st</sup> July 2015 until 30<sup>th</sup> June 2017.

- Road Material (gravel) Cartage
- Building / Housing Maintenance

Moved Cr DA Miguel

Seconded Cr AJ Dunne

Carried 7/0

**COMMENT:**

At the close of the tendering period two tenders were received, being from ICS Carpentry and Kevin Smith Building Services. The CEO and Works Supervisor reviewed the tenders thoroughly and considered a large number of factors including but not limited to price, resources, relevant experience, reference checks and capacity. As both tenders were deemed “local” this was not a factor to be taken into consideration with regards to the recommendation. The confidential evaluation summary has been provided in Council information.

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

*Cr Ian Sanders re-entered Council Chambers at 3:22pm.*

|  |
|--|
| <b>11.4.23 Tender MM03.15/16 – Road Material Cartage</b> |
|--|

|                                |  |
|--------------------------------|--|
| <b>LOCATION/ADDRESS:</b>       | Mt Marshall District   |
| <b>NAME OF APPLICANT:</b>      | N/A  |
| <b>FILE REFERENCE:</b>         | F1/28  |
| <b>AUTHOR:</b>                 | Dirk Sellenger – Chief Executive Officer   |
| <b>DISCLOSURE OF INTEREST:</b> | Nil  |
| <b>DATE:</b>                   | 9 June 2015  |
| <b>ATTACHMENT NUMBER:</b>      | Nil  |
| <b>CONSULTATION:</b>           | Allan Monson – Works Supervisor<br>Jack Walker – Finance and Administration<br>Manager |
| <b>STATUTORY ENVIRONMENT:</b>  | <b>Local Government Act 1995</b>   |

**3.57. Tenders for providing goods or services**

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

**Local Government (Functions and General) Regulations 1996**

|                                |  |
|--------------------------------|--|
| <b>POLICY IMPLICATIONS:</b>    | Nil  |
| <b>FINANCIAL IMPLICATIONS:</b> | Council will make an allowance in the 2015/2016 Budget for costs associated with the tender process. Despite the awarding of the tender, Council gives no guarantee of work. |
| <b>STRATEGIC IMPLICATIONS:</b> | Nil  |
| <b>VOTING REQUIREMENT:</b>     | Simple Majority  |

|  |
|--|
| <b>2015/079 OFFICER RECOMMENDATION/COUNCIL DECISION:</b> |
|--|

|   |
|---|
| <p><b>That Council award Tender MM03.15/16 - Road Material Cartage for the period 1<sup>st</sup> July 2015 until 30<sup>th</sup> June 2017 to Bencubbin Bulk Hauliers, Bencubbin.</b></p> |
|---|

|   |
|---|
| <p><b>Note: The awarding of the Tender does not give the successful tenderer exclusive rights to any and all Shire projects/works. The Shire reserves the right to call additional tenders for specific cartage works if required and to utilise the services of Varley Transport, Porky's Enterprises or any other cartage contractor of the Shire's choice if considered beneficial to do so.</b></p> |
|---|

|                            |
|----------------------------|
| <b>Moved Cr PA Gillett</b> |
|----------------------------|

|                                |
|--------------------------------|
| <b>Seconded Cr RN Breakell</b> |
|--------------------------------|

|                    |
|--------------------|
| <b>Carried 6/0</b> |
|--------------------|

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**BACKGROUND:**

Whilst Council has not called tenders previously for this service, given the regular nature and amount of work undertaken in this area, the CEO considers it good practice to formalise this process by way of calling tenders.

Council considered the matter at the March 2015 Ordinary Meeting of Council and resolved as follows:

**2015/031 OFFICER RECOMMENDATION / COUNCIL DECISION:**

That Council call tenders for the following goods or services to be provided to the Shire for the period, 1<sup>st</sup> July 2015 until 30<sup>th</sup> June 2017.

- Road Material (gravel) Cartage
- Building / Housing Maintenance

Moved Cr DA Miguel

Seconded Cr AJ Dunne

Carried 7/0

**COMMENT:**

At the close of the tendering period three tenders were received, being from Bencubbin Bulk Hauliers, Porky's Enterprises and Varley Transport. The CEO and Works Supervisor reviewed the tenders thoroughly and considered a large number of factors including but not limited to price, resources, relevant experience, age and type of machinery, reference checks and capacity. As each of the tenders were deemed "local" for the purpose of this tender, this was not a factor taken into consideration with regards to the recommendation. The confidential evaluation summary has been provided in Council information.



**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**11.4.24 Expressions of Interest – Lot 39 Monger St, Bencubbin**

**LOCATION/ADDRESS:** Lot 39 Monger Street, Bencubbin  
**NAME OF APPLICANT:** N/A  
**FILE REFERENCE:** B2/19  
**AUTHOR:** Dirk Sellenger – Chief Executive Officer  
**DISCLOSURE OF INTEREST:** Nil  
**DATE:** 9 June 2015  
**ATTACHMENT NUMBER:** Nil  
**CONSULTATION:** Allan Monson – Works Supervisor  
Jack Walker – Finance and Administration Manager  
**STATUTORY ENVIRONMENT:** **Local Government Act 1995**

***3.57. Tenders for providing goods or services***

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

**POLICY IMPLICATIONS:** Nil  
**FINANCIAL IMPLICATIONS:** Council has made no allowance in the Draft Budget for the sale of Lot 39 Monger Street, Bencubbin.  
**STRATEGIC IMPLICATIONS:** Nil  
**VOTING REQUIREMENT:** Simple Majority

**OFFICER RECOMMENDATION:**

That Council endorse:

1. advertising the large industrial shed situated at Lot 39 Monger Street, Bencubbin for sale by outright purchase by way of public tender and;
2. the CEO arranging for a formal and independent valuation to be carried out on Lot 39 Monger Street, Bencubbin.

Moved Cr

Seconded Cr

Carried

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

**2015/080 COUNCIL DECISION:**

**That Council endorse:**

- 1. advertising the large industrial shed situated at Lot 39 Monger Street , Bencubbin including all associated land (Lots 38 & 40) for sale by outright purchase by way of public tender and;**
- 2. the CEO arranging for a formal and independent valuation to be carried out on Lot 39 Monger Street, Bencubbin including all associated land.**

**Moved Cr PA Gillett**

**Seconded Cr JW Beagley**

**Carried 6/0**

*Reason Council decision different from the officer recommendation:* To ensure the minuted resolution stipulates the independent valuation and eventual public tender will be inclusive of any land associated with the industrial shed and Lot 39 Monger Street, Bencubbin.

**BACKGROUND:**

Council considered the Shire owned Industrial Shed at the Ordinary Meeting of Council held in April 2015 and resolved as follows:

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

2015/043 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council:

1. call expressions of interest for the Shire owned industrial shed situated at Lot 39 (27) Monger Street, Bencubbin;
2. endorse expressions of interest being advertised to include, rental, leasing and purchasing options and;
3. consider interest received at the May 2015 Ordinary Meeting of Council.

Moved Cr DA Miguel

Seconded Cr WJ Beagley

Carried 6/0

The Shed was completed in 2011 and was utilised as a panel repair shop for a period of approximately two years. The building has remained vacant for approximately two years despite a number of previous efforts by Shire staff to encourage businesses to utilise the facility.

**COMMENT:**

Following the close of expressions of interest (EOI) a total of three submissions were received for consideration which will be provided to Council as separate documents to this agenda item.

Two of the three EOI received included the purchase of the land and building. Despite extensive promotion which included newspaper and radio advertising, no interest was received from outside the Shire of Mt Marshall.

The CEO believes that disposing of the property at this point in time is the best course of action. The CEO is not aware of any current or future use which would require the Shire to retain ownership of this facility and believes the sale is both justified and warranted.

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**



*Above: Location of Industrial Shed marked above in Red, Monger Street, Bencubbin.*



*Above: Bencubbin Industrial Shed, Street View*



**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**



*Above and Below: Bencubbin Industrial Shed Interior*



**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

|             |                            |
|-------------|----------------------------|
| <b>11.5</b> | <b>Executive Assistant</b> |
|-------------|----------------------------|

|               |   |
|---------------|---|
| <b>11.5.6</b> | <b>Election of Audit Committee Chairman</b> |
|---------------|---|

|                                |  |
|--------------------------------|--|
| <b>LOCATION/ADDRESS:</b>       | N/A                                      |
| <b>NAME OF APPLICANT:</b>      | N/A                                      |
| <b>FILE REFERENCE:</b>         | A1/3                                     |
| <b>AUTHOR:</b>                 | Nadine Richmond – Executive Assistant    |
| <b>DISCLOSURE OF INTEREST:</b> | No Interest to Disclose                  |
| <b>DATE:</b>                   | 9 June 2015                              |
| <b>ATTACHMENT NUMBER:</b>      | Nil                                      |
| <b>CONSULTATION:</b>           | Dirk Sellenger – Chief Executive Officer |
| <b>STATUTORY ENVIRONMENT:</b>  | <b>Local Government Act 1995</b>         |

**Division 1A — Audit committee**

*[Heading inserted by No. 49 of 2004 s. 5.]*

**7.1A. Audit committee**

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed\* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

*\* Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

*[Section 7.1A inserted by No. 49 of 2004 s. 5.]*

**7.1B. Delegation of some powers and duties to audit committees**

- (1) Despite section 5.16, the only powers and duties that a local government may delegate\* to its audit committee are any of its powers and duties under this Part other than this power of delegation.

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

*\* Absolute majority required.*

- (2) A delegation to an audit committee is not subject to section 5.17.

*[Section 7.1B inserted by No. 49 of 2004 s. 5.]*

**7.1C. Decisions of audit committees**

Despite section 5.20, a decision of an audit committee is to be made by a simple majority.

*[Section 7.1C inserted by No. 49 of 2004 s. 5.]*

|                                |                   |
|--------------------------------|-------------------|
| <b>POLICY IMPLICATIONS:</b>    | Nil               |
| <b>FINANCIAL IMPLICATIONS:</b> | Nil.              |
| <b>STRATEGIC IMPLICATIONS:</b> | Nil               |
| <b>VOTING REQUIREMENT:</b>     | Absolute Majority |

**OFFICER RECOMMENDATION:**

That Council elects a new Audit Committee Chairman to the vacant position caused by the resignation of Cr Andrew Dunne on 19 May 2015.

Moved Cr

Seconded Cr

Carried

**2015/081 COUNCIL DECISION:**

**Council elected Councillor RN Breakell as Audit Committee Chairman.**

**Moved Cr PA Gillett**

**Seconded Cr DA Miguel**

**Carried 6/0  
Absolute Majority**

*Reason Council decision different from the officer recommendation:* To ensure the meeting minutes record the results of Council's nomination process.

**BACKGROUND:**

The Local Government Act 1995 requires that all local governments establish an audit committee. The Shire of Mt Marshall's Audit Committee consists of the seven (7) elected members and includes a nominated member as Chairman.

**COMMENT:**

On 19 May 2015, the Shire's Audit Committee Chairman, Cr Andrew Dunne resigned from Council. It is recommended that Council elect a new chairman from the remaining elected members of Council.

**Minutes of the Ordinary Meeting of Council**  
**held on Tuesday 16 June 2015**

|             |  |
|-------------|--|
| <b>12.0</b> | <b>Elected Members Motions of Which Previous Notice Has Been Given</b> |
|-------------|--|

Nil

|             |   |
|-------------|---|
| <b>13.0</b> | <b>New Business of an Urgent Nature Introduced by Decision of the Meeting</b> |
|-------------|---|

Nil

|             |  |
|-------------|--|
| <b>14.0</b> | <b>Next Meeting – Tuesday 21 July 2015 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin</b> |
|-------------|--|

|             |                           |
|-------------|---------------------------|
| <b>15.0</b> | <b>Closure of Meeting</b> |
|-------------|---------------------------|

The Presiding Member congratulated departing WALGA President, Troy Pickard on his appointment as ALGA President and wished him all the best in his new role.

The Presiding Member closed the meeting at 3:34pm

These Minutes were confirmed by the Council at its Ordinary Meeting held on 29 July 2015.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cr RN Breakell

\_\_\_\_\_  
President