



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 20 September 2016, in Council Chambers, 80 Monger Street, Bencubbin commencing at 3:00pm.

Cr RM Kirby

President

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intentionally**

DISCLAIMER

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

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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.

Stephen Tindale
Acting Chief Executive Officer

Chairman Initial

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

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 Tuesday 16 August 2016
 - 7.2 Minutes of the Special Meeting held on Tuesday 23 August 2016
8. Announcements by Presiding Person Without Discussion
9. Presidents Report
10. Petitions / Deputations / Presentations / Submissions
 - 10.1 Presentation by Linda Vernon – NEWTRAVEL Tourism Officer
11. Reports of Committees
12. Reports of Officers
 - 12.1 Environmental Health Officer/Building Surveyor
 - 12.2 Community Development Officer
 - 12.3 Finance and Administration Manager
 - 12.3.27 Statement of Financial Activities for the Months Ending 31 July 2016 and 31 August 2016
 - 12.3.28 Accounts Paid
 - 12.4 Chief Executive Officer
 - 12.4.16 Brookfield Rail Interface Agreement V2.3
 - 12.4.17 Central East Aged Care Alliance Inc – Transfer of Crown Reserve Land Vested in the Shire
 - 12.4.18 Purchase of Freehold Land in Askew St, Beacon
 - 12.4.19 Beacon Men’s Shed – Request for Financial Assistance
 - 12.4.20 Mt Marshall Aquatic Centre – Consultant’s Report and Proposed Geotechnical Investigation
 - 12.4.21 Corporate Business Plan Review
13. Matters for which Members of the Public to be Excluded
 - 13.1 CONFIDENTIAL - Chief Executive Officer Recruitment
 - 12.7 Works Supervisor
 - 12.7.1 Works Report

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

- 12.6 **Regulatory Officer**
 - 12.6.4 **Bituminous Surfacing Contract 2016/17**
 - 12.6.3 **Section of Potts Road Closure**
- 12.5 **Executive Assistant**
 - 12.5.13 **Status Report August 2016**
 - 12.5.12 **Minutes of NEWROC Council Meeting 23 August 2016**
- 14 **Elected Members' Motions of Which Previous Notice Has Been Given**
- 15 **New Business of an Urgent Nature Introduced by Decision of the Meeting**
- 16 **Next Meeting – Tuesday 18 October 2016 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin**
- 17 **Closure of Meeting**

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member declared the meeting open at 3:00pm and welcomed everyone to the meeting.

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr RM Kirby	President / Presiding Member	
Cr SE Faulkner	Deputy President	3:00-5:58, 6:00-6:08pm
Cr PA Gillett	Councillor	3:00-5:58, 6:00-6:08pm
Cr ARC Sachse	Councillor	
Cr WJ Beagley	Councillor	
Cr HJ Shemeld	Councillor	
Cr CT Lumsden	Councillor	
Mr Stephen Tindale	Acting Chief Executive Officer	3:00–4:07, 4:09–4:47, 4:48-5:11, 5:19–6:08pm
Ms Nadine Richmond	Executive Assistant	
Ms Tanika McLennan	Finance and Administration Manager	3:00 – 4:45pm
Miss Sally Morgan	Community Development Officer	3:00 – 4:44pm
Mr Andrew Johnson	Works Supervisor	3:00–4:47, 5:30-6:08pm
Mrs Linda Vernon	NEWTRAVEL Tourism Officer	3:00 – 4:07pm
Mrs Tanya Gibson	Member of the public	3:02 – 4:45pm
Mrs Megan Beagley	Member of the public	3:02 – 4:45pm

Apologies

Nil

3.0 Standing Orders

2016/131 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 PA Gillett

Seconded Cr SE Faulkner

Carried 7/0

4.0 Public Questions

4.1 Response to Public Questions Taken on Notice

Nil

4.2 Public Question Time

Mrs Tanya Gibson and Mrs Megan Beagley entered Chambers at 3:02pm.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Public Question Time opened at 3:02pm

Summary of question from Mrs Tanya Gibson:

I would like to know what has been done about the Shire's policy on social media and code of conduct.

Summary of response from the Presiding Member:

The policy manual was considered by Council at their June meeting and the agenda item is currently lying on the table. Council hopes to consider this further at the October meeting of Council. The Code of Conduct is not included in the Shire's Policy Manual and has been adopted by Council in June of this year.

Public Question time closed at 3:04pm

5.0 Applications for Leave Of Absence
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Nil

6.0 Declarations of Interest

Acting Chief Executive Officer, Stephen Tindale declared a financial interest in item 13.1 as the appointment of a CEO may affect his personal income dependent upon the start date of the CEO.

Cr Paul Gillett declared a financial interest in item 12.6.3 as he currently leases land held by PA Sachse who owns land adjoining the road reserve in question.

Cr Stuart Faulkner declared a financial interest in item 12.6.3 being that he has a financial contract with the applicant due to owning neighbouring property to the subject road reserve.

7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 16 August 2016

2016/132 COUNCIL DECISION/RECOMMENDATION:
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That the Minutes of the Ordinary Meeting of Council held on Tuesday 16 August 2016 be confirmed as a true and correct record of proceedings.

Moved Cr WJ Beagley

Seconded Cr ARC Sachse

Carried 7/0

7.2 Minutes of the Special Meeting held on Tuesday 23 August 2016
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2016/133 COUNCIL DECISION/RECOMMENDATION:
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That the Minutes of the Special Meeting of Council held on Tuesday 23 August 2016 be confirmed as a true and correct record of proceedings.

Moved Cr SE Faulkner

Seconded Cr HJ Shemeld

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

8.0 Announcements by Presiding Person Without Discussion

The Presiding Member made mention of a farewell held recently for former Councillor Mr Alan Gracie who is leaving the district. Mr Gracie's involvement in the Shire's bush fire service over a period of many years was highlighted including performing the role of Chief Bushfire Control Officer for 18 years. His achievements were recalled including him receiving an Australian Fire Services Medal in 2004 and the National Medal and Clasp in 2006 for 25 years continuous service to his community in fire prevention.

The Presiding Member passed on Council's well wishes to the Shire's Community Development Officer, Sally Morgan for her upcoming wedding in New Zealand on 7 October.

9.0 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 August 17th to September 19th:

18th August - Mt Marshall Ag Society AGM, Bencubbin

23rd August - NEWROC Council Meeting, Bencubbin with ACEO Stephen Tindale

24th August - CEACA Executive Meeting with Ms Melissa Price MP, Member for Durack at Dowerin Field Day

1st September - GEC Zone Meeting, Merredin with Cr Faulkner and ACEO Stephen Tindale

2nd September - Briefing meeting prior to Site Architecture meeting (postponed) with Cr Sachse, Cr Lumsden and ACEO Stephen Tindale

7th September - CEACA Committee Meeting, Nungarin with ACEO Stephen Tindale

7th Sep - Radio interview regarding Bencubbin Complex Project - Glen Barndon ABC Geraldton & Midwest

10.0 Petitions / Deputations / Presentations / Submissions

Mrs Linda Vernon, NEWTravel Tourism Officer presented to the meeting regarding tourism in the Shire, the Wheatbelt Way and what NEWTravel have achieved and hope to achieve into the future.

Mrs Linda Vernon, NEWTravel Tourism Officer and Acting CEO, Stephen Tindale left Chambers at 4:07pm.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

11.0	Reports of Committees
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Nil

12.0	Reports of Officers
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12.1	Environmental Health Officer / Building Surveyor
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Nil

12.2	Community Development Officer
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Nil

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Acting CEO, Mr Stephen Tindale entered Chambers at 4:09pm.

12.3 Finance and Administration Manager
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12.3.27 Statement of Financial Activities for the Months Ending 31 July 2016 and 31 August 2016
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LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/4
AUTHOR:	Tanika McLennan - Finance and Administration Manager
DISCLOSURE OF INTEREST:	Nil
DATE:	13 September 2016
ATTACHMENT NUMBER:	12.3.27a – Statement of Financial Activity to 31 July 2016 12.3.27b - Statement of Financial Activity to 31 August 2016
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	The statement presented to Council is the most up to date information on its current financial position.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2016/134 OFFICER RECOMMENDATION/COUNCIL DECISION:
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That Council endorse the Statement of Financial Activities for the months ending 31 July 2016 and 31 August 2016.
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Moved Cr CT Lumsden

Seconded Cr HJ Shemeld

Carried 7/0

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.

**Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016**

12.3.28 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: 9 September 2016
CONSULTATION: Tanika McLennan – 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

2016/135 OFFICER RECOMMENDATION/COUNCIL DECISION:

That the accounts listed:

Municipal Fund	\$	466,460.11	Detailed statement provided in Councillor Information
Trust Fund	\$	13,258.65	
Mastercard	\$	<u>1,215.78</u>	
Total	\$	480,934.54	

Be endorsed.

Moved Cr PA Gillett

Seconded Cr ARC Sachse

Carried 7/0

BACKGROUND:

Following is a List of Accounts submitted to Council on Tuesday 20 September 2016 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.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

1. Municipal Fund

Chq/EFT	Date	Name	Description	Amount
4	03/08/2016	WATER CORPORATION	UTILITY CHARGES 17.5.16-19.7.16	123.81
5	03/08/2016	SYNERGY	UTILITY CHARGES 16.6.16-20.7.16	1707.80
6	15/08/2016	WATER CORPORATION	UTILITY CHARGES	389.89
7	15/08/2016	SYNERGY	UTILITY CHARGES 7.5.16-6.7.16	76.10
8	19/08/2016	TELSTRA	UTILITY CHARGES-JULY16	70.00
9	19/08/2016	SYNERGY	STREETLIGHTS 25.6.16-24.7.16	1805.75
10	30/08/2016	TELSTRA	UTILITY CHARGES-AUGUST16	2129.33
11	30/08/2016	SYNERGY	UTILITY CHARGES 10.6.16-9.8.16	10313.40
EFT11393	03/08/2016	COVS	JULY SUPPLIES	161.06
EFT11394	03/08/2016	CJD EQUIPMENT PTY LTD	JULY SUPPLIES	554.69
EFT11395	03/08/2016	COURIER AUSTRALIA	FREIGHT-JULY'16	28.35
EFT11396	03/08/2016	KTY ELECTRICAL SERVICES	JULY REPAIRS	3256.43
EFT11397	03/08/2016	SHIRE OF TRAYNING	DOCTORS VEHICLE & MEDICAL EXPENSES- JUNE16 PLUS DOCTORS RENT	15771.75
EFT11398	03/08/2016	MUKINBUDIN BUTCHERS	SAUSAGES-TREE PLANTING	54.60
EFT11399	03/08/2016	BENCUBBIN NEWS & POST	POSTAGE	127.80
EFT11400	03/08/2016	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	JUNE SUPPLIES	42.60
EFT11401	03/08/2016	METAL ARTWORK CREATIONS	DESK NAME PLAQUE	15.40
EFT11402	03/08/2016	BEACON CO-OPERATIVE LTD	CARAVAN PARK VOUCHERS	180.00
EFT11403	03/08/2016	DIELECTRIC SECURITY SERVICES	MONITORING FEES 1.8.16-31.10.16	101.20
EFT11404	03/08/2016	STAPLES AUSTRALIA	STATIONERY	298.39
EFT11405	03/08/2016	ICS CARPENTRY	JULY REPAIRS	412.50
EFT11406	03/08/2016	STAR TRACK EXPRESS	FREIGHT-JULY'16	133.82
EFT11407	03/08/2016	ALL-WAYS FOODS	JULY SUPPLIES	131.38
EFT11408	03/08/2016	BORAL CONSTRUCTION MATERIALS	SPRAYED BITUMEN	112488.41
EFT11409	03/08/2016	HEMPFIELD SMALL MOTORS	JULY SUPPLIES	162.15
EFT11410	03/08/2016	LEISURE INSTITUTE OF WA AQUATICS (INC)	LIWA AQUATICS MEMBERSHIPS & ACCREDITATION FEE PLUS ANNUAL STATE CONFERENCE	630.00
EFT11411	03/08/2016	PB & DM SACHSE	GRAVEL SUPPLIES	1368.40

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Chq/EFT	Date	Name	Description	Amount
EFT11412	03/08/2016	IT VISION	SYNERGYSOFT & UNIVERSE ANNUAL LICENCE FEES 30.6.17	23677.50
EFT11413	03/08/2016	TUDOR HOUSE	STREET BANNERS	1983.00
EFT11414	03/08/2016	CUTTING EDGES EQUIPMENT PARTS	GRADER BLADES	3567.85
EFT11415	03/08/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	WALGA SUBSCRIPTIONS 2016/17	19056.81
EFT11416	03/08/2016	BENCUBBIN AG SUPPLIES	JUNE SUPPLIES	13.64
EFT11417	03/08/2016	5RIVERS PLUMBING AND GAS	JULY REPAIRS	775.39
EFT11418	03/08/2016	T-QUIP	JUNE SUPPLIES	150.15
EFT11419	03/08/2016	IT VISION USER GROUP INC	ANNUAL MEMBERSHIP SUBSCRIPTION 2016/17	715.00
EFT11420	03/08/2016	ORBIT HEALTH & FITNESS SOLUTIONS	SERVICE & SAFETY AUDIT-BENCUBBIN & BEACON GYMS	1100.00
EFT11421	03/08/2016	KC SALES	CATERING-JULY16	163.50
EFT11422	03/08/2016	WA CONTRACT RANGER SERVICES	RANGER SERVICES 30.6.16 & 14.7.16	561.00
EFT11423	03/08/2016	SUE VOLOCZI	ANNUAL FINANCIAL STATEMENTS/REVIEW OF DRAFT BUDGET	1707.75
EFT11424	03/08/2016	INITIAL HYGIENE	SANITARY DISPOSAL 11.7.16-10.8.16	596.30
EFT11425	03/08/2016	GREAT BEGINNINGS FAMILY DAY CARE SERVICE	ANNUAL MEMBERSHIP 2016/17	230.00
EFT11426	03/08/2016	HEAVY METAL WELDING & CUSTOM FABRICATION	REPAIR TO FIRE APPLIANCE	530.74
EFT11427	03/08/2016	SHIRE OF BROOME	LONG SERVICE LEAVE ENTITLEMENT-KENN DONOHOE	4038.46
EFT11428	03/08/2016	CENTRAL EAST AGED CARE ALLIANCE (INC)	ANNUAL SUBSCRIPTION 2016/17 & CONSULTANCY & PROJECT FUND 2016/17	8800.00
EFT11429	04/08/2016	TWO DOGS HOME HARDWARE	JULY SUPPLIES	69.62
EFT11430	04/08/2016	LGIS INSURANCE BROKING	PERSONAL ACCIDENT	467.50
EFT11431	04/08/2016	MERREDIN PANEL AND PAINT	SUPPLY & FIT REAR WINDOW-BUS	176.00
EFT11432	15/08/2016	BENCUBBIN COMMUNITY RECREATION COUNCIL	ROOM HIRE	55.00
EFT11433	15/08/2016	SHIRE OF MT MARSHALL	ACCOMMODATION-R.BACK & M.SHIRT	462.00
EFT11434	15/08/2016	AVON WASTE	RUBBISH COLLECTION JULY16	4961.14

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Chq/EFT	Date	Name	Description	Amount
EFT11435	15/08/2016	BOC GASES	GAS CYLINDERS-JULY16	83.56
EFT11436	15/08/2016	COURIER AUSTRALIA	FREIGHT-JULY16	30.28
EFT11437	15/08/2016	MUKA TYRE MART	GRADER TYRE REPAIRS	122.00
EFT11438	15/08/2016	LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE	ANALYTICAL SERVICES 2016/2017	385.00
EFT11439	15/08/2016	KTY ELECTRICAL SERVICES	JULY REPAIRS	2731.59
EFT11440	15/08/2016	BENCUBBIN NEWS & POST	POSTAGE 26.7.16-29.7.16	25.35
EFT11441	15/08/2016	BENCUBBIN BULK HAULIERS	HIRE OF ROADTRAIN SIDETIPPERS	25823.05
EFT11442	15/08/2016	MOORE STEPHENS (WA) PTY LTD	WHEATBELT DEVELOP.COMM.-AGED FRIENDLY COMM.END OF LIFE ACQUITTAL	935.00
EFT11443	15/08/2016	STAR TRACK EXPRESS	FREIGHT-JULY16	34.38
EFT11444	15/08/2016	ALL-WAYS FOODS	JULY SUPPLIES	881.42
EFT11445	15/08/2016	BENCUBBIN COMMUNITY RESOURCE CENTRE	JULY SUPPLIES	628.30
EFT11446	15/08/2016	PORKY'S ENTERPRISES	VARIOUS CLEANING BEACON 14.7.16-27.7.16	2252.25
EFT11447	15/08/2016	MERREDIN TOYOTA	GLASS FOR BACK DOOR-BUS	581.94
EFT11448	15/08/2016	BENCUBBIN TRUCK N AUTO'S	JULY SUPPLIES	1496.13
EFT11449	15/08/2016	D & D TRANSPORT	FREIGHT-JULY16	383.70
EFT11450	15/08/2016	JR & A HERSEY	JULY SUPPLIES	714.56
EFT11451	15/08/2016	LANDGATE	RURAL UV INTERIM VALUATION SHARED	79.90
EFT11452	15/08/2016	BENCUBBIN AG SUPPLIES	JULY SUPPLIES	298.10
EFT11453	15/08/2016	REFUEL AUSTRALIA	FUEL-JULY16	566.97
EFT11454	15/08/2016	BENNY MART	JULY SUPPLIES	246.80
EFT11455	15/08/2016	GREAT SOUTHERN FUELS	FUEL-BENCUBBIN & BEACON DEPOT	15890.15
EFT11456	15/08/2016	MW GRANT	HIRE OF DOZER	10692.00
EFT11457	15/08/2016	WALLIS COMPUTER SOLUTIONS	TECHNICAL SUPPORT-JULY16	2080.44
EFT11458	15/08/2016	DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES	RETURN OF UNSPENT GRANT MONIES	13114.12
EFT11459	15/08/2016	DOWERIN COMMUNITY RESOURCE CENTRE	ADVERTISING	135.00
EFT11460	15/08/2016	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES-JULY16	342.33
EFT11461	15/08/2016	MORGANN SHAYNE TRANTER	REIMBURSEMENT FOR UNIFORM	60.00
EFT11462	15/08/2016	ASPHALT IN A BAG	ASPHALT	1718.75

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Chq/EFT	Date	Name	Description	Amount
EFT11463	15/08/2016	RAMM SOFTWARE PTY LTD	ANNUAL SUPPORT & MAINTENANCE 2016-2017	6840.74
EFT11464	15/08/2016	COMMARINE COMMUNICATION ELECTRONICS	JULY SUPPLIES	269.50
EFT11465	15/08/2016	ZACKS COMMERCIAL ARTS	CERTIFICATE-HONORARY FREEMAN	51.90
EFT11466	15/08/2016	INTERNATIONAL ASSOCIATION FOR PUBLIC PARTICIPATION AUSTRALIASIA	ENGAGEMENT ESSENTIALS TRAINING-S.MORGAN	770.00
EFT11467	19/08/2016	CJD EQUIPMENT PTY LTD	ROTATING BEACONS	554.69
EFT11468	19/08/2016	STATE LIBRARY OF WA	LOST & DAMAGED PUBLIC LIBRARIES MATERIAL JULY2016-JUNE2017	223.30
EFT11469	19/08/2016	NINGHAN SPRAYING & AG SERVICES	JULY SUPPLIES	105.52
EFT11470	19/08/2016	KTY ELECTRICAL SERVICES	POWER AUDIT	435.60
EFT11471	19/08/2016	JASON SIGNMAKERS	SIGNS	1342.66
EFT11472	19/08/2016	BENCUBBIN NEWS & POST	PLANT & PROPERTY MAINTENANCE VOUCHER	124.65
EFT11473	19/08/2016	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	RECEIPT BOOKS-BEACON CARAVAN PARK	24.00
EFT11474	19/08/2016	AUSTRALIAN TAXATION OFFICE	BAS-JUNE16	13639.00
EFT11475	19/08/2016	WA HINO SALES & SERVICE	AUGUST SUPPLIES	224.96
EFT11476	19/08/2016	STAPLES AUSTRALIA	AUGUST SUPPLIES	105.45
EFT11477	19/08/2016	ICS CARPENTRY	AUGUST REPAIRS	957.00
EFT11478	19/08/2016	STAR TRACK EXPRESS	FREIGHT-AUGUST'16	78.50
EFT11479	19/08/2016	ALL-WAYS FOODS	AUGUST SUPPLIES	435.05
EFT11480	19/08/2016	BENCUBBIN PRIMARY SCHOOL	SENIOR COOKING DAY-SUPPLIES	224.65
EFT11481	19/08/2016	PORKY'S ENTERPRISES	VARIOUS CLEANING BEACON 30.6.16-13.7.16	6554.62
EFT11482	19/08/2016	CR PA GILLETT	MEETING FEES & ALLOWANCES 16.8.16	533.18
EFT11483	19/08/2016	HEMPFIELD SMALL MOTORS	AUGUST SUPPLIES	56.60
EFT11484	19/08/2016	IT VISION	CREATE RATE MODEL SPREADSHEETS FOR PROPOSED AREA RATE	968.00
EFT11485	19/08/2016	JR & A HERSEY	AUGUST SUPPLIES	150.00
EFT11486	19/08/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	WALGA CONFERENCE 2016-T.SACHSE	10908.91
EFT11487	19/08/2016	ADINA APARTMENT HOTEL	ACCOMMODATION & MEALS-WALGA LG CONFERENCE	6948.95

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Chq/EFT	Date	Name	Description	Amount
EFT11488	19/08/2016	5RIVERS PLUMBING AND GAS	BACKFLOW TESTING	933.28
EFT11489	19/08/2016	TRUCK CENTRE (WA) PTY LTD	AUGUST SUPPLIES	565.98
EFT11490	19/08/2016	CR WJ BEAGLEY	MEETING FEES & ALLOWANCES 16.8.16	515.18
EFT11491	19/08/2016	NADINE RICHMOND	REIMBURSEMENT-UNIFORM	88.00
EFT11492	19/08/2016	WALLIS COMPUTER SOLUTIONS	TOSHIBA LAPTOP	2807.24
EFT11493	19/08/2016	PETE'S SHED	KEYS-BEACON GYM	135.00
EFT11494	19/08/2016	SALLY MORGAN	REIMBURSEMENT FOR MEALS & PARKING- TOURISM CONFERENCE	191.47
EFT11495	19/08/2016	GRIFFIN VALUATION ADVISORY	50% OF VALUATION FEE-PLANT & EQUIPMENT ASSETS	7040.00
EFT11496	19/08/2016	WA CONTRACT RANGER SERVICES	RANGER SERVICES 28.7.16 & 10.8.16	584.37
EFT11497	19/08/2016	ECOWATER SERVICES	MAINTENANCE BIOMAX SYSTEM-229 MURRAY ST	211.30
EFT11498	19/08/2016	INITIAL HYGIENE	SANITARY DISPOSAL 11.8.16-10.9.16	596.30
EFT11499	19/08/2016	CR ARC SACHSE	MEETING FEES & ALLOWANCES 16.8.16- 16.8.16	519.18
EFT11500	19/08/2016	CR RM KIRBY	MEETING FEES & ALLOWANCES 20.7.16- 16.8.16	1590.90
EFT11501	19/08/2016	CR SE FAULKNER	MEETING FEES & ALLOWANCES 19.7.16- 16.8.16	1232.50
EFT11502	19/08/2016	CR HJ SHEMELD	MEETING FEES & ALLOWANCES 20.7.16- 16.8.16	589.18
EFT11503	19/08/2016	CALLUM THOMAS LUMSDEN	MEETING FEES & ALLOWANCES 19.7.16- 16.8.16	673.18
EFT11504	19/08/2016	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES-AUGUST16	484.81
EFT11505	19/08/2016	PUMP SOLUTIONS AUSTRALASIA	AUGUST SUPPLIES	363.00
EFT11506	19/08/2016	STEPHEN TINDALE	REIMBURSEMENT-PARKING & STATIONERY	100.90
EFT11507	19/08/2016	DONGARA TOURIST PARK	SENIORS ANNUAL TRIP-ACCOMMODATION	2480.00
EFT11508	03/08/2016	WA TREASURY CORPORATION	LOAN 117	12014.19
EFT11509	22/08/2016	BANKWEST CORPORATE MASTERCARD	JULY SUPPLIES	1215.78
EFT11510	26/08/2016	DC PAYMENTS AUSTRALASIA	ONGOING FEES FOR ATM-JULY16	103.36
EFT11511	29/08/2016	WA TREASURY CORPORATION	LOAN 119	975.84
EFT11512	30/08/2016	COURIER AUSTRALIA	FREIGHT-AUGUST16	26.06

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Chq/EFT	Date	Name	Description	Amount
EFT11513	30/08/2016	STATE LIBRARY OF WA	BETTER BEGINNINGS PROGRAM 2016/2017	49.50
EFT11514	30/08/2016	KTY ELECTRICAL SERVICES	AUGUST REPAIRS	790.88
EFT11515	30/08/2016	BENCUBBIN NEWS & POST	POSTAGE 22.8.16-25.8.16	38.50
EFT11516	30/08/2016	BEACON CO-OPERATIVE LTD	CARAVAN PARK VOUCHERS	503.15
EFT11517	30/08/2016	DEPARTMENT OF FIRE & EMERGENCY SERVICES	ESLB 1ST QTR CONTRIBUTION	10650.00
EFT11518	30/08/2016	ICS CARPENTRY	AUGUST REPAIRS	82.50
EFT11519	30/08/2016	STAR TRACK EXPRESS	FREIGHT-AUGUST16	54.24
EFT11520	30/08/2016	ALL-WAYS FOODS	AUGUST SUPPLIES	367.12
EFT11521	30/08/2016	FAULKNER BROTHER HOLDINGS	GRAVEL	7664.17
EFT11522	30/08/2016	KOORDA FARM TREES	SEEDLINGS FOR TREE PLANTING DAY	324.72
EFT11523	30/08/2016	MERREDIN GLAZING SERVICE	INSPECT GLASS DOORS-BEACON TOWN HALL FOR DAYCARE	162.91
EFT11524	30/08/2016	5RIVERS PLUMBING AND GAS	AUGUST REPAIRS	5816.70
EFT11525	30/08/2016	KC SALES	VOUCHERS	518.00
EFT11526	30/08/2016	SUE VOLOCZI	ACCOUNTING SUPPORT-AUGUST16	3229.88
EFT11527	31/08/2016	CJD EQUIPMENT PTY LTD	AUGUST SUPPLIES	1501.69
EFT11528	31/08/2016	BEACON CO-OPERATIVE LTD	AUGUST SUPPLIES	21.64
EFT11529	31/08/2016	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	105.40
EFT11530	31/08/2016	LGRCEU	PAYROLL DEDUCTIONS	77.60
EFT11531	31/08/2016	PORKY'S ENTERPRISES	DOZER HIRE	2062.50
EFT11532	31/08/2016	JR & A HERSEY	AUGUST SUPPLIES	227.70
EFT11533	31/08/2016	ADVANCED AUTOLOGIC PTY LTD	AUGUST SUPPLIES	318.00
EFT11534	31/08/2016	R MUNNS ENGINEERING CONSULTING SERVICES	VARIOUS CONSULTING WORK	2436.81
EFT11535	31/08/2016	MW GRANT	PUSH GRAVEL	7425.00
EFT11536	31/08/2016	STAFF SOCIAL CLUB	PAYROLL DEDUCTIONS	495.00
DD8460.1	03/08/2016	WALGS PLAN	PAYROLL DEDUCTIONS	6221.64
DD8460.2	03/08/2016	PROVENCE DREAMING SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	1037.40
DD8460.3	03/08/2016	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	199.07

**Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016**

Chq/EFT	Date	Name	Description	Amount
DD8460.4	03/08/2016	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	183.69
DD8460.5	03/08/2016	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	156.78
DD8460.6	03/08/2016	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	57.81
DD8460.7	03/08/2016	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	201.48
DD8461.1	17/08/2016	WALGS PLAN	PAYROLL DEDUCTIONS	6357.24
DD8461.2	17/08/2016	PROVENCE DREAMING SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	1037.40
DD8461.3	17/08/2016	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	199.07
DD8461.4	17/08/2016	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	183.69
DD8461.5	17/08/2016	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	156.78
DD8461.6	17/08/2016	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	230.26
DD8471.1	31/08/2016	WALGS PLAN	PAYROLL DEDUCTIONS	6241.88
DD8471.2	31/08/2016	PROVENCE DREAMING SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	1037.40
DD8471.3	31/08/2016	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	199.07
DD8471.4	31/08/2016	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	183.69
DD8471.5	31/08/2016	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	156.78
DD8471.6	31/08/2016	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	204.51
				466,460.11

2. Trust

Chq/EFT	Date	Name	Description	Amount
1	24/08/2016	ST JOHN AMBULANCE AUSTRALIA	DONATION-SOCIAL CLUB	1000.00
2	24/08/2016	BENCUBBIN SILVERCHAIN	DONATION-SOCIAL CLUB	1000.00
EFT11537	31/08/2016	DEPARTMENT OF TRANSPORT	MMSO20160804	11258.65
				13,258.65

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

3. Mastercard

Details	Amount
Eftpos rolls	76.00
Accomm.S.Morgan-Liwa conference	306.00
Subs-Age friendly/safety	13.20
Wine glasses for Council	12.49
Nibbles & Napkins for Council	24.09
Narrogin Motel-J.Walker-It Vision meet	274.00
Foxtel	155.00
Foxtel	200.00
Foxtel-229 Murray	155.00
	1,215.78

This List of Accounts Paid under Delegation 14 and covering vouchers and direct debits as above was submitted to each Member of the Council for the Ordinary Meeting of **20 September 2016**. 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).

Stephen Tindale
Acting Chief Executive Officer

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

12.4 Chief Executive Officer

12.4.16 Interface Agreement – Brookfield Rail, Shire of Mt Marshall and Commissioner of Main Roads

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	Agreements
AUTHOR:	Stephen Tindale – Acting CEO
DISCLOSURE OF INTEREST:	Nil
DATE:	9 September 2016
ATTACHMENT NUMBER:	12.4.16 – Brookfield Rail Interface Agreement V2.3
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	<p>The <i>Rail Safety National Law (WA) Act 2015</i> provides the Rail Safety Regulator with the jurisdiction to administer, monitor and enforce the Act in WA, which includes overseeing Local Governments (as road managers) entering into Interface Agreements with rail infrastructure managers.</p> <p>Under the provisions of section 110 of the Act, if the Regulator is satisfied that a road manager (or rail infrastructure manager) “is unreasonably refusing or failing to enter into an interface agreement with another person...” or “is unreasonably delaying the negotiation of such an agreement...” the Regulator may, by a written notice, issue arrangements to a person who must give effect to those arrangements under the Act. The “arrangements” apply to the management of risks to safety at road/rail crossings.</p> <p>There is a penalty for not complying with the Regulator’s direction.</p>
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	N/A
STRATEGIC IMPLICATIONS:	<p>One of the objectives of the Shire’s Strategic Community Plan is to <i>Provide and an economic and effective transportation network</i>. An associated strategy is <i>To maintain an efficient, safe and quality local road network (ongoing)</i>.</p>
VOTING REQUIREMENT:	Simple Majority

2016/136 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Shire of Mt Marshall execute Version 2.3 of the proposed Interface Agreement between Brookfield Rail, the Shire of Mt Marshall and the Commissioner of Main Roads.

Moved Cr HJ Shemeld

Seconded Cr ARC Sachse

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

BACKGROUND:

In 2004 the Australian Transport Council agreed to progress the development of model national rail safety regulation in response to a number of rail accidents across the country. In 2006 the Council of Australian Governments (COAG) supported the model national legislation and agreed that as a matter of high priority governments will together explore measures to implement a nationally consistent rail safety regulatory framework.

In February 2014 the *Rail Safety Act 2010* became law, which requires rail infrastructure managers and road managers to agree to jointly identify, mitigate and manage risks at rail/road crossings by entering into an *Interface Agreement*.

An Interface Agreement template for use by all Rail Infrastructure Managers and Road Managers was developed by a Working Group consisting of Main Roads WA, WALGA, and rail infrastructure managers.

In 2015 the *Rail Safety Act 2010* was repealed and replaced by the *Rail Safety National Law (WA) Act 2015*. The Act provides for rail safety in Western Australia to be regulated by the National Rail Safety Regulator (based in Adelaide). The Act continues to require rail infrastructure managers and road managers to identify and assess risks to safety that may arise from the existence or use of any rail or road crossing and seek to enter into an Interface Agreement for the purpose of managing those risks.

Brookfield Rail, as a rail infrastructure manager, is required to enter into an Interface Agreement with 79 Local Governments.

Brookfield Rail issued the first Interface Agreement version 1.0 for consideration by Local Governments in January 2013.

Interface Agreement version 1.0 prompted Local Governments and WALGA to seek additional information and clarification resulting in the Agreement being amended. Brookfield Rail issued Interface Agreement version 2.0 to Local Governments in January 2014.

Local Governments and WALGA continued to seek amendments to Interface Agreement version 2.1 to better meet the needs of the sector. Brookfield Rail issued Interface Agreement version 2.1 to Local Governments in June 2014.

[Note: Interface Agreement version 2.2 was created by Brookfield Rail by replacing the references to the repealed legislation (*Rail Safety Act 2010*) with the new legislation (*Rail Safety National Law (WA) Act 2015*). Brookfield Rail did not issue this version to Local Governments.]

Local Governments and WALGA continued to lobby Brookfield Rail to amend the Agreement to meet the needs of the sector. Brookfield Rail issued Interface Agreement version 2.3 to Local Governments in August 2016.

The noteworthy amendments to Interface Agreement version 2.3 are:

- The term “Non-Operational Line” is replaced with the terms “Disused (Non-operational) Line” and “Dormant (Non-Operational) Line”.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Rationale: To align the terms used in the Interface Agreement with a Main Roads WA policy under development that will define the difference status of individual crossings on all parts of the rail network.

- Inclusion of a reference to section 3.25 of the *Local Government Act 1995*
Rationale: Identifies the section of the *Local Government Act 1995* a Local Government can rely on when the requisite sight distance of drivers approaching a level crossing on a local road is adversely affected by vegetation on private property.
- Inclusion of the sentence “Works within the Danger Zone are generally undertaken by the Rail Infrastructure Manager due to the rail safety risks associated with works within the Danger Zone however subject to the necessary approvals from the Rail Infrastructure Manager works may be undertaken by the Road Manager.”
Rationale: Enables a Local Government to undertake some works (e.g. pothole repair) on a local road within the *danger zone* providing Brookfield Rail provides the necessary approvals.
- The sentence regarding agreed prior approval for works by Brookfield Rail on a local road within the Danger Zone is amended to “Accordingly, unless otherwise agreed and subject to prior written agreement between and as required by the parties, the following activities are carried out by the Rail Infrastructure Manager at the cost of either the Local Government or MRWA as indicated in brackets below...” (underline added)
Rationale: An agreement between a Local Government and Brookfield Rail for Brookfield Rail to conduct works on a local road in the *danger zone* is now subject to written agreement (not verbal agreement) and can be in the form of a letter, email, works invoice, works order, etc.
- The sentence “The Road Manager shall conduct regular safety audits to ensure the safety performance of the approach roads to an Interface...” amended to “The Road Manager shall conduct regular Inspections to ensure the safety performance of the approach roads to an Interface...” (underline added)
Rationale: To avoid a Local Government thinking it is obliged to conduct or have conducted a formal road safety audit of approach roads to level crossings within their boundaries. Inspections of the safety performance of a road in accordance with a Local Government’s road inspection and maintenance regime will suffice to meet requirements of the Agreement.

The Interface Agreement version 2.3 appears to have addressed the concerns raised by Local Governments and WALGA since the process began in January 2013.

COMMENT:

Prior to Interface Agreement version 2.3 being released, 41 of 80 Local Governments had signed previous versions of the Agreement.

Since providing Interface Agreement version 2.3 to the Local Governments yet to sign:

- several Local Governments have indicated to WALGA an intention of recommending to their Council’s that the Agreement be signed
- no Local Government has yet provided an adverse comment to WALGA about the agreement.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

12.4.17 Central East Aged Care Alliance Inc – Transfer of Crown Reserve Land Vested in the Shire

LOCATION/ADDRESS: Beacon and Bencubbin
NAME OF APPLICANT: Central East Aged Care Alliance (CEACA)
FILE REFERENCE: A5/15
AUTHOR: Stephen Tindale – Acting CEO
DISCLOSURE OF INTEREST: Nil
DATE: 13 September 2016
ATTACHMENT NUMBER: 12.4.17 – Site Investigation Report, River Engineering
CONSULTATION: Beacon Progress Association
Helen Westcott – CEACA Executive Officer

STATUTORY ENVIRONMENT:

Local Government Act 1995

Sec 3.1. General function

- (1) The general function of a local government is to provide for the good government of persons in its district.
- (2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.
- (3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

Sec 3.18. Performing executive functions

- (1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.
- (2) In performing its executive functions, a local government may provide services and facilities.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: One of the social objectives of the Shire's 2013 Strategic Community Plan is to *Create an environment that provides for a caring and healthy community*. One of the strategies to achieve this objective is to *Facilitate provision of infrastructure for aged persons and people with disabilities*.

VOTING REQUIREMENT: Simple Majority

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

2016/137 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Shire of Mt Marshall;

- 1. surrender the management orders for Reserves 22783 (43 Brown St, Bencubbin) and Reserve 23238 (16 Rowlands St, Beacon) in favour of Central East Aged Care Alliance Inc for the purpose of “Aged Persons Accommodation”; and**
- 2. that the surrender be made conditional on the care, control and management of the land being returned to the Shire of Mt Marshall (either as Crown land reserves or freehold title land) in the event that construction of aged persons accommodation is not commenced within four years or such later date approved by the Shire of Mt Marshall.**

Moved Cr SE Faulkner

Seconded Cr HJ Shemeld

Carried 7/0

BACKGROUND:

The Central East Aged Care Alliance (CEACA) is a partnership of eleven Wheatbelt Shires (Bruce Rock, Kellerberrin, Koorda, Merredin, Mt Marshall, Mukinbudin, Nungarin, Trayning, Westonia, Wyalkatchem and Yilgarn) formed in 2012 and formalised as an Incorporated Association in mid-2015. .

CEACA has formulated a staged 6 year program to construct 187 Independent Living Units (ILUs) across the eleven Shires to address private market failure to meet the increasing demand for age appropriate accommodation and services.

In Stage 1 of the project, CEACA was successful in obtaining funding of \$2,075,800 from Royalties for Regions’ Southern Investment Initiative, managed by the Shire of Merredin on CEACA’s behalf, for the land assembly and servicing of 54 lots across the eleven Shires for the construction of the ILU’s. Work on Stage 1 has commenced with a Project Manager appointed to progress the works.

CEACA has since been successful in obtaining a further \$19,986,439 in funding from Royalties for Regions’ Growing our South program, which will again be managed by the Shire of Merredin on CEACA’s behalf. The funding is for the preparation and servicing of 21 lots for construction of ILUs by June 2019, and the construction of 75 ILUs by June 2020 across the eleven Shires.

Currently the Shire of Mt Marshall is eligible for three ILUs – two in Bencubbin and one in Beacon.

The sites previously identified for the independent units in Mt Marshall are in Askew St, Beacon (new subdivision) and Collins St, Bencubbin (old Freemasons Hall).

The Bencubbin site was chosen because of its size and capacity to contain 4 ILUs on land in close proximity to the existing Aged Persons Home in Bencubbin. The Beacon site was similarly chosen for its capacity to contain 2 ILUs on land that has recently been opened up by the Shire with the construction of a sealed road into a new land subdivision.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

A July 2016 report prepared by River Engineering (see Attachment 12.4.17) identified the costs in preparing the land for construction of the three ILU's as being \$151,900 in Bencubbin and \$158,500 in Beacon.

As reported to last month's Council meeting, these costs seem extraordinarily high and may jeopardise the construction of the ILUs.

It was also reported to Council that a better site for the two Bencubbin ILUs would be adjacent to the existing Aged Persons Homes land at 43 Brown St, Bencubbin where there is spare capacity for the construction of two ILUs.

In Beacon, the Beacon Progress Association has indicated that a vacant block at 3 Rowlands St of 1026m² (capable of containing 3 or possibly 4 ILUs) could be made available to the Shire in order to make the most of the land's centrally convenient location and to keep development costs down.

As a consequence, Council resolved to undertake an assessment of 43 Brown St, Bencubbin and 3 Rowlands St, Beacon as alternative sites for the construction of the three proposed independent living units.

This report responds to the August Council resolution. In addition, a recommendation is made to surrender the management orders for Reserves 22783 (43 Brown St, Bencubbin) and Reserve 23238 (16 Rowlands St, Beacon) in favour of Central East Aged Care Alliance for the purpose of "Aged Persons Accommodation".

The proposed surrender is to be made conditional on the return of the land to the Shire of Mt Marshall in the event that the construction of the ILU's is not commenced within four years or a later date approved by the Shire of Mt Marshall.

COMMENT:

The Central East Aged Care (CEACA) Committee met on 7 September 2016 in Nungarin with the Shire President Rachel Kirby and the Acting CEO Stephen Tindale attending.

The meeting recalled that at CEACA's June meeting, the Shire of Merredin had advised that it had been in discussions with the Department of Lands regarding the potential for the conversion of Crown land to freehold title for CEACA's use in its Aged Housing Project. Discussions had been positive with the Department offering to assist in achieving the conversion and transfer of Crown land to CEACA.

At that time it was suggested that other CEACA member local governments should also make their own inquiries regarding the conversion of Crown land to freehold title for use in the CEACA Aged Housing Project.

In the absence of any concerted response to the suggestion and in furtherance of the freeholding of Crown land, an email was then sent by the Shire of Merredin on 20 June 2016 to CEACA member local governments recommending a process and the completion of forms that would facilitate the freeholding of Crown land vested in each local government for eventual transfer to CEACA as freehold land.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

At the simplest level, the process relies on an officer within the Wheatbelt Development Commission's Northam office smoothing the way through the various government agencies that have an interest in the conversion of Crown land to freehold title.

Further follow up requests for the completion of the forms were made but at the time of the Nungarin meeting, the Wheatbelt Development Commission's Northam office had only received information from three CEACA member local governments – the Shires of Bruce Rock, Merredin and Trayning.

For the Wheatbelt Development Commission to be able to assist in arranging the transfer of land, the remaining eight local governments must now complete the forms referred to in the Shire of Merredin's email. The Shire of Mt Marshall is one of the eight.

The meeting was also informed that on 4 August 2016 the Executive Committee of CEACA had met and resolved that:

That CEACA:

1. *Accept the site investigation report provided by River Engineering;*
2. *Adopt the recommendations provided by Access Housing on the report prepared by River Engineering, such that CEACA:*
 - a. *Commission site feature surveys and reports for each site, with the exception of Yilgarn/Southern Cross sites and enquire into the availability of site survey data for Yilgarn/Southern Cross sites;*
 - b. *Commission geotechnical investigations and reports for each site, with the exception of Yilgarn/Southern Cross sites and enquire into the availability of geotechnical data for Yilgarn/Southern Cross sites;*
 - c. *Shires to consider the provision of in-kind contributions to address the works having the greatest cost impact;*
 - d. *Submit requests to Western Power for Feasibility Studies for the required power connections; and*
 - e. *Approve River Engineering manage the implementation of recommendations 1 – 5; and*
3. *Request Access Housing obtains costings to undertake 2d and 2e as shown above.*

The above resolution underscores the need for all eleven CEACA member local governments to confirm the land that they intend surrendering to CEACA in order to implement the CEACA resolution.

Against this background, the Shire of Mt Marshall Council resolved at its August meeting to undertake an assessment at 3 Rowlands St, Beacon and 43 Brown St, Bencubbin as alternative sites for the construction of three approved independent living units.

Based on the information provided within the River Engineering Site Investigation Report (see Attachment 12.4.17), there is little to recommend the Shire of Mt Marshall expending a considerable amount of effort and expense in alleviating the significant development costs of residential land in Askew St, Beacon at the present time.

The sales history of vacant residential land in the Beacon town site over the last 36 years indicates that a serviced block of 1012m² in Beacon should sell in today's market for around \$6,000 to \$10,000. That amount of money is relatively insignificant when compared

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

to the “conservative” development costs of land in Askew St, Beacon that have been identified by River Engineering.

The Beacon Progress Association currently has a vacant block for sale at 3 Rowland St with an asking price of \$10,000 that sits between two developed lots. The potential sale of the land to the Shire was raised at a meeting of the Beacon Progress Association held on the 12 September 2016 which the Acting CEO attended along with several Council members.

At that meeting, consideration was also given to the alternative of developing vacant Crown land (Pioneer Park) on the corner of Rowlands St and Hamilton St (next to the CWA House) for the purposes of aged persons’ accommodation and transfer to CEACA.

Council records show that the land is currently vested in the Shire of Mt Marshall for the purpose of a “Recreation (Children’s Playground)”. There are no playground facilities on the site.

This site (Reserve No.23238 at 16 Rowlands St) was seen as being the better site not only because of its proximity to existing community services and independent lifestyle units but also because of its open street frontages to Rowlands and Hamilton Streets facilitating easy vehicular access and improved security.

A vote was taken at the meeting to support the Shire in facilitating the provision of aged persons’ accommodation on the site and the vote was carried without dissent.

It is this site that Administration now recommends to Council for transfer to CEACA for the provision of independent lifestyle units/aged persons accommodation in Beacon.

At the Bencubbin end of things, the transfer of land at 43 Brown St, Bencubbin (Reserve 22783) to CEACA is supported if only because there is no evidence of any contact being made with the Grand Lodge of WA Freemasons to purchase the Freemasons land and lodge building at 2 Collins St, Bencubbin to the Shire and time is running out. Any negotiations with the Lodge may involve protracted discussion concerning the fate of the existing lodge building and attendant sale price.

The development costs of the land at 43 Brown St, Bencubbin are likely to be less than those identified for 2 Collins St because of the site’s natural drainage slope towards Brown St and the potential to add to the existing aged persons units should the opportunity arise.

It is open to the Shire to convert these reserves to freehold title for transfer to CEACA as advocated by the Shire of Merredin. However the business of converting reserves to freehold title at the individual local government level is likely to be fragmented, delayed and entirely dependent on the capacity of each local government to deal with Native Title clearance, the power to lease for x amount of years and the change in purpose of some reserves which is likely to be questioned by the Department of Lands.

The Acting CEO’s preference for the conversion of Crown land to freehold title is for a collective effort to be coordinated by the Wheatbelt Development Commission.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

12.4.18 Purchase of Freehold Land in Askew St, Beacon

LOCATION/ADDRESS: Askew St, Beacon
NAME OF APPLICANT: Not Applicable
FILE REFERENCE: A3/5
AUTHOR: Stephen Tindale – Acting CEO
DISCLOSURE OF INTEREST: Nil
DATE: 14 September 2016
ATTACHMENT NUMBER: Nil
CONSULTATION: Beacon Progress Association
STATUTORY ENVIRONMENT:

Local Government Act 1995

Sec 3.1. General function

- (1) The general function of a local government is to provide for the good government of persons in its district.
- (2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.
- (3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

Sec 3.18. Performing executive functions

- (1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.
- (2) In performing its executive functions, a local government may provide services and facilities.

POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Unbudgeted expense of \$5,000
STRATEGIC IMPLICATIONS: One of the social objectives of the Shire's 2013 Strategic Community Plan is to *Create an environment that provides for a caring and healthy community*. One of the strategies to achieve this objective is to *Facilitate provision of infrastructure for aged persons and people with disabilities*.
VOTING REQUIREMENT: Absolute Majority – unbudgeted expense

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

2016/138 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Shire of Mt Marshall purchase Lots 300 – 309 (inclusive) Askew St, Beacon for the sum of \$5,000.

Moved Cr HJ Shemeld

Seconded Cr ARC Sachse

Carried 7/0

BACKGROUND:

Staff of the Shire of Mt Marshall have previously identified Lots 300 – 309 Askew St, Beacon as a potential site for the construction of seven independent living units over a period of five years (now six) by the Central East Aged Care Alliance. The process of acquiring the land appears to have stalled because of the South West Native Title Claim which, as it turns out, did not incorporate a large proportion of the Mt Marshall Shire including the town sites of Beacon and Bencubbin.

In August this year the Department of Lands confirmed that it had received "... a Current Unimproved Valuation (CUMV) from Landgate's Valuer Generals Office, and it has been determined that the CUMV of the unserviced lots is to be \$500.00 including nil GST."

At the present time the only service to these lots is a sealed bitumen road and associated drainage.

The lots are now available for sale to the Shire in fee simple at a cost of \$500 each. A recommendation is made to purchase the land.

COMMENT:

Currently there are up to seven vacant residential lots in the Beacon town site in either community or private hands. Any short term demand for residential lots is likely to be met by the sale of one or more of these lots given the high capital expense of new land development.

The development of existing vacant residential land in Beacon should also be encouraged in order to fill in the gaps in Beacon's streetscape.

In the medium to long term however there may be a shortage of residential land within Beacon. With this in mind, it is recommended that the land be purchased as a potential "shovel ready" land development project for the Shire.

The acquisition of the land as "shovel ready" project was supported by the Beacon Progress Association at a meeting held on 12 September 2016 notwithstanding some reservations about the smaller size of the lots.

At the appropriate time, Landcorp's Regional Development Assistance Program (RDAP) may be the means by which the land is brought up to a fully serviced standard.

The RDAP was established to address the prohibitive costs sometimes associated with developments in regional WA, which can make them unviable for private developers. In addition, the supply of privately developed land is often limited, or non-existent.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Through the RDAP, the State Government provides LandCorp with limited funding to deliver regional projects that are essential to supporting the revitalisation and growth of regional towns and centres. Potential projects are assessed against established criteria outlined in a submission guide.

Under the RDAP, local governments can apply to LandCorp for assistance to progress potential land development projects in their local government areas including lots that are already owned by the local government.

Funds for the purchase of the land from the Department of Lands can be found from the Shire's Aged Care Units Reserve. In the event that Askew St residential lots are used for other than aged care units, the Reserve fund should be reimbursed out of General Revenue.

An Absolute Majority decision is required as no allowance has been made in the Annual Budget for the expenditure of Reserve funds on the acquisition of the subject land.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

12.4.19 Beacon Men's Shed – Request for Financial Assistance

LOCATION/ADDRESS: Lucas St, Beacon
NAME OF APPLICANT: Megan Beagley
FILE REFERENCE: F1/9
AUTHOR: Stephen Tindale – Acting CEO
DISCLOSURE OF INTEREST: Nil
DATE: 13 September 2016
ATTACHMENT NUMBER: Nil
CONSULTATION: Nil
STATUTORY ENVIRONMENT:

Local Government Act 1995

Sec 3.1. General function

- (1) The general function of a local government is to provide for the good government of persons in its district.
- (2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.
- (3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

Sec 3.18. Performing executive functions

- (1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.
- (2) In performing its executive functions, a local government may provide services and facilities.

POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Unbudgeted cost of \$10,000
STRATEGIC IMPLICATIONS: One of objectives of the Shire's *Strategic Community Plan 2013* is to: *Maintain a strong sense of local community.*

One of the strategies attached to this objective is to: *Partner with the community to support the creation of community driven activity centres such as playgroups and community centres.*

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Another objective is *To facilitate the development of local and regional tourism.*

An associated strategy is to: *Facilitate the development of local tourism activities associated with the Shire's diverse natural, social and built heritage.*

VOTING REQUIREMENT: Absolute Majority – unbudgeted expenditure

OFFICER RECOMMENDATION:

That the Shire of Mt Marshall make a contribution of \$10,000 to the Beacon Progress Association to be applied to the construction of an exhibition shed at the Beacon Men's Shed site.

2016/139 COUNCIL DECISION:

That the Shire of Mt Marshall make a contribution of \$10,000 to the Beacon Progress Association to be applied to the construction of an exhibition shed at the Beacon Men's Shed site and that associated building and development fees be waived.

Moved Cr CT Lumsden

Seconded Cr HJ Shemeld

**Carried 7/0
Absolute Majority**

Reason Council decision is different from the officer's recommendation:

Further financial assistance from the Shire will be provided to the project by way of waiving associated building and development fees.

BACKGROUND:

On the day of the adoption of the 2016/17 Annual Budget, an email was sent to all Councillors from the Beacon Progress Association that read as follows.

We are aware that the budget meeting is scheduled for today, and have a last minute request which we would like you to consider.

As I am not currently at home, I am unable to provide the exact figures and information, but feel free to cross reference with Benjamin from WDC. Last week we had a meeting to discuss the terms of the agreement for the \$37 101 that the Beacon Progress Association was successful in receiving from the Community Chest funding. It has been secured to build a second shed for the purpose of displaying the wonderful pieces of farming history which have been restored by the members of the Beacon Men's Shed.

Like many applications for funding, the amount received was in fact \$10 000 short of the requested amount, and only covers the cost of purchasing the shed (the exact amount that was quoted by Puresteel). Since then, the quote has now increased, and still the costs of footings, a fence and transport have to be covered. Though the Beacon Progress Association committed considerable in kind support, the level of financial commitment from BPA was fairly minimal as the BPA already funds the ENTIRE running costs of the Men's Shed (including insurance, materials and workshop supplies) on an ongoing basis, and have done so since the Men's Shed was built.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

The recent agreement which was presented by the WDC outlines that it would like to see a greater contribution by the Shire.

It had not been our intention to request funds from the Mt Marshall Shire for this project, and we made the effort to source funds outside of the Shire. However, since this clause has now appeared in the agreement, it is proper that we now ask for some financial support.

Ideally the project requires a further \$10 000 to be completed as per the application. A contribution of this amount towards the 'Movin In Men's Shed' Project will represent value for money for the Mt Marshall Shire as it owns this very important and respected facility which adds immense social, cultural and historical value to our region.

COMMENT:

Unfortunately the request for financial assistance from the Beacon Progress Association was received too late in the day to be properly considered at the time of the formal adoption of the Council's 2016/17 Annual Budget on the 23rd August 2016.

Since then a copy of the proposed grant agreement between the Wheatbelt Development Commission and the Beacon Progress Association has been provided to the Shire to better understand the context of the Association's request.

The agreement provides funding of \$37,101 from the Royalties for Regions Community Chest Fund for a Colourbond steel shed to be used to exhibit restored plant and farm machinery at the Beacon Men's Shed.

The total cost of the project is \$51,033 and after other costs (transport, accommodation, footings etc.) are taken into account a shortfall of \$13,932 in cash or in-kind has to be found.

One of the six **Special Conditions of Grant** contained in the agreement between the Beacon Progress Association and the Wheatbelt Development Commission is that "The local community and the Shire be asked to make a greater contribution to the project."

The email request from the Beacon Progress Association to the Shire essentially fulfils this particular condition of the grant without the Shire necessarily having to make any financial contribution to the project at all.

Be that as it may, the request for financial assistance for the project is supported by Administration as it fits the bill in terms of meeting the Shire's Strategic Community Plan objective to *Partner with the community to support the creation of community driven activity centres such as playgroups and community centres.*

It also satisfies another Strategic Community Plan objective to *Facilitate the development of local tourism activities associated with the Shire's diverse natural, social and built heritage.*

Other than the provision of land for the exhibition shed (which is an internalised cost) the Shire has yet to make any financial contribution to the project.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

The unbudgeted cost can be met by savings that have been identified since the budget was adopted in August. These savings relate to amounts set aside for the elected members telephone subsidy, elected member fees and administration telephone/internet expenses.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

12.4.20 Mt Marshall Aquatic Centre – Consultant’s Report and Proposed Geotechnical Investigation

LOCATION/ADDRESS: 1 Brown Street, Bencubbin
NAME OF APPLICANT: Not Applicable
FILE REFERENCE: A6/19
AUTHOR: Stephen Tindale – Acting CEO
DISCLOSURE OF INTEREST: Nil
DATE: 14 September 2016
ATTACHMENT NUMBER: 12.4.20a – Geoff Ninnes Fong and Partners Pty Ltd
Report on Mt Marshall Aquatic Centre
12.4.20b – Douglas Partners Geotechnical
Investigation Proposal
CONSULTATION: Bencubbin PS Principal and Beacon PS Acting
Principal
STATUTORY ENVIRONMENT: Nil
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Expenditure of up to \$10,000
STRATEGIC IMPLICATIONS: One of the strategies of the Mt Marshall Sporting and
Recreation Master Plan is to *Identify best value
options for the future sustainable and equitable
provision of aquatic facilities for the Shire.*
VOTING REQUIREMENT: Simple Majority

OFFICER RECOMMENDATION:

That Council endorse the appointment of Douglas Partners to undertake a geotechnical investigation of the following potential sites for the construction of new aquatic facilities:

Mt Marshall Aquatic Centre
Bencubbin Primary School
Bencubbin Recreation Complex
Beacon Primary School

Moved Cr SE Faulkner

Seconded Cr ARC Sachse

AMENDMENT:

That Council endorse the appointment of Douglas Partners to undertake a geotechnical investigation of the following potential sites for the construction of new aquatic facilities:

**Mt Marshall Aquatic Centre
Bencubbin Primary School
Bencubbin Recreation Complex
Beacon Primary School
Beacon Recreation Complex**

Moved Cr CT Lumsden

Seconded Cr HJ Shemeld

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

2016/140 COUNCIL DECISION:

That Council endorse the appointment of Douglas Partners to undertake a geotechnical investigation of the following potential sites for the construction of new aquatic facilities:

**Mt Marshall Aquatic Centre
Bencubbin Primary School
Bencubbin Recreation Complex
Beacon Primary School
Beacon Recreation Complex**

Moved Cr CT Lumsden

Seconded Cr HJ Shemeld

Carried 7/0

Reason Council decision is different to the officer's recommendation: To include the Beacon Recreation Complex in geotechnical investigations ensuring the location can be considered a possible site for any new aquatic facilities.

BACKGROUND:

The condition of the existing aquatic facility in Bencubbin is known to be deteriorating, with the facility nearing the end of its useful life. As identified in the *Mt Marshall Sporting and Recreation Master Plan*, an engineering report (including a cost benefit analysis) is required to determine the appropriate option for redevelopment.

Three options that have been identified for the future of the aquatic facility include

1. the redevelopment of the existing 50m pool in situ (including redevelopment of supporting infrastructure),
2. development of a 25m pool and program pool within the existing pool shell/structure (including redevelopment of supporting infrastructure) or
3. the development of 25m pool and program pool at the Bencubbin Recreation Complex.

A fourth option which has recently been flagged to the community is to consider the provision of "lock and key" community swimming pools attached to the Bencubbin and Beacon Primary Schools.

The actions identified in the *Mt Marshall Sporting and Recreation Master Plan* to make any one of these options possible are to:

- Commission an engineering report for the existing Mt Marshall Swimming Pool to clearly establish the best-value option for the sustainable future of the facility, considering repair, comprehensive redevelopment and/or relocation.
- Act on the recommendations of the engineering report to ensure a suitable and sustainable aquatic facility is developed for the Shire of Mt Marshall.
- Consult with the community on plans for a new pool.

Following an onsite inspection of the empty pools at the Mt Marshall Aquatic Centre in the company of all Councillors on the 16th August 2016, the Acting CEO engaged Geoff Nannes Fong & Partners to review all documentation on the condition of the pools, to inspect the aquatic facility and to prepare a brief report on the options available to the Shire of Mt Marshall.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

The inspection of the aquatic facility occurred on the 29th August 2016 in the company of the Acting CEO and the Shire's consultant civil engineer, Rod Munns. A copy of the Geoff Ninnes report is attached (Attachment 12.4.20a).

At page 3 of the report Geoff Ninnes makes it clear that the 50m pool "...is the wrong type of pool to try to bring into the modern era as there are multiple expensive problems to rectify and substantial maintenance costs into the future."

At page 4 of the report he goes on to say that "To continue trying to use this old pool with its many defects, some serious, is an exercise in futility. Another solution is to find a new site possibly near the school or leisure [sic] centre where it can be integrated in with existing staff and amenities."

Another solution is to construct a new 25m pool at the shallow end of the existing pool. "If this solution is to be considered at the shallow end of the pool, the pool could be viable and it could be possible to build within the existing pool, a new pool with a wetdeck, a proper balance tank and new plant."

He goes on to say that "A rough budget for a 25m x 12.5m pool including plant would be \$1.2-\$1.5million."

The Acting CEO queried these costs and was advised that at the Jerramungup Shire "...we are looking to replace an old 25m pool with a new one at around \$1.25m just for the pool. If you include some demolition, subsoil drainage, paving around the pool, prelims, and solar heating [\$90k], the cost becomes \$1.46m.this does not include change rooms, showers, toilets, plantroom, lighting, etc. If you include design contingency, construction contingency, professional fees, management fees, it grows to about \$2m. This cost includes a 20% locality cost."

COMMENT:

Having ruled out the option redeveloping the existing 50m pool in situ, the Shire of Mt Marshall is left with two options namely;

- development of a 25m pool and program pool within the existing pool shell/structure (including redevelopment of supporting infrastructure) or
- the development of 25m pool and program pool at the Bencubbin Recreation Complex.

Unless the proposed program pool is heated there is little point in pursuing the construction of two cold water pools at any one site.

As indicated earlier, there is another option to consider and that is the construction of "lock and key" pools attached to either of the Beacon or Bencubbin Primary Schools or both.

These types of pools are not able to be accessed by the public during school hours for safety reasons. However they can be accessed by suitably qualified community key holders at other times thereby reducing the Shire's staffing costs. Pool maintenance obligations however would remain with the Shire.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

However before any earnest consideration can be given to any of these options, a geotechnical investigation will have to be carried out to determine the suitability of any of the proposed sites. Without this investigation the integrity of any pool construction could be severely compromised at the outset.

A proposal for the geotechnical investigation is attached (Attachment 12.4.20b) and subject to the inclusion of the Beacon Primary School site, Douglas Partners will be engaged to undertake the site investigations.

Once the results of the investigation are to hand it will then be possible to scope and commission the first action identified in the *Mt Marshall Sporting and Recreation Master Plan* which is to:

Commission an engineering report for the existing Mt Marshall Swimming Pool to clearly establish the best-value option for the sustainable future of the facility, considering repair, comprehensive redevelopment and/or relocation.

Once the engineering report is to hand, a needs analysis will be commissioned to confirm community need and to assist the case for government financial assistance. Geoff Nannes has recommended that CCS Strategic (Mark Casserly) be engaged for this work which, of necessity, will require in-depth and properly informed community consultation.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

12.4.21 Corporate Business Plan Review

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: A2/18
AUTHOR: Stephen Tindale – Acting CEO
DISCLOSURE OF INTEREST: Nil
DATE: 15 September 2016
ATTACHMENT NUMBER: 12.4.21 – Proposed Corporate Business Plan Review Spreadsheet
CONSULTATION: Nil
STATUTORY ENVIRONMENT: *Local Government (Administration) Regulations 1996*

Reg. 19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

the plan if required because of modification of the local government's strategic community plan.

- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: One of the Civic Leadership objectives of the Shire's *2013 Strategic Community Plan* is to *Improve the Shire's capability and capacity*. Two associated strategies to achieve this objective are to *Increase capacity through the application of the integrated strategic planning processes* and to *Promote a culture of continuous improvement processes*.

VOTING REQUIREMENT: Simple Majority

2016/141 OFFICER RECOMMENDATION / COUNCIL DECISION:

That Council adopt the attached Corporate Business Plan spreadsheet and reporting format for quarterly reporting to the ordinary meetings of Council held in the months of September, December, March and June of each financial year.

Moved Cr CT Lumsden

Seconded Cr PA Gillett

Carried 7/0

BACKGROUND:

All local governments are currently required to produce a plan for the future under Sec. 5.56 (1) of the *Local Government Act 1995*. Regulations made under the Act outline the minimum requirements of a plan for the future namely:-

- A **Strategic Community Plan** to cover a period of at least 10 financial years.
- A **Corporate Business Plan** to cover a period of at least 4 financial years.

At the present time the Shire of Mt Marshall is undertaking a comprehensive review of its Strategic Community Plan. The Corporate Business Plan should spill out of the Strategic Community Plan if the Strategic Community Plan is to have any effect.

In other words, it is the Corporate Business Plan that **activates** the Strategic Community Plan by responding to Council's distillation and prioritisation of the community's short, medium and long term aspirations.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

The process through which the Corporate Business Plan is developed incorporates:

- Activating the Strategic Community Plan.
- Operations Planning
- Annual reviews and reprioritisation of the Corporate Business Plan

A critical accountability and transparency element is the **Reporting Process** that allows the local government to inform the community and statutory bodies on its progress in delivering services, projects and other operations to meet the community's short term, medium term and long term aspirations.

COMMENT:

If the Reporting Process is to be effective, then the Council (and the community) need to be kept informed by the Shire's Administration of progress made in completing specific actions identified in the Corporate Business Plan which are intended to activate the Strategic Community Plan.

In the author's opinion, annual review and reporting on the implementation of the Corporate Business Plan is insufficient.

In a good number of local governments, it is not untypical for staff and elected members to be consumed by local issues of the day that see staff time and Council resources being diverted away from the achievement of the community aspirations identified in the Strategic Community Plan and, in particular, the specific actions identified in the Corporate Business Plan intended to deliver on the Strategic Community Plan.

A system that accepts annual reporting and review of the Corporate Business Plan alone is insufficient as it allows the attention of staff (and Councillors) to wander away from the big picture stuff in the interim.

Attached to this agenda item is a Corporate Business Plan spreadsheet and reporting format that is recommended to Council for adoption (Attachment 12.4.21).

It has not been populated with data in its entirety pending Council adoption (and for lack of time).

It identifies the strategies and actions for each Community Strategic Plan objective and the year/s of implementation for the four year life of the Corporate Business Plan. It also identifies the particular Shire Officer's position charged with responsibility for implementing the action while noting that ultimate responsibility for the Officer concerned rests with the CEO.

The attainment of certain strategies and actions can be hampered by:

- insufficient funding and cost blowouts,
- scheduling difficulties arising from external blockages or narrow windows of opportunity, and
- resource constraints (lack of staff time, knowledge, technology or materials).

A set of traffic lights alongside these three potential areas of constraint quickly flags to staff, elected members and community members, those Corporate Business Plan actions that may need collective consideration and attention.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

If a red or amber traffic light appears alongside any particular constraint, it doesn't necessarily mean the whole project is jeopardised. The 'Project Standing' traffic light is therefore intended to disclose the overall standing of the project irrespective of minor glitches that may have been previously signalled.

The comments field is intended to include brief notes on the project so that at any point in time staff and elected members can update, or remind themselves, on where a particular project is at a particular point in time.

The traffic light system also enables Council and staff discussion to be quickly focussed on the things that matter.

Importantly, it makes things much more transparent for the community.

It is recommended that the updated Corporate Business Plan be presented to quarterly meetings of Council in the months of September, December, March and June.

The June Council meeting should be the meeting at which a comprehensive evaluation of progress made in the past year is discussed to better inform Council deliberations for the next financial year pending the adoption of the Annual Budget in July (or August).

The September meeting should be the meeting where the CEO presents the revised Corporate Business Plan to Council for endorsement in light of the adopted Annual Budget for the year.

The Corporate Business Plan also presents the CEO with the opportunity of better managing the performance of Shire officers.

The CEO in turn can then be better managed by the Council if certain (but not all) strategies and actions identified in the Corporate Business Plan are incorporated into his/her contract of employment and annual performance review in, say, August of each year when the previous year's efforts are known and the current year's revised Corporate Business Plan is about to be presented to Council in September.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

The Presiding Member declared a change in order of business to consider confidential item 13.1 at this stage of the meeting.

13.0 Matters for which Members of the Public to be Excluded

Acting Chief Executive Officer, Stephen Tindale declared an indeterminate financial interest as the appointment of a CEO may affect his personal income dependent upon the start date of the CEO.

2016/142 RECOMMENDATION/COUNCIL DECISION:

That Council resolve to exclude members of the public to discuss agenda item 13.1 as it is considered a matter regarding a contract which may be entered into.

Moved Cr PA Gillett Seconded Cr WJ Beagley Carried 7/0

Miss Sally Morgan left chambers at 4:44pm

The public gallery was cleared at 4.45pm.

Acting CEO, Stephen Tindale, Works Supervisor, Andrew Johnson and Finance and Admin Manager, Tanika McLennan left chambers at 4:45pm.

2016/143 COUNCIL DECISION:

That Acting CEO, Stephen Tindale be included in discussion on item 13.1

Moved Cr ARC Sachse Seconded Cr HJ Shemeld Carried 7/0

Mr Stephen Tindale entered the meeting at 4:48pm

2016/144 COUNCIL DECISION:

That Lydia Hyfield of WALGA Recruitment Services be authorised to attend the meeting by way of telephone communication from her office or similar non-public environment.

**Moved Cr PA Gillett Seconded Cr WJ Beagley Carried 7/0
Absolute Majority**

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

13.1 CONFIDENTIAL: Chief Executive Officer Recruitment

Mr Stephen Tindale left Chambers at 5:11pm
Mr Stephen Tindale entered Chambers at 5:19pm

2016/145 OFFICER RECOMMENDATIONS / COUNCIL DECISION:

That Council:

- 1. authorises WALGA Recruitment Services to organise interviews with Council and conduct relevant checks; and**
- 2. authorises the Shire President to work with WALGA Employee Relations team to commence employment contract negotiations with recommended applicant/s with the intention to commence employment in January 2017.**

Moved Cr PA Gillett

Seconded Cr HJ Shemeld

Carried 7/0

2016/146 COUNCIL DECISION:

That the meeting comes out from behind closed doors.

Moved Cr PA Gillett

Seconded Cr SE Faulkner

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

The Presiding Member declared a change in order of business to consider agenda item 12.7.1 at this stage of the meeting.

Works Supervisor, Andrew Johnson entered Chambers at 5:30pm.

12.7 Works Supervisor

12.7.1 Works Report September 2016

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	N/A
AUTHOR:	Andrew Johnson – Works Supervisor
DISCLOSURE OF INTEREST:	Nil
DATE:	14 September 2016
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2016/147 OFFICER RECOMMENDATION / COUNCIL DECISION:
--

That the September 2016 report of Works Supervisor be noted.

Moved Cr WJ Beagley

Seconded Cr CT Lumsden

Carried 7/0

BACKGROUND:

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

COMMENT:

ROADS

- Ingleton Road re-sheeting has been completed. This project was funded by R2R.
- The re-sheeting on Beacon Rock Road has been completed out of general maintenance funding.
- The re-sheeting on Gardner Road has been completed out of general maintenance funding.
- Koorda-Bullfinch Road near the Mukinbudin boundary:
Double lift to a depth of 450mm and cement stabilise. 2 coat seal with 14/7 aggregate.
Completed with general maintenance funding.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

- The widening and shoulder reconstruction on the Burakin-Wialki Road is ongoing and completion with sealing is due 23/9/2016. This has been funded by the Regional Road Group.
- The re-sheeting on Marshall Rock North and South Roads has been completed out of general maintenance funding.
- Verge slashing and shoulder spraying has commenced and will be carried out over the next 4 weeks.
- Blind spot clearing is ongoing.
- Documents have been submitted for the environmental approval needed regarding the clearing on the Wialki-Mukinbudin widening and realigning project.

WASTE

- A new cell has been dug at Bencubbin.
- More signage will be ordered for both Bencubbin and Beacon to indicate correct areas for disposing of waste.
- The asbestos cell at Beacon is nearly full and will require a new cell being dug.

TOWN MAINTENANCE

- Reticulation servicing and repairs completed.
- Herbicide spray program ongoing.
- The new water feature in front of Beacon Co-op is now completed.
- General tidying up of tourist spots, places of interest and walking tracks complete.

OTHER ITEMS OF INTEREST

- A new gravel source has been found on the corner of Red Dam Road and Cleary-Gabbin Road which will be utilised on the 6km Cleary-Gabbin Road re-sheet project heading north through the salt country.
- The Shire's had several roads assessed by Main Roads for new signage. These will replace old existing signs to updated warning and regulatory signage.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

The Presiding Member declared a change in the order of business to consider agenda item 12.6.4 at this stage of the meeting.

12.6.4 Bituminous Surfacing Contract 2016/17

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	W1/16
AUTHOR:	Jack Walker – Regulatory Officer
DISCLOSURE OF INTEREST:	No interest to disclose
DATE:	14 September 2016
ATTACHMENT NUMBER:	12.6.4 – Summary of Bituminous Surfacing Contract Quotations
CONSULTATION:	Stephen Tindale – Acting Chief Executive Officer Rod Munns – Engineering Consultant Andrew Johnson – Work Supervisor
STATUTORY ENVIRONMENT:	Local Government Act 1995, Local Government (Financial Management) Regulations 1996
POLICY IMPLICATIONS:	R&V 1.5
FINANCIAL IMPLICATIONS:	Council has made an allowance of approximately \$723,000.00 in the budget for 2016-17 for various sealing works and the quotes received are within the budget allowance.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2016/148 OFFICER RECOMMENDATION / COUNCIL DECISION:

That Colas (WA) be awarded the 2016/17 bituminous surfacing works for the Shire of Mt Marshall for a total contract price of \$575,450.64 excluding GST.

Moved Cr SE Faulkner

Seconded Cr HJ Shemeld

Carried 7/0

BACKGROUND:

Through its Preferred Supplier Program WALGA released a Request for Quotation on behalf of the Shire seeking a bituminous surfacing contractor for the 2016/2017 financial year. Using WALGA's Preferred Supplier Program alleviates the need to conduct a tender process saving time and money.

Five companies submitted a price schedule for the contract and are as follows:

Colas WA

Boral Asphalt (WA)

Fulton Hogan

Downer EDI Industries; and

Bitutek.

A summary of the quotations is attached (12.6.4).

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

COMMENT:

Colas WA has been the preferred supplier of the Shire's sealing program in 14/15, 13/14, 12/13 and 11/12. Last year the preferred supplier was Boral Resources due to some sealing failures by Colas WA in 14/15, which they did come back and fix at their own expense.

Works Supervisor, Mr Andrew Johnson and Consulting Engineer, Mr Rod Munns have recommended that Colas WA be awarded the contract and are confident that they will meet the standards required by the Shire.

All quotations are within the budget allocation with the highest being Boral Resources at \$628,265.16 and the lowest being Colas WA at \$575,450.64. If Council endorses the recommendation there will be a saving of approximately \$147,000.00 and therefore further projects will need to be allocated.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

The Presiding Member declared a change in the order of business to consider agenda item 12.6.3 at this stage of the meeting.

12.6 Regulatory Officer

Cr Paul Gillett declared a financial interest in item 12.6.3 as he currently leases land held by PA Sachse who owns land adjoining the subject road reserve.

Cr Stuart Faulkner declared a financial interest in item 12.6.3 being that he has a financial contract with the applicant due to owning neighbouring property to the subject road reserve.

Cr Paul Gillett and Cr Stuart Faulkner left Chambers at 5:58pm.

12.6.3 Section of Potts Road Closure

LOCATION/ADDRESS:	Shire of Mt Marshall
NAME OF APPLICANT:	John Guthrie – QStone Pty Ltd
FILE REFERENCE:	TP1/2
AUTHOR:	Jack Walker – Regulatory Officer
DISCLOSURE OF INTEREST:	No interest to disclose
DATE:	14 September 2016
ATTACHMENT NUMBER:	12.6.3 – Map of Proposed Potts Road Closure
CONSULTATION:	Stephen Tindale – Acting Chief Executive Officer
STATUTORY ENVIRONMENT:	Land Administration Act 1997 & Land Administration Regulations 1998
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2016/149 OFFICER RECOMMENDATION / COUNCIL DECISION:

That:

- 1. the Shire of Mt Marshall request the Minister for Regional Development and Lands to permanently close an unconstructed portion of Potts Road as shown in attachment 12.6.3, reverting the road reserve to crown land; and**
- 2. the Shire of Mt Marshall advertise the proposed closure, seeking community feedback.**

Moved Cr WJ Beagley

Seconded Cr ARC Sachse

Carried 5/0

BACKGROUND:

At the July 2016 meeting of Council, approval was given to QStone Pty Ltd's Development Application allowing an extractive industry on Ninghan locations 606, 3029 and 2643 Potts Road, Welbungin for the purpose of extracting pegmatite aggregate. The developers had indicated that during the life of the project it would be necessary to excavate across the Potts Road Reserve and as a result an additional condition was included that the road

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

reserve be subject to a separate development approval application. The section of road being the subject of this item is included in the Potts Road Reserve and although it is unconstructed, requires formal closure to allow the development application to proceed.

COMMENT:

The original Potts Road Reserve commences at Gillett Road and continues east, through to the Mukinbudin Shire boundary. As Potts Road has only been constructed to the Welbungin – Wialki Road intersection it is recommended that the remaining portion of the road reserve, which is not constructed be closed.

As part of the process to formally close the road, Shire staff have contacted adjoining landowners R, J & S Faulkner and PA Sachse in writing to see if they have any objections to the proposed closure. To date no objections have been received. Further advertising is required in local newspapers seeking community feedback to the proposal. Any objections must be received within 35 days of the notice being published in the newspaper. The Shire is also required to contact all service providers in the event they have any infrastructure in the vicinity.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

Cr Paul Gillett and Cr Stuart Faulkner entered Chambers at 6:00pm

The Presiding Member declared a change in the order of business to consider agenda item 12.5.13 at this stage of the meeting.

12.5.13 Status Report August 2016
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LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	N/A
AUTHOR:	Nadine Richmond – Executive Assistant
DISCLOSURE OF INTEREST:	No Interest to Disclose
DATE:	13 September 2016
ATTACHMENT NUMBER:	12.5.13 – Status Report August 2016
CONSULTATION:	Stephen Tindale - Acting Chief Executive Officer Sally Morgan – Community Development Officer Tanika McLennan - Finance and Administration Officer Jack Walker – Regulatory Officer Bill Hardy – Environmental Health Officer
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2016/150 OFFICER RECOMMENDATION / COUNCIL DECISION:
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That the Status Report for August 2016 be noted.

Moved Cr HJ Shemeld

Seconded Cr ARC Sachse

Carried 7/0

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.

COMMENT:

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

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

The Presiding Member declared a change in the order of business to consider agenda item 12.5.12 at this stage of the meeting.

12.5.12 Minutes of NEWROC Council Meeting held 23 August 2016

LOCATION/ADDRESS:	NEWROC District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	Nil
AUTHOR:	Nadine Richmond – Executive Assistant
DISCLOSURE OF INTEREST:	Nil
DATE:	1 September 2016
ATTACHMENT NUMBER:	12.5.12 – Minutes of NEWROC Council Meeting held 23 August 2016
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2016/151 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the minutes of the NEWROC Council meeting held on 23 August 2016 be noted.

Moved Cr SE Faulkner

Seconded Cr PA Gillett

Carried 7/0

BACKGROUND:

The Shire of Mt Marshall is a member of the North Eastern Wheatbelt Regional Organisation of Councils (NEWROC). NEWROC is not a formal organisation but was formed for the purpose of collaboration and joint initiatives between the Shires of Koorda, Mt Marshall, Mukinbudin, Nungarin, Trayning and Wyalkatchem, and is governed by a Memorandum of Understanding (MOU) between these Shires.

NEWROC Council and NEWROC Executive meetings alternate on a bi-monthly basis.

COMMENT:

The Minutes of the NEWROC Council meeting held on 23 August are submitted (attachment 12.5.12) in order to keep all members abreast of the activities of the NEWROC Council.

The next meeting of the NEWROC Council is scheduled to be held on Tuesday 25 October 2016 at the Shire of Mukinbudin.

Minutes of the Ordinary Meeting of Council
held on Tuesday 20 September 2016

14.0 Elected Members Motions of Which Previous Notice Has Been Given

Nil

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

2016/152 COUNCIL DECISION:

That Cr ARC Sachse represent the Shire of Mt Marshall as Deputy Member on the CEACA committee.

Moved Cr SE Faulkner

Seconded Cr HJ Shemeld

Carried 7/0

16.0 Next Meeting – Tuesday 18 October 2016 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin

17.0 Closure of Meeting

The Presiding Member declared the meeting closed at 6:08pm

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

Date

Cr RM Kirby

President