



**SHIRE OF MT MARSHALL**

# **MINUTES**

**Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 21 March 2017, in Council Chambers, 80 Monger Street, Bencubbin commencing at 4:00pm.**

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Cr RM Kirby

President

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John Nuttall  
Chief Executive Officer

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Chairman Initial

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

The Presiding Member declared the meeting open at 3:00pm and welcomed the members of the public present in the gallery.

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

**In Attendance**

Cr RM Kirby	President / Presiding Member	
Cr SE Faulkner	Deputy President	
Cr NR Gillett	Councillor	
Cr ARC Sachse	Councillor	
Cr WJ Beagley	Councillor	
Cr HJ Shemeld	Councillor	
Cr CT Lumsden	Councillor	
Mr John Nuttall	Chief Executive Officer	
Ms Nadine Richmond	Executive Assistant	
Ms Tanika McLennan	Finance and Administration Manager	3.00 – 3.50pm
Mrs Karley Dunne	Member of the public	3.00 – 3.50pm
Mrs Sally Putt	Community Development Officer	3.00 – 3.27pm
Mr Andrew Johnson	Works Supervisor	3.00 – 3.32pm

**Apologies**

Nil

**3.0 Standing Orders**

**2017/032 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 HJ Shemeld***

***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**

Public Question Time opened at 3.00pm

Public Question time closed at 3.01pm

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**5.0 Applications for Leave Of Absence**

Nil

**6.0 Declarations of Interest**

Nil

**7.0 Confirmation of Minutes of Previous Meetings**

**7.1 Minutes of the Ordinary Meeting held on Tuesday 14 February 2017**

**2017/033 OFFICER RECOMMENDATION / COUNCIL DECISION:**

***That the Minutes of the Ordinary Meeting of Council held on Tuesday 14 February 2017 be confirmed as a true and correct record of proceedings.***

***Moved Cr NR Gillett***

***Seconded Cr WJ Beagley***

***Carried 7/0***

**8.0 Announcements by Presiding Person Without Discussion**

Congratulations to Nick Gillett, his committee of volunteers and the wider community for the success of the Mt Marshall Community Show held on Saturday. Well done to the committee for introducing some new activities to complement traditional show day favourites. The event was well organised and promoted and was rewarded by an excellent attendance on the day.

The community of Bencubbin hosted the WA Superlites Association race over the March long weekend. Thank you to Shire staff who provided support to make this event possible and well done to community volunteers for contributing to the success of the event.

Condolences to the family of Stan Munns who passed away on the 13th February. Stan first came to the district as a shearer and later settled and began farming with his wife June and three eldest children. He and June went on to have a total of eight children who, along with Stan and June, have contributed significantly to the community of Beacon and the Shire of Mt Marshall. Sincere sympathy to Cindy, Gary, Jeff, Ross, Rod, Tony, Peter and Shane and their extended families.

I would also like to pass on condolences to the family of Dorothy Shemeld who passed away on the 15th February. Dot spent most of her life living in the Beacon area, farming and raising four boys with husband Colin. Dot was a member of the Beacon CWA and an excellent bowler with the Beacon Ladies Bowling Club. In her later years, Dot moved to Perth to access medical care. Sympathy to Graeme and Helen, Merv and Paula, Kevin and Jenny and Greg and Trish Shemeld and their families.

Our thoughts and sympathies are with long term shire employee Jack Walker and family on the recent passing of father George. George and his wife Maureen moved to Australia from Scotland with their two boys Bob and Jack. They went on to have two more boys

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being David and Ian. Like his son Jack, George was a loyal employee of the Shire and can now be at peace with Maureen who passed away last year.

**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 February 15th to March 21st:

16th February - CEACA Executive Teleconference

20th February - Meeting with Mia Davies, Northam, with CEO John Nuttall and representatives from Shire of Koorda

21st February - Local Emergency Management Committee Meeting, Bencubbin, with Cr Faulkner, CEO John Nuttall and CDO Sally Putt

22nd February - WA Local Government Grants Hearing, Bencubbin

23rd February - GECZone Meeting, Merredin with CEO John Nuttall

28th February - Mayor's and President's Forum, WALGA, Perth

1st March - CEACA Executive Teleconference (Special Meeting)

8th March - WALGA Webinar - Local Government Gift Declarations Information Seminar

9th March - NEWROC Council Meeting, Trayning with CEO John Nuttall

13th March - CEACA Service Delivery Workshop, Northam (CEACA Executive)

14th March - WALGA Training - Understanding Financial Reports and Budgets, Kellerberrin with Cr Sachse and Cr Shemeld

15th March - WALGA Training - Infrastructure Asset Management, Kellerberrin with Cr Sachse

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

Nil

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**11.0 Reports of Committees**

**11.1 Local Emergency Management Committee**

**11.1.1 Minutes of the Local Emergency Management Committee Meeting held 21 February 2017**

<b>File No:</b>	A6/38
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>Name of Owner:</b>	N/A
<b>Author:</b>	Nadine Richmond – Executive Assistant
<b>Attachments:</b>	11.1.1 – Minutes of Local Emergency Management Committee Meeting held 21 February 2017
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	N/A

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**Background:**

Nil

**Consultation:**

Nil

**Statutory Environment:**

*Local Government Act (1995)*

Section 5.8: Establishment of Committees

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

**Relevant Plans and Policy:**

Local Emergency Management Arrangements

**Financial Implications:**

Nil

**Risk Assessment:**

Emergency Management is a core responsibility of local government and failure to comply with the legislation would find it in breach of the Local Government Act 1995.

**Community & Strategic Objectives:**

CIVIC LEADERSHIP – provide accountable and transparent leadership:

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- C1.1 Enhance open and interactive communication between Council and the community
- C1.2 Promote and support community members' participation in the Shires' governance

**SOCIAL - Provide services and processes to enhance public safety:**

- S 3.1 Support provision of emergency services such as bush fire brigades, ambulance and LEMC

**Comment:**

The minutes of the Mt Marshall Local Emergency Management Committee meeting held on Tuesday 8 November 2016 are submitted for Council information.

**2017/034 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That the minutes of the Mt Marshall Local Emergency Management Committee meeting held on Tuesday 21 February 2017 be received.***

***Moved Cr HJ Shemeld***

***Seconded Cr SE Faulkner***

***Carried 7/0***

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**11.2 Audit Committee**

**11.2.1 2016 Compliance Audit Return**

<b>File No:</b>	A2/27
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>Name of Owner:</b>	N/A
<b>Author:</b>	Nadine Richmond – Executive Assistant
<b>Attachments:</b>	11.2.1 – 2016 Compliance Audit Return
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	N/A

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**Background:**

The Local Government (Audit) Regulations 1996 require that the Shire carry out a Compliance Audit Return (CAR) for the period 1 January to 31 December each year, and after carrying out the Audit prepare a compliance audit return in a form approved by the Minister.

The Audit Committee is required to review the annual CAR and report to the Council the results of that review prior to adoption of the CAR by Council. The Audit committee will meet on 21 March 2017 prior to the Ordinary Meeting of Council and review the 2016 CAR.

The CAR is then to be presented to Council for adoption and recorded in the minutes of the meeting at which it is adopted.

The return, once adopted by Council is to be certified by the Shire President and the Chief Executive Officer and forwarded to the Director General of the Department of Local Government and Regional Development.

**Consultation:**

John Nuttall – Chief Executive Officer

**Statutory Environment:**

*Local Government Act 1995*

*Local Government (Audit) Regulations 1996*

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Nil

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**Risk Assessment:**

Failure to fulfil compliance requirements (Statutory and Regulatory)

**Community & Strategic Objectives:**

**CIVIC LEADERSHIP – Provide efficient and effective management:**

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

**Comment:**

The compliance audit is comprehensive and gives the Council an indication of the Shire's level of compliance with legislative requirements. The audit has been completed by the former Chief Executive Officer and the Finance and Administration Manager.

**2017/035 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That the Compliance Audit Return (as attached) for the period from 1 January 2016 to 31 December 2016 be adopted and recorded in the minutes as required by the Local Government (Audit) Regulations 1996.***

***Moved Cr SE Faulkner***

***Seconded Cr ARC Sachse***

***Carried 7/0***

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**12.0 Reports of Officers**

**12.1 Chief Executive Officer**

**12.1.8 Water Corporation AA Dams**

<b>File No:</b>	A6/25
<b>Location/Address:</b>	Various
<b>Name of Applicant:</b>	Water Corporation
<b>Name of Owner:</b>	Water Corporation
<b>Author:</b>	John Nuttall – Chief Executive Officer
<b>Attachments:</b>	12.1.8 – AA Dams Preliminary Report
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	N/A

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**Background:**

In 2016 the Water Corporation made contact with the Shire in relation to a series of AA water dams that are located around the Shire. Those dams are no longer being utilised by the Water Corporation and they have therefore been offered to the Shire. In December 2016 Dylan Copeland (NRM consultant) visited all of the dam locations and prepared a report regarding each one. A copy of that report can be found at **Attachment 12.1.8**

Subsequently discussions have taken place between John Nuttall and Andrew Johnson (works supervisor) regarding the dams and whether there should be a recommendation to Council to take on the responsibility of any of them.

**Consultation:**

Consultation has taken place with the following:

- David Morgan – Water Corporation
- Dylan Copeland – NRM Consultant
- Andrew Johnson – Works Supervisor

**Statutory Environment:**

*Local Government Act 1995*

**3.54. Reserves under control of local government**

- (1) If land reserved under the *Land Administration Act 1997* is vested in or placed under the control and management of a local government, the local government may do anything for the purpose of controlling and managing that land that it could do under section 5 of the *Parks and Reserves Act 1895* if it were a Board appointed under that Act to manage and control the land and for that purpose a reference in that section to a by-law is to be read as a reference to a local law.
- (2) Subsection (1) is subject to any express provision to the contrary made by an order under the *Land Administration Act 1997* in respect of the land.

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**Relevant Plans and Policy:**

Nil

**Financial Implications:**

There will be a cost to the Shire should Council choose to take ownership of the Dams, by way of ongoing maintenance. However this cost must be considered alongside the benefit to the Council of these assets, especially in areas where access to water for road works etc. is often difficult.

Given that the land transfer will take some time any maintenance budget for Dams that the Shire takes control of will be considered in the budget for 2017/18.

**Risk Assessment:**

There is a risk that maintenance of these assets could be costly. However the sites recommended for taking offer the least such risk, with positive benefit available from all of them.

**Community & Strategic Objectives:**

ECONOMIC - Facilitate the development of local and regional tourism

E 2.4 Facilitate the development of local tourism activities associated with the Shire's diverse natural, social and built heritage

ECONOMIC - Provide an effective and efficient transportation network

E 3.2 Maintain an efficient, safe and quality local road network

**Comment:**

All of the Dams in question have varying viability based upon their situation and condition. However it is suggested that Council agree to take control of some of the Dams. Should Council choose not to take control of any of the dams it is likely (based upon past actions) that the Water Corporation would destroy the outlet so that they are unusable and then leave them in-situ.

Based upon consultation the following recommendations are made:

Wiacubbing Dam: No actual tank and very limited use. Recommend NOT to take this Dam.

Gabbin: Small tank in poor condition and limited water source. Recommend NOT to take this Dam.

Warkutting: Central location, good sized tank. Issue currently with water access will need to be resolved. Recommend to TAKE this Dam.

Gabbing: Central location, operational with only slight maintenance. Recommend to TAKE this Dam.

Marindo Rocks: Tank serviceable and in central location. No other permanent water in the area. Recommend to TAKE this Dam.

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Snake Soak: Small tank and catchment. Not felt to provide sufficient benefit to outweigh repair costs. Recommend NOT to take this Dam.

Beebeegnying: central location with easy outlet access. Catchment functional. Recommend to TAKE this Dam.

Sand Soak: Located in an area with no permanent water sources. Potential appeal as a tourist site. Recommend to TAKE this Dam.

**OFFICER'S RECOMMENDATION:**

*That Council:*

1. *Accept the offer from Water Corporation of the transfer of ownership from the Water Corporation to the Shire of Mt Marshall of the following AA Dams:*
  - *Warkutting Tank*
  - *Gabbining Tank*
  - *Marindo Rocks*
  - *Beebeegnying Tank*
  - *Sand Soak Dam*
2. *Decline the offer from Water Corporation of the transfer of ownership from the Water Corporation to the Shire of Mt Marshall of the following AA Dams:*
  - *Wiacubbing Dam*
  - *Gabbins Dam*
  - *Snake Soak Dam*
3. *Direct the Chief Executive Officer to communicate the above resolution to the Water Corporation, and make the necessary arrangements for the transfer of the assets into the control of the Shire of Mt Marshall.*

*Moved Cr HJ Shemeld*

*Seconded Cr WJ Beagley*

**2017/036 COUNCIL DECISION:**

***That the matter lay on the table until the April 2017 ordinary meeting of Council for further investigation of costs and grants available and a cost benefit analysis.***

***Moved Cr ARC Sachse***

***Seconded Cr SE Faulkner***

***Carried 7/0***

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**12.1.9 Proposed Lease Agreement – Lot 170 (2) Collins St, Bencubbin**

<b>File No:</b>	A5/15
<b>Location/Address:</b>	2 Collins St, Bencubbin
<b>Name of Applicant:</b>	Shire of Mt Marshall
<b>Name of Owner:</b>	Freemasons WA
<b>Author:</b>	John Nuttall – Chief Executive Officer
<b>Attachments:</b>	Nil
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	April 2015 & December 2016

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**Background:**

Council has previously given direction through resolutions in both April 2015 and December 2016 for the Chief Executive Officer to enter negotiations with Freemasons WA in relation to obtaining the property at 2 Collins Street, Bencubbin. This land would then be available to use for any future stage of the CEACA program to allow for the construction of further aged care facilities.

During the course of previous negotiations it has not been possible to get into the position that Council can purchase the land. In recent times negotiations have therefore turned towards a lengthy lease (with a view to purchase in the future should that become possible). In February confirmation was received from Freemasons WA that they would be willing to enter into a 99 year lease with the Shire at a rent of \$100 per year. This offer is obviously an appropriate one given those previous negotiations and discussions.

However, it is important that Council note the following:

- There is not currently any funding available for the future CEACA stage which would lead to construction on this site.
- Currently it is far from certain that CEACA would accept leased land as land on which it would agree to construction under this funding agreement (Wyalkatchem are having a similar issue currently).
- It should take no more than a couple of months for a lease to be drafted and executed.

For all of the above reasons, it will be recommended that at this stage there is nothing to gain by Council entering into a lengthy lease.

**Consultation:**

There have been various discussions and negotiations involving Freemasons WA, Stephen Tindale and Shire President Rachel Kirby.

**Statutory Environment:**

*Local Government Act 1995*

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2.5. *Local governments created as bodies corporate*

- (3) The local government has the legal capacity of a natural person.

3.1. *General function*

- (1) The general function of a local government is to provide for the good government of persons in its district.
- (3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Should Council resolve that a lease is entered into then the cost for preparation of the lease has been quoted at between \$850 and \$1350 (plus disbursements). The annual cost of the lease would be \$100.

**Risk Assessment:**

There is a risk that should Council resolve to continue with obtaining a lease at this stage it will be left with a lengthy binding lease but without the funding (or potentially the acceptance of the lease by CEACA) to utilise the land.

**Community & Strategic Objectives:**

*SOCIAL - Maintain a strong sense of local community*

S 1.1 Advocate for enhanced service provision from government agencies to ensure these support services are available to local families and individuals.

*SOCIAL - Create an environment that provides for a caring and healthy community*

S 2.2 Facilitate provision of infrastructure for aged persons and people with disabilities

**Comment:**

Given the lack of current funding for a future stage and the ability to arrange a lease relatively quickly should the need arise, the recommendation in this report is to defer entering into a lengthy lease (and thus binding the Shire for 99 years) until some certainty regarding funding and a willingness for CEACA to allow building on leased land is available.

**2017/037 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That Council:***

- 1. Defer entering into a lease with Freemasons WA for 2 Collins Street, Bencubbin until future funding for building on the site is available.***
- 2. Direct the Chief Executive Officer to correspond with Freemasons WA in regard to the above resolution.***

**Moved Cr ARC Sachse**

**Seconded Cr CT Lumsden**

**Carried 7/0**

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**12.1.10 Bencubbin Multipurpose Complex Redevelopment**

<b>File No:</b>	A6/18a
<b>Location/Address:</b>	Marsh St, Bencubbin
<b>Name of Applicant:</b>	N/A
<b>Name of Owner:</b>	Shire of Mt Marshall
<b>Author:</b>	John Nuttall – Chief Executive Officer
<b>Attachments:</b>	Nil
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	December 2016

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**Background:**

In December 2016 Council resolved to put the redevelopment of the multi-purpose complex out to tender through WALGA procurement services. That tender closed on 9 March and the tender panel met to discuss the received tenders on 14 March 2017. During those deliberations a preferred contractor was identified and recommended by the panel. The tendered amount is in excess of the budget.

Further resolved at the December meeting was that should the tender bids exceed the budget the steering committee and architect find agreed costs savings to achieve the budget.

This report requests Council to authorise the Chief Executive Officer and the Architect (Mr Stephen Hart) to meet with the preferred contractor to enter preliminary negotiations in an attempt to find costs savings to bring the tender within budget. At this first negotiation stage those negotiations will involve some minor amendments and confirmation that the tenderer has correctly understood and therefore correctly priced all aspects of the work. Should sufficient savings be made through this process then the preferred tenderer would be recommended to Council.

Should the negotiation process not identify sufficient savings to bring the project under budget this report seeks Council approval for the Chief Executive Officer and Architect to immediately liaise with the steering committee and then the preferred tenderer (without the need for the matter to be brought back to Council) to agree potential changes to the redevelopment which would achieve any necessary saving to bring the project within budget.

**Consultation:**

There has been consultation on this matter with WALGA and the tender panel.

**Statutory Environment:**

*Local Government Act 1995*

*3.57. Tenders for providing goods or services*

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

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

There is a set budget for this project, the total of which is \$2.6 million.

**Risk Assessment:**

Council must be aware that at this stage of the project the tenders (both names and amounts) are commercial and in confidence. It is important that the ability to negotiate with any tenderer is not jeopardised by the release of confidential information. For that reason at this stage the names of those organisations who submitted tenders, the name of the preferred tenderer or the amounts tendered cannot be released.

**Community & Strategic Objectives:**

*CIVIC LEADERSHIP - Provide efficient and effective management*

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

**Comment:**

There is need for this matter to be dealt with as efficiently as possible given the timeframe of the works and the funding arrangements currently in place. In order to ensure this efficiency Council are requested at this stage to allow the Chief Executive Officer and the Architect to enter discussions with the preferred tenderer to identify areas where a reduction in the current tender amount might be achieved. It is intended that this process will take place later this week or early next week. Thereafter should there be a need to contemplate any changes to the design of the building, that process would require the input of the Steering Committee.

**2017/038 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That Council:***

- 1. Authorise the Chief Executive Officer and Architect to meet with the preferred tenderer and enter discussions and negotiations with a view to bringing the tendered amount within budget. These initial negotiations shall not include major structural change to the redevelopment.***
- 2. Should the negotiations in recommendation 1 not be successful, the Chief Executive Officer and Architect be authorised to immediately liaise with the Steering Committee to agree potential structural changes, and then negotiate with the preferred tenderer regarding those changes with a view to bringing the tendered amount within budget.***

**Moved Cr CT Lumsden**

**Seconded Cr ARC Sachse**

**Carried 7/0**

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**12.2 Works Supervisor**

**12.2.2 Works Report March 2017**

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

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**Background:**

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

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Nil

**Risk Assessment:**

Nil

**Community & Strategic Objectives:**

ECONOMIC - Provide an effective and efficient transportation network

E 3.2 Maintain an efficient, safe and quality local road network

CIVIC LEADERSHIP - Provide efficient and effective management

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

**Comment:**

Roads

Reconstruction works on the Wialki-Mukinbudin Road are ongoing and completion including sealing is expected to be at the end of March.

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Preparations are in place for the commencement of our re-sheeting program which will be commencing at the beginning of April. Hopefully we have some decent rains leading up to this and it continues throughout the program.

**Town Maintenance**

We had some issues with the main pump at the Bencubbin town catchment dam which limited the amount of water we were able to put on the oval. This has now been resolved and the turf has come back very well.

We have been concentrating on our weed control program and everything has been completed for the time being.

**Waste Sites**

Both waste sites are under control with the only issue that seems to be recurring is that people are not putting the rubbish into the pit and forcing others to dump away from the tip face.

**Plant**

All plant replacements for 2016/17 have been completed.

The Mitsubishi Triton twin cab with the overheating issues has been assessed by Mitsubishi and as of the 8<sup>th</sup> of March it looks like they will be replacing the engine after they complete the required documentation and photographic evidence. This a recall warranty replacement.

**Other Items of Interest**

After looking into the detail or lack of detail in the water catchment and reuse projects in both Beacon and Bencubbin, I have had Total Eden do a complete design and install plan for all of these projects and to give us a price and scope that we can put out to tender.

After looking into the history of the projects they were never properly assessed. There was no consideration taken for the aged power supplies. I also found there was unnecessary plumbing requested that basically complicated a straight forward task of moving water from one catchment to another. These considerations have now been given to Total Eden and they will be back with a plan that can be implemented as soon as possible.

**2017/039 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That the March report of the Works Supervisor be received.***

***Moved Cr SE Faulkner***

***Seconded Cr ARC Sachse***

***Carried 7/0***

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**12.3 Executive Assistant**

**12.3.5 Status Report – February 2017**

<b>File No:</b>	N/A
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Nil
<b>Name of Owner:</b>	N/A
<b>Author:</b>	Nadine Richmond – Executive Assistant
<b>Attachments:</b>	12.3.5 – Status Report February 2017
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	Nil

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**Background:**

The status report is a register of Council resolutions that are allocated to Shire staff for actioning. When staff have progressed or completed any action in relation to Council's decision, comments are provided until the process is completed or superseded by more recent Council resolutions.

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Nil

**Risk Assessment:**

Nil

**Community & Strategic Objectives:**

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

**Comment:**

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

**2017/040 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That the Status Report for February 2017 be received.***

***Moved Cr SE Faulkner***

***Seconded Cr NR Gillett***

***Carried 7/0***

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**12.4 Finance and Administration Manager**

**12.4.9 Unpaid Rates Lot 134 Brown Street, Bencubbin**

<b>File No:</b>	A6366 & F2/2
<b>Location/Address:</b>	Lot 134 Brown Street, Bencubbin
<b>Name of Applicant:</b>	Nil
<b>Name of Owner:</b>	Bonnie Marie Barber
<b>Author:</b>	Tanika McLennan – Finance Admin Manager
<b>Attachments:</b>	Nil
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Previously Considered:</b>	Nil

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**Background:**

The author has been pursuing outstanding rates on Lot 134 Brown Street, Bencubbin which have been accruing since 1 July 2013.

Correspondence was received via the Shire website on 10 February 2017 from the owner, Bonnie Marie Barber, who writes:

*“I have a block on Brown Street in Bencubbin and would like to talk to someone about the possibility of returning the block to the shire. as i am a single parent on a pension who can no longer afford the rates. I have also send this email to you about two years ago and received no reply. Please send this to the appropriate person so that arrangements can be made and agreed upon.*

**Consultation:**

Nil

**Statutory Environment:**

*Local Government Act 1995*

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

*\* Absolute majority required.*

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(1a) In subsection (1) —

***additional purpose*** means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

*[Section 6.8 amended by No. 1 of 1998 s. 19.]*

6.64. Actions to be taken

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
  - (a) from time to time lease the land; or
  - (b) sell the land; or
  - (c) cause the land to be transferred to the Crown; or
  - (d) cause the land to be transferred to itself.
- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
- (3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Increase in asset value:

Lot 134 Brown Street	\$10,000.00
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Unbudgeted expenditure:

Shire Rates	\$3,018.58
Water Rates	<u>\$2,421.97</u>
	\$5,440.55

**Risk Assessment:**

Nil

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**Community & Strategic Objectives:**

C2.4 Use resources efficiently and effectively

C3.4 Recruit, retain and develop suitably qualified, experienced and skilled staff

**Comment:**

Under Section 6.64 of the Local Government Act 1995, Council can still take possession of the land after the statutory advertising period, however this will hold up the process for a further 12 to 18 months. Given that Ms Barber has indicated her willingness to transfer the land to the Shire now, it is suggested that the opportunity be taken to purchase the land via the "Offer and Acceptance" process.

Ms Barber would be offered the amount of \$5,440.55, being the amount outstanding for Water and Shire rates, meaning the funds would be disbursed accordingly at settlement and she would not receive any cash for the sale.

There are currently eight, shire owned, vacant residential blocks in Bencubbin and ten in Beacon. There is one vacant house, being 168 Collins Street, Bencubbin and this house is currently offered for sale by tender. Two staff houses are currently occupied by community members and two community housing units are currently occupied by staff. There are currently eleven full time staff providing their own housing. The CEO's residence is currently occupied by the Works Supervisor and the CEO is not in an executive residence.

The following is a list of shire owned residential property.

Lot No	Street Name	Suburb	Use
233	Baxter	BENCUBBIN	Vacant
234 235	Baxter	BENCUBBIN	Houses
158	Brown	BENCUBBIN	House
156	Brown	BENCUBBIN	House
148	Brown	BENCUBBIN	Units
248	Brown	BENCUBBIN	House
247	Brown	BENCUBBIN	House
63	Brown	BENCUBBIN	Vacant
161 162	Brown	BENCUBBIN	House
64	Brown	BENCUBBIN	House
139	Brown	BENCUBBIN	Vacant
167	Collins	BENCUBBIN	Unit
168	Collins	BENCUBBIN	House
166	Collins	BENCUBBIN	Unit
6	Hammond	BENCUBBIN	Vacant
179	Hammond	BENCUBBIN	Vacant
5	Hammond	BENCUBBIN	House
3	Hammond	BENCUBBIN	House
97	Monger	BENCUBBIN	Units
77	Monger	BENCUBBIN	House
78	Monger	BENCUBBIN	Vacant

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93 92	Monger	BENCUBBIN	Units
229	Murray	BENCUBBIN	House
223	Rowlands (Bencubbin)	BENCUBBIN	Vacant
224	Rowlands (Bencubbin)	BENCUBBIN	House
208	Rowlands (Bencubbin)	BENCUBBIN	Vacant
300	Askew	BEACON	Vacant
301	Askew	BEACON	Vacant
302	Askew	BEACON	Vacant
303	Askew	BEACON	Vacant
304	Askew	BEACON	Vacant
305	Askew	BEACON	Vacant
306	Askew	BEACON	Vacant
307	Askew	BEACON	Vacant
308	Askew	BEACON	Vacant
309	Askew	BEACON	Vacant
101	Broadbent	BEACON	House
87	Dunne	BEACON	House
679	Dunne	BEACON	House
15	Lindsay	BEACON	House
19	Rowlands (Beacon)	BEACON	House
38	Rowlands (Beacon)	BEACON	House
37	Rowlands (Beacon)	BEACON	House
28	Rowlands (Beacon)	BEACON	House
30	Rowlands (Beacon)	BEACON	House

	Occupied by staff
	Vacant land
	Occupied by community
	Short term accommodation
	For sale by tender

Whilst it is likely there will always be a percentage of staff providing their own housing, it is noted that there is only one executive residence and three senior positions. These positions are most often filled by people from outside of the community and housing can play an important part in attracting and retaining quality staff.

The shire does own sufficient land to build additional housing, however this may be a consideration in deciding whether to retain Lot 134 Brown Street, Bencubbin once it has been acquired for payment of outstanding rates. It is also noted that Lot 6 Hammond Street, Bencubbin has been advertised for sale for over two years with no interest and on selling Lot 134 Brown Street, Bencubbin is likely to be difficult.

**OFFICER'S RECOMMENDATION:**

*That;*

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1. Ms Bonnie Marie Barber, be offered the sum of \$5,440.55 for the purchase of Lot 134 Brown Street, Bencubbin; and
2. Lot 134 Brown Street, Bencubbin be retained for future housing needs.

Moved Cr HJ Shemeld

Seconded Cr SE Faulkner

Lost

**2017/041 COUNCIL DECISION:**

***That;***

1. Ms Bonnie Marie Barber, be offered the sum of \$5,440.55 for the purchase of Lot 134 Brown Street, Bencubbin.

Moved Cr ARC Sachse

Seconded Cr CT Lumsden

**Carried 7/0  
Absolute Majority**

***Reason Council decision is different to officer recommendation:*** To allow for the possible sale of said lot.

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**12.4.10 Statement of Financial Activity to 28 February 2017**

<b>File No:</b>	F1/4
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Nil
<b>Name of Owner:</b>	N/A
<b>Author:</b>	Tanika McLennan – Finance & Admin Manager
<b>Attachments:</b>	12.4.10 – Statement of Financial Activity to 28 February 2017
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	Nil

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**Background:**

Under Regulation 34 of the Local Government (Financial Management) Regulations 1996 a local government is to prepare each month a statement of financial activity which includes annual budget estimates, year to date budget estimates, actual amounts expenditure, revenue and income, material variances and net current assets.

**Consultation:**

Nil

**Statutory Environment:**

*Local Government Act 1995 and Local Government (Financial Management) Regulations 1996*

**Relevant Plans and Policy:**

**Financial Implications:**

The statement presented to Council is the most up to date information on its current financial position.

**Risk Assessment:**

Nil

**Community & Strategic Objectives:**

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

**Comment:**

Nil

**2017/042 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That Council endorse the Statement of Financial Activity for the month ending 28 February 2017.***

***Moved Cr SE Faulkner***

***Seconded Cr HJ Shemeld***

***Carried 7/0***

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**12.4.11 Accounts Paid to 28 February 2017**

**File No:** F1/4  
**Location/Address:** N/A  
**Name of Applicant:** Nil  
**Name of Owner:** N/A  
**Author:** Sandy Wyatt – Administration Officer  
**Attachments:** Nil  
**Declaration of Interest:** Nil  
**Voting Requirements:** Simple Majority  
**Previously Considered:** Nil

**Background:**

Following is a List of Accounts submitted to Council on Tuesday 21 March 2017 for the Municipal Fund, Trust Fund and Mastercard. Councillor questions regarding any payments can be directed to Finance and Administration Manager, Tanika McLennan, prior to the meeting.

**1. Municipal Fund**

Chq/EFT	Date	Name	Description	Amount
9	28/02/2017	BANK FEES - BANK FEES	BANK FEES	163.87
38	08/02/2017	WATER CORPORATION	UTILITY CHARGES 21.11.16-23.1.17	329.20
39	08/02/2017	SYNERGY	STREETLIGHTS-25.11.16-24.12.16	1804.45
40	17/02/2017	SYNERGY	UTILITY CHARGES 6.12.16-15.2.17	8580.10
41	28/02/2017	TELSTRA	UTILITY CHARGES-FEBRUARY17	2193.75
42	28/02/2017	SYNERGY	UTILITY CHARGES 10.12.16-16.2.17	189.45
EFT12092	08/02/2017	NINGHAN SPRAYING & AG SERVICES	SHADECLOTH FOR BEACON TENNIS COURTS	2688.29
EFT12093	08/02/2017	SHERIDAN'S	NAME BADGE	61.00
EFT12094	08/02/2017	KTY ELECTRICAL SERVICES	JANUARY REPAIRS	428.35

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<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT12095	08/02/2017	JASON SIGNMAKERS	REFLECTIVE CONES	1182.50
EFT12096	08/02/2017	BENCUBBIN NEWS & POST	POSTAGE 23.1.17-25.1.17	18.60
EFT12097	08/02/2017	BUNNINGS BUILDING SUPPLIES	JANUARY SUPPLIES	44.76
EFT12098	08/02/2017	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	BOOKING AGENT FEE-DECEMBER	407.90
EFT12099	08/02/2017	METAL ARTWORK CREATIONS	DESK NAME PLAQUE	15.62
EFT12100	08/02/2017	STAR TRACK EXPRESS	FREIGHT-JANUARY	637.81
EFT12101	08/02/2017	ALL-WAYS FOODS	JANUARY SUPPLIES	1342.49
EFT12102	08/02/2017	PORKY'S ENTERPRISES	TRENCHING & PIPE INSTALLATION	5775.00
EFT12103	08/02/2017	BENCUBBIN TRUCK N AUTO'S	JANUARY SUPPLIES	858.43
EFT12104	08/02/2017	NAUGHTY BUGS PEST CONTROL	PEST CONTROL	1947.00
EFT12105	08/02/2017	RN & JB WHYTE	DOZER HIRE	7590.00
EFT12106	08/02/2017	BENCUBBIN AG SUPPLIES	JANUARY SUPPLIES	535.70
EFT12107	08/02/2017	REFUEL AUSTRALIA	FUEL-JANUARY17	490.20
EFT12108	08/02/2017	5RIVERS PLUMBING AND GAS	JANUARY REPAIRS	1018.49
EFT12109	08/02/2017	BENNY MART	AUSTRALIA DAY BREAKFAST	471.90
EFT12110	08/02/2017	ECHELON AUSTRALIA PTY LTD	REGIONAL RISK CO-ORDINATOR PROGRAM	1980.00
EFT12111	08/02/2017	GREAT SOUTHERN FUELS	FUEL-JANUARY17	1616.77
EFT12112	08/02/2017	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS	320.98
EFT12113	08/02/2017	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMENT-JANUARY17	607.75
EFT12114	08/02/2017	KC SALES	CATERING 20.12.16	132.00
EFT12115	08/02/2017	MARKET CREATIONS	STATIONERY	484.00
EFT12116	08/02/2017	SARAH MARY MOUG	REIMBURSEMENT FOR UNIFORM-S.MOUG	150.00
EFT12117	08/02/2017	STEPHEN TINDALE	REIMBURSEMENT FOR VARIOUS EXPENSES	101.90
EFT12118	08/02/2017	DR YOSHI INOUE T/A YOSHI. INOUE	PRE-EMPLOYMENT MEDICAL-R.DITCHBURN	140.00
EFT12123	14/02/2017	BENDIGO BANK	JANUARY SUPPLIES	968.21
EFT12124	17/02/2017	AVON WASTE	RUBBISH COLLECTION-JANUARY17	5662.18
EFT12125	17/02/2017	BOC GASES	GAS CYLINDERS-JANUARY17	86.35
EFT12126	17/02/2017	KTY ELECTRICAL SERVICES	FEBRUARY REPAIRS	3487.00
EFT12127	17/02/2017	BENCUBBIN NEWS & POST	JANUARY NEWSPAPERS	197.35
EFT12128	17/02/2017	MOORE STEPHENS (WA) PTY LTD	BUDGET WORKSHOP-T.MCLENNAN	893.20

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<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT12129	17/02/2017	STAPLES AUSTRALIA	FEBRUARY SUPPLIES	99.30
EFT12130	17/02/2017	ICS CARPENTRY	FEBRUARY REPAIRS	643.50
EFT12131	17/02/2017	ALL-WAYS FOODS	FEBRUARY SUPPLIES	587.55
EFT12132	17/02/2017	PLANWEST (WA) PTY LTD	PLANNING SERVICES	847.00
EFT12133	17/02/2017	IT VISION	UPDATE SYNERGY TEMPLATES	484.00
EFT12134	17/02/2017	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	UNDERSTANDING FINANCIAL REPORTS & BUDGETS COURSE 14.3.17-R.KIRBY	200.00
EFT12135	17/02/2017	5RIVERS PLUMBING AND GAS	FEBRUARY REPAIRS	709.21
EFT12136	17/02/2017	KUNUNOPPIN MEDICAL PRACTICE	DOCTORS APPT-R.DITCHBURN	110.00
EFT12137	17/02/2017	CR WJ BEAGLEY	MEETING FEES & ALLOWANCES 14.2.17	515.18
EFT12138	17/02/2017	RAINVALE UNIT TRUST	GRAVEL	1832.20
EFT12139	17/02/2017	WA CONTRACT RANGER SERVICES	RANGER SERVICES 25.1.17 & 7.2.17	584.37
EFT12140	17/02/2017	ECOWATER SERVICES	MAINTENANCE BIOMAX SYSTEM-229 MURRAY ST	215.30
EFT12141	17/02/2017	CR ARC SACHSE	MEETING FEES & ALLOWANCES 14.2.17	510.18
EFT12142	17/02/2017	CR SE FAULKNER	MEETING FEES & ALLOWANCES 13.2.17-14.2.17	792.50
EFT12143	17/02/2017	CR HJ SHEMELD	MEETING FEES & ALLOWANCES-FEBRUARY17	493.18
EFT12144	17/02/2017	CALLUM THOMAS LUMSDEN	MEETING FEES & ALLOWANCES-FEBRUARY 17	493.18
EFT12145	17/02/2017	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES	610.25
EFT12146	17/02/2017	STEPHEN TINDALE	REIMBURSEMENT FOR TRAVEL	429.20
EFT12147	17/02/2017	SITE ARCHITECTURE	CONSTRUCTION DOCUMENTS	31395.76
EFT12148	17/02/2017	OSA PRODUCTIONS TRUST	BALANCE-RAY RYDER PERFORMANCE-FEBRUARY 2017	660.00
EFT12149	17/02/2017	CR NICK GILLETT	MEETING FEES & ALLOWANCES 14.2.17	531.18
EFT12150	17/02/2017	WILLIAM GRACIE	SATELITE DIGITAL RECEIVER	368.50
EFT12151	21/02/2017	BENCUBBIN COMMUNITY RECREATION COUNCIL	MEALS FOR RAY RYDER BAND	140.00
EFT12152	21/02/2017	TOTAL EDEN PTY LTD	JANUARY SUPPLIES	354.27
EFT12153	21/02/2017	BEACON CO-OPERATIVE LTD	FEBRUARY SUPPLIES	24.40
EFT12154	21/02/2017	D I TOMAS CONTRACTING	HIRE OF BOBCAT	1408.00

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<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT12155	21/02/2017	DAVES TREE SERVICE	TREE LOPPING BENCUBBIN & BEACON	6182.00
EFT12156	21/02/2017	JR & A HERSEY	JANUARY SUPPLIES	517.11
EFT12157	21/02/2017	MW GRANT	PUSH GRAVEL AT WIALKI	16940.00
EFT12158	21/02/2017	TRYPHENA GILLETT	AQUATIC CENTRE REIMBURSEMENT SCHEME 2016/17	66.00
EFT12159	21/02/2017	MORGAN JAMES SCARFE	ENTERTAINMENT PERFORMANCE-BEACON TOWN HALL 16.2.17	1650.00
EFT12160	21/02/2017	ANNA MUNNS	AQUATIC CENTRE REIMBURSEMENT SCHEME 2016/17	61.00
EFT12161	22/02/2017	TUTT BRYANT EQUIPMENT	2016 BOMAG BW213D-5 SMOOTH DRUM ROLLER	123806.00
EFT12162	27/02/2017	WA TREASURY CORPORATION	LOAN 119	975.84
EFT12163	01/02/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12164	08/02/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12165	15/02/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12166	22/02/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12167	28/02/2017	SHIRE OF MT MARSHALL	ACCOMMODATION FOR RICOCHET CIRCUS	135.00
EFT12168	28/02/2017	WESFARMERS KLEENHEAT GAS P/L	FACILITY FEE-GAS CYLINDERS	379.50
EFT12169	28/02/2017	KTY ELECTRICAL SERVICES	FEBRUARY REPAIRS	4106.89
EFT12170	28/02/2017	BENCUBBIN NEWS & POST	POSTAGE 13.2.17-17.2.17	34.95
EFT12171	28/02/2017	AUSTRALIAN TAXATION OFFICE	BAS-JANUARY17	17439.00
EFT12172	28/02/2017	BEACON CO-OPERATIVE LTD	AUSTRALIA DAY BBQ	758.95
EFT12173	28/02/2017	STAPLES AUSTRALIA	FEBRUARY SUPPLIES	60.95
EFT12174	28/02/2017	DEPARTMENT OF FIRE & EMERGENCY SERVICES	ESLB 3RD QTR CONTRIBUTION	10479.60
EFT12175	28/02/2017	ICS CARPENTRY	FEBRUARY REPAIRS	12236.40
EFT12176	28/02/2017	BENCUBBIN PRIMARY SCHOOL	JUNIOR ART AWARD 2016	24.99
EFT12177	28/02/2017	MERREDIN TOYOTA	SERVICE-COMMUNITY BUS	180.54
EFT12178	28/02/2017	HEMPFIELD SMALL MOTORS	FEBRUARY SUPPLIES	34.20
EFT12179	28/02/2017	BENCUBBIN TRUCK N AUTO'S	FEBRUARY SUPPLIES	5460.00
EFT12180	28/02/2017	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	UNDERSTANDING FINANCIAL REPORTS & BUDGETS-H.SHEMELD 14.3.17	310.00

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<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT12181	28/02/2017	MARGARET FRASER	PROVIDE BASIC EMERGENCY FIRST AID COURSE	1100.00
EFT12182	28/02/2017	KC SALES	CATERING-FIRST AID COURSE	205.10
EFT12183	28/02/2017	SALLY MORGAN	REIMBURSEMENT FOR CASH PRIZES FOR FOXSHOOT-SPONSORSHIP	354.76
EFT12184	28/02/2017	SANDRA WYATT	TRAVEL WALGA/LGIS WORKSHOP 23.2.17 & ROLLS FOR FOXSHOOT	184.80
EFT12185	28/02/2017	CR RM KIRBY	MEETING FEES & ALLOWANCES 7.2.17-14.2.17	2020.90
EFT12186	28/02/2017	VANESSA J CAPP	BUS HIRE & DRIVERS-INTERM SWIMMING LESSONS	2974.40
EFT12187	28/02/2017	INTERNATIONAL ASSOCIATION FOR PUBLIC PARTICIPATION AUSTRALASIA	REGISTRATION FOR ENGAGEMENT METHODS TRAINING COURSE 4&5.4.17	1100.00
EFT12188	28/02/2017	JOHN NUTTALL	PART FOR LANDCRUISER	128.00
EFT12189	28/02/2017	JOANNA POOLE	AQUATIC CENTRE REIMBURSEMENT SCHEME 2016/17	141.00
EFT12190	28/02/2017	PROMPT SETTLEMENTS	FINAL SETTLEMENT-LAND-ASKEW ST BEACON	7253.70
EFT12191	28/02/2017	DC PAYMENTS AUSTRALASIA	ONGOING FEES FOR ATM-JANUARY17	80.80
DD8634.1	01/02/2017	WALGS PLAN	PAYROLL DEDUCTIONS	6448.02
DD8634.2	01/02/2017	PROVENCE DREAMING SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	1037.40
DD8634.3	01/02/2017	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	254.48
DD8634.4	01/02/2017	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	183.69
DD8634.5	01/02/2017	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	156.78
DD8634.6	01/02/2017	HOSTPLUS	SUPERANNUATION CONTRIBUTIONS	112.27
DD8634.7	01/02/2017	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	544.15
DD8634.8	01/02/2017	CARESUPER	SUPERANNUATION CONTRIBUTIONS	156.77
DD8649.1	15/02/2017	WALGS PLAN	PAYROLL DEDUCTIONS	6473.89
DD8649.2	15/02/2017	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	210.60

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Chq/EFT	Date	Name	Description	Amount
DD8649.3	15/02/2017	PROVENCE DREAMING SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	936.54
DD8649.4	15/02/2017	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	183.69
DD8649.5	15/02/2017	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	156.78
DD8649.6	15/02/2017	HOSTPLUS	SUPERANNUATION CONTRIBUTIONS	73.46
DD8649.7	15/02/2017	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	362.82
DD8649.8	15/02/2017	CARESUPER	SUPERANNUATION CONTRIBUTIONS	156.78
DD8649.9	15/02/2017	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	475.00
				<b>336,346.26</b>

**2. Trust**

Chq/EFT	Date	Name	Description	Amount
EFT12090	08/02/2017	SANDRA WYATT	REIMBURSEMENT FOR SOCIAL CLUB PURCHASES	91.90
EFT12091	08/02/2017	CR NICK GILLET	REFUND OF NOMINATION DEPOSIT	80.00
EFT12192	28/02/2017	DEPARTMENT OF TRANSPORT	MMSO20170214	3484.60
				<b>3,656.50</b>

**3. Mastercard**

Details	Amount
Bank fees	4.00
Foxtel	110.00
Foxtel-7 Rowlands St	155.00
Bank fees	4.00
Cable ties-stainless steel	155.32
Fuel	50.05
Family day care-insurance	485.84
Bank fees	4.00
	<b>968.21</b>

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This List of Accounts Paid under Delegation 14 and covering vouchers and direct debits as above was submitted to each Member of the Council for the Ordinary Meeting of **21 March 2017**. All invoices, being the subject of payments made, have been duly certified as to the receipt of goods and services, and prices, computations and costings have been checked against the expenditure authority (i.e. budget, purchase order, delegation).

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John Nuttall  
Chief Executive Officer

**Consultation:**

Tanika McLennan – Finance and Administration Manager

**Statutory Environment:**

*Financial Management Regulations and the Local Government Act 1995*

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

An appropriate allowance has been made in the current year's budget to fund and authorise expenditure.

**Risk Assessment:**

Nil

**Community & Strategic Objectives:**

C 3.3 Provide reporting processes in a transparent, accountable and timely manner

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**Comment:**

Nil

**2017/043 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That the Accounts Listed***

<b><i>Municipal Fund</i></b>	<b>\$ 336,346.26</b>
<b><i>Trust Fund</i></b>	<b>\$ 3,656.50</b>
<b><i>Mastercard</i></b>	<b>\$ <u>968.21</u></b>
<b><i>Total</i></b>	<b>\$ 340,970.97</b>

***Detailed statement provided in Councillor Information.***

***Be endorsed.***

***Moved Cr SE Faulkner***

***Seconded Cr WJ Beagley***

***Carried 7/0***

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**12.5 Community Development Officer**

Nil

**12.6 Regulatory Officer**

**12.6.3 Review of Local Emergency Management Arrangements**

<b>File No:</b>	A6/38
<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Shire of Mt Marshall
<b>Name of Owner:</b>	N/A
<b>Author:</b>	Jack Walker – Regulatory Officer
<b>Attachments:</b>	12.6.3 – Local Emergency Management Arrangements
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	N/A

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**Background:**

Western Australia is subject to a variety of hazards that have the potential to cause loss of life and/or damage and destruction. These hazards result from events of both natural and man-made origin. The Emergency Management Act 2005 (EM Act) formalises Western Australia's emergency management arrangements.

Under the EM Act, local governments are required to have local emergency management arrangements (LEMA). Local governments are the closest level of government to their communities and have access to specialised knowledge about the local environment and demographic features of their communities. Effective local emergency management arrangements enhance the community's resilience and preparedness for emergencies through strategies that apply prevention/mitigation, preparedness, response and recovery measures.

In addition to ensuring that effective local emergency management arrangements are prepared and maintained and managing recovery following an emergency in its district, each local government is required to establish and maintain a local emergency management committee (LEMC). The LEMC is to provide advice and guidance to the local government relating to the development, maintenance and testing of their local emergency management arrangements.

LEMA must be reviewed regularly and best reviewed:

- after an event or incident that requires the activation of an Incident Support Group (ISG) or significant recovery coordination;
- after training or drills that exercise the arrangements;
- every five (5) years; and
- any other time the local government considers appropriate.

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The review might be a 'light touch', or statement of fact change with minor amendments, or there may be major updates required.

**Consultation:**

Consultation has taken place with the Local Emergency Management Committee, Mr John Nuttall, CEO and Yvette Grigg, District Emergency Management Advisor.

**Statutory Environment:**

*Emergency Management Act (2005)*

Section 38(1). Local emergency management committees

- (1) A Local Government is to establish one or more local emergency management committees for the local government's district.

Section 42. Reviewing and renewing local emergency management arrangements

- (1) A local government is to ensure that its local emergency management arrangements are reviewed in accordance with the procedures established by the Office of Emergency Management.
- (2) Local emergency management arrangements may be amended or replaced whenever the local government considers it appropriate.

*Local Government Act (1995)*

Section 5.8: Establishment of Committees

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

**Relevant Plans and Policy:**

Local Emergency Management Arrangements

**Financial Implications:**

Nil

**Risk Assessment:**

Emergency Management is a core responsibility of local government and failure to comply with the legislation would find it in breach of the Local Government Act 1995.

**Community & Strategic Objectives:**

CIVIC LEADERSHIP – provide accountable and transparent leadership:

C1.1 Enhance open and interactive communication between Council and the community

C1.2 Promote and support community members' participation in the Shires' governance

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CIVIC LEADERSHIP – provide efficient and effective management:

C3.3 Provide reporting processes in a transparent, accountable and timely manner.

SOCIAL - Provide services and processes to enhance public safety:

S 3.1 Support provision of emergency services such as bush fire brigades, ambulance and LEMC

**Comment:**

The current Local Emergency Management Arrangements for the Shire of Mt Marshall were adopted by Council in 2010, as it is passed the five year due date for revision shire staff, with assistance from the Office of Emergency Management have carried out a review of the document and made any necessary changes. A draft copy of the document was presented to the Local Emergency Management Committee on Tuesday 21 February 2017 who resolved as follows:

**LEMC2017/004 COMMITTEE DECISION:**

**That the review of the Shire of Mt Marshall Local Emergency Management Arrangements (with agreed amendments) be accepted and presented to Council for endorsement.**

**Moved Mr D Tomas**

**Seconded Cr S Faulkner**

**Carried 14/0**

Shire staff have included the agreed amendments from the Local Emergency Management Committee meeting and the document (Attachment 12.6.3) is now compliant and awaiting Council endorsement prior to being forwarded to the District Emergency Management Committee for its noting.

**2017/044 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That pursuant to Section 42 of the Emergency Management Act 2005 the review of the Shire of Mt Marshall Local Emergency Management Arrangements be accepted and a copy of the document be forwarded to the District Emergency Management Committee for noting.***

**Moved Cr SE Faulkner**

**Seconded Cr HJ Shemeld**

**Carried 7/0**

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**12.7 Development**

**12.7.1 Development Approval Application – Beacon Mobile Phone Tower**

<b>File No:</b>	TP1/1
<b>Location/Address:</b>	Lot 200 Burakin-Wialki Road, Beacon
<b>Name of Applicant:</b>	Deighton Pty Ltd
<b>Name of Owner:</b>	J and R DeJong
<b>Author:</b>	Paul Bashall, Consultant Planner - Planwest
<b>Attachments:</b>	12.7.1 – Deighton Pty Ltd DA Application
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	Nil

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**Background:**

The DA (Development Approval) – **Attachment 12.7.1** - proposal is to install a Mobile Phone Base Station, incorporating a 60m tower, to accommodate six panel antennas together with an equipment room located at the base of the structure. Additionally, the lower area of the structure is to be reserved for the Emergency Services Organisations for potential future requirements.

The proposed development will be sited within a small fenced compound measuring about 15x11m on the street boundary of the Burakin-Wialki Road immediately east of Beacon townsite.

The infrastructure will be located about 200 metres east of a 17 hectare UCL area (Unallocated Crown Land).

**Consultation:**

Nil

**Statutory Environment:**

*Shire of Mt Marshall Local Planning Scheme No 3*

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

Town Planning Fees of \$416.00

**Risk Assessment:**

Failure to deal with application would mean breaking regulatory duties. Failure to approve would mean delay in erection of tower.

**Community & Strategic Objectives:**

ECONOMIC - Actively support and develop local and new business

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E 1.2 Lobby for the technological infrastructure (such as mobile telephone) necessary to support commercial and business growth

BUILT ENVIRONMENT - Build a sense of place through public infrastructure and facilities

B 1.3 Develop and maintain sustainable assets and infrastructure

**Comment:**

The subject land (Lot 200) is owned by J and R De Jong and measures just over 18 hectares. The majority of the land is currently used for rural purposes. The dwelling is set amongst a group of other buildings, mostly clustered around the south west part of the property. **Figure 1** provides an oblique view of the property indicating the lot's relationship to the Beacon townsite. The Tower is shown diagrammatically (not to scale) to indicate the approximate location in respect to the buildings on the land.

**FIGURE 1 – LOCATION PLAN**



Source: Google Earth, PLANWEST

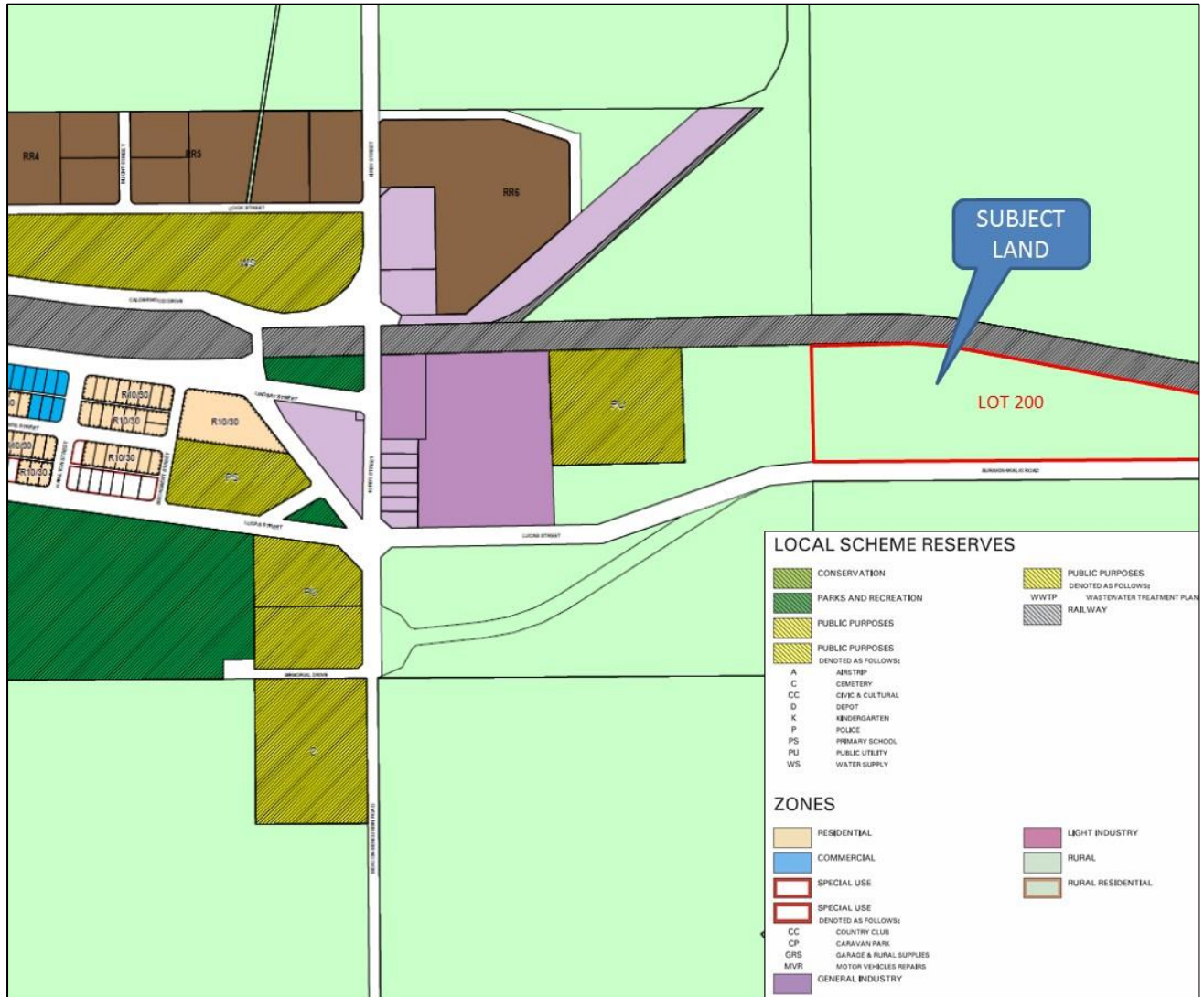
The land is zoned 'Rural' under the Shire of Mt Marshall Town Planning Scheme 3 in which a 'telecommunications infrastructure' is a 'D' (Discretionary use) use in Table I – Zoning Table of the Scheme.

*A 'D' use means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.*

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**Figure 2** provides an extract from the Scheme Map showing the subject land in relation to the Beacon townsite.

**FIGURE 2 - EXTRACT FROM SCHEME 3**



**Source:** DoP, PLANWEST

The development will be contained within a relatively small compound (15x11m) abutting the road. This has presumably been selected for ease of access, however it will make the facility very visually prominent from the road. It is recommended that the facility be relocated at least 20m off the road alignment – consistent with the requirement for other permissible development.

According to State Planning Policy 5.2 these towers are exempt from Development Approval where they are less than 30 metres in height. As this proposal is 60 metres it requires the Council's Development Approval. It is evident that the facility will provide improved mobile communications throughout the wider townsite area and is therefore supported by local residents.

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**2017/045 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That the application for Development Approval submitted on 20 February 2017 be granted subject to;***

- 1. The proposed compound to be relocated at least 20m from the Burakin-Wialki Road boundary.***
- 2. No vegetation being removed unnecessarily.***
- 3. The site being drained and filled to the Council's satisfaction.***
- 4. The construction of the access roads to and in the site to the Council's satisfaction.***

***Moved Cr SE Faulkner***

***Seconded Cr CT Lumsden***

***Carried 7/0***

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The Presiding Member declared a change in the order of business to consider item 15.1 at this stage of the meeting.

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

**2017/046 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

*That the late item 15.1 be considered as presented.*

*Moved Cr SE Faulkner*

*Seconded Cr HJ Shemeld*

*Carried 7/0*

**15.1 LATE ITEM - Corporate Business Plan Status Report**

<b>File No:</b>	A2/18
<b>Location/Address:</b>	Monger St, Bencubbin
<b>Name of Applicant:</b>	N/A
<b>Name of Owner:</b>	N/A
<b>Author:</b>	John Nuttall – Chief Executive Officer
<b>Attachments:</b>	15.1 – Corporate Business Plan Status Report
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Previously Considered:</b>	N/A

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**Background:**

Council have resolved to receive an updated Corporate Business Plan status report on a quarterly basis. 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.

**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 —

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- (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 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.

**Relevant Plans and Policy:**

Nil

**Financial Implications:**

There are no financial implications regarding this report, but the various projects reviewed within the report are linked to the annual budget.

**Risk Assessment:**

There is a risk that Council will be unaware of the status of projects without this report.

**Community & Strategic Objectives:**

*CIVIC LEADERSHIP - Provide accountable and transparent leadership*

C 1.1 Enhance open and interactive communication between Council and the community

*CIVIC LEADERSHIP - Improve the Shire's capability and capacity*

C 2.1 Increase capacity through the application of the integrated strategic planning processes

C 2.2 Promote a culture of continuous improvement processes

**Comment:**

At the September 2016 Council meeting, it was resolved to adopt the attached Corporate Business Plan spreadsheet and reporting format for quarterly reporting to the ordinary

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meetings of Council held in the months of September, December, March and June of each financial year.

**2017/047 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

***That Council note the Corporate Business Plan Status Report for March 2017.***

***Moved Cr ARC Sachse***

***Seconded Cr NR Gillett***

***Carried 7/0***

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**13.0 Matters for which Members of the Public to be Excluded**

**2017/048 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

*That members of the public be excluded to discuss agenda item 13.1 as it is considered to be a matter affecting an employee.*

*Moved Cr HJ Shemeld*

*Seconded Cr WJ Beagley*

*Carried 7/0*

**13.1 CONFIDENTIAL – Chief Executive Officer Key Performance Indicators**

**2017/049 OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

*That Council adopt the Key Performance Indicators at Attachment 13.1, as the Performance Criteria for the Chief Executive Officer as required by Employment Contract provision 4.1.*

*Moved Cr HJ Shemeld*

*Seconded Cr CT Lumsden*

*Carried 7/0*

**2017/050 COUNCIL DECISION:**

*That the meeting comes out from behind closed doors.*

*Moved Cr SE Faulkner*

*Seconded Cr ARC Sachse*

*Carried 7/0*

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

Nil

**16.0 Next Meeting – Wednesday 19 April 2017 commencing at 3:00pm at Beacon Country Club, Beacon**

**17.0 Closure of Meeting**

The Presiding Member declared the meeting closed at 4.04pm

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cr RM Kirby

\_\_\_\_\_  
President