



SHIRE OF MT MARSHALL

**Minutes of Meeting held on
Wednesday 23 July 2014, in
Council Chambers, Bencubbin
commencing at 3:00pm.**

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SHIRE OF MT MARSHALL

**These Minutes were confirmed
by Council at the Ordinary
Meeting of Council held on
19 August 2014**

Cr RN Breakell

President

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6.0 Declarations of Interest

Nil

7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 17 June 2014

2014/101 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 17 June 2014 be confirmed as a true and correct record of proceedings.

Moved Cr Dunne

Seconded Cr Miguel

Carried 6/0

8.0 Announcements by Presiding Person Without Discussion

President Breakell made mention of the Malaysian Airlines MH17 disaster and the families touched by the tragedy, speaking of families with links to the district who lost loved ones in the tragedy, and asked that Council's condolences be recorded.

President Breakell passed on Council's condolences to shire employee Bill Gracie and past shire Councillor Alan Gracie on the passing of their mother this week.

9.0 Petitions / Deputations / Presentations / Submissions

Nil

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10.0 Reports of Committees

10.1 NEWROC

10.1.1 Minutes of NEWROC Council Meeting

LOCATION/ADDRESS:	NEWROC District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A5/16
AUTHOR:	Nadine Richmond – Executive Assistant
DISCLOSURE OF INTEREST:	Nil
DATE:	7 July 2014
ATTACHMENT NUMBER:	10.1.1 – Minutes of NEWROC Council Meeting held 24 June 2014
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/102 COUNCIL DECISION/OFFICER RECOMMENDATION:
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That the information be received.

Moved Cr Gillett

Seconded Cr Munns

Carried 6/0

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 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 24 June are submitted (attachment 10.1.1) in order to keep elected members abreast of the activities of the NEWROC Council.

The next meeting of the NEWROC Council is scheduled to be held on Tuesday 26 August at the Shire of Trayning.

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11.0	Reports of Officers
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11.1	Environmental Health Officer / Building Surveyor
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Nil

11.2	Community and Recreation Development Officer
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Nil

11.3	Economic Development Officer
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Nil

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11.4 Senior Finance Officer

11.4.17 Accounts Paid

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: F1/4
AUTHOR: Nancy Collins – Senior Finance Officer
DISCLOSURE OF INTEREST: Nil
DATE: 04 July 2014
CONSULTATION: Nil
STATUTORY ENVIRONMENT: Financial Management Regulations and the Local Government Act 1995
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2014/103 COUNCIL DECISION/OFFICER RECOMMENDATION:

That the Accounts Listed

Municipal Fund	\$	406912.78
Trust Fund	\$	32846.00
Mastercard	\$	1007.50

Be endorsed.

Moved Cr Miguel

Seconded Cr Gillett

Carried 6/0

BACKGROUND:

Following is a List of Accounts submitted to Council on Wednesday 23 July 2014 for the Municipal Fund, Trust Fund and Mastercard.

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1. Municipal Fund

Chq/EFT	Date	Name	Description	Amount
EFT8561	03/06/2014	WA TREASURY CORPORATION	LOAN NO. 118 FIXED COMPONENT - STAFF HOUSING	31111.43
EFT8565	09/06/2014	BENCUBBIN COMMUNITY RECREATION COUNCIL	ACTIVITIES ROOM HIRE WITH KITCHEN 23.05.14	35.00
EFT8566	09/06/2014	CJD EQUIPMENT PTY LTD	REPAIRS TO GRADER MM349 & MM5034	9571.75
EFT8567	09/06/2014	SHERIDAN'S	3 FULL COLOUR NAME BAR	121.82
EFT8568	09/06/2014	BENCUBBIN NEWS & POST	EXPRESS POST C5 ENVELOPE PACK 10	149.00
EFT8569	09/06/2014	MOBILE MASTERS	TAIT T2000 SPEAKER KIT	66.00
EFT8571	09/06/2014	BENCUBBIN BULK HAULIERS	HIRE SINGLE SIDETIPPER	20611.25
EFT8572	09/06/2014	UHY HAINES NORTON (WA) PTY LTD	ASSISTANCE WITH BUDGET	3465.00
EFT8573	09/06/2014	DEPARTMENT OF FIRE & EMERGENCY SERVICES	2013/14 ESL QUARTER 4	2952.00
EFT8574	09/06/2014	ICS CARPENTRY	REPAIRS TO APU'S	140.50
EFT8575	09/06/2014	ALL-WAYS FOODS	VARIOUS CLEANING GOODS	537.24
EFT8576	09/06/2014	BENCUBBIN COMMUNITY RESOURCE CENTRE	PRINTING PURCHASE ORDER BOOKS 10	325.00
EFT8577	09/06/2014	FUJI XEROX AUSTRALIA PTY LTD	PRINTING 010514-310514	405.16
EFT8578	09/06/2014	AG IMPLEMENTS MUKINBUDIN	VARIOUS PARTS	57.78
EFT8579	09/06/2014	FEDERAL TINWARE MANUFACTURING PTY LIMITED	BIN LEGS	363.00
EFT8580	09/06/2014	LANDGATE	RURAL UV INTERIM VALUATION SHARED	110.75
EFT8581	09/06/2014	JOHN HUGHES	MIRROR ASSY LH DOOR	262.27
EFT8582	09/06/2014	ADVANCED AUTOLOGIC PTY LTD	TRIGGER SPRAY BOTTLES	63.00
EFT8583	09/06/2014	5RIVERS PLUMBING AND GAS	CARRY OUT REPAIRS TO BEACON STANDPIPE \$1183; CLEAR BLACKAGE - 30 ROWLANDS ST BEACON \$270	1453.34
EFT8584	09/06/2014	BENNY MART	VARIOUS GOODS	123.13

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Chq/EFT	Date	Name	Description	Amount
EFT8585	09/06/2014	GREAT SOUTHERN FUELS	BP DIESEL 8800L BENCUBBIN DEPOT \$13640; FUEL CARDS \$1923	15562.74
EFT8586	09/06/2014	NADINE RICHMOND	REIMBURSE COUNCIL CONTRIBUTION TO FAREWELL GIFT - L GRYLLES	160.00
EFT8587	09/06/2014	WALLIS COMPUTER SOLUTIONS	INSTALMENT 2 VARIOUS WORKS	5690.00
EFT8588	09/06/2014	WURTH AUSTRALIA PTY LTD	VARIOUS GOODS	313.16
EFT8589	13/06/2014	BOC GASES	CYLINDER HIRE - MAY 2014	67.00
EFT8590	13/06/2014	SHIRE OF TRAYNING	25% OF MEDICAL PRACTICE EXPENSES - MAY 2014	2113.22
EFT8591	13/06/2014	BENCUBBIN NEWS & POST	NEWSPAPERS - MAY 2014	93.30
EFT8592	13/06/2014	AUSTRALIAN WILDFLOWER SEEDS PTY LTD	VARIOUS SEEDS	126.00
EFT8593	13/06/2014	WA TREASURY CORPORATION	LOAN NO. 119 FIXED COMPONENT - LOAN TO BENNYMART - REPAID IN LEASE PAYM	979.96
EFT8594	13/06/2014	STAR TRACK EXPRESS	FREIGHT	106.48
EFT8595	13/06/2014	RELIANCE PETROLEUM	FUEL CARD PURCHASES - MAY 2014	645.11
EFT8596	13/06/2014	D I TOMAS CONTRACTING	INTERIM PAYMENT - SHIRE DEPOT FENCE	10623.15
EFT8597	13/06/2014	CR PA GILLETT	REIMBURSEMENT FOR FAREWELL GIFT - L GRYLLES	68.48
EFT8598	13/06/2014	COLAS WA	EMULSION SEALING WORK	50411.71
EFT8599	13/06/2014	BENNY MART	CARAVAN PARK VOUCHER	10.00
EFT8600	13/06/2014	JENNI BUNCE - CLEANING	BEACON CONTRACT CLEANING 22.5 - 4.6.14	2115.00
EFT8601	19/06/2014	COVS	HOSE CLAMPS & SWIVEL	394.14
EFT8602	19/06/2014	AVON WASTE	RUBBISH COLLECTION FOR MAY 2014	3215.12
EFT8603	19/06/2014	TWO DOGS HOME HARDWARE	PRUNER BYPASS LARGE EURO	39.56
EFT8604	19/06/2014	CJD EQUIPMENT PTY LTD	INSPECTION & REPAIRS	1895.69
EFT8605	19/06/2014	COURIER AUSTRALIA	FREIGHT	46.05
EFT8606	19/06/2014	KTY ELECTRICAL SERVICES	CHECK, SUPPLY & INSTALL OVEN/HOT PLATES 2ND APU UNIT	2368.51
EFT8607	19/06/2014	BENCUBBIN SPORTS CLUB INC.	REFRESHMENTS	271.00

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Chq/EFT	Date	Name	Description	Amount
EFT8608	19/06/2014	BENCUBBIN NEWS & POST	VARIOUS STATIONERY	237.41
EFT8609	19/06/2014	MOBILE MASTERS	VERTEX BATTERY VX-821 3000 MAH LIION IS VERSION	660.00
EFT8610	19/06/2014	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	VOUCHER & A3 PAPER	17.00
EFT8611	19/06/2014	AUSTRALIAN TAXATION OFFICE	BAS - MAY 2014	22229.00
EFT8612	19/06/2014	STAPLES AUSTRALIA	VARIOUS GOODS	191.81
EFT8613	19/06/2014	ALL-WAYS FOODS	VARIOUS CLEANINGS GOODS	498.05
EFT8614	19/06/2014	PORKY'S ENTERPRISES	SUPPLY & FIT 2 NEW TYRES MM332 \$662; REMOVE PHONE KIT ETC MM375 \$132; FULL DETAIL MM332 (TO BE REIMBURSED) \$440	1234.00
EFT8615	19/06/2014	BENCUBBIN TRUCK N AUTO'S	VARIOUS PARTS	479.05
EFT8616	19/06/2014	D & D TRANSPORT	FREIGHT	220.03
EFT8617	19/06/2014	MEGAN BEAGLEY	BEACON SNR/YOUTH COOKING DAY REIMBURSEMENT	212.17
EFT8618	19/06/2014	CITY OF LIGHTS	HOSTING MT MARSHALL WEBSITE 01.07.14-31.12.14	396.00
EFT8619	19/06/2014	JR & A HERSEY	VARIOUS GOODS	273.24
EFT8620	19/06/2014	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	ADVERTISING - CDO VACANCY	1231.64
EFT8621	19/06/2014	BENCUBBIN AG SUPPLIES	OIL \$528; FENCE DROPPERS \$ 148.50; PAINT \$160; VARIOUS HARDWARE ITEMS	1468.39
EFT8622	19/06/2014	KOORDA COMMUNITY RESOURCE CENTRE	NARKAL NOTES - EXECUTIVE ASSISTANT ADVERT	25.00
EFT8623	19/06/2014	CHEM-DRY BETTA FINISH	CLEAN CARPETS BEACON VISIOTRS CHANGE ROOM	561.00
EFT8624	19/06/2014	SALLY MORGAN	REIMBURSEMENT FOR COSTS DURING 5 DAY TRAINING IN PERTH	238.55
EFT8625	19/06/2014	MATT GIRAUDO	WATER MANAGEMENT STRATEGY BENCUBBIN&BEACON	14212.00

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Chq/EFT	Date	Name	Description	Amount
EFT8626	19/06/2014	MERREDIN LEADING APPLIANCES	VAX POWER 7 PET BAGLESS CYLINDER VACUUM	249.00
EFT8627	26/06/2014	BENCUBBIN COMMUNITY RECREATION COUNCIL	ELECTRICITY ALLOWANCE - BENCUBBIN GYM	550.00
EFT8628	26/06/2014	SHERIDAN'S	COUNCILLORS' BADGES - CRS BREAKELL AND GILLETT	120.49
EFT8629	26/06/2014	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	48.88
EFT8630	26/06/2014	LGRCEU	PAYROLL DEDUCTIONS	38.80
EFT8631	26/06/2014	CR PA GILLETT	MEETING FEES AND ALLOWANCES - JUNE 2014	390.95
EFT8632	26/06/2014	CR RN BREAKELL	MEETING FEES AND ALLOWANCES - JUNE 2014	1422.75
EFT8633	26/06/2014	CR DA MIGUEL	MEETING FEES AND ALLOWANCES - JUNE 2014	412.79
EFT8634	26/06/2014	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	312.28
EFT8635	26/06/2014	NORTHAM CARPET COURT	SUPPLY AND INSTALL CARPETS AND BLINDS - 248 BROWN STREET	7193.50
EFT8636	26/06/2014	LAUREN GRYLLES	REIMBURSE FUEL EXPENSE - PICK UP DCEO	88.75
EFT8637	26/06/2014	CR WJ BEAGLEY	MEETING FEES AND ALLOWANCES - JUNE 2014	374.57
EFT8638	26/06/2014	CR IC SANDERS	MEETING FEES AND ALLOWANCES - JUNE 2014	470.45
EFT8639	26/06/2014	R MUNNS ENGINEERING CONSULTING SERVICES	WORK TO COMPLETE ROAD PROGRAMME AND RESOURCES FOR 2014/15 BUDGET	2246.02
EFT8640	26/06/2014	WALLIS COMPUTER SOLUTIONS	BALANCE OF PAYMENT - NEW SERVER ETC	25930.72
EFT8641	26/06/2014	PETE'S SHED	CUT KEYS FOR STORAGE SHEDS	28.00
EFT8642	26/06/2014	CHARISSE'S HAIR DESIGN	CARAVAN PARK VOUCHERS	20.00
EFT8643	26/06/2014	CR AJ DUNNE	MEETING FEES AND ALLOWANCES - JUNE 2014	445.55
EFT8644	26/06/2014	CR JW MUNNS	MEETING FEES AND ALLOWANCES - JUNE 2014	400.05

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Chq/EFT	Date	Name	Description	Amount
EFT8645	26/06/2014	KC SALES	VARIOUS WORK CLOTHING, SUNSCREEN, GLOVES, RESPIRATORS	1930.00
EFT8646	26/06/2014	EXTERIA	OUTDOOR TABLES, BENCHES AND STOOLS - BEACON AND BENCUBBIN	6622.00
EFT8647	27/06/2014	WALGS PLAN	SUPERANNUATION CONTRIBUTIONS	13143.16
EFT8648	27/06/2014	D I TOMAS CONTRACTING	GRADING PART OF WAORRA TRACK	4180.00
EFT8649	27/06/2014	COLAS WA	BITUMEN SEALING WORK	80474.89
20411	09/06/2014	WATER CORPORATION	WATER USE AND SERVICE CHARGE	445.35
20412	09/06/2014	SYNERGY	POWER USAGE 050314-060514	25.85
20414	12/06/2014	SHIRE OF MT MARSHALL	CASH PAYMENTS 11.06.14	2350.00
20415	13/06/2014	SHIRE OF MT MARSHALL	PETTY CASH RECOUP - MAY 2014	181.30
20416	13/06/2014	SYNERGY	STREETLIGHTS 25.4 - 24.5.14	1591.85
20417	13/06/2014	DARRYL COLLARD	RELOCATION EXPENSES	2100.00
20418	19/06/2014	BENCUBBIN PRIMARY SCHOOL	SENIORS COOKING DAY SUPPLIES	264.99
20419	19/06/2014	DA GILLET & CO	RATES REFUND FOR ASSESSMENT A6879 MANDIGA-MARINDO RD WELBUNGIN 6478	2079.00
20420	19/06/2014	RN & JB WHYTE	DOZER HIRE	24007.50
20421	26/06/2014	SHIRE OF MT MARSHALL	CASH PAYMENTS 25.06.14	2300.00
20422	26/06/2014	TELSTRA	TELEPHONE - JUNE 2014	2067.07
20423	26/06/2014	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	308.25
20424	26/06/2014	LG SUPER	SUPERANNUATION CONTRIBUTIONS	649.58
20425	27/06/2014	SYNERGY	ELECTRICITY 8.4 - 10.6.14	7824.30
				406912.78

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2. Trust

Chq/EFT	Date	Name	Description	Amount
3414	03/06/2014	DAVID AND MELANIE STEELE	RETURN OF HOUSING BOND	500.00
3415	04/06/2014	SHIRE OF MT MARSHALL	HOUSING BOND RETAINED	340.00
3416	04/06/2014	PETER WHITBREAD	RETURN OF HOUSING BOND	240.00
3417	04/06/2014	WARRICK L MILLAR	RETURN OF HOUSING BOND	340.00
EFT8562	03/06/2014	DEPARTMENT OF PLANNING & INFRASTRUCTURE	RECOUP - LICENSING MAY 2014	31426.00
				32846.00

3. Mastercard

Details	Amount
FOXTEL - 229 MURRAY ST	134.00
BOUQUET - R WATSON	53.50
ACCOM - FREMANTLE GALLERY - S MORGAN POOL TRAINING	820.00
	1007.50

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 **23 July 2014**. 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).

Robert Cooper
Acting Chief Executive Officer

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11.4.18 Statement of Financial Activity

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/4
AUTHOR:	Nancy Collins – Senior Finance Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	4 July 2014
ATTACHMENT NUMBER:	11.4.18 - Statement of Financial Activity
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/104 COUNCIL DECISION/OFFICER RECOMMENDATION:

That Council endorse the Statement of Financial Activity for the month ending 30 June 2014.

Moved Cr Breakell

Seconded Cr Gillett

Carried 6/0

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.

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11.5 Engineering Administration Officer / Works Supervisor

Nil

11.6 Acting Chief Executive Officer

11.6.17 Amendment to Resolution 2014/091

LOCATION/ADDRESS: Lots 44 and 45 on Certificate Vol 799 Folio 4 Monger Street, Bencubbin
NAME OF APPLICANT: Nil
FILE REFERENCE: B2/15, F1/25
AUTHOR: Robert Cooper - Acting Chief Executive Officer
DISCLOSURE OF INTEREST: Nil
DATE: 07 July 2014
ATTACHMENT NUMBER: Nil
CONSULTATION: Licenced Valuers - Griffin Valuation Advisory
STATUTORY ENVIRONMENT: Local Government Act 1995 s3.58
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2014/105 COUNCIL DECISION/OFFICER RECOMMENDATION:

That resolution 2014/091 be amended to read:

That Council:

- 1. Seeks a sworn valuation from Licenced Valuers for the two lots, 44 and 45 on Certificate Vol 799 Folio 4, and buildings concerned.**
- 2. Subject to an acceptable valuation, agrees to sell the property in question to Kim and Cindylee Sawyer over a period of six years payable at \$192.30 per week, subject to:**
 - Council undertaking the relevant requirements of the Local Government Act prior to disposing of lot 44 and lot 45 and the associated buildings.**
 - Council writing to the current lessees in order to explain the proposal to them and advises them that such a proposal does not inhibit them from supplying council with a higher offer.**
- 3. Engages the assistance of a solicitor to prepare a final agreement once the statutory requirements have been fulfilled.**

Moved Cr Gillett

Seconded Cr Sanders

Carried 6/0

BACKGROUND:

In early June the shire received a proposal from Kim & Cindylee Sawyer to purchase the Sandalwood Shops on Monger St, Bencubbin. Item 11.6.14 was presented at the June Ordinary Meeting of Council inclusive of incorrect lot numbers. Consequentially resolution 2014/091 also includes incorrect lot numbers.

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2014/091 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council:

- 1. Seeks a sworn valuation from Licenced Valuers for the two lots, 45 and 46, and buildings concerned.**
- 2. Subject to an acceptable valuation, agrees to sell the property in question to Kim and Cindylee Sawyer over a period of six years payable at \$192.30 per week, subject to:
 - Council undertaking the relevant requirements of the Local Government Act prior to disposing of lot 45 and lot 46 and associated buildings.**
 - Council writing to the current lessees in order to explain the proposal to them and advises them that such a proposal does not inhibit them from supplying council with a higher offer.****
- 3. Engages the assistance of a solicitor to prepare a final agreement once the statutory requirements have been fulfilled.**

Moved Cr Beagley

Seconded Cr Munns

Carried 7/0

COMMENT:

Griffin Valuation Advisory advised that the lot numbers included in the resolution were incorrect, and should be amended to those in this recommendation.

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11.6.18 Proposed Sale of Sandalwood Shops, Bencubbin

LOCATION/ADDRESS:	Lots 44 and 45 on Certificate Vol 799 Folio 4 Monger Street, Bencubbin
NAME OF APPLICANT:	Nil
FILE REFERENCE:	B2/15, F1/25
AUTHOR:	Robert Cooper - Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	07 July 2014
ATTACHMENT NUMBER:	11.6.18 – Griffin Valuation Advisory Report
CONSULTATION:	Griffin Valuation Advisory Shire of Mt Marshall Strategic Plans Shire of Mt Marshall Policy and Procedures Manual
STATUTORY ENVIRONMENT:	Local Government Act 1995 including s3.58 and s6.20
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Positive impact on Cash Flow, being increased capital income and rates revenue and reduced maintenance expenditure
STRATEGIC IMPLICATIONS:	Providing Council with an opportunity to dispose of non-core assets.
VOTING REQUIREMENT:	Simple Majority

2014/106 COUNCIL DECISION/OFFICER RECOMMENDATION:

That :

1. the Shire President, Deputy Shire President and Chief Executive Officer be given authority to agree terms of sale for Lots 44 and 45 on Certificate VOL799 Folio 4 Monger Street, Bencubbin with Kim and Cindylee Sawyer;
2. Public Notice be given detailing the proposed sale in accordance with the Local Government Act 1995 s3.58.

Moved Cr Gillett

Seconded Cr Munns

Carried 6/0

BACKGROUND:

At its June Meeting Council resolved as follows:

2014/091 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council:

1. Seeks a sworn valuation from Licenced Valuers for the two lots, 45 and 46, and buildings concerned.
2. Subject to an acceptable valuation, agrees to sell the property in question to Kim and Cindylee Sawyer over a period of six years payable at \$192.30 per week, subject to:
 - Council undertaking the relevant requirements of the Local Government Act prior to disposing of lot 45 and lot 46 and the associated buildings.

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- Council writing to the current lessees in order to explain the proposal to them and advises them that such a proposal does not inhibit them from supplying council with a higher offer.
3. Engages the assistance of a solicitor to prepare a final agreement once the statutory requirements have been fulfilled.

Moved Cr Beagley

Seconded Cr Munns

Carried 7/0

The above resolution has now been amended as per agenda item 11.6.17. Council has now received the valuation report from Griffin Valuation Advisory.

COMMENT:

The report from Griffin Valuation Advisory on the Sandalwood Shops is attached – 11.6.18.

I seek clarification from Council on direction given that:

1. Progressing the sale is subject to an acceptable valuation but the resolution is silent on the criteria for determining its acceptability;
2. The valuation of the properties is \$75,000 exclusive of GST;
3. The proposal is to sell the property for the sum of \$60,000, presumably including GST as the resolution is silent on the matter;
4. The proposal is silent on a number of salient points, including the mechanism for effecting sale, alternatives being rental or lease with a residual settlement or sale now or by option at some future time, liability for maintenance, utilities and other outgoings, and funding options.

All of the above could be resolved by direct negotiation with the prospective purchasers.

The Act prescribes in s 3.58 that Council must either follow a tender or auction process or provide public notice of the proposal, detailing the land being sold, the means of disposition, the names of the parties involved and the market value, and seek public submissions on that proposal.

The shire's Policy Manual and Corporate Plans are silent on sale of property, except in the Policy Manual on consultation prior to sale of community land, which requires that Council's statutory obligations be met. Given that economic development is a cornerstone of Council's Corporate Plan (Council's Economic Goal being to actively support and develop local and new business) it would be reasonable to reference the plan in Council's policy platform to provide guidance to community and Council when considering such a proposal as this.

Notwithstanding the above, Council has an opportunity to dispose of an asset that it is poorly placed to manage and would be well advised to consider the following:

1. Effect a sale at the front end of the transaction to reduce exposure to maintenance costs and property management responsibilities and to generate rates income over time, providing funding issues can be addressed to the satisfaction of both parties.

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2. As an alternative, enter into a gross lease for the period with the option of purchase at the end of the term at a pre-set price. Under the terms of a gross lease the lessee would be responsible for all outgoings during the term of the lease. The Shire of Mt Marshall would still be advised to maintain insurance cover over the property as lessor and owner.
3. Use the potential offer as a starting point, clarify terms of sale with the offeror and proceed to public notification on that basis, on the clear understanding that no contract can be entered into until after the public submission process has concluded to consider alternative disposal strategies if submissions are received.
4. Consider a policy to manage future transactions of this type in a consistent manner

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11.6.19 Shire of Mt Marshall Transfers to Reserves

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: Nil
FILE REFERENCE: F1/3, F3/1
AUTHOR: Robert Cooper - Acting Chief Executive Officer
DISCLOSURE OF INTEREST: Nil
DATE: 07 July 2014
ATTACHMENT NUMBER: Nil
CONSULTATION: Dannelle Foley - Economic Development Officer
Auditors – UHY Haines Norton
STATUTORY ENVIRONMENT: Local Government Act 1995 s 6.11
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Will allow Council to meet its financial obligations in a timely manner when due.
STRATEGIC IMPLICATIONS: Will allow Council to continue its practice of meeting supplier payment terms and being held as a valued customer.
VOTING REQUIREMENT: Absolute Majority

2014/107 COUNCIL DECISION/OFFICER RECOMMENDATION:

That Council amends its budgeted transfers to and from reserves for the year to 30 June 2014 as follows:

1. Transfer to Reserves

Public Amenities and Buildings	\$	53,987.00
Bencubbin Aquatic Centre	\$	150,000.00
Community Bus	\$	20,000.00
Beacon Barracks Replacement	\$	40,000.00
Economic Development	\$	100,000.00
Sub Total	\$	363,987.00

2. Withdrawals from Reserves

Plant Replacement	\$	68,000.00
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Council Staff Housing	\$	88,000.00
Caravan Park Upgrade	\$	663.00
Land & Road Development	\$	648.00
Television Rebroadcasting	\$	10,992.00
Industrial Shed	\$	23,896.00
Sub Total	\$	192,199.00
TOTAL	\$	171,788.00

Moved Cr Gillett

Seconded Cr Miguel

Carried 6/0

BACKGROUND:

In its original 2013/14 budget Council provided for transfers to reserves of \$1,177,195 and transfers from reserves of \$86,603. At its May 2014 meeting Council then resolved the following:

2014/074 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council:

- a) adopts the budget review finalised on 7 May 2014 with the following variations for the period 1 July 2013 to 30 April 2014 and amend the budget as follows:

COA	Description	Original Budget	Amended Budget	Cash Flow Impact	Type
Surplus	Deficit (difference in Budget surplus to Audited surplus)	2,293,056	2,171,560	(121,496)	Opening Surplus
0311001	Rates Discount	(85,000)	(71,000)	14,000	Operating Revenue
0322002	R&LC Infrastructure Grant	(113,586)	0	(113,586)	Operating Revenue
0332011	Interest on Investments	(15,000)	(61,000)	46,000	Operating Revenue
0512011	Grant - FESA	0	(22,330)	22,330	Operating Revenue
1122001	Government Grant - Operational	3,000	0	(3,000)	Operating Revenue
1332001	Charges - Building Permits	(250)	(4,550)	4,300	Operating Revenue

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1442021	Diesel Fuel Rebate	7,500	24,000	16,500	Operating Revenue
1472001	REIMBURSEMENT - WORKERS COMP	0	15,000	15,000	Operating Revenue
0431001	NEWROC Expense	23,500	29,750	(6,250)	Operating Expense
0821031	Aged Care Units	13,665	20,000	(6,335)	Operating Expense
1011011	Refuse Site Maintenance	40,000	25,000	15,000	Operating Expense
1041101	Landcare Council Works	5,957	0	5,957	Operating Expense
1041161	EEl Drainage	26,208	0	26,208	Operating Expense
1111061	Sturt Pea House	27,000	0	27,000	Operating Expense
1191001	Recreation Ground - Bencubbin	80,736	95,736	(15,000)	Operating Expense
1191011	Recreation Ground - Beacon	60,973	72,973	(12,000)	Operating Expense
1191034	Gymnasium Expenses	10,000	0	10,000	Operating Expense
New					
Account	Train the Trainer	0	10,000	(10,000)	Operating Expense
1221055	Beacon Main Street Beautification	20,000	3,940	16,060	Operating Expense
1351051	Beacon Co-operative Building	40,000	0	40,000	Operating Expense
9111001	Staff Housing Maintenance	77,250	88,000	(10,750)	Operating Expense
0423001	Office Extensions	193,320	224,350	(31,030)	Capital Expense
1043001	Toilet at Beacon Truck Bay	17,000	17,000	0	Capital Expense
1190091	Refurbish Beacon CC	10,000	26,060	(16,060)	Capital Expense
0913041	Patios Lots 37 & 38 Rowlands	15,000	10,136	4,864	Capital Expense
0913041	House 224 Rowlands	250,000	287,689	(37,689)	Capital Expense
0913041	House 800(1) Baxter	250,000	275,258	(25,258)	Capital Expense
0913041	House 800(2) Baxter	250,000	275,174	(25,174)	Capital Expense
1193041	Shade Structure Beacon Netball Court	5,000	4,774	(226)	Capital Expense
1193041	Bowling Green Relocation - Ben	509,549	623,172	(113,623)	Capital Expense
1193041	Bowling Green Dev Beacon	381,059	381,059	0	Capital Expense
1193041	Old Pavilion Septic Upgrade	17,000	0	17,000	Capital Expense
1043003	Purchase of Motor Vehicles NRMO	35,000	0	35,000	Plant Purchase

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1044040	Proceeds Sale of NRMW	25,000	0	(25,000)	Proceeds from Disposals
0423031	Purchase of Motor Vehicles CEO	127,500	44,525	72,975	Plant Purchase
0422022	Proceeds Sale of CEO vehicles	119,000	31,273	(87,727)	Proceeds from Disposals
1234001	Grader Proceeds from Sale of Plant/Motor Vehicles	180,000	102,400	(77,600)	Proceeds from Disposals
1223041	Plant Purchases Grader	347,725	367,786	(20,061)	Plant Purchase
1223042	Motor Vehicle Purchases GEN Utility	25,000	0	25,000	Plant Purchase
1234001	Utility Proceeds from Sale of Plant/Motor Vehicles	10,000	0	(10,000)	Proceeds from Disposals
1223042	Purchase Replace Septic Truck	80,000	77,273	2,727	Plant Purchase
	Purchase Mosquito Fogger	0	5,225	(5,225)	Plant Purchase
	Purchase Fuel Storage Tanks	50,000	24,662	25,338	Plant Purchase
1223042	Construction Crew Dual Cab	25,000	32,076	(7,076)	Plant Purchase
1234002	Proceeds Construction Crew Dual Cab	10,000	14,000	4,000	Proceeds from Disposals
1223042	Purchase P & G Ute Bencubbin	25,000	25,531	(531)	Plant Purchase
1114041	Proceeds P & G Ute Bencubbin	10,000	8,455	(1,545)	Proceeds from Disposals
	Grand Total			(336,983)	
	Suggested balancing amendment - Transfer to Reserves Reduce			330,983	
	Balanced amendments			6,983	

b) endorses the transfer of funds from the Reserve accounts as follows and that these amounts become part of the Revised budget for 2013/2014:

Housing Reserve	\$ 88 000
Plant Reserve	\$ 98 000
Public Amenities	\$114,000 and \$31,030; and

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c) notes and endorses the amount of \$6,983 being the amount calculated as the final figure estimated for the year end 2013/2014.

Moved Cr PA Gillett
Absolute Majority

Seconded Cr AJ Dunne

Carried 7/0

No detail was given on specific reserves.

To date, only the interest allocated to each reserve has been added to the relevant bank accounts, requiring further cash transactions to be effected this month for inclusion in the financial statements to 30 June 2014.

COMMENT:

This recommendation has been prepared on the basis that the amounts to be transferred to and from reserves effective as at 30 June 2014 will be in accordance with the cash flow forecast provided to council under agenda item 11.6.20.

The following table is a summary of the original budgeted transfers and both the approved and recommended amendments for the year. A negative value represents a transfer from a reserve or a reduction in the value of a transfer to a reserve.

	Balance 1/7/13	Original Budgeted Transfer to Reserve	Budgeted Transfer from Reserve	May Amendment (net)	July Amendment Proposed	YTD (inc June interest)	Budgeted Net for Year	EOY Balance
Plant Replacement	310,668	39,922		- 98,000		11,303	- 58,078	253,971
Aged Care Units	60,249	2,894				2192	2,894	62,441
Community Housing	34,625	1,663				1261	1,663	35,886
Council Staff Housing	170,213	8,176	- 50,000	- 88,000	50,000	6,191	- 79,824	88,404
Employee Entitlements	106,759	5,128				3885	5,128	110,644

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	Balance 1/7/13	Original Budgeted Transfer to Reserve	Budgeted Transfer from Reserve	May Amendment (net)	July Amendment Proposed	YTD (inc June interest)	Budgeted Net for Year	EOY Balance
Caravan Park Upgrade	640	31	- 671			23	- 640	-
Public Amenities and Buildings	529,399	553,462		- 145,030	- 330,983	19,255	77,449	602,641
Land and Road Development	625	30	- 655			23	- 625	-
Television Rebroadcasting	10,606	509	- 11,115			386	- 10,606	-
Bencubbin Aquatic Centre	187,540	159,008				6,816	159,008	344,356
Community Bus	73,316	23,522				2,670	23,522	95,986
Bencubbin Recreation Complex	24,599	1,182				897	1,182	25,496
Office Equipment	14,117	15,678				511	15,678	14,628
Industrial Shed	23,055	1,107	- 24,162			841	- 23,055	-
Integrated Planning	15,000	721				545	721	15,545
Beacon Barracks Replacement		40,000					40,000	40,000
Economic Development		324,162			- 224,162		100,000	100,000
Unspecified Reduction in Transfers				- 330,983	330,983			-
	1,561,411	1,177,195	- 86,603	- 662,013	- 174,162	56,799		1,789,998

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The following table is the schedule of transfers required to provide the year end balances as above:

EOY CASH TRANSFERS TO RESERVES	AMOUNT
Plant Replacement	- 68,000
Aged care Units	
Community Housing	
Council Staff Housing	- 88,000
Employee Entitlements	
Caravan Park Upgrade	- 663
Public Amenities and Buildings	53,987
Land and Road Development	- 648
Television Rebroadcasting	- 10,992
Bencubbin Aquatic Centre	150,000
Community Bus	20,000
Bencubbin Recreation Complex	
Office Equipment	
Industrial Shed	- 23,896
Integrated Planning	
Beacon Barracks Replacement	40,000
Economic Development	100,000
Total	171,788

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The background to the specific amendments is as follows:

1. The May amendment to the budget was not specific and requires clarification prior to the end of year transfers being effected.
2. The actual cash on hand at 30 June was lower than budgeted and a reduction in transfers to reserves is required to provide working capital through the first quarter of the next financial year (refer to Cash Flow Forecast appended to Agenda Item 11.6.20).
3. 2013/14 Budget note 6 refers to 2011/2012 construction of a new administration centre. Given that the work on refurbishing the Administration Centre was completed in the 2013/14 year it would be more reasonable to apply those funds in that year. On that basis the previously unallocated reduction in transfers approved in the May budget review was applied to this reserve transfer, reducing the transfer to \$53,987 excluding interest. This money could be used to fund the additional improvements in the Council Chambers in the new budget year if required.
4. 2013/14 Budget note 6 refers to the budgeted transfer to the Economic Development Reserve as being for \$324,162 of non-specified future expenditure. Discussions with the shire's Economic Development Officer have not uncovered any substantial initiatives which would warrant such annual allocation. Given that the council has other strategic initiatives under review, including the ground water re-use project, the Bencubbin Aquatic Centre Redevelopment, and the Bencubbin Community Recreation Centre it is proposed that the remainder of the cash flow required for working capital purposes be sourced by reducing this transfer.
5. I have sought advice from the shire's auditors, and received confirmation that the public notice provisions of s 6.11 of the Act are not triggered where the shire is simply amending the value of its transfers to reserves.

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11.6.20 Shire of Mt Marshall Overdraft Facility

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	Nil
FILE REFERENCE:	F1/3, F3/1
AUTHOR:	Robert Cooper - Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	07 July 2014
ATTACHMENT NUMBER:	11.6.20a – Cash Flow Summary 11.6.20b – Section 6.20 Local Government Act 1995 11.6.20c – Draft Public Notice
CONSULTATION:	Nancy Collins - Senior Finance Officer Senior Relationship Manager - Bankwest, Northam, Department of Local Government & Communities
STATUTORY ENVIRONMENT:	Local Government Act 1995 s 6.20
POLICY IMPLICATIONS:	Requires inclusion in 2014-2015 Annual Budget
FINANCIAL IMPLICATIONS:	Will allow Council to meet its financial obligations in a timely manner when due.
STRATEGIC IMPLICATIONS:	Will allow Council to continue its practice of meeting supplier payment terms and being held as a valued customer.
VOTING REQUIREMENT:	Absolute Majority under s6.20 (2) (b)

2014/108 COUNCIL DECISION/OFFICER RECOMMENDATION:

That:

- 1. the Acting CEO commences negotiations with Bankwest for an overdraft facility up to \$500,000.00 in order to provide ready availability of working capital, occasioned by the Federal and State Governments ceasing quarterly payment of Financial Assistance Grants for the first quarter of each financial year in the final quarter of each previous financial year;**
- 2. the attached public notice of the shire's intention to arrange an overdraft facility in accordance with section 6.20(2)(a) of the Local Government Act 1995, be approved for advertisement and;**
- 3. the Shire President and Acting CEO be authorised to sign a Letter of Offer.**

**Moved Cr Gillett
Absolute Majority**

Seconded Cr Munns

Carried 6/0

BACKGROUND:

In 2009 the newly elected Federal Government commenced the practice of prepaying part of the Federal Assistance Grants in June of the prior financial year. This was to stimulate the economy during the Global Economic Crisis by encouraging Councils to expend these funds earlier than they would normally have otherwise done. The prepayment varied from twenty five to fifty percent of the total annual Federal Assistance Grants allocation and also included the Local Roads Grant component. In the case of the Shire of Mt Marshall this has benefitted the final quarter cash flow by over \$500,000 in each of the past 2 years.

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This practise has now been discontinued, adversely impacting on the timing of the shire's revenues.

COMMENT:

As a consequence, the Shire of Mt Marshall's forecast cash flow for the first quarter of the financial year is dependent on balance of municipal funds carried forward from the previous year plus cash inflows from rates and grants to ensure liquidity. As no existing cash flow forecasting model exists I have prepared a summary cash flow (attachment 11.6.20a) based on projected patterns of expenditure for the quarter.

It assumes 3 key actions. The first is the reduction in budgeted transfers to reserves for the 2013-2014 financial year. This is the subject of a separate agenda item to Council. The second is the timely receipt of the first quarter's Financial Aid Grant. The third is the timely collection of rates consequent upon striking the rates at the 19 August Council Meeting.

Should any of these not eventuate as forecast the shire will need to have ready access to a temporary funding line to ensure continuing liquidity. Pursuant to section 6.20(2)(a) of the Local Government Act 1995, as the intention was not flagged in the budget for the year, one month's public notice of an intention to establish the facility will be required. On that basis it is prudent for Council to establish a facility in advance on the understanding that it may be required at short notice.

A copy of the relevant section of the Act is attachment 11.6.20b.

On Friday 11 July I met with the shire's Bankwest Relationship Manager and agreed on the following as a way forward.

1. Bankwest to provide a permanent facility of around \$100,000 to allow Council to actively manage its excess liquidity without fear of transaction rejection if the municipal account balance dips below zero.
2. Where a higher level of facility is required Bankwest to consider a <60 day facility on an as required basis, as this type of facility requires less formality and therefore less time to establish
3. Bankwest to provide advice on providing the above on the basis of minimum administration cost to the shire.
4. Public notice be given as required under the act. A draft is attached (attachment 11.6.20c).

As a Local Government Agency, the shire will not be required to provide additional security to back up the facility.

I anticipate that the facility will only be required, if at all, in the first quarter of each financial year until such time as receipting of rates commences, unless either the Federal or State Governments change the rules around timing or value of Financial Administration Grant payments.

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11.7 Executive Assistant

11.7.12 Shire of Mt Marshall Freedom of Information Statement

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A2/14
AUTHOR:	Nadine Richmond – Executive Assistant
DISCLOSURE OF INTEREST:	Nil
DATE:	9 July 2014
ATTACHMENT NUMBER:	11.7.12a Current Shire of Mt Marshall Freedom of Information Statement 11.7.12b Summary of Proposed Changes to Shire of Mt Marshall Freedom of Information Statement 11.7.12c Proposed Shire of Mt Marshall Freedom of Information Statement
CONSULTATION:	Robert Cooper – Acting Chief Executive Officer
STATUTORY ENVIRONMENT:	Freedom of Information Act 1992 s94 – 97 Local Government Act 1995 s5.94 – 5.97
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/109 COUNCIL DECISION/OFFICER RECOMMENDATION:

That the attached Shire of Mt Marshall Freedom of Information Statement (11.7.12c) be received.

Moved Cr Miguel

Seconded Cr Dunne

Carried 6/0

BACKGROUND:

Under the Freedom of Information Act 1992 the Shire of Mt Marshall is required to cause an up to date information statement to be published at intervals of no more than 12 months.

The statement must contain certain information including, amongst other things:

- a) The structure and functions of the agency;
- b) A description of the ways in which the functions of the agency affect members of the public;
- c) A description of the arrangements enabling the public to participate in the formulation of shire policies;
- d) The types of documents held by the agency;
- e) A description of the ways in which members of the public can access documents / information; and
- f) A description of the procedures for amending personal information.

The shire is required to submit a statistical return annually, reporting any access applications and allowing the Office of the Information Commissioner to be apprised of

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where the shire stands in relation to its obligations under sections 94 through to 97 of the Freedom of Information Act 1992.

Certain information contained in the attached information statement has become out of date since its last review in September 2012 due to the 2013 local government election. Changes in staffing have the organisation structure flowchart no longer being current and other minor updates as detailed in attachment 11.7.12b. The Vision Statement and Mission Statements have been removed as these were not a requirement and are renewed in the shire's Strategic Community Plan.

A brief statement is published annually forming part of the shire's Annual Report. The statement provided in the Annual Report refers to the shire's full Freedom of Information Statement being available for viewing in the local public libraries or upon request.

COMMENT:

The shire's Freedom of Information Statement was last reviewed in September 2012 (attachment 11.7.12a). When submitting the shire's statistical return later this month we will need to submit a current statement.

I suggest that the Freedom of Information Statement be reviewed annually in November or December allowing time for updates to the statement following biennial elections, and to comply with the Freedom of Information Act.

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12.0	Elected Members Motions of Which Previous Notice Has Been Given
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Nil

13.0	New Business of an Urgent Nature Introduced by Decision of the Meeting
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Nil

14.0	Next Meeting – Tuesday 19 August 2014 commencing at 1:00pm in Council Chambers, 80 Monger St, Bencubbin
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15.0	Closure of Meeting
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The Presiding Member declared the meeting closed at 4:12pm

These Minutes were confirmed by the Council at its Ordinary Meeting held on Tuesday 19 August 2014.

Date

Cr RN Breakell

President