



SHIRE OF MT MARSHALL

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

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SHIRE OF MT MARSHALL

**These Minutes were confirmed
by Council at the Ordinary
Meeting of Council held on
21 October 2014**

Cr RN Breakell

President

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DISCLAIMER

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

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

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held on Tuesday 23 September 2014

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1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member declared the meeting open at 3:00pm.

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr RN Breakell	President / Presiding Member
Cr IC Sanders	Deputy President
Cr PA Gillett	Councillor
Cr DA Miguel	Councillor
Cr WJ Beagley	Councillor
Cr JW Munns	Councillor
Cr AJ Dunne	Councillor
Mr Robert Cooper	Acting Chief Executive Officer
Ms Nadine Richmond	Executive Assistant
Miss Sally Morgan	Community Development Officer
Miss Dannelle Foley	Economic Development Officer

Apologies

Nil

3.0 Standing Orders

2014/123 COUNCIL DECISION:

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

Moved Cr Dunne

Seconded Cr Beagley

Carried 7/0

4.0 Public Questions

4.1 Response to Public Questions Taken on Notice

Nil

4.2 Public Question Time

Nil

5.0 Applications for Leave Of Absence

Nil

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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 19 August 2014

2014/124 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 19 August 2014 be confirmed as a true and correct record of proceedings.

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

8.0 Announcements by Presiding Person Without Discussion

President Breakell passed on Council's condolences to Community Development Officer Sally Morgan on the passing of her grandmother earlier this month.

9.0 Petitions / Deputations / Presentations / Submissions

Nil

10.0 Reports of Committees

Nil

11.0 Reports of Officers

11.1 Environmental Health Officer / Building Surveyor

Nil

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11.2 Community and Recreation Development Officer

11.2.6 Bencubbin Recreation Complex – CSRFF Application

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	Bencubbin Community Recreation Council
FILE REFERENCE:	B2/11, F1/16
AUTHOR:	Sally Morgan - Community and Recreation Development Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	17 September 2014
ATTACHMENT NUMBER:	11.2.6a – CSRFF Application Form 11.2.6b – Needs Assessment 11.2.6c – Feasibility Study 11.2.6d – Draft Management Plan 11.2.6e – Lifecycle Cost Analysis 11.2.6f – Concept Plan A 11.2.6g – Concept Plan B 11.2.6h – Concept Plan C 11.2.6i – Order of Magnitude Estimate 11.2.6j – Income & Expenditure
CONSULTATION:	Robert Cooper-Acting Chief Executive Officer Jennifer Collins – Department of Sport & Recreation
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Will impact on budgetary requirements for the life of the complex
STRATEGIC IMPLICATIONS:	Included in Community Strategic Plan, Corporate Plan and Long Term Financial Plan
VOTING REQUIREMENT:	Simple Majority

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2014/125 COUNCIL DECISION / OFFICER RECOMMENDATION:

That;

- i. The upgrade to the Bencubbin Recreation Complex be ranked as the number one Community Sport and Recreation priority project for the Shire of Mt Marshall, and**
- ii. That the Community Sport and Recreation Facilities Funding application for upgrades to the Bencubbin Recreation Complex be approved for submission to the Department of Sport and Recreation, substantially in the form as presented to the 23 September 2014 Ordinary Meeting of Council,**

Moved Cr Gillett

Seconded Cr Sanders

Carried 7/0

BACKGROUND:

The Bencubbin Community Recreation Council (CRC) have been exploring options to develop facilities within the Bencubbin Recreation Complex since 2007.

In 2009, an application to co-locate and upgrade the facilities was put to Council for consideration. The application included the relocation of the bowling green and changes to existing facilities. The project was referred back to the CRC as it was not supported in its current format owing to financial constraints. The project has since split into a staged approach, with the bowling green relocation approved by Council and granted funds from CSRFF in 2012.

In June 2013, the CRC created a sub-committee to formally review existing facilities and determine if they are meeting the community's needs and will continue to meet future demands. The sub-committee consists of 8 community members who have volunteered their time to the project. The objectives, goals and aims of the project were identified through meetings to ensure that everyone was working towards achieving a common result. After reviewing the existing facilities, touring regional recreation centres, consulting with the sports clubs and meeting with a building surveyor, the pavilion building, small function area and accessibility issues were identified as priority areas requiring attention.

At this year's April Ordinary Meeting of Council, funds from the 2014/15 financial year budget were allocated to engage an architect to develop concept plans and costings for the facility. Eastern Guest Designs were employed by the Shire and have developed the concept plans while liaising with the CRC sub-committee. The concept of the proposed facility is well developed and is designed to meet the current and future needs of the Mt Marshall community.

The proposed concept plan is attached, along with the Needs Assessment, Feasibility Study, Draft Management Plan and Lifecycle Cost analysis for the project.

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COMMENT:

The most appropriate funding program for a project of this scale is the Department of Sport and Recreation Community Sport and Recreation Facility Fund. The application for this program is attached. As the Bencubbin Recreation Complex is owned by the Shire of Mt Marshall, the application is to be submitted under that name.

It is asked that Council acknowledge the Project Assessment Sheet at the rear of the application. This sheet is required to be completed by the Local Government Authority. It is requested that Council endorse the assessment and rank the project as the number one sport and recreation project for Mt Marshall.

Once the application has been submitted I will continue to investigate further funding opportunities to contribute towards this project.

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11.3 Economic Development Officer

Nil

11.4. Senior Finance Officer

11.4.21 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: 17 September 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

2014/126 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the Accounts Listed

Municipal Fund	\$	375655.25
Trust Fund	\$	23849.85
Mastercard	\$	695.30

Be endorsed.

Moved Cr Miguel

Seconded Cr Gillett

Carried 7/0

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BACKGROUND:

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

Municipal Fund

Chq/EFT	Date	Name	Description	Amount
EFT8755	01/08/2014	WA TREASURY CORPORATION	LOAN NO. 115 FIXED COMPONENT - HOUSING REPAIRS/UPGRADE	29773.53
EFT8757	04/08/2014	WAYNE FORBES	RETURN OF HOUSING BOND	240.00
EFT8759	06/08/2014	STRICKFUSS ELECTRICAL & ENGINEERING SERVICES	REPAIRS TO POOL PUMPS	1380.50
EFT8760	06/08/2014	BRICK MART NORTHAM	SUPPLY AND LAY 4 PALLETS OF PROMENADE 40MM PAVERS	8282.74
EFT8761	06/08/2014	MW GRANT	BULLDOZER HIRE	14685.00
EFT8762	08/08/2014	CJD EQUIPMENT PTY LTD	VARIOUS PARTS - VOLVO FRONT END LOADER	2145.23
EFT8763	08/08/2014	KTY ELECTRICAL SERVICES	SUPPLY/INSTALL OVEN/HOT PLATES 3 APU \$2100; REPAIR SWITCH AND CABLE TO TOILETS BEHIND HALL \$402.85	2502.85
EFT8764	08/08/2014	METAL ARTWORK CREATIONS	DESK PLATES	74.80
EFT8765	08/08/2014	MERREDIN TELEPHONE SERVICES	NEW CABLE TO DEPOT REPAIR DAMAGED PIPE	1371.83
EFT8766	08/08/2014	WA HINO SALES & SERVICE	REDUCTION UNIT	1068.39
EFT8767	08/08/2014	LOCAL GOVERNMENT MANAGERS AUSTRALIA - WA	2014/2015 LGMA MEMBERSHIP	165.00
EFT8768	08/08/2014	ICS CARPENTRY	BENCUBBIN HALL CHECK TIMBERS ON DOUBLE DOORS	278.30
EFT8770	08/08/2014	AG IMPLEMENTS MUKINBUDIN	ROD SEAL	37.40
EFT8771	08/08/2014	RSA WORKS	COMPLETE ROAD SAFETY AUDIT	1815.00
EFT8772	08/08/2014	BENCUBBIN TRUCK N AUTO'S	KUMHO TYRES MM58	1560.00
EFT8773	08/08/2014	KOORDA FARM TREES	BIODIVERSE MIX OF TREE SEEDLINGS	13427.04
EFT8774	08/08/2014	5RIVERS PLUMBING AND GAS	UNIT 3 APU CLEAR BLOCKAGE IN TOILET	347.44

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Chq/EFT	Date	Name	Description	Amount
EFT8775	08/08/2014	JENNI BUNCE - CLEANING	BEACON CONTRACT CLEANING 17/7/14-30/7/14	1515.00
EFT8776	08/08/2014	GRIFFIN VALUATION ADVISORY	SPECIFIC LAND AND BUILDING ASSETS VALUATION	3630.00
EFT8777	08/08/2014	CUMMINS LIQUID WASTE DISPOSALS	VARIOUS WORKS	605.00
EFT8778	08/08/2014	ROBERT COOPER	REFUND OF EXCESS HOUSING BOND	340.00
EFT8779	11/08/2014	EVERGREEN SYNTHETIC GRASS	30% PAYMENT DEPOSIT BEACON BOWLING GREEN	67187.40
EFT8782	19/08/2014	CJD EQUIPMENT PTY LTD	SEGMENT	763.69
EFT8783	19/08/2014	KTY ELECTRICAL SERVICES	STAGE 4 BEACON BOWLING GREEN	11440.00
EFT8784	19/08/2014	JASON SIGNMAKERS	VARIOUS ROAD SIGNS \$2521; SIGNS FOR BEACON TOURIST INFORMATION BAY \$1529; FLEXIBLE GUIDE POSTS \$1265	5315.20
EFT8785	19/08/2014	WA TREASURY CORPORATION	LOAN NO. 111 INTEREST PAYMENT - 229 MURRAY STREET HOUSE	9518.08
EFT8786	19/08/2014	ALL-WAYS FOODS	VARIOUS CLEANING GOODS	429.60
EFT8787	19/08/2014	WINDBREAKERS	25 PUNNETS	100.00
EFT8788	19/08/2014	CR PA GILLETT	MEETING ATTENDANCE 03.07.14-23.07.14	427.35
EFT8789	19/08/2014	COLAS WA	EMULSION SUPPLY	473.00
EFT8790	19/08/2014	CR RN BREAKELL	MEETING ATTENDANCE 25.06.14-23.07.14	1468.25
EFT8791	19/08/2014	CR DA MIGUEL	MEETING ATTENDANCE 25.06.14-23.07.14	685.79
EFT8792	19/08/2014	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	ANNUAL SUBSCRIPTION 01/07/14-30/06/15	19064.28
EFT8794	19/08/2014	ADVANCED AUTOLOGIC PTY LTD	VARIOUS GOODS	285.00
EFT8795	19/08/2014	5RIVERS PLUMBING AND GAS	WORKS AT UNIT 1/93 MONGER ST	692.44
EFT8796	19/08/2014	CR IC SANDERS	MEETING ATTENDANCE 23.07.14	470.45
EFT8797	19/08/2014	CR AJ DUNNE	MEETING ATTENDANCE 25.06.14-23.07.14	471.03
EFT8798	19/08/2014	CR JW MUNNS	MEETING ATTENDANCE 25.06.17-23.07.14	354.55
EFT8799	19/08/2014	KC SALES	VOUCHERS	210.00

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Chq/EFT	Date	Name	Description	Amount
EFT8800	19/08/2014	SALLY MORGAN	REIMBURSEMENT EXPENSES FOR 7 DAY POOL OPERATIONS COURSE	338.56
EFT8801	19/08/2014	SHARON DONALD	REIMBURSEMENT COSTS TO ATTEND DRIVER LICENSING COURSE 07-11 JULY 14	226.60
EFT8802	22/08/2014	AUSTRALIAN TAXATION OFFICE	BAS - JULY 2014	1130.00
EFT8803	22/08/2014	RICOH AUSTRALIA PTY LTD	PRINTER CARTRIDGE - LICENSING COMPUTER	143.00
EFT8804	28/08/2014	BENCUBBIN COMMUNITY RECREATION COUNCIL	HIRE FEE RECEIVED IN ERROR FROM WAORRA	1499.00
EFT8805	28/08/2014	AVON WASTE	RUBBISH COLLECTION - JULY 2014	5522.75
EFT8806	28/08/2014	BOC GASES	CYLINDER HIRE - JULY 2014	70.02
EFT8807	28/08/2014	CJD EQUIPMENT PTY LTD	TIP SCARIFIER	66.83
EFT8808	28/08/2014	NINGHAN SPRAYING & AG SERVICES	CARAVAN PARK VOUCHERS	50.00
EFT8809	28/08/2014	KTY ELECTRICAL SERVICES	VARIOUS WORKS AT MONGER ST UNITS	212.30
EFT8810	28/08/2014	BENCUBBIN SPORTS CLUB INC.	REFRESHMENTS	206.00
EFT8811	28/08/2014	SHIRE OF TRAYNING	SHIRE CONTRIBUTION FOR DR RADUNOVICH'S BUST \$5500; DR HOUSE RENT \$640; SHARE OF MEDICAL PRACTICE EXPENSES \$2292	8431.85
EFT8812	28/08/2014	BENCUBBIN NEWS & POST	NEWSPAPERS FOR JULY 2014 \$61.50; EXPRESS POST ENVELOPES BANKWEST \$58.50; POSTAGE \$100.95	220.95
EFT8813	28/08/2014	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	VOUCHERS	20.00
EFT8814	28/08/2014	BENCUBBIN BULK HAULIERS	HIRE OF SINGLE SIDETIPPER BEACON BACK ROAD	10828.13
EFT8815	28/08/2014	STAPLES AUSTRALIA	STATIONERY	71.95
EFT8816	28/08/2014	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	48.88
EFT8817	28/08/2014	LGRCEU	PAYROLL DEDUCTIONS	38.80
EFT8818	28/08/2014	WALGS PLAN	SUPERANNUATION CONTRIBUTIONS	12271.03
EFT8819	28/08/2014	ICS CARPENTRY	RE ATTACH GUTTER SANDALWOOD SHOPS (CAFE)	93.50

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Chq/EFT	Date	Name	Description	Amount
EFT8820	28/08/2014	RELIANCE PETROLEUM	FUEL CARD PURCHASES - JULY 2014	561.73
EFT8821	28/08/2014	D I TOMAS CONTRACTING	PREPARE SITE & LAY CONCRETE UNIT 2 BAXTER ST	4367.00
EFT8822	28/08/2014	FUJI XEROX AUSTRALIA PTY LTD	IMPRESSIONS JULY 2014	476.39
EFT8823	28/08/2014	BENCUBBIN TRUCK N AUTO'S	VARIOUS GOODS	372.50
EFT8824	28/08/2014	D & D TRANSPORT	FREIGHT	142.03
EFT8825	28/08/2014	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	ADVERTISING - HEALTH ACT	1134.94
EFT8826	28/08/2014	ADINA APARTMENT HOTEL	ACCOMMODATION, PARKING AND MEALS - LOCAL GOVERNMENT CONVENTION	7814.00
EFT8827	28/08/2014	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	330.34
EFT8828	28/08/2014	5RIVERS PLUMBING AND GAS	SUPPLY & INSTALL BACKFLOW NEW HOUSES	1430.44
EFT8829	28/08/2014	BENNY MART	SUPPLIES FOR BARBECUE AT TREE PLANTING DAY	142.88
EFT8830	28/08/2014	T-QUIP	PULLEY BACK IDLER	67.35
EFT8831	28/08/2014	JENNI BUNCE - CLEANING	BEACON CONTRACT CLEANING 31.7 - 13.8.2014	3015.00
EFT8832	28/08/2014	TUTT BRYANT EQUIPMENT	HINGE	184.18
EFT8833	28/08/2014	GREAT SOUTHERN FUELS	BULK DIESEL - BENCUBBIN DEPOT \$11424; BEACON DEPOT \$6092; FUEL CARDS \$1817	19333.29
EFT8834	28/08/2014	WALLIS COMPUTER SOLUTIONS	UNIFI AP LONG RANGE BLACK ETHERNET CABLE	263.00
EFT8835	28/08/2014	KC SALES	HOTEL SAFE; CATERING - COUNCIL MEETING; CARAVAN PARK VOUCHERS	380.79
EFT8836	28/08/2014	RAY SIMMS	REIMBURSEMENT FOR POLICE CERTIFICATE/CLEARANCE	62.40
EFT8837	29/08/2014	COURIER AUSTRALIA	FREIGHT	95.50
EFT8838	29/08/2014	MUKA TYRE MART	BRIDGESTONE TYRES	265.00
EFT8839	29/08/2014	EVERGREEN SYNTHETIC GRASS	30% PAYMENT ON DELIVERY OF SYNTHETIC GRASS SURFACE	67187.40
20442	07/08/2014	SHIRE OF MT MARSHALL	CASH PAYMENTS 06/08/14	2900.00

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Chq/EFT	Date	Name	Description	Amount
20443	08/08/2014	SHIRE OF MT MARSHALL	PETTY CASH RECOUP JULY 2014	220.00
20444	08/08/2014	SYNERGY	USAGE 100514-190714	283.60
20445	08/08/2014	KG LELIEVRE	RETURN OF BOND	100.00
20446	21/08/2014	SHIRE OF MT MARSHALL	CASH PAYMENTS 200814	2900.00
20447	28/08/2014	TELSTRA	TELEPHONE - AUGUST 2014	2361.60
20448	28/08/2014	WATER CORPORATION	WATER USEAGE CHARGES JULY 2014	1628.73
20449	28/08/2014	SYNERGY	ELECTRICITY SUPPLY 110614-050814	8762.50
20450	28/08/2014	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	326.08
20451	28/08/2014	LG SUPER	SUPERANNUATION CONTRIBUTIONS	2455.27
				375655.25

1. Trust

Chq/EFT	Date	Name	Description	Amount
EFT8758	05/08/2014	DEPARTMENT OF PLANNING & INFRASTRUCTURE	RECOUP LICENSING - JULY 2014	23849.85
				23849.85

2. Mastercard

Details	Amount
NESPRESSO	40.00
ACCOMM - WALGA TRAINING - N RICHMOND	249.00
FOXTEL - 229 MURRAY ST	134.00
REGISTRATION MM277	272.30
	695.30

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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 **23 September 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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Community Development Officer, Miss Sally Morgan left the meeting at 3:21pm

11.4.22 Statement of Financial Activity to 31 July 2014
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LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/4
AUTHOR:	Nancy Collins – Senior Finance Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	16 September 2014
ATTACHMENT NUMBER:	11.4.22 – 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

2014/127 COUNCIL DECISION / OFFICER RECOMMENDATION:
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That Council endorse the Statement of Financial Activity for the month ending 31 July 2014.
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Moved Cr Breakell

Seconded Cr Munns

Carried 7/0

BACKGROUND:

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

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11.4.23 Statement of Financial Activity to 31 August 2014

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/4
AUTHOR:	Nancy Collins – Senior Finance Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	17 September 2014
ATTACHMENT NUMBER:	11.4.23 – 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

2014/128 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council endorse the Statement of Financial Activity for the month ending 31 August 2014.

Moved Cr Gillett

Seconded Cr Beagley

Carried 7/0

BACKGROUND:

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

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11.5 Engineering Administration Officer / Works Supervisor

11.5.8 Replacement of Effluent Truck Tank

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	W1/16
AUTHOR:	Jack Walker – Works Supervisor
DISCLOSURE OF INTEREST:	Nil
DATE:	15 September 2014
ATTACHMENT NUMBER:	11.5.8a – LGIS – advising claim unsuccessful 11.5.8b – Quote to replace tank – Chatfield Engineering
CONSULTATION:	Robert Cooper – Acting Chief Executive Officer
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Use of surplus funding from utility changeovers.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

2014/129 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council:

- 1. accepts the quote received from Chatfield's of Tammin of \$11,750.00 plus GST to replace the shire's damaged effluent truck tank and;**
- 2. endorses the spending of funds saved on the changeover of two shire utilities in purchasing the effluent truck tank.**

**Moved Cr Sanders
Absolute Majority**

Seconded Cr Miguel

Carried 7/0

BACKGROUND:

On the 28th April 2014 whilst pumping the leach drain out at the Beacon complex the tank imploded rendering the effluent truck useless. An insurance claim was lodged for a replacement cost of \$11,750.00 plus GST.

COMMENT:

LGIS has advised that the claim I submitted for a replacement tank for the effluent truck has been declined as vehicle deterioration is not covered in terms of Motor Vehicle claims.

To my knowledge the tank would be at least 25 years old, if not more. Last year Council committed funding to replace the effluent truck. Unfortunately, only the truck itself was replaced and the old tank was sandblasted, painted and re-bolted to the replacement truck.

Locating an engineering works that can perform the required work and replacement has proved very hard. This has resulted in only one quote being provided to Council.

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We were only aware that Chatfield's could do the job after speaking to Barry Cummins from Trayning who has had them perform work on his septic truck.

Fibreglass could prove a cheaper option, but I believe that a steel tank should last another 25 years. The effluent truck is an important service provided by the shire with no known plans in place for deep sewerage in the future.

I have received quotes to replace the two utilities and the total changeover price from John Hughes is \$18,698.60 a saving of \$17,801.40.

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11.6 Acting Chief Executive Officer

11.6.22 Amendment to Resolution Appointing CEO, 2014/099

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: A5/4, Staff
AUTHOR: Robert Cooper – Acting CEO
DISCLOSURE OF INTEREST: Nil
DATE: 4 September 2014
ATTACHMENT NUMBER: 11.6.22 – Letter from Department of Local Government and Communities
CONSULTATION: Nil
STATUTORY ENVIRONMENT: Local Government Act 1995
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Absolute Majority

2014/130 COUNCIL DECISION / OFFICER RECOMMENDATION:

That resolution 2014/099 be amended to read:

That Council:

1. Appoints Mr Dirk Sellenger to the position of Chief Executive Officer of the Shire of Mt Marshall; and
2. Is of the belief that Mr Sellenger is suitably qualified for the position of CEO; and
3. Is satisfied with the provisions of the proposed 5 year employment contract to be entered into with Mr Sellenger for the position of CEO.

Moved Cr Dunne
Absolute Majority

Seconded Cr Sanders

Carried 7/0

BACKGROUND:

The Department of Local Government and Communities wrote to the shire on 28 August 2014 advising that Council's decision to appoint the new CEO did not comply with the Local Government Act. It read:

2014/099 COUNCIL DECISION/COUNCIL RECOMMENDATION:

That:

1. Dirk Sellenger be appointed as Chief Executive Officer for a period of five years, effective October 2014. The date is to be confirmed.
2. the president be authorised to finalise negotiations with Mr Sellenger within the package advertised.
3. the appointment is subject to Mr Sellenger's references being checked and to the satisfaction of the Shire President.

Moved Cr Sanders
Absolute Majority

Seconded Cr Munns

Carried 5/0

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COMMENT:

Suitable wording has been provided for Council to consider.

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11.6.23 Water Corporation Deed of Restrictive Covenant

LOCATION/ADDRESS:	Lot 707 Scotsman Road, Beacon
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A3/5
AUTHOR:	Robert Cooper – Acting CEO
DISCLOSURE OF INTEREST:	Nil
DATE:	16 September 2014
ATTACHMENT NUMBER:	11.6.23 – Deposited Plan 403372
CONSULTATION:	Marco Perer – GHD Andrew Borrett – Department of Local Government and Communities
STATUTORY ENVIRONMENT:	Local Government Act 1995 Transfer of Land Act 1893
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/131 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council authorise the President and Chief Executive Officer to sign the Deed of Restrictive Covenant between the Water Corporation and the Shire of Mt Marshall restricting the use of Lot 707 on Deposited Plan 403372 to not be developed for any purposes other than for water supply infrastructure and its maintenance.

Moved Cr Miguel

Seconded Cr Sanders

Carried 7/0

BACKGROUND:

The Water Corporation has requested that a Deed of Restrictive Covenant be entered into over a parcel of land it is acquiring at Lot 707 Scotsman Road Beacon. That Deed of Covenant will restrict the use of Lot 707 on Deposited Plan 403372 to not be developed for any purposes other than for water supply infrastructure and its maintenance

COMMENT:

Water Corporation is seeking to acquire a parcel of land at Lot 707 Scotsman Road Beacon, for developing water supply infrastructure. On 18 October 2013 the Western Australian Planning Commission advised GHD that a restrictive covenant in favour of the Shire of Mt Marshall, is to be placed over the land, restricting its use to water supply infrastructure and its maintenance.

On 3 September 2014, Council advised GHD that the survey plan had been suitably endorsed. Refer to attachment 11.6.23. The Water Corporation have now prepared a copy of that Deed of Restrictive Covenant for execution by Council. That execution requires a Council resolution in accordance with s9.49A of the Local Government Act 1995.

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11.6.24 Policy Manual – Reimbursement of Relocation Expenses

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A2/24
AUTHOR:	Robert Cooper – Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	10 September 2014
ATTACHMENT NUMBER:	11.6.24a – Current Policy E&E1.4 Reimbursement of Relocation Expenses 11.6.24b – Proposed Policy E&E1.4 Reimbursement of Relocation Expenses
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Local Government Act 1995
POLICY IMPLICATIONS:	Amendment to Existing Policy E & E 1.4 Payment of Relocation Expenses
FINANCIAL IMPLICATIONS:	Will increase certainty over future year budgetary requirements
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

2014/132 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the proposed amended policy E & E 1.4 as presented to the 23 September 2014 Ordinary Meeting of Council be adopted.

**Moved Cr Breakell
Absolute Majority**

Seconded Cr Munns

Carried 7/0

BACKGROUND:

The Policy and Procedures manual is silent on reimbursement of Relocation Expenses to employees who undertake their relocation themselves.

COMMENT:

The attached policy will provide the CEO with clear direction on eligibility for, and calculation of, reimbursement of expenses for relocating to the Shire for all new employees.

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12.0 Matters for which Members of the Public to be Excluded

12.1 Sale of Sandalwood Shops

2014/133 COUNCIL DECISION:

That Council resolve to exclude members of the public to discuss Agenda Item 12.1 as it is considered a matter affecting the personal affairs of any person/s and a contract which may be entered into.

Moved Cr Gillett

Seconded Cr Sanders

Carried 7/0

2014/ 134 COUNCIL DECISION / OFFICER RECOMMENDATION:

That:

1. On the basis that Council has received legal advice that the sale of Lots 44 and 45 on Certificate VOL799 Folio 4 Monger Street, Bencubbin should not proceed in accordance with the shire's requirements, Council resolves not to proceed with a sale to Kim and Cindylee Sawyer prior to public tender and;
2. Council authorises the Acting CEO to advise Kim and Cindylee Sawyer that the shire is unable to proceed with a sale of the property until a public tender process has been completed and;
3. That Council proceeds to public tender for sale of Lots 44 and 45 on Certificate VOL799 Folio 4 Monger Street, Bencubbin, subject to approval of Conditions of Tender at the ordinary October meeting of Council.

Moved Cr Gillett
Absolute Majority

Seconded Cr Dunne

Carried 7/0

12.2 Provision of Banking Arrangements

2014/135 COUNCIL DECISION / RECOMMENDATION:

That Council resolve to exclude members of the public to discuss Agenda Item 12.2 as it is considered a matter affecting the personal affairs of any person/s and a contract which may be entered into.

Moved Cr Gillett

Seconded Cr Miguel

Carried 7/0

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2014/ 136 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council:

- 1. proceeds to public tender for provision of commercial, trust and agency banking arrangements, subject to approval of Conditions of Tender by meeting of Council;**
- 2. authorises the Acting CEO to advise the shire's existing bankers, Bankwest and Bendigo Bank that it will be proceeding to public tender for provision of commercial, trust and agency banking arrangements**

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

Economic Development Officer, Miss Dannelle Foley left the room at 3:52 pm

13.0 Elected Members Motions of Which Previous Notice Has Been Given

Nil

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

Nil

15.0 Next Meeting – Tuesday 21 October 2014 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin

16.0 Closure of Meeting

The Presiding Member declared the meeting closed at 3:55pm.

These Minutes were confirmed by the Council at its Ordinary Meeting held on Tuesday 21 October 2014

Date

Cr RN Breakell

President