



SHIRE OF MT MARSHALL

**Minutes of Meeting held on
Tuesday 21 October 2014, in
Council Chambers, Bencubbin
commencing at 3:01pm.**

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SHIRE OF MT MARSHALL

**These Minutes were confirmed
by Council at the Ordinary
Meeting of Council held on
18 November 2014**

Cr RN Breakell

President

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Dirk Sellenger
Chief Executive Officer

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- 16. **Closure of Meeting**

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1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member declared the meeting open at 3:01 pm and welcoming the elected members and staff present.

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 Dirk Sellenger	Chief Executive Officer
Ms Nadine Richmond	Executive Assistant

Apologies

Nil

3.0 Standing Orders

2014/137 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 Gillett

Seconded Cr Sanders

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 23 September 2014

2014/138 OFFICER RECOMMENDATION/COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 23 September 2014 be confirmed as a true and correct record of proceedings.

Moved Cr Sanders

Seconded Cr Miguel

Carried 7/0

8.0 Announcements by Presiding Person Without Discussion

President Breakell welcomed new CEO Dirk Sellenger and wished him well in his role with the Shire of Mt Marshall.

President Breakell passed on Council's condolences to the Jack family on the recent passing of John Jack. John was considered a true gentleman amongst fellow farming families and the community. He will be sadly missed

9.0 Petitions / Deputations / Presentations / Submissions

Nil

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10.0 Reports of Committees

10.1 Junior Council Working Group

2014/139 OFFICER RECOMMENDATION/COUNCIL DECISION:

That items 10.1.1 to 10.1.7 be moved en bloc.

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

10.1.1 Minutes of Junior Council Working Group Meeting

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A6/39a
AUTHOR:	Nadine Richmond – Executive Assistant
DISCLOSURE OF INTEREST:	Nil
DATE:	7 October 2014
ATTACHMENT NUMBER:	10.1.1 – Minutes of Jr Council Meeting held 15 September 2014
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/139 (en bloc) OFFICER RECOMMENDATION/COUNCIL DECISION:

That the minutes of the Junior Council Working Group meeting (as attached) held on Monday 15 September 2014 be received.

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

BACKGROUND:

The minutes of the Junior Council Working Group meeting held on Tuesday 11 February 2014 are submitted for council information.

COMMENT:

Items where a resolution from Council is required for any further action to be taken on the matter have been presented as individual recommendations to Council in this agenda.

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10.1.2 Painting the Bencubbin Skate Rink

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	Junior Councillor Francis
FILE REFERENCE:	C3/3
AUTHOR:	Sally Morgan -Community and Recreation Development Officer
DISCLOSURE OF INTEREST:	No Interest to Disclose
DATE:	11 September 2014
ATTACHMENT NUMBER:	6.1.1-Letter from Junior Councillor Francis
CONSULTATION:	Robert Cooper-Acting Chief Executive Officer
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/139 (en bloc) WORKING GROUP/OFFICER RECOMMENDATION/COUNCIL DECISION:

That the Community & Recreation Development Officer works with the Bencubbin Community Resource Centre in planning the painting day project as a school holiday activity for Year 6 & 7 students.

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

BACKGROUND:

Correspondence was received from Junior Councillor Francis asking if the Year 6 and 7 students could paint the Lions Skating Rink in Bencubbin. Councillor Francis expressed that they could include a hop scotch grid and pictures of bikes and skateboards.

Councillor Francis also requested that the basketball ring is added along with some small ramps for skate boards, bikes and scooters.

COMMENT:

The Community & Recreation Development Officer is supportive of the idea to paint the concrete as it will provide kids in Bencubbin more games to play while brightening up the community. The Officer recommendation for Bencubbin Junior Councillors to paint the back board of the basketball ring was carried at the April Junior Council meeting, it would be an advantageous opportunity to organise all the painting on the same day. The Bencubbin Community Resource Centre are often looking for school holiday activities, this painting project would be ideal. Costs for the project is estimated to be approximately \$300 so funding options can be investigated to purchase the paint.

The idea for more ramps at the Bencubbin skate area has been raised several times but unfortunately because the Shire received the funding for the mobile skate ramp in 2004 we are unable to get more funds for more ramps from Lotterywest. We could certainly keep an eye out for other funding options that may come available.

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10.1.3 Senior Youth Activities

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: Junior Councillors Lelievre & Sidwell
FILE REFERENCE: C3/3
AUTHOR: Sally Morgan -Community and Recreation
Development Officer
DISCLOSURE OF INTEREST: No Interest to Disclose
DATE: 11 September 2014
ATTACHMENT NUMBER: 6.1.2-Letter from Junior Councillor Lelievre & Sidwell
CONSULTATION: Robert Cooper-Acting Chief Executive Officer
STATUTORY ENVIRONMENT: Nil
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2014/139 (en bloc) WORKING GROUP/OFFICER RECOMMENDATION/COUNCIL DECISION:

That the Community & Recreation Development Officer work with the Primary Schools, Bowls Clubs and/or the Community Resource Centres to organise a Seniors/Youth Social Bowls day.

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

BACKGROUND:

Correspondence was received from Junior Councillors Lelievre and Sidwell asking if they could have more interaction days with senior citizens. They expressed their enjoyment from past cooking days and proposed a social bowls day in Term 4.

COMMENT:

Senior and Youth activity days have been successfully held in Bencubbin and Beacon over the last few years. The days are enjoyed by all ages and a range of activities have been held, including social bowls.

As Bencubbin & Beacon have recently acquired new synthetic bowling greens, this would be a great opportunity to get the Seniors and Juniors together, along with any interested Bowling club members. It promotes active living and interaction between the groups.

Term 4 at the Primary Schools can be quite busy, if the schools do not have time to fit the day in their schedule it could potentially be organised as a school holiday activity with the Bencubbin & Beacon Community Resource Centres.

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10.1.4 Playground Equipment

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: Junior Councillor Clare & Jennings
FILE REFERENCE: C3/3
AUTHOR: Sally Morgan -Community and Recreation
Development Officer
DISCLOSURE OF INTEREST: No Interest to Disclose
DATE: 11 September 2014
ATTACHMENT NUMBER: 6.1.3-Letter from Junior Councillor Clare & Jennings
CONSULTATION: Robert Cooper-Acting Chief Executive Officer
STATUTORY ENVIRONMENT: Nil
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2014/139 (en bloc) WORKING GROUP/OFFICER RECOMMENDATION/COUNCIL DECISION:

That;

- i. The Works Supervisor is informed of Councillor Clare & Jennings concerns about the playground equipment in Bencubbin**
- ii. The Works Supervisor undertakes a review of the physical condition and safety issues of each of the Shires playgrounds**
- iii. Allocation of funds to address any issues raised are considered in the revision of the 2014/15 financial year budget**

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

BACKGROUND:

Correspondence was received from Junior Councillor Clare & Jennings requesting the purchase of more playground equipment for the playgrounds located at the Bencubbin Recreation Complex and the Sandalwood shops. They expressed concern about some of the existing equipment as it is getting old and breaking apart, which can become a hazard to children of all ages.

COMMENT:

There are four playgrounds located within the Shire of Mt Marshall which are maintained by the Shire's Gardening and Maintenance staff. Some of the equipment in Bencubbin is aging as it was installed many years ago, however, none of the equipment has previously been reported as hazardous. Shire staff check the playgrounds every week and if an area was deemed unsafe it would be roped off so children could not access it.

The 2014/15 financial year budget was adopted at the August Meeting of Council. No funds were allocated towards the purchase of new playground equipment. The budget is revised midway through the financial year, if there are any issues with playground equipment it may be considered when undertaking the budget review.

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10.1.5 Beacon Complex Security

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: Junior Councillor Faulkner
FILE REFERENCE: C3/3
AUTHOR: Sally Morgan -Community and Recreation
Development Officer
DISCLOSURE OF INTEREST: No Interest to Disclose
DATE: 11 September 2014
ATTACHMENT NUMBER: 6.1.4-Letter from Junior Councillor Faulkner
CONSULTATION: Robert Cooper-Acting Chief Executive Officer
STATUTORY ENVIRONMENT: Nil
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2014/139 (en bloc) WORKING GROUP/OFFICER RECOMMENDATION/COUNCIL DECISION:

That the Works Supervisor be requested to investigate security issues at the Beacon Complex.

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

BACKGROUND:

Correspondence was received from Junior Councillor Faulkner regarding the recent break in at the Beacon Recreation Complex. He expressed concern about the security and asked if it would be possible for the glass door entrance to be kept locked, providing gym members a key to the door to access the gym.

COMMENT:

The Shire of Mt Marshall aim to ensure all Council owned public buildings have sufficient security measures to reduce the risk of vandalism, stealing and damage. The recent break in at the Beacon Complex is been investigated by the Police.

In considering the option to lock the glass entrance door, many points need to be considered such as the type of safety glass on the door, accessibility for users and alternative security options. These points will need to be discussed with the Beacon Community Recreation Council who manage the facility at their next meeting in late 2014.

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10.1.6 Culvert in Beacon Roads

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: Junior Councillor Munns
FILE REFERENCE: C3/3
AUTHOR: Sally Morgan -Community and Recreation
Development Officer
DISCLOSURE OF INTEREST: No Interest to Disclose
DATE: 11 September 2014
ATTACHMENT NUMBER: 6.1.5-Letter from Junior Councillor Munns
CONSULTATION: Robert Cooper-Acting Chief Executive Officer
STATUTORY ENVIRONMENT: Nil
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2014/139 (en bloc) WORKING GROUP/OFFICER RECOMMENDATION/COUNCIL DECISION:

That the Works Supervisor be advised of the need for a culvert on the T-road of Lindsay St and Medlin Street in Beacon.

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

BACKGROUND:

Correspondence was received from Junior Councillor Munns regarding the T-road on Lindsay St and Medlin St in Beacon. Councillor Munns noted there is a very large dip in the road that has been there for quite some time. Drivers must slow right down and be cautious of the pot holes in it. When it rains, it fills up with water making it harder to drive through.

Councillor Munns suggested the Shire could fix this by installing a culvert.

COMMENT:

Councillors each year develop a Road Works Schedule which outlines the proposed works to be completed within the year's budget.

After reviewing the 2014/15 Road Works Schedule, the culvert on the T-road of Lindsay St and Medlin St has not been included. The Schedule is subject to change due to varying priorities over the year and variations in costs, so the Works Supervisor should be informed of this culvert to inspect.

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10.1.7 Beacon Youth Centre

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: Junior Councillor Lauro
FILE REFERENCE: C3/3
AUTHOR: Sally Morgan -Community and Recreation
Development Officer
DISCLOSURE OF INTEREST: No Interest to Disclose
DATE: 11 September 2014
ATTACHMENT NUMBER: 6.1.6-Letter from Junior Councillor Lauro
CONSULTATION: Robert Cooper-Acting Chief Executive Officer
STATUTORY ENVIRONMENT: Nil
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2014/139 (en bloc) WORKING GROUP/OFFICER RECOMMENDATION/COUNCIL DECISION:

That;

- i. Junior Councillor Lauro's concerns are passed on to the Beacon Country Club**
- ii. The Community & Recreation Development Officer meets with the Beacon Country Club to discuss the purchase of items for the Beacon Youth Centre**

Moved Cr Gillett

Seconded Cr Munns

Carried 7/0

BACKGROUND:

Correspondence was received from Junior Councillor Lauro regarding the Beacon Youth Centre. He expressed concern that the centre will be demolished due to the building being made of asbestos.

Councillor Lauro questioned if the Youth Centre would be rebuilt and if so, would it be relocated and could it be bigger. He asked if we could change the system of having the key at the club, and that copies of the key be provided to members once they have paid their fee. He also asked if the items that were requested during the 2014/15 budget submissions would still be included.

COMMENT:

The Beacon Youth Centre is owned by the Beacon Country Club. The Shire of Mt Marshall has not been involved in any of the issues regarding the asbestos wall.

The recommendation to purchase new equipment for the Beacon Country Club was carried at the April Junior Council Meeting. The submission into the 2014/15 Financial Budget was successful with funds allocated towards the item.

The Community & Recreation Development Officer will liaise with the Beacon Country Club regarding the future of the Centre prior to purchasing the items.

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11.0 Reports of Officers

PEHO Julian Goldacre entered Council Chambers at 3:08

11.1 Environmental Health Officer / Building Surveyor

11.1.5 Making of the Shire of Mt Marshall Health Local Law 2014

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	Mr J Goldacre PEHO/BS as an Officer of the Shire of Mt Marshall
FILE REFERENCE:	A2/1
AUTHOR:	Mr J Goldacre PEHO/BS
DISCLOSURE OF INTEREST:	Nil
DATE:	6 October 2014
ATTACHMENT NUMBER:	11.1.5a – Shire of Mt Marshall Health Local Law 2014 11.1.5b – Evidence of advertising of Health Local Law 11.1.5c – Dept of Health edits 11.1.5d – Dept of Local Government & Communities edits
CONSULTATION:	Mr D Howell Dept of Health; and Ms V Gilmore Department of Local Government and Communities.
STATUTORY ENVIRONMENT:	<i>Health Act 1911</i> <i>Local Government Act 1995</i>
POLICY IMPLICATIONS:	Initiates required 8 year local law review and implements steps to make modern Health Local Law
FINANCIAL IMPLICATIONS:	Advertising costs of \$1,200 and \$5,000 for gazettal fees. An amount of \$5600 has been included in the 2014/15 budget for costs associated with the review of the Local Laws.
STRATEGIC IMPLICATIONS:	Creates a new Health Local Law to govern matters of health and amenity within the Shire of Mt Marshall. Medium Risk should the joint standing committee disallow the Health Local Law which is not anticipated as is based on the Gazetted Shire of Koorda Health Local Law and has been substantially reviewed with assistance from the DLGC and DoHWA
VOTING REQUIREMENT:	Absolute Majority.

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2014/140 OFFICER RECOMMENDATION/COUNCIL DECISION:

That:

- 1. Council 'Make' the Shire of Mt Marshall Health Local Law 2014 as presented in 11.1.5a;**
- 2. Council authorises the Shire of Mt Marshall Seal to be affixed to the Shire of Mt Marshall Health Local Law 2014, signed and dated by the Shire President and Chief Executive Officer and;**
- 3. The signed and sealed Shire of Mt Marshall Health Local Law 2014 be forwarded to the Executive Director of Public Health for his/her signature of consent and presented to State Law Publishers for gazettal.**

**Moved Cr Gillett
Absolute Majority**

Seconded Cr Beagley

Carried 7/0

BACKGROUND:

At the Shire of Mt Marshall Ordinary Meeting of Council held on 17 June 2014 the following was resolved:

2014/087 COUNCIL DECISION / OFFICER RECOMMENDATION:

That:

- 1. The proposed Shire of Mt Marshall Health Local Laws 2014, as attached, be endorsed; and**
- 2. State wide and local advertising for public comment commences for a period of not less than 42 days;**
- 3. A copy of the proposed Shire of Mt Marshall Health Local Laws 2014 and the advertised Notice is delivered to the Honourable Minister for Local Government and the Executive Director of Public Health for the purpose of review for comment.**

**Moved Cr Gillett
Absolute Majority**

Seconded Cr Miguel

Carried 7/0

Advertising of the proposed Health Local Law was comprehensively carried out as scheduled (please refer to attachment 11.1.5b):

- 'Beacon Bulletin' and 'The Gimlet' from the 26 June 2014 till the 28 August 2014 (this exceeds the required 42 days of advertising);
- West Australian Newspaper on 3 July 2014 on page 54;
- The Beacon Co-Op, Beacon Central, Bencubbin CRC and shire office notice boards;
- Hard copies made available on the shire office counter for public viewing as well as at Beacon Central's front counter; and
- Displayed on the Shire of Mt Marshall website <www.mtmarshall.wa.gov.au> from the 4 July till the 5 September 2014

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On 16 July 2014 the Department of Health WA submitted their list of 'recommended' changes and edits (please refer to attachment 11.1.5c) as did the Department of Local Government and Communities on the 28 August 2014 (please refer to attachment 11.1.5d). The edits were assessed and edits and changes made after consultation with the DoH(WA) and the DLG&C on the relevant matters raised.

During the advertising period from 26 June until 28 August 2014 and up to and including the 7 October 2014 no submissions were received from the public.

COMMENT:

The recommended edits provided by Mr Donald Howell who is the Department of Health legislative officer were considered and adopted in full. The running sheet as shown in 11.1.5c shows the edits recommended and the acknowledgement tick as it was integrated into the Health Local Law; the edits were minor in nature.

The recommended edits provided by Ms Vicky Gilmore from the Department of Local Government & Communities were comprehensive and are shown in the running sheet in 11.1.5d. Only the recommendations not adopted are commented on as follows:

- **Clause headings** It is suggested that all '.' be deleted from the end of clause numbers. For example, **2.1.5** should replace **2.1.5.**
 - *Not agreed; previously the DLGC has insisted that a full stop be appended to the end of clause numbers as this was 'best drafting practice' at the time. When this was made apparent the PEHO/BS contacted the DLGC Officer Bei Bei Guo whilst doing the Mukinbudin Health Local Law as to whether this was necessary to do so and was told 'Yes'. In light of this the full stops will remain based on previous DLGC officer's recommendation.*

- **Clause 1.3** It is suggested that the terms drugs, food premises, schedule, town site, town planning scheme and nuisance be inserted as a defined term in clause 1.3. Some standard definition clauses have been provided below for the Shire's consideration:
nuisance means –
 - (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in public or private nuisance at law;
 - (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
 - (c) interference which causes material damage to land or other property on the land by the interference
 - *Not Agreed; (only for the term 'nuisance') Discussions with Mr D Howell at the Dept of Health suggested that this version as shown above as a definition of 'nuisance' is too broad a concept for the specific Health Act 1911 function for nuisances, which is the lead Act for this local law.*

- **Clause 3.1.2** It is suggested that clause 3.1.2(b) be deleted or redrafted. Currently, paragraph (b) provides that an owner or occupier of a house shall not permit any rainwater from the premises to discharge onto or over a footpath, street or other property. The clause does not take into account the fact that rainwater may discharge from the premises to a footpath, street or other property

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through circumstances outside the control of the owner, which may occur as a result of excessive winds, rain or flooding.

- *Not Agreed; this clause has existed in Gazetted Health Local Laws since 2001 and pertains to where matters of 'health' would become affected. In the last 7 and a half years the author has been enforcing this clause was to prevent water from a property entering and ponding onto another person's property due to poorly maintained gutters, downpipes and/or poorly constructed drains. In recent times this clause has been modified to remove 'streets' as these are often used as townsite storm water collection.*
- **Clause 5.1.5** Clause 5.1.5(b) concerns the prohibition of spitting on public transport. The Shire should consider how it may enforce the clause as the offence may be committed on a vehicle run by an external Public Transport Authority.
 - *Not Agreed; The Crown is not bound under the Health Act 1911 except where it pertains to apparatus for the treatment of sewerage and furthermore the State Government has removed public transport from the north eastern wheat belt due to poor patronage. The only public transport left in the Shire of Mt Marshall is the shire owned community bus and this is where this clause will be enforced.*
- **Clause 5.1.10** Clause 5.1.10 is potentially problematic as it may be interpreted to have a wider application than intended by the Shire. For example, it may cover persons transporting pets such as dogs or cats.
 - *Not agreed; local government is required under the Local Government Act 1995 to act 'liberally' and this has been the case for many years. The intent of this clause is to prevent transport trucks and vans from loitering with animals and as the 'context requires' is to prevent a nuisance.*
- **Definition of animals** It is suggested that a definition for "animals" be inserted in division 1 of Part 5 of this local law. The definition currently used for "animal" in clause 5.2.1 may be used as the definition of "animals" if the shire desires.
 - *Not Agreed; the animals referred to in clause 5.2.1. are most often if not entirely considered and used as pets. Instead 'animals' have been defined for division 1, Part 5 in keeping with such animals found in the north-east wheat belt notwithstanding should a circus come to town.*
- **Clause 5.6.2** The intention of clause 5.6.2 appears to be to limit the distance that intensive piggeries must be from areas that are listed in Schedules 13 and 14. However, the current wording of the clause may have the unintended consequence of penalising an owner of an intensive piggery where certain areas on the table are placed next to the piggery without knowledge of the owner.
 - *Not Agreed; there exists other legislation where setbacks for persons seeking development near such industries exist and will be picked up in development approval and permits. A case in point is the Environmental Protection Authority 'Guidance for the Assessment of Environmental Factors' as amended from time to time.*

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- **Clause 5.6.4** This clause may be unnecessary as it is dealt with in clause 5.6.2(2) and (3).
 - *Not Agreed; clauses 5.6.2.(2 & 3) are for the establishment only of piggeries, clause 5.6.4. deals with ongoing piggeries already established.*
- **Clause 9.1.7** This clause is currently very broad and potentially requires the Shire's permission for even minor alterations. It is suggested that the clause be refined to specifically stipulate what the Shire wishes to prevent being altered.
 - *Not Agreed; Offensive Trade needs careful monitoring by their inherent nature of business.*
- **Clause 9.3.1** It is suggested the definition of offensive trade be amended to exclude fish or shellfish processing establishments which also contain a retail section where fish and crustaceans may be left outside of a receptacle for sale.
 - *Not Agreed; this provision has been in health local laws since 2001 with no issues.*
- **The following minor edits are recommended:** - Clause 9.4.1(b): substitute 'perchloroethylene' with 'perchloroethylene'
 - *Not Agreed; discussions with Mr D Howell from the DoHWA has revealed the term used in the health local law is that which has been gazetted.*

All comments provided by the DLG&C comes with the following disclaimer being:
My comments:

- have been provided to assist you with drafting matters;
- do not constitute legal advice;
- have been provided in good faith for your consideration; and
- should not be taken as an approval of content.

And this is duly noted; all consideration and assistance has been sought to provide Council with a fully scrutinised, modified and edited health local law for Council consideration.

The process now is for Council to consider 'making' the Shire of Mt Marshall Health Local Law 2014 and gaining the signatures of the Shire President and Chief Executive Officer and affixing the Shire of Mt Marshall Seal onto the local law. One original is sent to the Executive Director of Public Health for consent along with two copies. Once the consent has been completed and returned to the Shire of Mt Marshall the next step is to have the local law Gazetted by State Law Publishers. Once gazetted the local law must be presented to the Joint Standing Committee on Delegated Legislation within 10 working days of Gazetted along with the requirements of the Minister's Local Laws Explanatory Memoranda (EM) Directions 2010.

This Shire of Mt Marshall Health Local Law 2014 will have -

- The purpose of the proposed Health Local Laws is to provide for the regulation, control and management of activities and issues relating to public health within the district of the Shire of Mt Marshall.
- The effect of the proposed Health Local Laws is to control activities and manage influences on community public health within the district of the Shire of Mt

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Marshall. The proposed Health Local Laws cover sanitation, housing, waste food and refuse, nuisances, pest control, infectious disease, lodging houses, offensive trades and includes penalties and schedule of forms. A review of 11.1.5a shows the proposed content of the proposed Health Local Laws in which areas such as public events, housing maintenance and cleanliness as well as keeping of small and large animals can be dealt with by the Shire officers to name a few.

The Health Local Laws in 11.1.5a have been collated from the Shire of Koorda's Health Amendment Local Laws 2012 reviewed by Mr John Gilfellow under the previous CEO Mr Graeme McDonald stewardship as well as the current Shire of Mukinbudin Health Local Law review which is now with the Director of Public Health. The attached Health Local Laws are amended for application for the Shire of Mt Marshall.

Presiding member Breakell thanked Julian for his efforts while employed at the Shire of Mount Marshall and wished him well at his new placement in Corrigin.

Casual CSO Lauren Grylls entered Council Chambers at 3:22pm

Casual CSO Lauren Grylls left Council Chambers at 3:22pm

PEHO Julian Goldacre left Council Chambers at: 3:22pm

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11.2	Community and Recreation Development Officer
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Nil

11.3	Economic Development Officer
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Nil

DCEO Robert Cooper entered Council Chambers at 3:24pm

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11.4 Senior Finance Officer

11.4.24 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: 14 October 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

2014/141 OFFICER RECOMMENDATION/COUNCIL DECISION:

That the Accounts Listed

Municipal Fund	\$	833783.73
Trust Fund	\$	15511.85
Mastercard	\$	593.85

Be endorsed.

Moved Cr Gillett

Seconded Cr Miguel

Carried 7/0

BACKGROUND:

Following is a List of Accounts submitted to Council on Tuesday 21 October 2014 for the Municipal Fund, Trust Fund and Mastercard.

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1. Municipal Fund

Chq/EFT	Date	Name	Description	Amount
EFT8841	09/09/2014	COVS	INJECTOR OIL	316.82
EFT8842	09/09/2014	AVON WASTE	RUBBISH COLLECTION FOR AUGUST 2014	4418.20
EFT8843	09/09/2014	TWO DOGS HOME HARDWARE	KILLRUST SPRAY	51.16
EFT8844	09/09/2014	CJD EQUIPMENT PTY LTD	TIP SCARIFIER	294.03
EFT8845	09/09/2014	BEACON BULLETIN	ANNUAL DONATION IN LIEU OF ADVERTISING CHARGES	1600.00
EFT8846	09/09/2014	LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE	ANALYTICAL SERVICES 2013/2014	495.95
EFT8847	09/09/2014	KTY ELECTRICAL SERVICES	DIG UP TANK, FIND FAULTY PUMP, REPLACE SEPTIC TANK PUMP - 92/93 MONGER ST UNITS	2219.03
EFT8848	09/09/2014	JASON SIGNMAKERS	VARIOUS BRACKETS FOR FITTING ROAD SIGNS	599.50
EFT8849	09/09/2014	SHIRE OF TRAYNING	DOCTORS HOUSE RENT 25% 4 WEEKS 290714-250814	640.00
EFT8850	09/09/2014	BENCUBBIN NEWS & POST	POSTAGE (INC RATES) \$163, EXPRESS POST ENVELOPES BANKWEST \$117	280.50
EFT8851	09/09/2014	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	150.00
EFT8852	09/09/2014	MOBILE MASTERS	REPAIRS TO 2 TAIT 2000	218.90
EFT8853	09/09/2014	LOCAL GOVERNMENT MANAGERS AUSTRALIA - WA	2014-2015 MEMBERSHIP MLGMA R COOPER	480.00
EFT8854	09/09/2014	BENCUBBIN BULK HAULIERS	HIRE OF SINGLE SIDETIPPER FOR BEACON BACK RD	11171.88
EFT8855	09/09/2014	UHY HAINES NORTON (WA) PTY LTD	FINAL ACCOUNT ASSISTANCE WITH DETAILED BUDGET	3520.00
EFT8856	09/09/2014	STAPLES AUSTRALIA	VARIOUS STATIONERY	136.07
EFT8857	09/09/2014	KENNETH LAMBLEY & CO	DL WINDOW FACE ENVELOPES PRINTED	154.00
EFT8858	09/09/2014	ICS CARPENTRY	CLOTHESLINE - BAXTER ST HOUSES \$1157, COLORBOND FENCE APUs 1 & 4 \$1434	2591.03
EFT8859	09/09/2014	STAR TRACK EXPRESS	FREIGHT	673.70
EFT8860	09/09/2014	A & M MEDICAL SERVICES P/L	SERVICE OXY VIVA	113.93

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Chq/EFT	Date	Name	Description	Amount
EFT8861	09/09/2014	PORKY'S ENTERPRISES	REMOVE & STACK PAVERS AT BEACON BOWLING GREEN \$5950; REPAIR GRADER TYRE \$275; REPLACE 2 TYRES UTE \$396; REPLACE 2 TYRES TRITON \$423	7044.51
EFT8862	09/09/2014	CR PA GILLETT	MEETING ATTENDANCE 190814	400.03
EFT8863	09/09/2014	FUJI XEROX AUSTRALIA PTY LTD	IMPRESSIONS 010714-310814	561.67
EFT8864	09/09/2014	BENCUBBIN TRUCK N AUTO'S	TYRE REPAIRS	31.50
EFT8865	09/09/2014	JR & A HERSEY	CARBON 6V DOLPHIN E/READY B3	145.20
EFT8866	09/09/2014	CR RN BREAKELL	MEETING ATTENDANCE 190814	1431.83
EFT8867	09/09/2014	CR DA MIGUEL	MEETING ATTENDANCE 190814	363.63
EFT8868	09/09/2014	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	2014 WA LOCAL GOVT CONVENTIONS REGISTRATIONS	11470.94
EFT8869	09/09/2014	BENCUBBIN AG SUPPLIES	BAILEYS LAWN FERTILISER \$8580; DELO OIL \$5454; CEMENT \$837; KLEENHEAT GAS \$319; PPMV \$100; VARIOUS HARDWARE ITEMS \$578	15868.01
EFT8870	09/09/2014	5RIVERS PLUMBING AND GAS	REPAIRS TO WATER COOLER AT DEPOT \$657; REPAIR LAUNDRY TAPS BAXTER ST \$333; REPAIR CISTERN IN CABIN BEACON \$252; FIX LEAK IN PLAYGROUND \$569	1811.41
EFT8871	09/09/2014	BENNY MART	CARAVAN PARK VOUCHERS	170.00
EFT8872	09/09/2014	COOPER WALKER FARMS	BOBCAT WITH OPERATOR	1232.00
EFT8873	09/09/2014	IT VISION USER GROUP INC	ANNUAL SUBS MEMBERSHIP 2014/2015	660.00
EFT8874	09/09/2014	JENNI BUNCE - CLEANING	CLEANING 1408-2708	2505.00
EFT8875	09/09/2014	OCLC (UK) LTD	AMLIB ANNUAL MAINTENANCE	1763.60
EFT8876	09/09/2014	MERREDIN PANEL AND PAINT	SUPPLY & FIT WINDSCREEN PMM00	423.50
EFT8877	09/09/2014	TUTT BRYANT EQUIPMENT	COMPENSATION TANK & AIRBAG3KG	962.75
EFT8878	09/09/2014	PUBLIC LIBRARIES WA INC	PLWA MEMBERSHIP 2014/2015	105.06
EFT8879	09/09/2014	CR WJ BEAGLEY	MEETING ATTENDANCE 190814	738.20
EFT8880	09/09/2014	CR IC SANDERS	MEETING ATTENDANCE 190814	479.53

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Chq/EFT	Date	Name	Description	Amount
EFT8881	09/09/2014	PETE'S SHED	MUSEUM (OLD POLICE STATION) KEY COPIES	8.00
EFT8882	09/09/2014	CR AJ DUNNE	MEETING ATTENDANCE 190814	376.37
EFT8883	09/09/2014	CR JW MUNNS	MEETING ATTENDANCE 190814	500.13
EFT8884	09/09/2014	HOPEY'S CARPET CARE	CARPET CLEANING	495.00
EFT8885	09/09/2014	GRIFFIN VALUATION ADVISORY	40% AGREED FEE VALUATION FOR FAIR VALUE LAND & BUILDINGS	11352.00
EFT8886	09/09/2014	SAMANTHA WALKER	TRAVEL TO MERREDIN FOR PAYROLL & AGENCY (REIMBURSEMENT TRAVEL)	104.04
EFT8887	12/09/2014	COVS	HOSE CLAMPS	369.28
EFT8888	12/09/2014	BOC GASES	CYLINDER RENTAL - AUGUST 2014	70.02
EFT8889	12/09/2014	CJD EQUIPMENT PTY LTD	1000 KM SERVICE - NEW GRADER	5850.06
EFT8890	12/09/2014	COURIER AUSTRALIA	FREIGHT	99.76
EFT8891	12/09/2014	WESFARMERS KLEENHEAT GAS P/L	ANNUAL FACILITY FEES - LODGE	66.00
EFT8892	12/09/2014	PURE AIR FILTERS	FILTERS CLEAN & DISPOSE	564.85
EFT8893	12/09/2014	NINGHAN SPRAYING & AG SERVICES	GLYPHOSATE & KAMBA \$817; CARAVAN PARK VOUCHERS \$160; HANDSPRAYER \$72	1049.51
EFT8894	12/09/2014	KTY ELECTRICAL SERVICES	CHECK BEACON BARRACKS, FOUND WESTERN POWER FAULT, CONTACT AND FOLLOW UP	564.85
EFT8895	12/09/2014	BEACON CO-OPERATIVE LTD	CARAVAN PARK VOUCHERS AND PPMV - D COLLARD	530.00
EFT8896	12/09/2014	STAR TRACK EXPRESS	FREIGHT	248.94
EFT8897	12/09/2014	RELIANCE PETROLEUM	FUEL CARD PURCHASES - AUGUST 2014	740.95
EFT8898	12/09/2014	ALL-WAYS FOODS	CLEANING PRODUCTS	612.53
EFT8899	12/09/2014	PAUL SACHSE	BENCUBBIN REFUSE SITE LEASE 2014/15	3161.40
EFT8900	12/09/2014	D & D TRANSPORT	FREIGHT	172.02
EFT8901	12/09/2014	JR & A HERSEY	PLIERS, AIR FRESHENERS, MULTI SCISSORS	221.10
EFT8902	12/09/2014	EASTERN WHEATBELT DECLARED SPECIES GROUP	SHIRE CONTRIBUTION TO WILD DOG CONTROL 2014/15	7150.00
EFT8903	12/09/2014	LANDGATE	RURAL UV - MINIMUM CHARGE	62.35

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Chq/EFT	Date	Name	Description	Amount
EFT8904	12/09/2014	HM & NE BATES	HARD FACE CUTTING EDGES FOR LOADER	880.00
EFT8905	12/09/2014	MERREDIN GLAZING SERVICE	SUPPLY & INSTALL SLIDING DOOR, REMAKE FLYSCREEN - 248 BROWN ST	544.50
EFT8906	12/09/2014	BENCUBBIN AG SUPPLIES	GREASE GUN, OTHER WORKSHOP ITEMS	364.55
EFT8907	12/09/2014	ADVANCED AUTOLOGIC PTY LTD	RAGS, GREASE	322.00
EFT8908	12/09/2014	RADIOWEST BROADCASTERS PTY LTD	6MD AROUND THE TOWNS - AUGUST 2014	55.00
EFT8909	12/09/2014	5RIVERS PLUMBING AND GAS	REMOVE HWU, REPLACE WITH NEW HWU - BENCUBBIN RECREATION CENTRE KITCHEN \$1401; SUPPLY & INSTALL TOILET CISTERN & SEAT 167 COLLINS ST \$545; REPAIR FAULTY CISTERN STURT PEA HOUSE \$182	2147.85
EFT8910	12/09/2014	KUNUNOPPIN MEDICAL PRACTICE	PRE-EMPLOYMENT MEDICAL - M TABNER	286.00
EFT8911	12/09/2014	MERREDIN PANEL AND PAINT	REPAIRS TO HOLDEN CAPRICE	1049.47
EFT8912	12/09/2014	R MUNNS ENGINEERING CONSULTING SERVICES	CONSULTING SERVICES - RESEALING PROGRAM 2014/15 & RRG PROGRAM 2015/16	1805.06
EFT8913	12/09/2014	GREAT SOUTHERN FUELS	BULK DIESEL - BENCUBBIN DEPOT \$10498 & \$13522; FUEL CARDS \$1302	25323.18
EFT8914	12/09/2014	SHIRE OF CUBALLING	LONG SERVICE LEAVE LIABILITY - E HAYDON	12932.18
EFT8915	12/09/2014	BLOOM HEARING	AUDIOLOGICAL ASSESSMENT - W HEDLEY	198.00
EFT8916	19/09/2014	BENCUBBIN NEWS & POST	NEWSPAPERS - AUGUST 2014; CARAVAN PARK VOUCHER	72.70
EFT8917	19/09/2014	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	CARAVAN PARK VOUCHERS; PRINTING - LIBRARY	68.30
EFT8918	19/09/2014	AUSTRALIAN TAXATION OFFICE	BAS - AUGUST 2014	6368.00
EFT8919	19/09/2014	WA TREASURY CORPORATION	LOAN NO. 119 FIXED COMPONENT - LOAN TO BENNYMART - REPAYED IN LEASE PAYM	979.96
EFT8920	19/09/2014	DEPARTMENT OF FIRE & EMERGENCY SERVICES	ESLB QUARTER 1	9506.40
EFT8921	19/09/2014	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	48.88

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Chq/EFT	Date	Name	Description	Amount
EFT8922	19/09/2014	LGRCEU	PAYROLL DEDUCTIONS	38.80
EFT8923	19/09/2014	WALGS PLAN	SUPERANNUATION CONTRIBUTIONS	12189.87
EFT8924	19/09/2014	BENCUBBIN COMMUNITY RESOURCE CENTRE	BUSINESS CARDS - ROBERT COOPER	20.00
EFT8925	19/09/2014	D & D TRANSPORT	HIRE OF FORK LIFT - FEB - AUG 2014	203.28
EFT8926	19/09/2014	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	330.34
EFT8927	19/09/2014	BENNY MART	CARAVAN PARK VOUCHERS	50.00
EFT8928	19/09/2014	EVERGREEN SYNTHETIC GRASS	FINAL PAYMENT - BEACON BOWLING GREEN	30095.80
EFT8929	19/09/2014	MW GRANT	PUSH UP GRAVEL - CASHMORE & FAULKNER'S PITS	30027.80
EFT8930	19/09/2014	DYLAN COPELAND	PROVISION OF NRM SERVICES - SANDALWOOD PROJECT	500.00
EFT8931	19/09/2014	BILL HEDLEY	REIMBURSEMENT OF RELOCATION EXPENSES	2184.00
EFT8932	19/09/2014	SAMANTHA WALKER	WITHHOLDING TAX DEDUCTED IN ERROR	97.98
EFT8933	19/09/2014	MICHAEL SREDOJEVIC	REIMBURSEMENT OF RELOCATION EXPENSES	2439.84
EFT8934	19/09/2014	STAR TRACK EXPRESS	FREIGHT	573.95
EFT8935	26/09/2014	COURIER AUSTRALIA	FREIGHT	39.75
EFT8936	26/09/2014	THE ROYAL LIFE SAVING SOCIETY	LIFEGUARD REQUAL - POOL OPERATORS	520.00
EFT8937	26/09/2014	KTY ELECTRICAL SERVICES	REPLACE EXHAUST FANS - 64 BROWN ST \$163; DIGITAL RECEIVER - 5 HAMMOND ST \$268; GPOs FOR RETIC BAXTER ST HOUSES \$285	815.92
EFT8938	26/09/2014	WHEATBELT SIGNS	CHANGE PRICES AT BEACON AND BENCUBBIN CARAVAN PARKS	693.00
EFT8939	26/09/2014	JASON SIGNMAKERS	GALVANISED POSTS AND CAPS	775.50
EFT8940	26/09/2014	BENCUBBIN SPORTS CLUB INC.	REFRESHMENTS	203.00
EFT8941	26/09/2014	BENCUBBIN NEWS & POST	STATIONERY - AUGUST 2014 \$116; EXPRESS POST ENVELOPES BANKWEST \$117; POSTAGE \$48	281.99
EFT8942	26/09/2014	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	350.00

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Chq/EFT	Date	Name	Description	Amount
EFT8943	26/09/2014	BURGESS RAWSON (WA) PTY LTD	WATER USAGE - 8/7 - 8/9/2014	34.38
EFT8944	26/09/2014	ICS CARPENTRY	REPLACE FLY DOORS - 19 ROWLANDS ST BEACON \$1530; CLOTHESLINE - 168 COLLINS ST \$456; PAINT DOORS - 156 BROWN ST \$650; PAINT CEILINGS - 168 COLLINS ST \$350; REPAIR GATE - BEACON SILVER CHAIN HOUSE \$313; REPAIR CUPBOARDS BENCUBBIN COMPLEX \$410	3708.98
EFT8945	26/09/2014	PORKY'S ENTERPRISES	LAY LIMESTONE BLOCKS - BAXTER STREET HOUSES \$7832; REPAIR GRADER TYRE \$275	8107.00
EFT8946	26/09/2014	BENCUBBIN TRUCK N AUTO'S	VARIOUS PARTS ETC	498.90
EFT8947	26/09/2014	D & D TRANSPORT	FREIGHT	158.65
EFT8948	26/09/2014	COLAS WA	EMULSION	473.00
EFT8949	26/09/2014	AUSTRALASIAN PERFORMING RIGHT ASSOCIATION LTD	LICENCE TO PLAY COPYRIGHT MUSIC	67.07
EFT8950	26/09/2014	BENCUBBIN AG SUPPLIES	GARDEN SHEDS FOR BAXTER STREET HOUSES \$2648; GLYPHOSATE \$363; SUNDRY HARDWARE ITEMS \$225	3236.42
EFT8951	26/09/2014	5RIVERS PLUMBING AND GAS	CHECK PRESSURE, REPAIR FAULT IN WM TAP - 168 COLLINS ST	208.17
EFT8952	26/09/2014	BENNY MART	CATERING FOR COUNCIL	115.14
EFT8953	26/09/2014	JENNI BUNCE - CLEANING	BEACON CONTRACT CLEANING 28/8 - 10/9/2014	1987.50
EFT8954	26/09/2014	MERREDIN MOWER & CHAINSAW CENTRE	GATORLINE FOR WHIPPER SNIPPERS	120.00
EFT8955	26/09/2014	REEPAR ASSET PROTECTION	TRAFFIC MANAGEMENT - BURAKIN-WIALKI ROAD	8580.00
EFT8956	26/09/2014	M & J LANCASTER	REIMBURSEMENT FOR PURCHASE OF SCOREBOARD FRAMES - BEACON BOWLING GREEN	2186.80
EFT8957	26/09/2014	EASTERN & GUEST DESIGN	REVISE PLAN AFTER SITE VISIT; REDESIGN EXISTING KITCHEN	2700.00
EFT8958	26/09/2014	ROBERT COOPER	REIMBURSEMENT FOR FUEL	88.35
EFT8959	26/09/2014	BEACON CAFE	CATERING - JUNIOR COUNCIL	195.00

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Chq/EFT	Date	Name	Description	Amount
EFT8960	26/09/2014	BCJ PLASTIC PRODUCTS	SETS OF SCORE BOARD NUMBERS \$1309 MARKERS \$519 - BEACON BOWLING GREEN	1828.20
EFT8961	30/09/2014	CJD EQUIPMENT PTY LTD	FIT NEW ARMS & PINION IN TURNING CIRCLE - GRADER \$9526; TRANSMISSION REPAIRS TO GRADER \$4927; HOSE ASSEMBLY - GRADER \$636; SUPPORT FOR STEPS - GRADER \$293; REPAIRS FE LOADER AIRCON \$154	15535.56
EFT8962	30/09/2014	SHIRE OF TRAYNING	25% OF EXPENSES MEDICAL PRACTICE AND DOCTOR'S VEHICLE	1832.13
EFT8963	30/09/2014	LOCAL GOVERNMENT MANAGERS AUSTRALIA - WA	LGMA STATE CONFERENCE - R COOPER	1345.00
EFT8964	30/09/2014	ICS CARPENTRY	SUPPLY AND INSTALL SHADE STRUCTURES \$26235 AND FENCE \$21310 - BEACON BOWLING GREEN; REPAIR DOOR SANDALWOOD TOILETS \$113; INSTALL DOOR CLOSER 156 BROWN ST \$87	47744.80
EFT8965	30/09/2014	T-QUIP	BLADES FOR MOWER	149.10
20453	03/09/2014	SHIRE OF MT MARSHALL	PETTY CASH RECOUP - AUGUST 2014	143.45
20454	04/09/2014	SHIRE OF MT MARSHALL	CASH PAYMENTS 03/09/2014	3150.00
20455	09/09/2014	SYNERGY	STREETLIGHT 250714-240814	1634.53
20456	09/09/2014	THE GIMLET NEWSPAPER INC	ANNUAL DONATION IN LIEU OF ADVERTISING CHARGES	1600.00
20457	12/09/2014	SHIRE OF MT MARSHALL	TRANSFER TO TERM DEPOSIT (MUNICIPAL)	400000.00
20458	12/09/2014	TELSTRA	TELEPHONE - AUGUST 2014	178.99
20459	12/09/2014	EDWARDS MOTORS PTY LTD	HOLDEN MY14 CAPTIVA 7 LTZ \$40181 + LICENCE \$291 - TRADE IN SV6 \$19291	19291.50
20460	18/09/2014	SHIRE OF MT MARSHALL	CASH PAYMENTS 170914	2900.00
20461	19/09/2014	WATER CORPORATION SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	326.08
20462	19/09/2014	LG SUPER	SUPERANNUATION CONTRIBUTIONS	2026.11
20463	19/09/2014	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	622.11

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Chq/EFT	Date	Name	Description	Amount
20464	19/09/2014	DIRECTIONAL MAPS	MT MARSHALL SHIRE MAPS	239.75
20465	19/09/2014	WATER CORPORATION	WATER USAGE 4/7 - 4/9/14 & SERVICE CHARGES 1/9 - 31/10/14	6733.84
20466	23/09/2014	SHIRE OF MT MARSHALL	RATES AND RUBBISH - SHIRE PROPERTIES	30606.01
20467	26/09/2014	TELSTRA	TELEPHONE - SEPTEMBER 2014	1295.08
20468	26/09/2014	WATER CORPORATION	WATER USAGE 11/7 - 11/9/14 AND SERVICE CHARGES 1/9-31/10/14	810.35
20469	30/09/2014	EDWARDS MOTORS PTY LTD	NEW 2014 HOLDEN VF CAPRICE \$48537 + LICENCE \$281 - TRADE IN CAPRICE \$45537	3280.70
				833783.73

2. Trust

Chq/EFT	Date	Name	Description	Amount
EFT8840	02/09/2014	DEPARTMENT OF PLANNING & INFRASTRUCTURE	RECOUP LICENSING - AUGUST 2014	15511.85
				15511.85

3. Mastercard

Details	Amount
FUEL	88.35
REGISTRATION - LEISURE FACILITIES SEMINAR - S MORGAN	137.50
FOXTEL - 229 MURRAY ST	134.00
CLOTHESLINE - 156 BROWN ST	141.00
CHANGE PLATES - MM00	24.00
DEPT OF AGRIC - PIC	69.00
	593.85

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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 October 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).

Dirk Sellenger
Chief Executive Officer

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11.4.25 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:	14 October 2014
ATTACHMENT NUMBER:	11.4.24 – 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

2014/142 OFFICER RECOMMENDATION/COUNCIL DECISION:

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

Moved Cr Gillett

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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11.5 Engineering Administration Officer / Works Supervisor

Nil

11.6 Chief Executive Officer

11.6.25 Delegation of Authority by CEO

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	N/A
AUTHOR:	Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	6 October 2014
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Robert Cooper – Deputy CEO
STATUTORY ENVIRONMENT:	Local Government Act 1995
POLICY IMPLICATIONS:	Delegated Authorities Register
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/143 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council receives the advice of the CEO, provided in accordance with Delegated Authority Admin 004, on delegations of Matthew Sharpe to exercise the following powers and functions:

- 1. The issue of notices, orders and requisitions;**
- 2. To institute and carry on legal proceedings and;**
- 3. The issue and withdrawal of infringement notices under the following acts and regulations:**

Local Government Act 1995
Local Government (Miscellaneous Provisions) Act 1960
Dog Act 1976
Litter Act 1979
Bushfires Act 1954
Cat Act 2011
Health Act 1911
Control of Vehicles (Off-road Areas) Act 1978
Caravan Parks and Camping Grounds Act 1995
Councils Local Laws and Policies
Animal Welfare Act 2002

Moved Cr Breakell

Seconded Cr Sanders

Carried 7/0

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BACKGROUND:

The shire's contracted Environmental Health Officer, employed through NEWHealth, has tendered his resignation. The Shire of Koorda's CEO is presently recruiting to fill the position.

In a separate, but linked matter, neighbouring shires have contracted Matthew Sharpe of WA Contract Ranger Services, to provide ranger services on an as-required basis.

COMMENT:

The shire is facing a regulatory service delivery gap until such time as the new contract EHO has been appointed. In addition, the presence of WA Contract Ranger Services in the region provides a cost effective supplementary strategy for the shire to manage regulatory aspects of several pieces of legislation.

To this end the Acting CEO entered into a commercial arrangement with Matthew Sharpe trading as WA Contract Ranger Services to provide on demand ranger services to the shire, and provided a Delegated Authority to Matthew Sharpe to do so.

Delegated Authority Admin 004 requires the CEO to provide notice of this action to Council.

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11.6.26 20 Million Trees Grant

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	Nil
FILE REFERENCE:	F1/16
AUTHOR:	Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	14 October 2014
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Mr Dylan Copeland – Contract NRMO Officer
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil - Participating landholders will need to provide the 'in kind' contribution and the grant provides for administration costs associated with the NRMO's running the program.
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/144 OFFICER RECOMMENDATION/COUNCIL DECISION:

That the NEWROC '20 Million Trees' funding application be supported.

Moved Cr Miguel

Seconded Cr Dunne

Carried 7/0

BACKGROUND:

The Australian Government will work with the community to plant 20 million trees by 2020, to re-establish green corridors and urban forests.

The Programme has four strategic objectives:

- **20 million trees** – 20 million trees and associated understory planted by 2020.
- **Environmental conservation** – support local environmental outcomes by improving the extent, connectivity and condition of native vegetation that supports native species
- **Community engagement** – work cooperatively with the community
- **Carbon reduction** – contribute to Australia reducing its greenhouse gas emissions.

COMMENT:

Applications for grant funding between \$20,000 and \$100,000 will be accepted prior to 2.00 pm AEDT on Thursday 30 October, from eligible organisations that intend to plant native trees and associated understory. Tree plantings may occur on public or private land.

To comply with the funding criteria the application will need to be on a regional scale and to this end it is proposed to apply to run the program as a NEWROC project.

Dylan Copeland provided the following comments regarding this matter:

“Given that most Wheatbelt shires of been extensively cleared—contributing to a myriad of environmental issues—any way that we can encourage re-vegetation projects is a

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positive contribution to our region. Landholder interest in re-vegetation projects is steady.

The application requirements for the Australian Government's 20 Million Trees programme include having landholders signed up prior to applying, so the initial step is to widely advertise an Expression of Interest form. I anticipate that there will be enough interest to submit an application to the 20 Million Trees programme, with the final amount to be determined following the EOI process."

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11.7 Deputy Chief Executive Officer

11.7.1 Christmas 2014 Office Hours

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	N/A
AUTHOR:	Robert Cooper – Deputy CEO
DISCLOSURE OF INTEREST:	Nil
DATE:	6 October 2014
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Dirk Sellenger – Chief Executive Officer Nadine Richmond – Executive Assistant
STATUTORY ENVIRONMENT:	Local Government Act 1995
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/145 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council endorses the following administration shutdown during the 2014/15 Christmas and New Year period:

Monday 22 December 9.00am to 4.00pm
Tuesday 23 December 9.00am to 4.00pm
Wednesday 24 December 9.00am to 1.00pm
Thursday 25 December Closed
Friday 26 December Closed

Monday 29 December Closed
Tuesday 30 December Closed
Wednesday 31 December Closed
Thursday 1 January Closed
Friday 2 January Closed

Monday 5 January 9.00am to 4.00pm

Moved Cr Miguel

Seconded Cr Sanders

Carried 7/0

BACKGROUND:

During the Christmas and New Year period the shire office will be closed and staff other than those required for core services will be asked to take leave.

COMMENT:

Staff with insufficient leave may be offered to work over the period provided there is work available.

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The proposed hours of customer service availability during the period are as follows:

Monday 22 December 9.00am to 4.00pm
Tuesday 23 December 9.00am to 4.00pm
Wednesday 24 December 9.00am to 1.00pm
Thursday 25 December Closed
Friday 26 December Closed

Monday 29 December Closed
Tuesday 30 December Closed
Wednesday 31 December Closed
Thursday 1 January Closed
Friday 2 January Closed

Monday 5 January 9.00am to 4.00pm

Public notices will be issued to ensure all community members are made aware of the scheduled shutdown period.

Arrangements will be made to ensure a senior staff member is on call during the period and contact details will be made available to accordingly.

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11.7.2 Tender MM02-14 Banking Services 2014

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	Nil
FILE REFERENCE:	F1/28, F1/14
AUTHOR:	Robert Cooper – Deputy CEO
DISCLOSURE OF INTEREST:	No Interest to Disclose
DATE:	21 October 2014
ATTACHMENT NUMBER:	11.7.2a – Tender Documents 11.7.2b – Appendix 1 – Offer Form
CONSULTATION:	Nancy Collins – Senior Finance Officer Dannelle Foley – Economic Development Officer
STATUTORY ENVIRONMENT:	Local Government Act
POLICY IMPLICATIONS:	F&R 2.5 Procurement Policy
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/146 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council endorse the Tender for Banking Services 2014 in accordance with the Tender Documents as submitted to the October 21 2014 Ordinary Meeting of Council.

Moved Cr Beagley

Seconded Cr Munns

Carried 7/0

BACKGROUND:

At its September Meeting Council resolved as follows:

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

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COMMENT:

Tender documents have been provided to Council in accordance with resolution 2014/136.

It is unlikely that the Tender is required as the cost of the banking arrangements cannot be quantified as being over the \$100,000 threshold required in the Procurement Policy. Notwithstanding that, the policy does stipulate that purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently and all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements.

The tender process will ensure that those principles are upheld.

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11.8 Executive Assistant

11.8.14 Auditor Attendance at Audit Committee Meeting

LOCATION/ADDRESS:	Shire of Mt Marshall
NAME OF APPLICANT:	UHY Haines Norton
FILE REFERENCE:	F1/2
AUTHOR:	Nadine Richmond – Executive Assistant
DISCLOSURE OF INTEREST:	Nil
DATE:	1 October 2014
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Local Government (Admin. Regulation 14A)
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Saving in travel costs and time
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

2014/147 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council's auditor be authorised to attend the next Audit Committee Meeting by way of telephone communication, if necessary, from the auditor's office or similar non-public environment.

**Moved Cr Gillett
Absolute Majority**

Seconded Cr Beagley

Carried 7/0

BACKGROUND:

Council's auditor has in the past frequently attended Audit Committee meetings by telephone. This practice is convenient for the auditor and results in savings for the Shire.

The Local Government (Administration) Regulations requires that Council approves for a person attending a meeting by the means of telephone communication, if that person is in a *suitable place* at the time of the meeting. A *suitable place* means a place that the council has approved as a suitable place for the purpose of this regulation and must be in a town site or other residential area, and 150km, or further, from the venue where the Audit Committee meeting is being held.

COMMENT:

Although a date has not been scheduled for the Audit Committee meeting, the recommendation will allow for the auditor to attend by telephone in the event that the Audit committee meeting is called at late notice and the Auditor is unable to attend in person.

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11.8.15 Donation to the Bencubbin Country Women's Association of WA

LOCATION/ADDRESS:	Nil
NAME OF APPLICANT:	Bencubbin Country Women's Association of WA
FILE REFERENCE:	F1/9
AUTHOR:	Nadine Richmond – Executive Assistant
DISCLOSURE OF INTEREST:	Nil
DATE:	6 October 2014
ATTACHMENT NUMBER:	11.8.15 – Correspondence from Applicant
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Budget Provision for Donations
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2014/148 OFFICER RECOMMENDATION/COUNCIL DECISION:

That a donation of \$200.00 (two hundred dollars) be paid to the Bencubbin Country Women's Association in contribution towards their 2014 Christmas Luncheon.

Moved Cr Miguel

Seconded Cr Gillett

Carried 7/0

BACKGROUND

Policy CS.1.1 requires all requests for donations to be presented to Council, must be in writing and 'bring benefit to or be to the credit of the shire'. The shire has been contributing towards the senior citizens luncheon for quite a few years.

COMMENT:

The Bencubbin branch of the Country Women's Association WA has requested a donation of \$200.00 (two hundred dollars) from the shire towards their catering of the annual senior citizens Christmas luncheon 2014.

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12.0 Matters for which Members of the Public to be Excluded

12.1 Tender MM01-14 – Disposal of Commercial Property

2014/149 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 Sanders

Seconded Cr Dunne

Carried 7/0

2014/150 OFFICER RECOMMENDATION/COUNCIL DECISION:

That Council endorses Tender MM01-14 – Disposal of Commercial Property in accordance with the Tender Documents as submitted to the October 21 2014 Ordinary Meeting of Council.

**Moved Cr Gillett
Absolute Majority**

Seconded Cr Beagley

Carried 7/0

13.0 Elected Members Motions of Which Previous Notice Has Been Given

Nil

DCEO Robert Cooper left Council Chambers at 3:46pm

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14.0	New Business of an Urgent Nature Introduced by Decision of the Meeting
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2014/151 COUNCIL DECISION:

That the late item 14.1 be considered as presented.

Moved Cr Miguel	Seconded Cr Sanders	Carried 7/0
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14.1	Late Item - Disposal of Surplus Equipment
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LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	W1/16
AUTHOR:	Jack Walker – Works Supervisor
DISCLOSURE OF INTEREST:	No interest to disclose
DATE:	20 October 2014
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Dirk Sellenger – Chief Executive Officer
STATUTORY ENVIRONMENT:	Local Government Act 1995.
POLICY IMPLICATIONS:	Delegated Authority Prop 002
FINANCIAL IMPLICATIONS:	Un-budgeted revenue
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

2014/152 OFFICER RECOMMENDATION/COUNCIL DECISION:
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That Council delegate authority to the Chief Executive Officer to:

1. advertise for expressions of interest for the disposal of the Scrub Grapple and;
2. accept the highest price offered, providing it is considered reasonable.

Moved Cr Sanders	Seconded Cr Breakell	Carried 7/0
Absolute Majority		

BACKGROUND:

In September 2011 when Council purchased a new Volvo L90F loader a scrub grapple with quick hitch was also purchased from Rhino Buckets and Attachments at a cost of \$26,930.00 plus GST.

COMMENT:

To my knowledge the scrub grapple has not been used for at least two years. After consulting with the construction crew they are reluctant to use it and therefore in my opinion it is surplus to requirements.

Peter Davis from CJD Equipment has indicated that they would be interested in purchasing the scrub grapple and would be submitting a price in the event Council resolves to dispose of the item.

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I have contacted Rhino seeking a “new price” at today's market to purchase the same product.

The Chief Executive Officer is delegated authority to sell, by calling for expressions of interest, holding a surplus goods sale at Shire's depot, or any other fair means, items of surplus equipment, materials, tools, etc, which are no longer required, outmoded or are no longer serviceable.

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15.0	Next Meeting – Tuesday 18 November 2014 commencing at 6:45pm in Council Chambers, 80 Monger St, Bencubbin
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16.0	Closure of Meeting
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The Presiding Member declared the meeting closed at 3:54pm.

These Minutes were confirmed by the Council at its Ordinary Meeting held on 18 November 2014.

Date

Cr RN Breakell

President