



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 24 October 2017, in Council Chambers, 80 Monger St, Bencubbin commencing at 3:00pm.

Cr ARC Sachse

President

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intentionally**

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John Nuttall
Chief Executive Officer

Chairperson Initial

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- 16. New Business of an Urgent Nature Introduced by Decision of the Meeting

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CWA Building, Rowlands Street, Beacon

- 18. Closure of Meeting

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1.0 Declaration of Opening / Announcement of Visitors

As the Election of President was yet to take place Chief Executive Officer, Mr John Nuttall declared the meeting open at 3:00pm and welcomed all those present.

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr RM Kirby	Councillor
Cr SE Faulkner	Councillor
Cr ARC Sachse	Councillor
Mr Nick Gillett	Councillor Elect
Mr Stuart Putt	Councillor Elect
Mr Ian Sanders	Councillor Elect
Mr John Nuttall	Chief Executive Officer
Ms Nadine Richmond	Executive Assistant
Ms Tanika McLennan	Finance and Administration Manager
Mr Andrew Johnson	Works Supervisor 3.00 – 4.49pm
Mr Leonard Cargeeg	Member of the public
Mrs Tanya Gibson	Member of the public

Apologies

Mrs Leeanne Gobbart	Councillor Elect	4.30 – 5.44pm
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3.0 Declaration of Office by Elected Members

The Chief Executive Officer invited Councillor Elect Nick Gillett to make his Declaration of Office.

Councillor Elect Nick Gillett made his Declaration of Office and assumed his seat in the meeting.

The Chief Executive Officer invited Councillor Elect Stuart Putt to make his Declaration of Office.

Councillor Elect Stuart Putt made his declaration and assumed his seat in the meeting.

The Chief Executive Officer invited Councillor Elect Ian Sanders to make his Declaration of Office.

Councillor Elect Ian Sanders made his declaration and assumed his seat in the meeting.

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4.0 Election of President and Deputy President

4.1 Election of President

Written nominations for President were received by the CEO for Cr Rachel Kirby and Cr Anthony Sachse. The CEO invited any further nominations for President. None were received.

Elected Members were provided with voting slips.

The Chief Executive Officer advised the outcome of the vote as follows:

Cr Kirby -	2 votes
Cr Sachse -	4 votes

The Chief Executive Officer declared Cr Anthony Sachse as President of the Shire of Mt Marshall.

Cr Sachse made his declaration of Office and assumed the President's chair.

4.2 Election of Deputy President

Presiding Member Cr Sachse declared a change in chairperson and the Chief Executive Officer assumed the chair. Written nominations for Deputy President were received by the Chief Executive Officer for Cr Rachel Kirby and Cr Nick Gillett.

The CEO invited any further nominations for Deputy President. None were received.

Elected Members were provided with voting slips.

The Chief Executive Officer advised the outcome of the vote as follows:

Cr NR Gillett -	3 votes
Cr RM Kirby -	3 votes

As there was a tied result, the Chief Executive Officer adjourned the meeting at 3.12pm.

The Chief Executive Officer recommenced the meeting at 3.30pm. All that were present when the meeting adjourned were present upon recommencing

The CEO invited any further nominations for Deputy President. None were received.

Elected Members were once again provided with voting slips for the election of Deputy President.

The Chief Executive Officer advised the outcome of the second vote as follows:

Cr NR Gillett -	3 votes
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Cr RM Kirby - 3 votes

As the second vote also tied, the Chief Executive Officer adjourned the meeting at 3.33pm. This would enable Cr Elect Leeanne Gobbart to attend the meeting and participate in the voting.

The Chief Executive recommenced the meeting at 4.30pm. All that were present when the meeting adjourned were present upon recommencement.

Cr Elect Leeanne Gobbart entered the meeting at 4.30pm.

The Chief Executive Officer invited Councillor Elect Leeanne Gobbart to make her Declaration of Office.

Councillor Elect Leeanne Gobbart made her Declaration of Office and assumed her seat in the meeting.

The CEO invited any further nominations for Deputy President. None were received.

Elected Members were once again provided with voting slips for the election of Deputy President.

The Chief Executive Officer advised the outcome of the third vote as follows:

Cr NR Gillett - 4 votes
Cr RM Kirby - 3 votes

The Chief Executive Officer declared Cr Nick Gillett as Deputy President of the Shire of Mt Marshall.

Cr Nick Gillett made his declaration of Office and assumed the Deputy President's chair.

President ARC Sachse thanked the Chief Executive Officer for conducting the election of Deputy President and resumed the chair.

5.0 Standing Orders

2017/10-3 COUNCIL DECISION:

That Standing Order number 9.2 - Limitation of Number of Speeches be suspended for the duration of the meeting to allow for greater debate on items in the agenda.

Moved Cr SE Faulkner

Seconded Cr RM Kirby

Carried 7/0

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6.0 Public Questions

6.1 Response to Public Questions Taken on Notice

Nil

6.2 Public Question Time

Public Question Time opened at 4.36pm

6.2.1 Summary of question from Mrs Tanya Gibson:

Was there \$20,000 spent on the grading of roads as a result of the rally being held in Bencubbin? Was there any benefit to the town and did the town of Bencubbin make any money from the event.

Summary of response from the Presiding Member:

The Presiding member invited the CEO to address Mrs Gibson's question to which he advised that the question would be taken on notice.

6.2.2 Summary of question from Mr Leonard Cargeeg:

Is Council aware that the two local papers were made committees of Council for insurance purposes?

Summary of response from the Presiding Member:

The CEO addressed the question advising that this information was made available to Council. He advised that he has spoken with both newspapers committees and they now have public liability insurance cover as part of the respective buildings they operate out of.

Public Question time closed at 4.39pm

7.0 Applications for Leave Of Absence

Nil

8.0 Declarations of Interest

Nil

9.0 Confirmation of Minutes of Previous Meetings

9.1 Minutes of the Ordinary Meeting held on Tuesday 19 September 2017

2017/10-4 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 19 September 2017 be confirmed as a true and correct record of proceedings.

Moved Cr SE Faulkner

Seconded Cr NR Gillett

Carried 7/0

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9.2 Minutes of the Special Meeting held on Monday 2 October 2017

2017/10-5 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Minutes of the Special Meeting of Council held on Monday 2 October 2017 be confirmed as a true and correct record of proceedings.

Moved Cr RM Kirby

Seconded Cr SE Faulkner

Carried 7/0

10.0 Announcements by Presiding Person Without Discussion

Shire President Sachse thanked the outgoing President, Cr Rachel Kirby for her outstanding efforts in her role as President and made mention of how highly she is regarded by both internal and external committees. President Sachse acknowledged the large amount of work that Cr Kirby did in her role as President, which may have gone unnoticed.

Shire President Sachse congratulated outgoing Deputy President Stuart Faulkner on his efforts during his role as Deputy President.

Mention was also made of outgoing Councillors Mr John Beagley, Mrs Helen Shemeld and Mr Callum Lumsden.

Congratulations were passed on to incoming Councillors Mr Nick Gillett, Mr Stuart Putt, Mrs Leeanne Gobbart and Mr Ian Sanders on their successful election.

President Sachse thanked the unsuccessful candidates in the ordinary elections held on the weekend being Mr Michael Carr, Mr Chris Kirby and Mrs Tanya Gibson. He made mention that it is great to see residents putting themselves forward for the role of Councillor in their community.

President Sachse thanked the CEO and staff for their efforts and looks forward to working with them all.

President Sachse having made his declaration as Shire President expressed his commitment to fulfil his role to the best of his ability. Examples of the challenges ahead that Council will meet with are cuts to State Government funding and tough farming seasons for areas in the district. On the plus side we have wonderful communities within our district and President Sachse hopes Council can move forward to support these communities.

11.0 President's Report

Purpose:

This report is prepared by the President to provide Council and the community of Mt Marshall with information about activities undertaken. The report was read aloud by outgoing President Cr Rachel Kirby.

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Comment:

The President represented the Shire at the following meetings and training opportunities from 20th September to 23rd October.

27th September - CEACA Executive Meeting, Teleconference

28th September - GEC Zone Special Meeting, LG Act Review, Merredin with CEO John Nuttall

29th September - CEACA Committee Special Meeting, Teleconference

2nd October - Special Meeting of Council

15th October - Opening of Welbungin Tennis Courts, with Cr Beagley and Cr Sachse

17th October - NEWROC Council Meeting, Nungarin with CEO John Nuttall

18th October - CEACA Executive Special Meeting, Teleconference

12.0 Petitions / Deputations / Presentations / Submissions

Nil

13.0 Reports of Committees

13.1 The Gimlet Newspaper

13.1.1 Minutes of Meetings held between 2015 and 2017

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	13.1.1a – Minutes of The Gimlet Newspaper AGM and General Meeting held 23 March 2015
	13.1.1b - Minutes of The Gimlet Newspaper AGM and General Meeting held 21 March 2016
	13.1.1c - Minutes of The Gimlet Newspaper General Meeting held 7 November 2016
	13.1.1d - Minutes of The Gimlet Newspaper AGM held 13 March 2017
	13.1.1e - Minutes of The Gimlet Newspaper General Meeting held 13 March 2017
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

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Background:

In order to minimise public liability insurance costs the Gimlet Newspaper Inc Committee was formed as a committee of Council in May 2006. Once a committee of Council, the newspaper was covered under the Shire's public liability policy.

Consultation:

Chief Executive Officer - John Nuttall

Statutory Environment:

Local Government Act 1995

Section 5.8. Establishment of committees

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

** Absolute majority required.*

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil

Community & Strategic Objectives:

This Committee does not align with any of the Shire's Strategic Community Plan objectives.

Comment:

Meeting minutes held by The Gimlet Newspaper Committee should be presented to Council as the Committee is a committee of Council. This has been overlooked between 2015 and 2017 and the minutes of meetings during this time are now presented for Council's adoption.

CEO, John Nuttall has met with Gimlet representatives who are happy for the newspaper to no longer be a committee of Council or be covered under the Shire's public liability policy. Further in the agenda, at item 12.1.47, it is recommended to dissolve The Gimlet Newspaper Committee.

2017/10-6 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The Minutes of The Gimlet Newspaper Committee from the following meetings be received and all resolutions adopted:

- ***AGM and General Meeting held 23 March 2015***
- ***AGM and General Meeting held 21 March 2016***
- ***General Meeting held November 2016***
- ***AGM and General Meeting held 13 March 2017***

Moved Cr SE Faulkner

Seconded Cr SR Putt

Carried 7/0

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13.2 Beacon Bulletin Inc

13.2.1 Minutes of Meetings between 2015 and 2017

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	13.2.1a – Minutes of The Beacon Bulletin AGM and General Meeting held 5 March 2015
	13.2.1b – Minutes of the Beacon Bulletin AGM and General Meeting held 12 April 2016
	13.2.1c – Minutes of the Beacon Bulletin AGM and General Meeting held 28 March 2017
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

In order to minimise public liability insurance costs the Beacon Bulletin Inc Committee was formed as a committee of Council in June 2006. Once a committee of Council, the newspaper was covered under the Shire's public liability policy.

Consultation:

Chief Executive Officer - John Nuttall

Statutory Environment:

Local Government Act 1995

Section 5.8. Establishment of committees

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

** Absolute majority required.*

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil

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Community & Strategic Objectives:

This Committee does not align with any of the Shire's Strategic Community Plan objectives.

Comment:

Meeting minutes held by the Beacon Bulletin Committee should be presented to Council as the Committee is a committee of Council. This has been overlooked between 2015 and 2017 and the minutes of meetings during this time are now presented for Council's adoption.

CEO, John Nuttall has met with Beacon Bulletin representatives who are happy for the newspaper to no longer be a committee of Council or be covered under the Shire's public liability policy. Further in the agenda, at item 12.1.47, it is recommended to dissolve the Beacon Bulletin Newspaper Committee.

2017/10-7 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The Minutes of the Beacon Bulletin Inc Committee from the following meetings be received and all resolutions adopted:

- ***AGM and General Meeting held 5 March 2015***
- ***AGM and General Meeting held 12 April 2016***
- ***AGM and General Meeting held 28 March 2017***

Moved Cr SE Faulkner

Seconded Cr NR Gillett

Carried 7/0

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Mr Andrew Johnson left Council Chambers at 4.49pm.

14.0 Reports of Officers

14.1 Chief Executive Officer

14.1.42 Grader Tender

File No:	Tender Register
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	14.1.42 – F&R.2.5 Purchasing Policy
Declaration of Interest:	Nil
Voting Requirements:	Recommendations 1 & 2: Simple Majority Recommendation 3: Absolute Majority
Previously Considered:	Nil

Background:

When adopting the 2017-2018 budget provision was made for the purchase of a new grader. Given the budgeted amount and the cost of a new grader, it is required that the purchase be undertaken by way of tender. As required this report invites Council to determine the qualitative criteria to be used when the tender is being assessed.

Consultation:

Works Supervisor - Andrew Johnson

Statutory Environment:

The Shire is able to call for tenders pursuant to Part 4 of the Local Government (Functions and General) Regulations, 1996. This is reflected in Regulation 14 (2a) and Regulation 11 (2) (ba) as follows:

14. Publicly inviting tenders, requirements for

(2a) "If a Local Government -

(a) is required to invite a Tender; or

(b) not being required to invite a Tender, decides to invite a Tender.

The Local Government must, before Tenders are publicly invited, determine in writing the criteria for deciding which Tender should be accepted."

11. When tenders have to be publicly invited

(2) Tenders do not have to be publicly invited according to the requirements of this Division if —

(ba) the local government intends to enter into a contract arrangement for the supply of goods or services where —

(i) the supplier is either —

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- (I) an individual whose last employer was the local government;
and
- (ii) the contract —
(I) is the first contract of that nature with that individual or group; and
(II) is not to operate for more than 3 years;
and
- (iii) the goods or services are —
(I) goods or services of a type; or
(II) (in the opinion of the local government) substantially similar to, or closely related to, goods or services of a type, that were provided by the individual (or persons) whilst employed by the local government;

Council may also afford delegation to the CEO to pursuant to Section 5.42 of the Local Government Act, 1995:

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
 - (a) this Act other than those referred to in section 5.43; or
 - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

** Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Relevant Plans and Policy:

Shire Policy F&R 2.5 deals with purchasing and tenders, but it does not set a standard selection criteria. Accordingly Council are invited to consider the appropriate selection criteria through this report. A copy of that policy is attached **14.1.42**

Financial Implications:

As Council has already budgeted for the purchase of the grader, there will be no financial implications from this report outside the budget.

Risk Assessment:

There is a requirement, due to the sums involved, to run a tender for this contract. Failure to do so would be a breach of the *Local Government Act 1995*.

Community & Strategic Objectives:

Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable

4.3.3 Ensure compliance with all relevant legislation

Comment:

To be compliant with the tender regulations Council is required to approve the selection criteria which is to be used to evaluate the tenders received. The selection criteria to be used in the tender documentation for this tender is included in the officer recommendation below.

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2017/10-8 OFFICER'S RECOMMENDATION'S / COUNCIL DECISION:

Officer's Recommendation 1:

That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 call for Tender (RFT MM02.17/18) for the purchase of a grader.

Officer's Recommendation 2:

That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 set the Qualitative Evaluation Criteria for RFT MM 02.17/18, as follows:

<i>Price</i>	<i>50%</i>
<i>Servicing</i>	<i>25%</i>
<i>Reliability</i>	<i>25%</i>

Officer's Recommendation 3:

***That Council pursuant to Section 5.42 of the Local Government Act, 1995 delegate authority to the Chief Executive Officer to award the grader purchase in accordance with the results of the tender evaluation process.
(Absolute Majority)***

***Moved Cr IC Sanders
Absolute Majority***

Seconded Cr RM Kirby

Carried 7/0

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14.1.43 Mt Marshall Patronage at the Mukinbudin Pool 2017/18 Season

File No:	A6/19
Location/Address:	Mukinbudin Aquatic Centre
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	14.1.43 – Correspondence from Shire of Mukinbudin
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	N/A

Background:

Due to the closure of the Mt Marshall aquatic facility in the 2016/2017 financial year, arrangements were made for community members who travelled to use aquatic facilities in neighbouring Shires to be reimbursed the entrance fees paid. This reimbursement was done by the user being provided with a ticket indicating the fees paid, which when returned to the Shire were reimbursed. The tickets were provided to the pools at Mukinbudin, Trayning and Koorda.

Correspondence has been received from the Shire of Mukinbudin (**Attachment 14.1.43**) offering to allow all residents and ratepayers of the Shire of Mt Marshall free and unlimited entry to the aquatic facility in Mukinbudin subject to the Shire making a payment to them of \$11,000 (Inc. GST).

Consultation:

Upon receipt of the letter, the Chief Executive Officer contacted Mr Dirk Sellenger (Shire of Mukinbudin Chief Executive Officer) to enquire how the figure of \$11000 was reached. The response was that it was a crude calculation based upon their Council estimating that 80 families would utilise the pool, and the cost of a family pass being \$150.

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Should Council choose to accept this offer it would cost \$11,000 which is unbudgeted expenditure.

Risk Assessment:

Nil

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Community & Strategic Objectives:

Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable

4.3.5 Use resources efficiently and effectively

4.3.6 Operate in a financially sustainable manner

Comment:

Whilst it is appreciated that the Shire of Mukinbudin are trying to assist the residents of Mt Marshall, and potentially reduce the paperwork that was involved in the scheme last year, it is recommended that this offer be rejected.

2017/10-9 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council:

1. ***Direct the Chief Executive Officer to write to the Shire of Mukinbudin, thanking them for their offer of unlimited use of their aquatic facility subject to the payment of \$11000, but rejecting the offer.***
2. ***Reinstate the aquatic facility fee reimbursement scheme on the same terms and for the same facilities as last financial year.***

Moved Cr SR Putt

Seconded Cr NR Gillett

Carried 7/0

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14.1.44 Fees and Charges - Housing

File No:	F1/3
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

During budget adoption Council adopts fees relating to rental charges for Shire owned or controlled houses. An anomaly has been discovered whereby joint venture community housing, which is currently being used to house employees does not have rent associated with it in the situation where it is occupied by someone who is not employed by the Shire. In order to rectify that anomaly it is recommended that a 'fall-back' rent is set for when that situation occurs.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

6.16. Imposition of fees and charges

(1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

(a) imposed* during a financial year; and

(b) amended* from time to time during a financial year.

** Absolute majority required.*

Relevant Plans and Policy:

Nil

Financial Implications:

Currently there are some properties which despite being joint venture community housing only have rent set for them when occupied by a staff member. This means that if either that staff member moves out and are replaced by a community member, or if a staff member leaves Shire employment but wishes to remain in the property, there is currently no rent other than staff rent set for the property.

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Risk Assessment:

Nil

Community & Strategic Objectives:

Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable

4.3.5 Use resources efficiently and effectively

4.3.6 Operate in a financially sustainable manner

Comment:

In order to rectify the anomaly described, the recommendation to Council is that rent to be charged when a house is not being used by a staff member is set. This will allow appropriate market rent to be charged without the need for each individual case being considered by Council.

2017/10-10 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council, subject to section 6.16 Local Government Act 1995, set the following charges:

1 bedroom unit not used as a staff house: \$80

3 bedroom unit not used as a staff house: \$160

***Moved Cr SE Faulkner
Absolute Majority***

Seconded Cr SR Putt

Carried 7/0

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14.1.45 Great Eastern Country Zone (GECZ) Review of Local Government Act 1995

File No:	A2/15
Location/Address:	N/A
Name of Applicant:	Shire of Mt Marshall
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	14.1.45 – Agenda GECZ LG Act Review Meeting
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

On 28 September 2017, the Chief Executive Officer and Shire President attended the WALGA GECZ Local Government Act Review meeting to represent the views of the Shire as resolved at the September Ordinary Meeting of Council as below:

2017/09-8 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

- 1. The Chief Executive Officer and the Shire President attend and represent its best interests at the WALGA Zone Local Government Act Review meeting to be held on 28 September 2017; and*
- 2. The Chief Executive Officer prepare a report on the outcome of the meeting and present it to the next possible ordinary meeting of Council.*

Moved Cr HJ Shemeld

Seconded Cr CT Lumsden

Carried 5/0

As per the second resolution, this report is designed to provide Councillors with feedback relating to the meeting.

Consultation:

Nil

Statutory Environment:

The meeting was regarding the Local Government Act 1995, and all of its subsidiary legislation.

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil

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Community & Strategic Objectives:

Outcome 4.2 Strong representation on behalf of the Community

4.2.1 Facilitate processes/networks for the engaging of government agencies and key stakeholders

Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable

4.3.3 Ensure compliance with all relevant legislation

Comment:

As no minutes from the meeting have yet been circulated, a copy of the agenda of the meeting is at **Attachment 14.1.45**. Listed below are the agreed zone positions and determinations made in order of the agenda:

Part 1

Local and Statewide Public Notice

Zone Position: Agreed that online notice should be allowed, perhaps by the construction of a central 'statewide notice' website (perhaps through WALGA). Agreed that if notice is given online it is sufficient, but there should also be the ability to still advertise in The West if that is a Council's preferred option. The legislation should be changed to simply say 'Notice' rather than differentiating.

Part 2

Method of Election of Mayor/President

Zone Position: there should be no change, and should be left to each individual community to determine.

Elected Member Training

Zone Position: This area was very strongly debated from all sides. In the end there was agreement that there should be some mandatory initial training (involving the basics such as meeting protocol, understanding financial statements etc) so long as it was provided regionally (with some funding). There should also be recognition of prior learning.

Stand Down if Contesting State/Federal Election

Zone Position: This situation has not caused any issues in our region, and the use of a 'gentleman's agreement' to stand down is common and working well. No need for change.

Local Government Act 1995

Part 3

Notification of Affected Owners

Zone Position: Agree with position statement.

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Control of Certain Unvested Facilities

Zone Position: Agree with recommendation.

Regional Local Governments

Zone Position: Agree with position statements.

Tender Threshold

Zone Position: Agree with position statement. There was also discussion regarding some clarity being provided around time frames for the threshold to be considered (eg over a 3 year period).

Disposition of Property

Zone Position: Agree with recommendation

Regional Subsidiaries

Zone Position: Agree with position statement, and strongly push for the ability for a Regional Subsidiary to have a collective power to borrow.

Part 4

Conduct of Postal Elections

Zone Position: Agree with position statement. Push for right of Council to choose method of election for themselves.

Voluntary Voting

Zone Position: Voluntary voting should remain

On-Line Voting

Zone Position: On-Line voting should be added as an option, but not as mandatory. Recognition that these changes are for the future and things will move more towards on-line.

Part 5

Electors' General Meeting

Zone Position: Delete the section from the act. They hold little purpose, as any questions can be asked at monthly Council meetings.

Special Electors' Meeting

Zone Position: Recommended amendment accepted

Senior Employees

Zone Position: Deletion of section agreed

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Annual Review of Certain Employees Performance
Zone Position: Recommendation agreed

Gifts and Contributions to Travel
Zone Position: Recommendation agreed

Vexatious and Frivolous Complaints
Zone Position: Recommendation agreed

Local Government (Administration) Regulations 1996

Revoking or Changing Decisions
Zone Position: Recommendation agreed

Contents of Minutes
Zone Position: Recommendation agreed

Repayment of Advance Annual Payments
Zone Position: Recommendation agreed

Local Government (Rules of Conduct) Regulations 2007
Zone Position: Recommendation Agreed

Part 6

Imposition of Fees and Charges
Zone Position: Recommendation agreed

Power to Borrow
Zone Position: Recommendation agreed

Restrictions on Borrowings
Zone Position: Recommendation agreed

Rating Exemptions – Charitable Purposes
Zone Position: Recommendation agreed (note that the WALGA policy position is now to review all exemptions including schools, churches, CBH)

Differential General Rates
Zone Position: Recommendation agreed

Service of Rates Notice

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Zone Position: Recommendation (a) agreed, Recommendation (b) not agreed, on the basis that individual Councils make their own arrangements.

Rates or Service Charges Recoverable in Court
Zone Position: Recommended amendment agreed

Local Government (Financial Management) Regulations 1996

Exemption from AASB 124
Zone Position: Recommendation agreed (it came from our zone!)

Part 7

Audit
Zone Position: Acknowledged

Part 8

Stand Down Provisions
Zone Position: Position Statement agreed

Part 9

Onus on Proof in Vehicle Offences
Zone Position: Recommendation agreed

Schedule 2.1

Poll Provisions
Zone Position: Recommendation agreed

Number of Electors
Zone Position: Recommendation agreed (note the change should read 250 (or 10% of electors))

Schedule 2.2

Who May Make Submission
Zone Position: Recommendation agreed (note change as per previous provision)

Schedule 4.1

Method of Voting
Zone Position: Recommendation agreed

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Other Matters Raised

These included:

- A request for the method of valuations of mines to be reviewed
- A request to deal with an anomaly regarding wards in s2.2 Local Government Act
- A request to review the regulations relating to attendance at Council meeting by phone (s5.25 Local Government Regulations) with a view to making the process and requirements less onerous.

2017/10-11 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the report relating to the WALGA Zone Local Government Act Review Meeting be received.

Moved Cr RM Kirby

Seconded Cr SE Faulkner

Carried 7/0

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14.1.46 WALGA Quarterly Overview Report

File No:	Nil
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	14.1.46a – WALGA Quarterly Overview Report 14.1.46b – WALGA Spend and Save Report
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	N/A

Background:

As a further service to its members, WALGA has started to produce a quarterly report to each individual member Shire, providing information regarding each Shire's use of their services. Attached (**Attachment 14.1.46a**) to this report is a copy of the quarterly report for July to September 2017 and also this quarter we were provided with a copy of the 2016/17 annual spending and savings report. That report is also provided at **Attachment 14.1.46b**

Consultation:

Nil

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

There are no expenditure implications from this report, but information is provided relating to savings made by the Shire last financial year by utilising WALGA purchasing facilities.

Risk Assessment:

Nil

Community & Strategic Objectives:

Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable

4.3.5 Use resources efficiently and effectively

4.3.6 Operate in a financially sustainable manner

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Comment:

These reports provide a snapshot of the contact that the Shire has with WALGA, and at the request of WALGA the overview will be provided quarterly to Council for information purposes.

2017/10-12 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Quarterly Overview Report and the 2016/2017 Spend and Save report provided by WALGA be received.

Moved Cr NR Gillett

Seconded Cr SR Putt

Carried 7/0

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14.1.47 Appointment of Elected Members to Committee, Working Groups and External Organisations

File No:	A1/3
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Mt Marshall
Author:	John Nuttall – Chief Executive Officer
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

At the first meeting following Council Ordinary Elections it is a requirement that membership of Council committees, working groups and external organisations are established.

Section 5.10 Local Government Act 1995 provides for the appointment of committee members. A decision to appoint committee members requires an absolute majority decision of Council.

At any given time each Council member is entitled to be a member of at least one (1) committee that comprises Council members only, or Council members and employees. If a Council member nominates him/herself to be a member of such committee/s, the Council is to include that Council member to at least one of those committees as the Council determines.

If the Council is to make an appointment to a committee that has, or could have a Council member as a member and the President informs Council of his/her wish to be a member of the committee, the Council is to appoint the President to be a member of the committee.

If the Council is to make an appointment to a committee that has or will have an employee as a member and the Chief Executive Officer informs the Council of his/her wish:

- a. to be a member of the committee; or
- b. that a representative of the Chief Executive Officer be a member of the committee,

the Council is to appoint the Chief Executive Officer or the Chief Executive Officer's representative, as the case may be, to be a member of the committee.

Consultation:

Executive Assistant – Nadine Richmond

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Statutory Environment:

Local Government Act 1995

5.8. Establishment of committees

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

* Absolute majority required.

5.10. Committee members, appointment of

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

* *Absolute majority required.*

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11A. Deputy committee members

- (1) The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.

* *Absolute majority required.*

- (2) A person who is appointed as a deputy of a member of a committee is to be —

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- (a) if the member of the committee is a council member — a council member; or
 - (b) if the member of the committee is an employee — an employee; or
 - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
 - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

[Section 5.11A inserted by No. 17 of 2009 s. 20.]

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
 - (b) the person resigns from membership of the committee; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,
whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
- (a) the term of the person's appointment as a committee member expires;
or
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;
or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,
whichever happens first.

Relevant Plans and Policy:

Nil

Financial Implications:

Meeting and Travel Allowances are included in the 2017/2018 Budget

Risk Assessment:

Nil

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Risk Assessment:

There would be a breach of legislation if Council did not make committee appointments as required.

Community & Strategic Objectives:

Outcome 4.1 Collaborative and transparent leadership

4.1.1 Enhance open and interactive communication between Council and the community

Outcome 4.2 Strong representation on behalf of the Community

4.2.1 Facilitate processes/networks for the engaging of government agencies and key stakeholders

Outcome 4.3 A local government that is highly respected, professional, trustworthy and accountable

4.3.3 Ensure compliance with all relevant legislation

Comment:

A review of the current list of committees and working groups has been undertaken.

Given that review there are some committees which it is recommended are no longer necessary and Council are asked to dissolve.

There are also recommendations for the formation of some new committees. The committees (listed in the recommendation) are presented to Council for the positions to be filled.

2017/10-13 OFFICER'S RECOMMENDATION/ COUNCIL DECISION:

1. ***That Council endorse dissolving the following committees:***
 - ***The Gimlet Newspaper Committee***
 - ***Beacon Bulletin Inc Committee***

Moved Cr RM Kirby
Absolute Majority

Seconded Cr SR Putt

Carried 7/0

2017/10-14 OFFICER'S RECOMMENDATION/ COUNCIL DECISION:

2. ***That Council in accordance with Section 5.10 of the Local Government Act 1995, endorse the following committees, Working Groups and External Organisations with appointed Elected Member and Staff representation as listed below:***

Committees of Council

Audit Committee

This committee consists of the full Council

There are no staff members appointed to this committee

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Bushfire Advisory Committee

Elected Member Cr SR Putt
Deputy Elected Member Cr SE Faulkner

Mt Marshall Local Emergency Management Committee

Elected Member (Chair) Cr IC Sanders
Elected Member Cr NR Gillett

Council Working Groups

Bencubbin Multi-Purpose Complex Project Steering Group

Elected Member Cr ARC Sachse
Elected Member Cr IC Sanders
Elected Member Cr RM Kirby
Chief Executive Officer
Community Development Officer

External Organisations

Great Eastern Country Zone – WALGA

President
Deputy President
Chief Executive Officer

North Eastern Wheatbelt Region of Councils (NEWROC)

President
Deputy President
Chief Executive Officer

North Eastern Wheatbelt Health Group Scheme (NEWHealth)

President
Deputy President
Chief Executive Officer (no voting rights)

Rural Water Council

Elected Member Cr ARC Sachse
Deputy Elected Member Cr SR Putt

Kununoppin Hospital Local Health Advisory Committee (LHAG)

Elected Member Cr LN Gobbart

Wheatbelt North Sub-Regional Road Group

Elected Member Cr SE Faulkner
Elected Member Cr RM Kirby

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Mt Marshall Land Conservation District Committee (LCDC)

Elected Member Cr ARC Sachse
Elected Member Cr IC Sanders

Wheatbelt Development Assessment Panel

Elected Member Cr RM Kirby
Elected Member Cr IC Sanders

Alternate Elected Member Cr SE Faulkner
Alternate Elected Member Cr LN Gobbart

Kununoppin Medical Practice Management Committee

Elected Member Cr ARC Sachse
Elected Member Cr RM Kirby
Chief Executive Officer

Central East Aged Care Alliance (CEACA)

Elected Member Cr RM Kirby
Deputy Elected Member Cr ARC Sachse

Eastern Wheatbelt Biosecurity Group

Elected Member Cr SR Putt
Deputy Elected Member Cr ARC Sachse

Moved Cr SE Faulkner **Seconded Cr LN Gobbart** **Carried 7/0**
Absolute Majority

2017/10-15 OFFICER'S RECOMMENDATION/ COUNCIL DECISION:

3. That Council, subject to Section 5.8 Local Government Act 1995, establish a new committee for the purposes of evaluating the Economic Development Fund Grant Applications as follows:

Economic Development Fund Assessment Committee

Elected Member (Chair) Cr ARC Sachse
Elected Member Cr SE Faulkner
Elected Member Cr NR Gillett

Chief Executive Officer

Economic Development Officer or Community Development Officer

Moved Cr RM Kirby **Seconded Cr SE Faulkner** **Carried 7/0**
Absolute Majority

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2017/10-16 OFFICER'S RECOMMENDATION/ COUNCIL DECISION:

4. Where community positions exist:

- a. Current members be approached inviting them to continue their membership;**
- b. Where vacancies exist/occur, advertising take place seeking expressions of interest.**

Moved Cr SR Putt

Seconded Cr IC Sanders

Carried 7/0

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14.2 Works Supervisor

14.2.8 Works Report October 2017

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

Background:

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

Consultation:

Nil

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil

Community & Strategic Objectives:

ECONOMIC - Provide an effective and efficient transportation network

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

CIVIC LEADERSHIP - Provide efficient and effective management

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

Comment:

Roads

Shoulder works continuing on Bimbijy Road, we had to remove more material than expected. As we cut back the gravel on the shoulders the base material had more clay in it than expected, which required more gravel fill to stabilise the shoulders. All gravel required for upcoming projects has been pushed and prepared.

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A meeting was held in Northam with Mainroads and ARC Infrastructure to resolve costing issues with the reconstruction of the Blackspot rail crossing east of Bencubbin. The meeting went well and hopefully we will have a compromise with the design changes needed and to keep costs down.

Ingleton and Scotsman Roads have been submitted for consideration for inclusion on the Rural Road Group 20/30 program, if successful we will be able to allocate extra funding to bring these important transport links up to a standard that will enable the movement of RAV7 heavy vehicles.

Town Maintenance

The crews have been busy with the botanical garden in Bencubbin, with replanting and new name plates for the identification of the various plants on display. The gazebo and walk bridge have had repairs carried out and given a coat of paint.

All other maintenance works are up to date and the towns are looking pretty good.

Waste

Both sites are functioning well, but new cells will need to be established in the near future as we are running out of space. The main problem we have is the lack of compaction we can achieve with our machinery. Because of the sandy ground there is a safety issue with the possibility of the walls collapsing, which will not allow us to let the public drive into the cell and dump at the far end, which would give us more leverage for compaction into the corners.

Other items of interest

Beacon Rock tank handover is still expected around the end of November and we have all the required fittings etc. to change the tanks over to our pipeline when this occurs.

2017/10-17 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the October report of the Works Supervisor be received.

Moved Cr NR Gillett

Seconded Cr IC Sanders

Carried 7/0

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14.3 Executive Assistant

14.3.18 Status Report – September 2017

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	14.3.18 – Status Report September 2017
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

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

Consultation:

Nil

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil

Community & Strategic Objectives:

CIVIC LEADERSHIP - Provide efficient and effective management

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

Comment:

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

2017/10-18 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Status Report for September 2017 be received.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 7/0

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14.4 Finance and Administration Manager

14.4.29 Statement of Financial Activity to 30 September 2017

File No:	F1/4
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Tanika McLennan – Finance & Admin Manager
Attachments:	14.4.29 – Statement of Financial Activity to 30 September 2017
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

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

Consultation:

Nil

Statutory Environment:

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

Relevant Plans and Policy:

Nil

Financial Implications:

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

Risk Assessment:

Nil

Community & Strategic Objectives:

CIVIC LEADERSHIP - Provide efficient and effective management

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

Comment:

Nil

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2017/10-19 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council endorse the Statement of Financial Activity for the month ending 30 September 2017.

Moved Cr RM Kirby

Seconded Cr SE Faulkner

Carried 7/0

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14.4.30 Accounts Paid to 30 September 2017

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

Background:

Following is a List of Accounts submitted to Council on Tuesday 24 October 2017 for the Municipal Fund, Trust Fund and Mastercard. Councillor questions regarding any payments can be directed to Finance and Administration Manager, Tanika McLennan, prior to the meeting.

1. Municipal Fund

Chq/EFT	Date	Name	Description	Amount
70	19/09/2017	WATER CORPORATION	UTILITY CHARGES 4.7.17-5.9.17	8104.93
71	19/09/2017	SYNERGY	STREETLIGHTS 25.7.17-24.8.17	2402.15
72	28/09/2017	TELSTRA	UTILITY CHARGES-SEPTEMBER17	2145.14
73	28/09/2017	WATER CORPORATION	UTILITY CHARGES 13.7.17-19.9.17	908.35
74	28/09/2017	SYNERGY	UTILITY CHARGES 17.8.17-20.9.17	859.65
16	30/09/2017	BANK FEES - BANK FEES	BANK FEES	347.12
EFT12772	06/09/2017	SHIRE OF MERREDIN	CONTRIBUTION TOWARDS LAND DEVELOPMENT	81000.00
EFT12773	06/09/2017	BENCUBBIN NEWS & POST	NEWSPAPERS-JULY	55.80
EFT12774	06/09/2017	BENNY MART	JULY SUPPLIES	96.35
EFT12775	06/09/2017	SHIRE OF QUAIRADING	ASBESTOS AWARENESS COURSE	298.00

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Chq/EFT	Date	Name	Description	Amount
EFT12776	06/09/2017	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMENT-JULY17	1358.50
EFT12777	06/09/2017	GREAT BEGINNINGS FAMILY DAY CARE SERVICE	ANNUAL MEMBERSHIP SUBSCRIPTION 2017/18	240.00
EFT12780	13/09/2017	BOC GASES	GAS CYLINDERS-AUGUST17	47.24
EFT12781	13/09/2017	GALVINS PLUMBING PLUS	FIRE BOXES	1963.28
EFT12782	13/09/2017	MUKA TYRE MART	GRADER TYRES	134.00
EFT12783	13/09/2017	NINGHAN SPRAYING & AG SERVICES	GAS	713.10
EFT12784	13/09/2017	SHIRE OF MERREDIN	CONTRIBUTION TOWARDS LAND DEVELOPMENT	600.00
EFT12785	13/09/2017	KTY ELECTRICAL SERVICES	AUGUST REPAIRS	3854.04
EFT12786	13/09/2017	BENCUBBIN NEWS & POST	POSTAGE 21.8.17-25.8.17	25.50
EFT12787	13/09/2017	TOTAL EDEN PTY LTD	SPRINKLERS (ACTUALLY FROM JUNE)	576.49
EFT12788	13/09/2017	BEACON CO-OPERATIVE LTD	POSTAGE (ACTUALLY JULY)	8.90
EFT12789	13/09/2017	STAR TRACK EXPRESS	FREIGHT-AUGUST17	62.76
EFT12790	13/09/2017	ALL-WAYS FOODS	AUGUST SUPPLIES	103.37
EFT12791	13/09/2017	PAUL SACHSE	BENCUBBIN REFUSE SITE LEASE 2017/18	3302.00
EFT12792	13/09/2017	BENCUBBIN TRUCK N AUTO'S	AUGUST REPAIRS	389.00
EFT12793	13/09/2017	D & D TRANSPORT	FREIGHT-AUGUST17	81.98
EFT12794	13/09/2017	BENCUBBIN AG SUPPLIES	AUGUST SUPPLIES	1644.02
EFT12795	13/09/2017	REFUEL AUSTRALIA	FUEL-AUGUST	195.83
EFT12796	13/09/2017	BENNY MART	AUGUST SUPPLIES	213.54
EFT12797	13/09/2017	MERREDIN PANEL AND PAINT	WINDSCREEN	1051.66
EFT12798	13/09/2017	TRUCK CENTRE (WA) PTY LTD	AUGUST SUPPLIES	511.45
EFT12799	13/09/2017	WA TEMPORARY FENCING SUPPLIES	FENCING	7507.50
EFT12800	13/09/2017	GREAT SOUTHERN FUELS	FUEL	18235.07
EFT12801	13/09/2017	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS	308.00

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Chq/EFT	Date	Name	Description	Amount
EFT12802	13/09/2017	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMENT-AUGUST17	1537.25
EFT12803	13/09/2017	CUMMINS LIQUID WASTE DISPOSALS	SEPTIC PUMP OUT	985.00
EFT12804	13/09/2017	EXECUTIVE MEDIA PTY LTD	ADVERTISING-CARAVANNING AUSTRALIA SPRING 2017	1375.00
EFT12805	13/09/2017	CENTRAL EAST AGED CARE ALLIANCE (INC)	ANNUAL SUBSCRIPTION 2017/18 & CONSULTANCY & PROJECT FUND 2017/18	15400.00
EFT12806	14/09/2017	BENDIGO BANK	AUGUST SUPPLIES	2842.67
EFT12807	19/09/2017	SHIRE OF MT MARSHALL	BUILDING FEE/LEVY/BCITF	8980.28
EFT12808	19/09/2017	AVON WASTE	RUBBISH COLLECTION-AUGUST17	6164.02
EFT12809	19/09/2017	TWO DOGS HOME HARDWARE	SEPTEMBER SUPPLIES	596.92
EFT12810	19/09/2017	COURIER AUSTRALIA	FREIGHT-SEPTEMBER17	10.44
EFT12811	19/09/2017	KTY ELECTRICAL SERVICES	BEACON RECREATION COMPLEX POWER UPGRADE	5056.80
EFT12812	19/09/2017	JASON SIGNMAKERS	SIGN-BENCUBBIN CARAVAN PARK	517.00
EFT12813	19/09/2017	BENCUBBIN NEWS & POST	POSTAGE 4.9.17-8.9.17	105.15
EFT12814	19/09/2017	NEWTRAVEL INC	COUNCIL CONTRIBUTION 2017/2018	3500.00
EFT12815	19/09/2017	ICS CARPENTRY	SEPTEMBER SUPPLIES	7280.57
EFT12816	19/09/2017	BENCUBBIN TRUCK N AUTO'S	SERVICE-LANDCRUISER	1528.00
EFT12817	19/09/2017	JTAGZ	DOG & CAT REGISTRATION TAGS	396.00
EFT12818	19/09/2017	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	PEOPLE & CULTURE SEMINAR 13.10.17-J.NUTTALL	250.00
EFT12819	19/09/2017	ADVANCED AUTOLOGIC PTY LTD	SEPTEMBER SUPPLIES	268.00
EFT12820	19/09/2017	5RIVERS PLUMBING AND GAS	SEPTEMBER REPAIRS	3018.80
EFT12821	19/09/2017	NADINE RICHMOND	REIMBURSEMENT-UNIFORM	25.00
EFT12822	19/09/2017	LOREN NORTHOVER	REIMBURSEMENT-PURCHASES FOR CARAVAN PARK	144.10
EFT12823	19/09/2017	SANDRA WYATT	REIMBURSEMENT-TRAVEL FOR WALGA COURSE 8.9.17	504.55
EFT12824	19/09/2017	ECOWATER SERVICES	MAINTENANCE BIOMAX SYSTEM-229 MURRAY ST	331.90
EFT12825	19/09/2017	PALM PLUMBING	SEPTEMBER REPAIRS	727.53
EFT12826	19/09/2017	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES	902.16

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Chq/EFT	Date	Name	Description	Amount
EFT12827	19/09/2017	ASPHALT IN A BAG	ASPHALT	1718.75
EFT12828	22/09/2017	GERAGHTYS ENG & AUTO ELECTRICS	SEPTEMBER REPAIRS	642.95
EFT12829	22/09/2017	AUSTRALIAN TAXATION OFFICE	BAS-AUGUST17	32720.00
EFT12831	28/09/2017	WESTRAC PTY LTD	SEPTEMBER SUPPLIES	182.05
EFT12832	28/09/2017	SHIRE OF TRAYNING	DOCTORS VEHICLE/MEDICAL PRACTICE EXPENSES PLUS DOCTOR'S RENT 30.7.17-2.9.17	1213.26
EFT12833	28/09/2017	BENCUBBIN NEWS & POST	POSTAGE 19.9.17-22.9.17	31.20
EFT12834	28/09/2017	BEACON CO-OPERATIVE LTD	CARAVAN PARK VOUCHERS	1234.50
EFT12835	28/09/2017	WINC AUSTRALIA PTY LTD	SEPTEMBER SUPPLIES	136.21
EFT12836	28/09/2017	BURGESS RAWSON (WA) PTY LTD	UTILITY CHARGES 7.7.17-8.9.17	23.67
EFT12837	28/09/2017	HITACHI CONSTRUCTION MACHINERY (AUST) P/L	GRADER SERVICE	2301.51
EFT12838	28/09/2017	NEWROC	DINNER-LG WEEK	493.57
EFT12839	28/09/2017	BENCUBBIN TRUCK N AUTO'S	SEPTEMBER SUPPLIES	212.50
EFT12840	28/09/2017	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER SERVICES	2797.50
EFT12841	28/09/2017	AUSTRALASIAN PERFORMING RIGHT ASSOCIATION LTD	LICENCE FEES 1.10.17-30.9.18	70.47
EFT12842	28/09/2017	SUNNY INDUSTRIAL BRUSHWARE	SEPTEMBER SUPPLIES	1500.40
EFT12843	28/09/2017	DEPARTMENT OF MINES,INDUSTRY REGULATION AND SAFETY (DMIRS)	BUILDING SERVICES LEVY-AUGUST17	433.69
EFT12844	28/09/2017	5RIVERS PLUMBING AND GAS	SEPTEMBER REPAIRS	4823.00
EFT12845	28/09/2017	MERREDIN PANEL AND PAINT	WINDSCREEN	1025.86
EFT12846	28/09/2017	PUBLIC LIBRARIES WA INC	PLWA MEMBERSHIP 2017/18	110.00
EFT12847	28/09/2017	WALLIS COMPUTER SOLUTIONS	AGREED PAYOUT-DATTO CONTRACT	7237.45
EFT12848	28/09/2017	WA CONTRACT RANGER SERVICES	RANGER SERVICES 30.8.17 & 14.9.17	584.37
EFT12849	28/09/2017	CR ARC SACHSE	MEETING FEES & ALLOWANCES	545.18
EFT12850	28/09/2017	CR RM KIRBY	MEETING FEES & ALLOWANCES 22.8.17-19.9.17	2045.90
EFT12851	28/09/2017	CR SE FAULKNER	MEETING FEES & ALLOWANCES 22.8.17-19.9.17	702.50
EFT12852	28/09/2017	CR HJ SHEMELD	MEETING FEES & ALLOWANCES 19.9.17	579.18
EFT12853	28/09/2017	CALLUM THOMAS LUMSDEN	MEETING FEES & ALLOWANCES 19.9.17	493.18

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Chq/EFT	Date	Name	Description	Amount
EFT12854	06/09/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12855	13/09/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12856	20/09/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12857	27/09/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12858	27/09/2017	CARDTRONICS AUSTRALASIA PTY LTD	ONGOING FEES FOR ATM-AUGUST17	92.80
EFT12859	27/09/2017	WA TREASURY CORPORATION	LOAN NO. 119 INTEREST PAYMENT - LOAN TO BENNYMART - REPAID IN LEASE PAYM	975.84
DD8877.1	13/09/2017	WALGS PLAN	PAYROLL DEDUCTIONS	5836.63
DD8877.2	13/09/2017	AMP SUPERANNUATION SAVINGS TRUST	SUPERANNUATION CONTRIBUTIONS	217.54
DD8877.3	13/09/2017	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	928.31
DD8877.4	13/09/2017	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	189.74
DD8877.5	13/09/2017	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	169.02
DD8877.6	13/09/2017	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	334.36
DD8877.7	13/09/2017	CARESUPER	SUPERANNUATION CONTRIBUTIONS	163.39
DD8877.8	13/09/2017	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	475.00
DD8877.9	13/09/2017	CONCEPT ONE THE INDUSTRY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	81.69
DD8892.1	27/09/2017	WALGS PLAN	PAYROLL DEDUCTIONS	5986.12
DD8892.2	27/09/2017	AMP SUPERANNUATION SAVINGS TRUST	SUPERANNUATION CONTRIBUTIONS	217.54
DD8892.3	27/09/2017	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	928.32
DD8892.4	27/09/2017	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	189.74
DD8892.5	27/09/2017	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	150.12
DD8892.6	27/09/2017	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	485.99
DD8892.7	27/09/2017	CARESUPER	SUPERANNUATION CONTRIBUTIONS	163.40
DD8892.8	27/09/2017	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	475.00
DD8892.9	27/09/2017	CONCEPT ONE THE INDUSTRY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	81.69
				284,192.95

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2. Trust

Chq/left	Date	Name	Description	Amount
EFT12778	11/09/2017	SHIRE OF MT MARSHALL	BOND-WILLIAM HEDLEY	340.00
EFT12779	12/09/2017	BENCUBBIN SPORTS CLUB INC.	SOCIAL CLUB PURCHASES	141.00
EFT12830	27/09/2017	TANIKA LOUISE McLENNAN	REIMBURSE SOCIAL CLUB ACCOMMODATION	1082.96
EFT12860	29/09/2017	DEPARTMENT OF TRANSPORT	MMSO20170905	6343.55
				7,907.51

3. Mastercard

Details	Amount
Parking	38.56
Permit-Clearing Muka-Wialki Rd	200.00
Business cards-P.Toboss EHO	39.97
Catering-NEWROC meeting	70.49
Snacks for Council	9.28
Linen	595.45
Linen,quilts,pillows	1396.00
Quilts,matt.prot.,bath mats	373.72
Bank fees	4.00
Bank fees	4.00
Plate change	25.70
Vehicle renewal	77.50
Bank fees	4.00
Bank fees	4.00
	2,842.67

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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 **24 October 2017**. All invoices, being the subject of payments made, have been duly certified as to the receipt of goods and services, and prices, computations and costings have been checked against the expenditure authority (i.e. budget, purchase order, delegation).

John Nuttall
Chief Executive Officer

Consultation:

Tanika McLennan – Finance and Administration Manager

Statutory Environment:

Financial Management Regulations and the Local Government Act 1995

Relevant Plans and Policy:

Nil

Financial Implications:

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

Risk Assessment:

Nil

Community & Strategic Objectives:

CIVIC LEADERSHIP - Provide efficient and effective management

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

Comment:

Nil

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2017/10-20 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Accounts Listed

<i>Municipal Fund</i>	\$	<i>284,192.95</i>
<i>Trust Fund</i>	\$	<i>7,907.51</i>
<i>Mastercard</i>	\$	<i><u>2,842.67</u></i>
<i>Total</i>	\$	<i>294,943.13</i>

Be endorsed.

Moved Cr NR Gillett

Seconded Cr RM Kirby

Carried 7/0

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14.4.31 EFTPOS Credit Card Fee

File No:	F1/3
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	Tanika McLennan – Finance and Administration Manager
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

Council adopted its 2017/18 Fees and Charges at the ordinary meeting held 15 August 2017. EFTPOS fees of 35c for cheque or savings account transactions and 2.00% for credit cards transactions were adopted.

From 1 September 2017 all Australian businesses were banned from anything other than the actual cost to process the transaction.

The cost of providing EFTPOS facilities is an operating overhead that is already factored into the cost of running all shire services and facilities. In 2016/17, the Shire recouped \$724.84 in EFTPOS fees.

Consultation:

Loren Northover – Customer Service Officer

Statutory Environment:

Payment Systems (Regulation) Act 1998 - Merchant Pricing Standards

Local Government Act 1995

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;

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- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

* Absolute majority required.

Relevant Plans and Policy:

N/A

Financial Implications:

Approximately \$700 loss of income

Risk Assessment:

Failure to fulfil Compliance requirements (statutory, regulatory)

Community & Strategic Objectives:

N/A

Comment:

Whilst the adopted fees are not excessive, they do not reflect the actual cost of each transaction. The actual costs vary between 0.05% and 1.35% dependent on the number and type of transactions processed through each of the Shire's 3 merchant facilities in any given month. In this case, Council would need to adopt the lowest cost and cannot adopt an average or fixed charge. As calculating and charging out 0.05% is likely to cost more to administer than it would recoup, it is recommended that the EFTPOS fees be removed from Council's schedule of Fees and Charges.

2017/10-21 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That:

- a) ***EFTPOS Fees be removed from the 2017/18 Schedule of Fees and Charges; and***
- b) ***The above amendment be effective from 25 October 2017.***

Moved Cr NR Gillett
Absolute Majority

Seconded Cr RM Kirby

Carried 7/0

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14.5 Community Development Officer

Nil

14.6 Regulatory Officer

Nil

14.7 Development

Nil

15.0 Elected Members' Motions of Which Previous Notice Has Been Given

Nil

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

Nil

17.0 Next Meeting – Tuesday 21 November 2017 commencing at 6:45pm at the Beacon CWA Building, Rowlands St, Beacon

18.0 Closure of Meeting

The Presiding Member declared the meeting closed at 5.44pm

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

Date

Cr ARC Sachse President