



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 21 November 2017, in the CWA Building, Rowlands St, Beacon commencing at 6:45pm.

Cr ARC Sachse

President

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intentionally**

DISCLAIMER

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

No responsibility whatsoever is implied or accepted by the Shire of Mt Marshall for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Mt Marshall disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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

John Nuttall
Chief Executive Officer

Chairperson Initial

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1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member declared the meeting open at 6:45pm and welcomed all those present.

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr ARC Sachse	President	
Cr Nick Gillett	Deputy President	
Cr RM Kirby	Councillor	
Cr SE Faulkner	Councillor	
Cr Stuart Putt	Councillor	
Cr Ian Sanders	Councillor	6.45 – 7.07, 7.25 – 8.37pm

Mr John Nuttall	Chief Executive Officer	
Ms Nadine Richmond	Executive Assistant	
Ms Tanika McLennan	Finance and Administration Manager	6.45 – 8.21, 8.37 – 8.37pm
Mr Chris Kirby	Member of the public	6.45 – 8.03pm
Mrs Jenni Bunce	Member of the public	6.45 – 8.21pm
Mrs Tanya Gibson	Member of the public	6.45 – 8.21pm

Apologies

Cr Leeanne Gobbart	Councillor
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3.0 Standing Orders

2017/11-1 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 IC Sanders

Seconded Cr RM Kirby

Carried 6/0

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4.0 Public Questions

4.1 Response to Public Questions Taken on Notice

4.1.1 Summary of question from 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?

Response from the Presiding Member:

No, \$20,000 was not spent on grading roads following the rally.

Following the rally the 5km of roads used for the event were inspected with no grading required. The Shire does contract out some grading works to repair the farmer's properties who donate their land to be used for the race. This expenditure in 2016/17 was \$8,980.

The event brings approximately 300 people to the area each year. Most of those camp at the Bencubbin Recreation Ground and use local businesses (such as café, shop, welder, mechanic etc.) whilst they are in town. Community groups run the kitchen and bar over the weekend, and again they are well supported by visitors. The cabins and units are also usually booked out during the event.

WAORRA are a not-for-profit organisation and they make an annual donation to the Bencubbin Primary School from any profits made from the event. In the past they have made a donation to the Bencubbin Community Recreation Council to assist with the multipurpose complex upgrade.

The tourism benefit to the Shire cannot be measured. It is one of the biggest events run within the Shire, and many drivers and support crew return annually as they love the facilities and welcome they are offered from the community.

4.2 Public Question Time

Public Question Time opened at 6.46pm

4.2.1 Summary of question from Mr Craig Sachse:

Item 11.1.1 – Should the application guidelines / eligibility criteria have been clearer when specifying “Shire” vs “Community” to warrant the comment on my proposal “there was concern that supporting this request would assist the business to compete with another business within the Shire”

Summary of response from the Presiding Member:

The President advised that the question will be taken on notice and a response provided in due course.

4.2.2 Summary of question from Mr Craig Sachse:

Item 11.1.1 – How is the Lake McDermott Groups application different to my proposal being that it may compete with an existing business?

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Summary of response from the Presiding Member:

The President advised that the question will be taken on notice and a response provided in due course.

4.2.3 Summary of question from Mr Craig Sachse:

Item 11.1.1 - Why was it not stated in the application guidelines that purchase of machinery for commercial business would be restricted?

Summary of response from the Presiding Member:

The President advised that the question will be taken on notice and a response provided in due course.

4.2.4 Summary of question from Mr Craig Sachse:

Item 11.1.1 - How could I have demonstrated better that the equipment would have community benefits other than it supports our major local industry?

Summary of response from the Presiding Member:

The President advised the question will be taken on notice and a response provided in due course.

4.2.5 Summary of question from Mr Craig Sachse:

Item 11.1.1 - How did a proposal that specified "a large amount of personal financial input" score more favourably than mine when this criteria did not form part of the guidelines and how was this weighted in the assessment process?

Summary of response from the Presiding Member:

The President advised that the question will be taken on notice and a response provided in due course.

4.2.6 Summary of question from Mr Craig Sachse:

Item 11.1.1 - Did the fact that our project aligned with both local and State plans form any part of the assessment criteria?

Summary of response from the Presiding Member:

The President advised the question will be taken on notice and a response provided in due course.

4.2.7 Summary of question from Mr Craig Sachse:

Item 11.1.1 - What type of commercial applications would be supported in the future if purchasing equipment to promote service expansion is not supported?

Summary of response from the Presiding Member:

The President advised the question will be taken on notice and a response provided in due course.

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4.2.8 Summary of question from Mrs Tanya Gibson:

Was there any documentation regarding the previous decision to allow former Councillors to retain their iPads?

Summary of response from the Presiding Member:

The Presiding Member advised Mrs Gibson that there is no record of the decision in official minutes of Council meetings and there is no email trail that can be followed either detailing the decision.

4.2.9 Summary of question from Mrs Tanya Gibson:

Will the Shire be putting solar panels on houses in the future to reduce costs to tenants?

Summary of response from the Presiding Member:

The Presiding Member advised Mrs Gibson that the subject will be considered later in the agenda and so it would be inappropriate to discuss the subject further at this stage of the meeting.

Public Question time closed at 6.55pm

5.0 Applications for Leave Of Absence

Cr Sanders informed Council he would not be available for the December Ordinary Meeting of the 19th.

6.0 Declarations of Interest

Cr Ian Sanders declared a financial interest in agenda item 11.1.1 being that his business, ICS Carpentry has provided quotes to perform work within two applications to be considered.

Cr Tony Sachse declared an impartiality interest in agenda item 11.1.1 being that he is a member of the Welbungin Sports and Progress Association and Vice President of the Lake McDermott Catchment Group Inc. Both groups have applications being considered.

Cr Tony Sachse declared an impartiality interest in agenda item 12.4.34 being that the item's applicant, Mr Paul Sachse is a relative.

Cr Stuart Faulkner declared an impartiality interest in agenda item 11.1.1 being that he is a member of the Beacon Progress Association, Beacon Country Club and Beacon Gun Club. All three groups have applications being considered.

Cr Stuart Putt declared an impartiality interest in agenda item 11.1.1 being that he is a member of the Welbungin Sports and Progress Association and Lake McDermott Catchment Group Inc. Both groups have an application being considered.

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Cr Rachel Kirby declared an impartiality interest in agenda item 11.1.1 being that she is a member of the Beacon Progress Association, Beacon Tennis Club and Beacon Country Club. All three groups have applications being considered.

Ms Tanika McLennan declared a financial interest in agenda item 11.1.1 being that she is the proprietor of Wild Orange Enterprises who have an application being considered.

Cr Nick Gillett declared an impartiality interest in agenda item 11.1.1 being that he is a member of the Welbungin Sports and Progress Association and President of the Lake McDermott Catchment Group Inc. Both groups have applications being considered.

7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 24 October 2017

2017/11-2 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 24 October 2017 be confirmed as a true and correct record of proceedings.

Moved Cr SE Faulkner

Seconded Cr SR Putt

Carried 6/0

8.0 Announcements by Presiding Person Without Discussion

Nil

9.0 President's Report

Purpose:

This report is prepared by the President to provide Council and the community of Mt Marshall with information about activities undertaken.

Comment:

The President represented the Shire at the following meetings and training opportunities from 24 October to 21 November 2017.

26th October - NEWTravel meeting, Koorda with Cr Kirby and CEO John Nuttall

1st November – Central East Aged Care Alliance Committee meeting, Merredin with Cr Kirby and CEO John Nuttall

2nd November – Beacon Central Resource Centre AGM and General Meeting, Beacon

6th – 8th November - National Local Roads and Transport Congress 2017, Albany with Cr Faulkner and Cr Kirby

12th November – South Western Wireless Meeting, Bencubbin with Cr Kirby and CEO John Nuttall

14th November – Economic Development Grant Fund Committee Meeting, Bencubbin with Cr Gillett, Cr Faulkner, CEO John Nuttall and CDO Sally Putt

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Local Emergency Management Committee, Bencubbin with Cr Sanders, CEO John Nuttall, RO Jack Walker and CDO Sally Putt
20th November – Department of Local Government, Sport and Cultural Industries
Mayors and Presidents Workshop, Perth

10.0 Petitions / Deputations / Presentations / Submissions

Nil

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11.0 Reports of Committees

11.1 Economic Development Grant Fund Committee

Having declared a financial interest in item 11.1.1, Cr Sanders left the meeting at 7.07pm and took no part in discussion or voting.

Cr Tony Sachse declared an impartiality interest in agenda item 11.1.1 being that he is a member of the Welbungin Sports and Progress Association and Vice President of the Lake McDermott Catchment Group Inc. Both groups have applications being considered.

Cr Stuart Faulkner declared an impartiality interest in agenda item 11.1.1 being that he is a member of the Beacon Progress Association, Beacon Country Club and Beacon Gun Club. All three groups have applications being considered.

Cr Stuart Putt declared an impartiality interest in agenda item 11.1.1 being that he is a member of the Welbungin Sports and Progress Association and Lake McDermott Catchment Group Inc. Both groups have an application being considered.

Cr Rachel Kirby declared an impartiality interest in agenda item 11.1.1 being that she is a member of the Beacon Progress Association, Beacon Tennis Club and Beacon Country Club. All three groups have applications being considered.

Ms Tanika McLennan declared a financial interest in agenda item 11.1.1 being that she is the proprietor of Wild Orange Enterprises who have an application being considered.

Cr Nick Gillett declared an impartiality interest in agenda item 11.1.1 being that he is a member of the Welbungin Sports and Progress Association and President of the Lake McDermott Catchment Group Inc. Both groups have applications being considered.

11.1.1 Minutes of Meeting held 14 November 2017

File No:	A6/40
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	11.1.1a – Minutes of Economic Development Grant Fund Committee Meeting held 14 November 2017
	11.1.1b – Policy CS.3.2 – Economic Development Grant Fund
Declaration of Interest:	Nil
Voting Requirements:	Items 1 & 2: Simple Majority Item 3: Absolute Majority
Previously Considered:	Nil

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Background:

As part of the Mt Marshall annual budget for 2017/2018, Council adopted an Economic Development Fund (EDF). The fund will be open twice annually for Community Groups and Businesses to make applications for funding of projects which benefit the community. The first round of applications closed on 27 October 2017, and a Council appointed committee met on Tuesday 14 November to assess the applications. This item presents the applications, and the committee recommendation relating to each application. Also presented with this report are the minutes from the committee meeting.

As the applications contain both financial and sensitive business information it is not appropriate that they are presented as attachments to this item as they would then be open for public inspection. However Councillors are able to view any and all of the documents in advance of the Council meeting.

Consultation:

Nil

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:

Council adopted Policy CS3.2 (copy attached) relating to this funding.

Financial Implications:

This year Council allocated \$120,000 to the fund, to be awarded over two rounds.

Risk Assessment:

Nil

Community & Strategic Objectives:

Outcome 2.1 Actively support and develop local and new business

2.1.6 Support opportunities for all businesses

Outcome 4.1 Collaborative and transparent leadership

4.1.3 Engage the community in decision making and shared responsibility in achieving our goals

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:

The Economic Development Fund Committee met on 14 November 2017 and discussed all ten applications at length. The minutes of the meeting are at **Attachment 11.1.1a**. It is important to note that it will be a requirement for all grant money recipients to properly acquit the grant funding, and an amount less than awarded may be provided subject to the provision of receipts.

Listed below is information relating to each application, reasons for the committee recommendation and the recommended amount to be awarded:

1. Beacon Tennis Club

The application was for \$3500 to assist with the planned Community New Year's Eve Party. The committee felt that the event met the requirement of community benefit, and would be especially important in a difficult year for the local farming community. The committee recommends that Council award **\$3500** for the event.

2. Welbungin Sports & Progress Association Inc.

The application was for \$2573.18, which was requested as 50% of the cost to install a ramp to allow access to the hall for those with wheelchairs, mobility issues and the like. The committee determined that given that the hall is a Shire owned building, it is inappropriate to expect a small community group to fund a project designed to allow access to members of our community. The committee therefore recommends that an award of **\$0** be made to this request, and that a separate recommendation be made to Council for the whole project to be funded through the general building maintenance budget. If Council agree to that recommendation, the work will be undertaken as soon as possible.

3. Beacon Country Club

The application was for \$4279.10 to assist with the purchase of a new till system, which is urgently required by the Club to maintain stock and purchase integrity. The committee felt that as the club is run by a community group, supports local sporting groups and is a major community hub in the town, that the project should be supported as it will assist the future of the facility. It was however determined by the committee that it would be inappropriate to take account of GST and In-Kind work within the application. The committee therefore recommends that Council award **\$3319** for the purchase.

4. Bencubbin Truck N Auto's

The application was for \$6600 to assist with the purchase of a Universal Tyre Changer. Whilst there was total support for this small local business there was also concern that supporting this request would assist this business to compete with another business within the Shire undertaking the same type of work. It also opened up the potential for similar future applications for items of machinery. For this application the committee believed that the Community Benefit was outweighed by the Benefit to the business, and the request could not be supported. The committee therefore recommends that **no award** is made to this application.

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5. Beacon Gun Club

This application was for \$4027 to assist with the construction of firearm and other storage for the firing line. The committee believed that this application met the requirement for community benefit. It particularly noted that over and above the requested amount there was going to be a large amount of in-kind work undertaken by community members to get this project up and running. The committee therefore recommends that **\$4027** is awarded for the works.

6. Gabbin Community Group

This request was for assistance with the purchase and installation of new gutters and downpipes around Gabbin Hall. The committee acknowledged the hard work of this small local group and felt that the application met the requirement of community benefit. It was also noted that the group were going to contribute 2/3 of the cost of the works. The committee therefore recommends that **\$3000** is awarded for the works. [This award be subject to the provision of acceptable financial statements]

7. Bencubbin Community Resource Centre

This request was for \$3500 to allow the Bencubbin CRC to run various training and information sessions for the local community at a reduced or zero cost. The committee determined that for the purpose of this fund that CRC's should be classed in the 'Community Groups' section as they are reliant upon grants for their survival. The committee felt that the request met the requirement of community benefit, but that as with other applications from GST registered organisations the GST component should be removed.

It was also determined that the fund should not contribute towards staff wages for time working on this project. The committee therefore recommends that **\$2885** be awarded to this project. [Subject to clarification of Fees and GST of consultants]

8. Wild Orange Enterprises

This request was for \$14,500 to assist with the construction of short stay accommodation to provide quality tourism accommodation and a future wellness retreat. The committee firstly acknowledged that although the applicant was a Shire employee, that employee had no input into any part of the EDF process and was therefore eligible to apply. In assessing the application as one the committee would recommend to support the following matters were agreed:

- The project was not only for business profit but would offer something currently not available within the Shire.
- This would be a new business opportunity within the Shire.
- There was no competition with any other business within the Shire.
- Accommodation and Wellness offerings fit within Council Strategic Planning.
- There is to be a large amount of personal financial input into the project.
- The project offers potential for employment opportunities (both in construction and when opened) and also offer links to other businesses within the Shire.

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It was therefore determined that the Community benefit outweighs the business gain due to the service being offered (attracting people to the Shire) and the initial low profitability return perceived from the project. Fixed infrastructure was also perceived to be worthy of support in this instance. The committee therefore recommends that **\$14,500** be awarded to this project. [Subject to an agreement from the proponent that if the building is not operated in the way outlined, or is sold on, within 5 years there be a return to the Shire of \$3000 per year outstanding].

9. Beacon Progress Association

This request was for \$10,000 funding to assist with the installation of solar photovoltaic systems on four (4) buildings within the Beacon community, including the Recreation Centre which is a Shire building. The committee believed that this was clearly a project which would meet the requirement of community benefit. The committee therefore recommends that **\$10,000** be awarded to this project.

10. Lake McDermott Catchment Group Inc.

This request was for \$9052.45 to assist with the purchase of a trailer mounted hydraulic soils sampling kit. This kit would be available for hire from the group by local farmers, who would otherwise have to bring in machinery from outside the Shire. It was determined that this project meets the requirement of community benefit. The committee therefore recommends that **\$9052.45** be awarded to this project. [Subject to receipt of a copy of audited financial statements].

COMMITTEE'S RECOMMENDATION:

That Council:

1. *Receive the minutes from the Economic Development Committee of 14 November 2017 as per attachment 11.1.1a;*
2. *Endorse the recommendations (as detailed above) of the Economic Development Committee by making the following awards, which are subject to any requirements listed above:*

• Beacon Tennis Club	\$3500
• Welbungin Sports & Progress Association Inc.	\$0
• Beacon Country Club	\$3319
• Bencubbin Truck N Auto's	\$0
• Beacon Gun Club SSAA WA	\$4027
• Gabbin Community Group	\$3000
• Bencubbin Community Resource Centre	\$2855
• Wild Orange Enterprises	\$14,500
• Beacon Progress Association	\$10,000
• Lake McDermott Catchment Group Inc.	\$9052.45

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3. *Resolve to fund the installation of a disability access ramp at Welbungin Hall, such funding to be taken from the general building maintenance budget.*
(Absolute Majority)

2017/11 - 3 COMMITTEE'S RECOMMENDATION / COUNCIL DECISION:

That Council:

1. *Receive the minutes from the Economic Development Committee of 14 November 2017 as per attachment 11.1.1a with amendments.*

Moved Cr SE Faulkner Seconded Cr NR Gillett Carried 5/0
Reason Council Decision is different to Committee Recommendation: To reflect Council's wish to have the minutes of the Economic Development Committee amended.

2017/11 - 4 COMMITTEE'S RECOMMENDATION / COUNCIL DECISION:

2.

- a) *Endorse the recommendations (as detailed above) of the Economic Development Committee by making the following awards, which are subject to any requirements listed above:*

• <i>Beacon Tennis Club</i>	<i>\$3500</i>
• <i>Welbungin Sports & Progress Association Inc.</i>	<i>\$0</i>
• <i>Beacon Country Club</i>	<i>\$3319</i>
• <i>Bencubbin Truck N Auto's</i>	<i>\$0</i>
• <i>Beacon Gun Club SSAA WA</i>	<i>\$4027</i>
• <i>Gabbin Community Group</i>	<i>\$3000</i>
• <i>Bencubbin Community Resource Centre</i>	<i>\$2855</i>
• <i>Wild Orange Enterprises</i>	<i>\$14,500</i>
• <i>Beacon Progress Association</i>	<i>\$10,000</i>
• <i>Lake McDermott Catchment Group Inc.</i>	<i>\$9052.45</i>

- b) *The Lake McDermott Catchment Group Inc award be subject to a recommendation that the soil sampler be hired out for the purpose of deep sampling only.*

Moved Cr SE Faulkner Seconded Cr RM Kirby Carried 5/0
Reason Council Decision is different to Committee Recommendation:
To attempt to avoid conflict with other local businesses by the award to the Lake McDermott Catchment Group Inc.

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2017/11 - 5 COMMITTEE'S RECOMMENDATION / COUNCIL DECISION:

3. *Resolve to fund the installation of a disability access ramp at Welbungin Hall, such funding to be taken from the general building maintenance budget.*

Moved Cr SR Putt
Absolute Majority

Seconded Cr SE Faulkner

Carried 5/0

Cr IC Sanders returned to the meeting at 7.25pm.

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11.2 Bush Fire Advisory Committee

11.2.1 Minutes of Mt Marshall Bush Fire Advisory Committee Meeting held 13 October 2017

File No:	A6/6
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	11.2.1 – Minutes of Mt Marshall Bush Fire Advisory Committee Meeting held 13 October 2017
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:
Nil

Consultation:
Nil

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:
N/A

Community & Strategic Objectives:
N/A

Comment:

The minutes of the Mt Marshall Bush Fire Advisory Committee are provided for information and contain no recommendations for Council consideration.

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2017/11 - 6 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The Minutes of the Mt Marshall Bush Fire Advisory Committee Meeting held 13 October 2017 be received.

Moved Cr RM Kirby

Seconded Cr SE Faulkner

Carried 6/0

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11.3 Local Emergency Management Committee

11.3.1 Minutes of the Local Emergency Management Committee Meeting held 14 November 2017

File No:	A6/38
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	11.3.1 – Minutes of Local Emergency Management Committee Meeting held 14 November 2017
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	N/A

Background:
Nil

Consultation:
Nil

Statutory Environment:
Local Government Act (1995)

Section 5.8: Establishment of Committees
A local government may establish committees of three (3) or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Relevant Plans and Policy:
Local Emergency Management Arrangements

Financial Implications:
Nil

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

Community & Strategic Objectives:
CIVIC LEADERSHIP – provide accountable and transparent leadership:

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

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

SOCIAL - Provide services and processes to enhance public safety:

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

Comment:

The minutes of the Mt Marshall Local Emergency Management Committee meeting held on Tuesday 14 November 2017 are submitted for Council information.

2017/11 - 7 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The minutes of the Mt Marshall Local Emergency Management Committee meeting held on Tuesday 14 November 2017 be received.

Moved Cr IC Sanders

Seconded Cr NR Gillett

Carried 6/0

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12.0 Reports of Officers

12.1 Chief Executive Officer

12.1.48 Request for Rent Reduction – 8 Dunne St, Beacon

File No:	F1/3, B3/12
Location/Address:	8 Dunne St, Beacon
Name of Applicant:	James Boyd
Name of Owner:	Shire of Mt Marshall
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.48a – Letter from James Boyd Regarding Installation of Solar Panels
	12.1.48b – Letter from James Boyd Regarding Reduction of Rent
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

Correspondence was received from Mr Boyd, see **Attachments 12.1.48a and 12.1.48b**, requesting permission to install solar panels on the roof of the Shire house that Mr Boyd occupies (8 Dunne Street, Beacon) and inviting Council to consider a reduction in the rent for that property as they are prepared to pay for those solar panels. The Chief Executive Officer has provided written confirmation to Mr Boyd that he may arrange for the solar panels to be installed at his cost, on the condition that an assessment by the installers has been made that the roof is one suitable for solar panel installation. This item asks Council to consider the request for a reduction in rent for the property.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,
which is owed to the local government.
- * Absolute majority required.

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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:

There is no policy in relation to this type of request, but it is correct to say that Council adopt rents at the start of the year that are consistent across the board.

Financial Implications:

Council has budgeted to receive the full rent for 8 Dunne Street and any reduction would reduce that anticipated income.

Risk Assessment:

There is a risk of setting a precedent that any private works carried out to Shire premises would then lead to a reduction in the rent payable.

Community & Strategic Objectives:

Outcome 3.1 Maintain and improve access and connectivity to our natural assets

3.1.5 Encourage the consideration of renewable energy generation technologies in the District

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

4.3.4 Ensure that facilities are being maintained, developed/rationalised in line with the Asset Management Plan and Long Term Financial Plan

4.3.5 Use resources efficiently and effectively

4.3.6 Operate in a financially sustainable manner

Comment:

It is admirable that Mr Boyd is prepared to spend his own money to install solar panels upon the roof of a house that he is renting from the Shire, and the Chief Executive Officer had no issue in approving the request to do so. However it is believed that a precedent would be set if Council reduced the rent to be paid if someone undertakes improvements to the property. It is also believed that the current rental amounts charged are certainly not exorbitant, and they are designed to be able to pay for the necessary ongoing maintenance of the properties. Should there be a reduction in rent this would lead to a reduction in the amount collected to be able to undertake future repair works. It is respectfully suggested therefore that the request for rent reduction be rejected.

OFFICER'S RECOMMENDATION:

That Council refuse the request for rent reduction relating to 8 Dunne Street, Beacon.

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COUNCILLOR MOTION:

1. *That Council refuse the request for rent reduction relating to 8 Dunne Street, Beacon; and*
2. *That Council make a co-contribution of 25% of the project cost from the Building Maintenance Budget towards the cost of the installation of solar panels to 8 Dunne Street, Beacon subject to the panels and inverter being retained at the house when the tenant vacates.*

Moved Cr SE Faulkner

Seconded Cr RM Kirby

Lost 2/4

2017/11 – 8 FORSHADOWED MOTION / COUNCIL DECISION:

1. ***That Council refuse the request for rent reduction relating to 8 Dunne Street, Beacon; and***
2. ***Council develop a policy on Shire owned housing and the installation of solar panels.***

Moved CR NR Gillett

Seconded Cr IC Sanders

Carried 6/0

Reason Council Decision is different to Committee Recommendation:

Council wishes to have a policy developed to provide guidelines for future requests of a similar nature.

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12.1.49 Retiring Councillor iPads

File No:	A1/6
Location/Address:	N/A
Name of Applicant:	Retired Councillors: John Beagley Callum Lumsden
Name of Owner:	Shire of Mt Marshall
Author:	John Nuttall – Chief Executive Officer
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

Requests have been received from Retired Councillors Beagley and Lumsden to retain their Council iPads. It is understood that on a previous occasion two retired Councillors were permitted to retain their iPads as they contained an amount of personal information. There is no Council policy relating to this situation, and no budget has been set for the purchase of replacement technology. The iPads are currently in use by new Councillors.

Consultation:

There have been discussions with former president, Cr Kirby and current president, Cr Sachse, as well as internally regarding the previous occasion when a similar request was made.

Statutory Environment:

Local Government Act 1995

6.12. Power to defer, grant discounts, waive or write off debts

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *waive or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money,*
- which is owed to the local government.*

** Absolute majority required.*

Relevant Plans and Policy:

Nil

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Financial Implications:

Should Council resolve to allow the two requests which have been made there will have to be two (or potentially three) new iPads purchased. These retail at over \$1000, so there would be a substantial budget deficit.

Risk Assessment:

There is a risk of setting a precedent if this request is granted. If that is the case Council should budget in election years for the replacement of iPads.

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 acknowledged that on one occasion in the past outgoing Councillors have been allowed to retain their iPads, it is respectfully suggested that no precedent was set as there was a large amount of personal information on those machines. There has been no budget set which would allow for the purchase of three new iPads, which would be required if Council resolved to allow the outgoing Councillor's to retain their machines.

2017/11 - 9 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That retiring Councillors should not be entitled to retain their iPads.

Moved Cr NR Gillett

Seconded Cr SR Putt

Carried 6/0

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12.1.50 Government Regional Officers Housing Program

File No:	A6/7
Location/Address:	N/A
Name of Applicant:	Department of Communities
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.50 – Email from Department of Communities
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

Email correspondence has been received from the Department of Communities (**Attachment 12.1.50**) requesting Council to consider building a dwelling house to be leased back to the Government for the use of WA Police under the Government Regional Officers' Housing (GROH) program. This report requests Council to determine if they wish to take part in this scheme.

Consultation:

There has been discussion regarding housing in a Corporate Information Session.

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

The requirement would be for the construction of a 4x2 house, which would mean the Shire would have to fund construction that would likely run into the hundreds of thousands. Although the Shire has some money in a reserve for the construction of houses, it has not previously been considered to use this money to construct a house that could not be used by the Shire for its employees. Further there was no reference to this kind of scheme in the recently adopted Strategic Community Plan.

Risk Assessment:

It needs to be acknowledged that there is obviously a requirement for a new house to be built for WA Police staff to reside in. That being the case Council does not currently have the spare funds to construct a house to be leased for up to ten (10) years under the GROH scheme.

Community & Strategic Objectives:

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

4.3.4 Ensure that facilities are being maintained, developed/rationalised in line with the Asset Management Plan and Long Term Financial Plan

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- 4.3.5 Use resources efficiently and effectively
4.3.6 Operate in a financially sustainable manner

Comment:

Whilst it may be the case that this request would allow Council to generate an income over the next ten years to recover the cost of building a new house to be used under the GROH scheme, Council does not currently have sufficient resources to be able to undertake this task. Further the money that is being saved in reserves is designed to be used to fill the Shire's needs (primarily to construct more staff housing), and that project (which is highlighted within Council strategic documents) would be delayed if the money was spent on construction of a house to rent out to the WA Police Dept. For all those reasons it is recommended that the request made by the Department of Communities be refused.

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

That Council do not accept the request from the Department of Communities to construct a house to be rented out under the Government Regional Officers' Housing scheme.

Moved Cr RM Kirby

Seconded Cr SE Faulkner

Tied Vote 3/3

President used his casting vote

Carried 4/3

Mr Chris Kirby left the meeting at 8.03pm

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12.1.51 Chief Executive Officer Annual Leave

File No:	STAFF
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:	This report relates to my employment
Voting Requirements:	Recommendation 1 - Simple Majority Recommendation 2 – Absolute Majority
Previously Considered:	Nil

Background:

The Chief Executive Officer is employed, as required by the Local Government Act 1995, under a contract of employment. That contract stipulates (Section 9.1) that leave is to be approved by the Council, or by the President if the Council so resolves. At the Ordinary Meeting of Council in February 2017 Council resolved that leave for periods of 5 days or less could be approved by the President. This item comes to Council as there is a request for leave for a longer period than five days, and a recommendation to appoint an Acting Chief Executive Officer during the period of that leave.

Consultation:

There has been consultation with Ms Tanika McLennan, who has confirmed she is willing to undertake the role of Acting Chief Executive Officer if approved by Council.

Statutory Environment:

Local Government Act 1995

5.39. Contracts for CEO and senior employees

(1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.

(1a) Despite subsection (1) —

(a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting; and

(b) a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract.

Relevant Plans and Policy:

Nil

Financial Implications:

There is a financial implication in the increased remuneration to be paid to the Acting Chief Executive Officer, but this is built into the annual budget.

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Risk Assessment:

There is a risk to the organisation if there is nobody in a position of authority, and with the ability to make decisions on behalf of the organisation during the time that the Chief Executive Officer is on leave.

Community & Strategic Objectives:

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

4.3.1 Promote and support elected members and staff participation in training, education and professional development

4.3.7 Recruit, retain and develop suitably qualified, experienced and skilled staff

Comment:

Given the length of leave that is requested, it is necessary for Council to appoint an Acting Chief Executive Officer, in order that there is a person able to make necessary decisions on behalf of the organisation, along with signing any necessary documentation and ensuring that operations are run effectively. It is respectfully suggested to Council that Ms McLennan has the necessary experience to undertake the role successfully.

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

That Council:

- 1. Approve a period of annual leave for the Chief Executive Officer between January 8 2018 and January 31 2018 inclusive.***

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 6/0

2017/11 - 12 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

- 2. Appoint Ms Tanika McLennan to the position of Acting Chief Executive Officer between January 8 2018 and January 31 2018, during which time she is to receive the same basic remuneration as the Chief Executive Officer.***

Moved Cr SE Faulkner
Absolute Majority

Seconded Cr NR Gillett

Carried 6/0

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12.1.52 Local Emergency Management Committee Membership

File No:	A1/3
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:

At their October ordinary meeting, Council determined representatives on various internal and external committees and working groups. Unfortunately an error occurred in the structure of the Mt Marshall Local Emergency Management Committee (LEMC). Councillors Sanders and Gillett were elected to that committee. However, following the meeting the Chief Executive Officer was made aware that our Local Emergency Management Arrangements stipulate that the Shire President is to be a member of the LEMC. Accordingly, in discussions with Cr Gillett, he has indicated that he is willing to surrender his role on the LEMC, allowing for President ARC Sachse to fill a position. Cr Gillett has a strong interest in the area of biosecurity and would be prepared to replace Cr Sachse as a Shire representative on the Eastern Wheatbelt Biosecurity Group.

Consultation:

There has been consultation with the Councillors involved.

Statutory Environment:

Local Government Act 1995

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.*

- (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.*

Relevant Plans and Policy:

Nil

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Financial Implications:

Nil

Risk Assessment:

Nil

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:

It is unfortunate that this information was not made known prior to the last Council Meeting. It is recommended that Council resolve to make changes to committee memberships to rectify the situation.

2017/11 - 13 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

Subject to Section 5.10 of the Local Government Act 1995, Council appoint:

- 1. Cr Sachse to the Local Emergency Management Committee, replacing Cr Gillett***
- 2. Cr Gillett to the Eastern Wheatbelt Biosecurity Group, replacing Cr Sachse.***

Moved Cr RM Kirby
Absolute Majority

Seconded Cr SR Putt

Carried 6/0

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12.1.53 Review of Policy C&C.1.3 – Council Annual Function & Christmas Bonus

File No:	A2/24
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.53a – Current Policy C&C.1.3 12.1.53b – Proposed Policy C&C.1.3
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

Council has a policy which relates to the annual Christmas function and a Christmas bonus scheme. Having reviewed the policy the Chief Executive Officer has some concern regarding the Christmas Bonus scheme, and this item recommends an amendment to the policy.

Consultation:

There has been some internal discussion relating to the terms of the policy.

Statutory Environment:

Nil

Relevant Plans and Policy:

This Policy is referenced as C&C.1.3 and a copy of the current policy is attached at **12.1.53a**.

Financial Implications:

There are financial implications linked to this policy, which last year cost the Shire \$1330.

Risk Assessment:

It is suggested that a failure to review this policy could lead to a breach of legislation, in that potentially undeclared cash payments are being made to staff under the current policy.

Community & Strategic Objectives:

Outcome 4.1 Collaborative and transparent leadership

4.1.4 Promote a culture within the Shire that aligns actions with the values and aspirations of the Strategic Community Plan

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

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4.3.3 Ensure compliance with all relevant legislation

Comment:

The Chief Executive Officer has concern regarding the handing out of a cash 'gift', and given that there is an annual bonus scheme, believes that something other than cash should be used as a gift to staff members. The recommendation therefore is that the policy is changed so that the 'gift' is vouchers to be used in local shops. Along with taking away the risk of handing out cash, it will also hopefully provide a welcome boost to local shops over the Christmas break.

2017/11 - 14 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council adopt the amended policy C&C.1.3 Council Annual Function & Christmas Bonus as attached at 12.1.53b.

Moved Cr SR Putt

Seconded Cr RM Kirby

Carried 6/0

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12.2 Works Supervisor

12.2.9 Works Report November 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

Sealing works have been carried out across various locations. The next mobilisation for primer sealing and to complete other construction sealing will be at the end of March 2018.

Kerbing works for several streets have been booked in for the middle of December 2017.

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A detour has been constructed for works on the upgrade of the rail crossing on the road to Mukinbudin, this will enable uninterrupted work by ARC infrastructure to replace sleepers and widen their crossing without traffic traveling through the work site.

Re-sheeting works on Marshall Rock South Rd are currently underway, these works will be completed over the next week.

Town Maintenance

Most areas are tidy after a lot of time preparing for the Bencubbin Centenary and the Back to Beacon weekend.

The new plants in the Bencubbin Botanical Garden have established themselves and look like they will survive.

We had a good clean-up of the Bencubbin Heritage Trail re-sheeting sections of the path and improving access to all areas.

Beacon and Bencubbin ovals have been fertilised and minor reticulation repairs have been carried out. We backed the reticulation off on the Bencubbin oval while they set up formwork and concreting was carried out to minimise damage from heavy vehicles requiring access to the site.

Waste

Both sites are functioning as expected, we have had issues at Bencubbin with the wind blowing rubbish around but this will be resolved when we redo the cells and run them north/south this will reduce the east/west wind traveling along the length of the cell. Upgrades to the fencing is something we will need to consider moving forward.

Other Items of Interest

3 new utilities have been ordered to replace existing fleet. We put the trade-ins out to local tender and received no response so they were traded to John Hughes.

The replacement road maintenance truck has been ordered. Major Motors Isuzu were the successful tenderer and delivery is expected before the New Year. The old truck has been advertised for local tender.

The replacement grader has been put out to tender, closing on Friday the 1st of December.

2017/11 - 15 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the November report of the Works Supervisor be received.

Moved Cr SE Faulkner

Seconded Cr SR Putt

Carried 6/0

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12.3 Executive Assistant

12.3.19 Status Report – October 2017

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	12.3.19 – Status Report October 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.

2017/11 - 16 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Status Report for October 2017 be received.

Moved Cr NR Gillett

Seconded Cr IC Sanders

Carried 6/0

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12.3.20 Christmas and New Year 2017/18 Office Hours

File No:	N/A
Location/Address:	Shire of Mt Marshall Administration Offices
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

During the past few years there has been varied arrangements for the closure of the Shire office to the public during the Christmas and New Year period. This was mostly dependant on the CEO at the time and whether staff were leaving the area for holidays.

Consultation:

John Nuttall – Chief Executive Officer

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil

Community & Strategic Objectives:

Nil

Comment:

The author recommends the Shire office closing for the periods listed in the recommendation with the majority of administration staff wishing to go away over this period. Staff with insufficient leave may be offered to work over the period, provided there is work available or permitted to take leave without pay.

Advertising will take place to ensure all community members are made aware of the office closure and a senior staff member will be contactable during the shutdown period.

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2017/11 - 17 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council endorses the following office closure during the 2017/18 Christmas and New Year period:

<i>Friday 22 December -</i>	<i>9.00am to 3.30pm</i>	
<i>Monday 25 December -</i>	<i>Closed – Christmas Day</i>	
<i>Tuesday 26 December -</i>	<i>Closed – Boxing Day</i>	
<i>Wednesday 27 December -</i>	<i>Closed</i>	
<i>Thursday 28 December -</i>	<i>Closed</i>	
<i>Friday 29 December -</i>	<i>Closed</i>	
<i>Monday 1 January</i>	<i>Closed – New Year's Day</i>	
<i>Tuesday 2 January -</i>	<i>9.00am to 4.00pm</i>	
<i>Moved Cr RM Kirby</i>	<i>Seconded Cr IC Sanders</i>	<i>Carried 6/0</i>

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12.4 Finance and Administration Manager

12.4.32 Statement of Financial Activity to 31 October 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:	12.4.32 – Statement of Financial Activity to 31 October 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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2017/11 - 18 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council endorse the Statement of Financial Activity for the month ending 31 October 2017.

Moved Cr SR Putt

Seconded Cr RM Kirby

Carried 6/0

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12.4.33 Accounts Paid to 31 October 2017

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

Background:

Following is a List of Accounts submitted to Council on Tuesday 21 November 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
75	11/10/2017	WATER CORPORATION	UTILITY CHARGES	214.00
76	11/10/2017	SYNERGY	UTILITY CHARGES 8.7.17-5.9.17	55.90
77	20/10/2017	SYNERGY	UTILITY CHARGES 18.7.17-11.10.17	6085.85
78	27/10/2017	TELSTRA	UTILITY CHARGES-OCTOBER17	2027.99
79	27/10/2017	SYNERGY	UTILITY CHARGES 10.8.17-18.10.17	3539.90
17	31/10/2017	BANK FEES - BANK FEES	BANK FEES	495.72
17	01/10/2017	BANK FEES - BANK FEES	BANK FEES	20.00
EFT12861	02/10/2017	SHIRE OF MT MARSHALL	PAYROLL DEDUCTIONS	240.00
EFT12862	02/10/2017	LGRCEU	PAYROLL DEDUCTIONS	135.80
EFT12863	02/10/2017	STAFF SOCIAL CLUB	PAYROLL DEDUCTIONS	940.00

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Chq/EFT	Date	Name	Description	Amount
EFT12864	03/10/2017	BCITF	BCITF LEVY BENCUBBIN MULTI PURPOSE COMPLEX	4640.36
EFT12865	03/10/2017	DEVLYN CONSTRUCTION	REDEVELOPMENT OF BENCUBBIN MULTI PURPOSE COMPLEX-PROGRESS CLAIM 1	52096.52
EFT12866	11/10/2017	COVS	AUGUST SUPPLIES	339.80
EFT12867	11/10/2017	BOC GASES	GAS CYLINDERS-SEPTEMBER17	45.70
EFT12868	11/10/2017	COURIER AUSTRALIA	FREIGHT-SEPTEMBER17	31.06
EFT12869	11/10/2017	SHERIDAN'S	PLANT NAME PLATES FOR BOTANICAL GARDENS	792.00
EFT12870	11/10/2017	SHIRE OF TRAYNING	ADVERTISING-SEPTEMBER17	40.00
EFT12871	11/10/2017	BENCUBBIN NEWS & POST	POSTAGE 26.9.17-29.9.17	10.75
EFT12872	11/10/2017	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	AUGUST-SCISSORS	10.05
EFT12873	11/10/2017	TOTAL EDEN PTY LTD	SEPTEMBER SUPPLIES	72.05
EFT12874	11/10/2017	WA HINO SALES & SERVICE	SEPTEMBER SUPPLIES	42.78
EFT12875	11/10/2017	BEACON CO-OPERATIVE LTD	BOOKING AGENT FEE-SEPTEMBER17	1287.09
EFT12876	11/10/2017	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	LG PROFESSIONALS ANNUAL STATE CONFERENCE 2017-T.MCLENNAN	2860.00
EFT12877	11/10/2017	STAR TRACK EXPRESS	FREIGHT-SEPTEMBER17	450.32
EFT12878	11/10/2017	ALL-WAYS FOODS	SEPTEMBER SUPPLIES	889.32
EFT12879	11/10/2017	HEMPFIELD SMALL MOTORS	SEPTEMBER SUPPLIES	42.50
EFT12880	11/10/2017	KENYON & COMPANY PTY LTD	SEPTEMBER SUPPLIES	104.50
EFT12881	11/10/2017	BENCUBBIN TRUCK N AUTO'S	SEPTEMBER SUPPLIES	46.00
EFT12882	11/10/2017	D & D TRANSPORT	FREIGHT-SEPTEMBER17	151.60
EFT12883	11/10/2017	LANDGATE	RURAL UV'S CHARGEABLE	65.50
EFT12884	11/10/2017	BENCUBBIN AG SUPPLIES	SEPTEMBER SUPPLIES	2689.05
EFT12885	11/10/2017	REFUEL AUSTRALIA	FUEL-SEPTEMBER17	152.10
EFT12886	11/10/2017	5RIVERS PLUMBING AND GAS	SEPTEMBER REPAIRS	490.10
EFT12887	11/10/2017	BENNY MART	CARAVAN PARK VOUCHERS	198.50
EFT12888	11/10/2017	RJ BACK	INTEGRATED PLANNING & REPORTING	34202.02
EFT12889	11/10/2017	CR WJ BEAGLEY	MEETING FEES & ALLOWANCES 29.8.17-19.9.17	515.18
EFT12890	11/10/2017	ROSS'S DIESEL SERVICE	REPAIRS TO PRIME MOVER	4149.28

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EFT12891	11/10/2017	R MUNNS ENGINEERING CONSULTING SERVICES	CONSULTANCY WORK	3432.00
EFT12892	11/10/2017	KOORDA COMMUNITY RESOURCE CENTRE	ADVERTISING-SEPTEMBER17	50.00
EFT12893	11/10/2017	GREAT SOUTHERN FUELS	FUEL-SEPTEMBER17	7143.89
EFT12894	11/10/2017	EDWARDS MOTORS PTY LTD	TRADE IN/NEW TRAILBLAZER	1932.80
EFT12895	11/10/2017	MW GRANT	PUSH GRAVEL	13007.50
EFT12896	11/10/2017	RS & JE COOPER & SON	GRAVEL	2818.20
EFT12897	11/10/2017	WALLIS COMPUTER SOLUTIONS	BACK UP SERVICE-BEACON LIBRARY	671.00
EFT12898	11/10/2017	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS	1110.21
EFT12899	11/10/2017	KC SALES	CARAVAN PARK VOUCHERS	282.50
EFT12900	11/10/2017	VARLEY TRANSPORT	HIRE OF ROADTRAIN AND DRIVER	10840.50
EFT12901	11/10/2017	MERREDIN COMMUNITY RESOURCE CENTRE	ADVERTISING	450.00
EFT12902	11/10/2017	INTERNATIONAL ASSOCIATION FOR PUBLIC PARTICIPATION AUSTRALIASIA	ENGAGEMENT DESIGN TRAINING COURSE-S.PUTT 8&9.11.17	1100.00
EFT12903	11/10/2017	MCLEODS	SELF SUPPORTING LOAN	435.38
EFT12904	11/10/2017	CR NICK GILLETT	MEETING FEES & ALLOWANCES 29.8.17-19.9.17	531.18
EFT12905	11/10/2017	ALLTOILETS (WA)	PORTABLE OFF ROAD TOILETS & TRAILERS	14305.39
EFT12906	11/10/2017	MONUMENTAL SERVICES PTY LTD TRADING AS ABV	NEEDS & FEASIBILITY STUDY-MT MARSHALL AQUATIC CENTRE	20883.50
EFT12907	11/10/2017	MERREDIN WASHING MACHINE SERVICE	WASHING MACHINE PART	18.00
EFT12908	14/10/2017	BENDIGO BANK	SEPTEMBER SUPPLIES	3410.70
EFT12909	20/10/2017	AVON WASTE	RUBBISH COLLECTION-SEPTEMBER17	5064.64
EFT12910	20/10/2017	TWO DOGS HOME HARDWARE	KEYS CUT	17.96
EFT12911	20/10/2017	CJD EQUIPMENT PTY LTD	OCTOBER SUPPLIES	360.29
EFT12912	20/10/2017	SHIRE OF MERREDIN	MEMBERSHIP-CENTRAL WHEATBELT VISITOR CENTRE 2017/18YR	187.00
EFT12913	20/10/2017	KTY ELECTRICAL SERVICES	OCTOBER REPAIRS	4645.50
EFT12914	20/10/2017	SHIRE OF TRAYNING	DOCTORS VEHICLE EXPENSES PLUS DOCTOR'S RENT 3.10.17-30.10.17	2400.00
EFT12915	20/10/2017	BENCUBBIN NEWS & POST	POSTAGE 2.10.17-6.10.17	31.85
EFT12916	20/10/2017	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	310.00

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EFT12917	20/10/2017	BEACON PROGRESS ASSOCIATION INC.	CONTRIBUTION-FUTURE UPGRADES- BEACON CENTRAL CRC	10730.00
EFT12918	20/10/2017	DIELECTRIC SECURITY SERVICES	MONITORING FEES 1.11.17-31.1.18	101.20
EFT12919	20/10/2017	DEPARTMENT OF FIRE & EMERGENCY SERVICES	ESL ON SHIRE PROPERTIES	3675.00
EFT12920	20/10/2017	ICS CARPENTRY	OCTOBER REPAIRS	1047.75
EFT12921	20/10/2017	ALL-WAYS FOODS	OCTOBER SUPPLIES	19.42
EFT12922	20/10/2017	LGIS PROPERTY	PROPERTY	51249.11
EFT12923	20/10/2017	RN & JB WHYTE	PUSH GRAVEL	15180.00
EFT12924	20/10/2017	SIPPE'S MUKINBUDIN	FIRE EXTINGUISHER (FROM JUNE)	238.20
EFT12925	20/10/2017	5RIVERS PLUMBING AND GAS	OCTOBER REPAIRS	978.77
EFT12926	20/10/2017	ECHELON AUSTRALIA PTY LTD	REGIONAL RISK COORDINATOR PROGRAM- 1ST INSTALMENT 2017/18	2933.70
EFT12927	20/10/2017	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMEN-SEPTEMBER17	1358.50
EFT12928	20/10/2017	SUE VOLOCZI	VARIOUS ACCOUNTING SUPPORT	7647.75
EFT12929	20/10/2017	MARKET CREATIONS	LETTERHEADS & ENVELOPES	605.00
EFT12930	20/10/2017	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES	581.31
EFT12931	20/10/2017	SITE ARCHITECTURE	CONTRACT ADMINISTRATION	5245.00
EFT12932	20/10/2017	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISING-SEPTEMBER17	82.50
EFT12933	20/10/2017	JOHN GOSPER DESIGN	NEWHEALTH-BUILDING SERVEYING SERVICE-JULY/SEPT17	2970.00
EFT12934	04/10/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12935	11/10/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12936	18/10/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12937	25/10/2017	TONY BUCHERT	RENT-GYM	100.00
EFT12938	25/10/2017	MUKA MATTERS	ADVERTISING-SEPTEMBER17	120.00
EFT12939	25/10/2017	AUSTRALIAN TAXATION OFFICE	BAS-SEPTEMBER17	14822.00
EFT12940	27/10/2017	CJD EQUIPMENT PTY LTD	OCTOBER SUPPLIES	2065.15
EFT12941	27/10/2017	COURIER AUSTRALIA	FREIGHT-OCTOBER17	63.93

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Chq/EFT	Date	Name	Description	Amount
EFT12942	27/10/2017	SHERIDAN'S	PLAQUES FOR BENCH SEATS-BENCUBBIN CENTENARY	612.01
EFT12943	27/10/2017	CARGEEG PAINTING SUPPLIES	REPAIRS TO SIGN	247.50
EFT12944	27/10/2017	KTY ELECTRICAL SERVICES	RCD TEST & ESD REPORT PLUS AIRCON	1672.08
EFT12945	27/10/2017	BENCUBBIN NEWS & POST	POSTAGE 10.10.17-13.10.17	209.35
EFT12946	27/10/2017	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	140.00
EFT12947	27/10/2017	PORKY'S ENTERPRISES	FREIGHT FOR PIPES TO BEACON	550.00
EFT12948	27/10/2017	FAULKNER BROTHER HOLDINGS	ANNUAL LEASE OF BEACON RUBBISH TIP SITE	1100.00
EFT12949	27/10/2017	HEMPFIELD SMALL MOTORS	OCTOBER SUPPLIES	99.00
EFT12950	27/10/2017	ACCENT RUBBER STAMPS & TROPHIES	STAMPS	103.70
EFT12951	27/10/2017	BENCUBBIN TRUCK N AUTO'S	OCTOBER REPAIRS	1032.30
EFT12952	27/10/2017	PERFECT COMPUTER SOLUTIONS PTY LTD	TREND SMART PROTECT-12MONTHS	1522.50
EFT12953	27/10/2017	CUTTING EDGES EQUIPMENT PARTS	SUPPLIES	236.50
EFT12954	27/10/2017	ADVANCED AUTOLOGIC PTY LTD	OCTOBER SUPPLIES	278.00
EFT12955	27/10/2017	DEPARTMENT OF MINES,INDUSTRY REGULATION AND SAFETY (DMIRS)	BUILDING SERVICES LEVY-SEPTEMBER17	3173.65
EFT12956	27/10/2017	5RIVERS PLUMBING AND GAS	OCTOBER REPAIRS	477.67
EFT12957	27/10/2017	NORTHAM CARPETS PTY LTD	VINYL-6 DUNNE ST BEACON	4966.00
EFT12958	27/10/2017	WA TEMPORARY FENCING SUPPLIES	FENCING	4675.00
EFT12959	27/10/2017	CR IC SANDERS	MEETING FEES & CHARGES 24.10.17	493.18
EFT12960	27/10/2017	MW GRANT	PUSH GRAVEL	5142.50
EFT12961	27/10/2017	WA CONTRACT RANGER SERVICES	RANGER SERVICES 27.9.17 & 11.10.17	631.12
EFT12962	27/10/2017	WHEATBELT COMMUNITY DEVELOPMENT SERVICE	ADMIN RELIEF 28&29/9/17	450.00
EFT12963	27/10/2017	CR ARC SACHSE	MEETING FEES & ALLOWANCES 2.10.17-24.10.17	545.18
EFT12964	27/10/2017	CR RM KIRBY	MEETING FEES & ALLOWANCES 28.9.17-17.10.17	1920.90
EFT12965	27/10/2017	CR SE FAULKNER	MEETING FEES & ALLOWANCES 2.10.17-24.10.17	882.50
EFT12966	27/10/2017	HEAVY METAL WELDING & CUSTOM FABRICATION	BENCH SEATS-BENCUBBIN CENTENARY	15188.80

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Chq/EFT	Date	Name	Description	Amount
EFT12967	27/10/2017	CR NICK GILLETT	MEETING FEES & ALLOWANCES 2.10.17-24.10.17	569.18
EFT12968	27/10/2017	LINZI CARTER ART	2 CUSTOMIZED PAINTINGS-BENCUBBIN CENTENARY	2150.00
EFT12969	27/10/2017	CR STUART PUTT	MEETING FEES & ALLOWANCES 24.10.17	493.18
EFT12970	27/10/2017	CARDTRONICS AUSTRALASIA PTY LTD	ONGOING FEES FOR ATM-SEPTEMBER17	86.80
EFT12971	27/10/2017	WA TREASURY CORPORATION	LOAN NO. 119 INTEREST PAYMENT - LOAN TO BENNYMART - REPAID IN LEASE PAYM	975.84
EFT12972	30/10/2017	WA TREASURY CORPORATION	LOAN NO. 121 INTEREST PAYMENT - SAR BENCUBBIN MULTIPURPOSE COMPLEX REDEV	42350.36
DD8907.1	11/10/2017	WALGS PLAN	PAYROLL DEDUCTIONS	6040.54
DD8907.2	11/10/2017	AMP SUPERANNUATION SAVINGS TRUST	SUPERANNUATION CONTRIBUTIONS	217.54
DD8907.3	11/10/2017	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	928.31
DD8907.4	11/10/2017	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	189.74
DD8907.5	11/10/2017	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	148.89
DD8907.6	11/10/2017	CARESUPER	SUPERANNUATION CONTRIBUTIONS	163.39
DD8907.7	11/10/2017	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	194.11
DD8907.8	11/10/2017	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	475.00
DD8907.9	11/10/2017	CONCEPT ONE THE INDUSTRY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	49.02
DD8919.1	25/10/2017	WALGS PLAN	PAYROLL DEDUCTIONS	8566.57
DD8919.2	25/10/2017	AMP SUPERANNUATION SAVINGS TRUST	SUPERANNUATION CONTRIBUTIONS	217.54
DD8919.3	25/10/2017	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	928.31
DD8919.4	25/10/2017	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	189.74
DD8919.5	25/10/2017	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	190.17
DD8919.6	25/10/2017	CARESUPER	SUPERANNUATION CONTRIBUTIONS	163.40
DD8919.7	25/10/2017	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	195.13
DD8919.8	25/10/2017	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	475.00
DD8919.9	25/10/2017	CONCEPT ONE THE INDUSTRY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	81.69
				450,112.46

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2. Trust

Chq/eft	Date	Name	Description	Amount
EFT12973	31/10/2017	DEPARTMENT OF TRANSPORT	MMSO20171018	15302.45
EFT12982	31/10/2017	DEPARTMENT OF TRANSPORT	MMSO20171012	2636.15
				17,938.60

3. Mastercard

Details	Amount
Accomm-S.Wyatt-Course	125.00
Uniforms-T.McLennan	365.00
Bank fees	4.00
Bank fees	4.00
Bank fees	4.00
Roads & Trans Congress-J.Nuttal	890.00
Roads & Trans Congress-R.Kirby	890.00
Roads & Trans Congress-S.Faulkner	890.00
Roboform subscription	25.68
Council snacks	28.62
Dropbox subscription	129.00
Bank fees	4.00
Change plates-Portable toilet	25.70
Change plates-Portable toilet	25.70
	3,410.70

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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 November 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

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Comment:

Nil

2017/11 – 19 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Accounts Listed

<i>Municipal Fund</i>	\$ 450,112.46
<i>Trust Fund</i>	\$ 17,938.60
<i>Mastercard</i>	\$ <u>3,410.70</u>
<i>Total</i>	\$ 471,461.76

Be endorsed.

Moved Cr NR Gillett

Seconded Cr RM Kirby

Carried 6/0

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Cr Tony Sachse declared an impartiality interest in agenda item 12.4.34 being that the item's applicant, Mr Paul Sachse is a relative.

12.4.34 Sachse - Request to Write Off Rates Discount Amount

File No:	A6521, F2/2
Location/Address:	Loc 2643, 3025, 3026
Name of Applicant:	Paul Anthony Sachse
Name of Owner:	Paul Anthony Sachse
Author:	Tanika McLennan – Finance and Administration Manager
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The 2017/18 Annual Rate notices were issued 25 August 2017, the discount period ended 22 September 2017 and full payment was due 6 October 2017. Payment of A6521 was not received by the due date.

Along with all other assessments that remained unpaid on 11 October 2017, a final notice was produced for A6521 and posted.

Upon receiving a final notice for A6521, Mr PA Sachse called the Shire and spoke to the author to advise that he did not believe he had received the original Notice of Assessment for A6521. The author confirmed that the original notice was issued along with all others on 25 August 2017, as follows:

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SHIRE OF MT MARSHALL

ABN 44 012 430 676
80 Monger Street, BENCUBBIN WA 6477
PO Box 20, BENCUBBIN WA 6477
Telephone: (08) 9685 1202
Facsimile: (08) 9685 1299
Email: admin@mtmarshall.wa.gov.au
OFFICE HOURS: 9.00 am - 4.00 pm Monday to Friday

1 JULY 2017 TO 30 JUNE 2018

ANNUAL LEVY RATES NOTICE

If the name or address shown is incorrect, please advise Council in writing.

PAUL ANTHONY SACHSE
PO BOX 75
SOUTH FREMANTLE WA 6162

Notice of Valuation and Rate
Notice is hereby given that the council of the Shire of Mt Marshall has ordered and directed that the under mentioned land of which you are the Owner (or Occupier) is valued and rated as herein specified.
Local Government Act 1995, Health Act 1911

CHIEF EXECUTIVE OFFICER	John Nutall
ASSESSMENT NUMBER	A6521
DUE DATE	06.10.2017
DATE ISSUED	25.08.2017
WARD	MOUNT MARSHALL
VALUATION	\$171,000.00 - UV
ZONING	
MINIMUM RATE	\$395.00

DETAILS OF RATED PROPERTY Welbungin-Wialki Rd WIALKI
LOTS/LOCATIONS OR OTHER INFORMATION
NINGHAN 2643 3025 3026

Description	Rate in \$	Current	GST	Arrears	Amount Due
UV	1.6321	\$3,132.89			\$3,132.89
SAR BENCUBBIN COMPLEX REDEVELOPMENT UV	0.0760	\$129.96			\$129.96
EMERGENCY SERVICES LEVY	75.0000	\$75.00			\$75.00
ESL CATEGORY 5					
GST IS NIL					
LESS 5.00 % IF TOTAL RECEIVED BY 4.00PM 22/09/2017					
TOTAL					\$3,337.85

PAYMENT OPTIONS		INSTALLMENT AMOUNT	DUE DATE	AMOUNT DUE
ONE PAYMENT		\$3,181.21	22.09.2017	\$3,181.21
A Discount of \$156.64 will be given if payment is received by 22.09.2017				
ONE PAYMENT NO DISCOUNT		\$3,337.85	06.10.2017	\$3,337.85
FOUR INSTALMENTS	1ST INST	\$854.09	06.10.2017	\$854.09
OPTION COST \$78.24	2ND INST	\$854.00	08.12.2017	
	3RD INST	\$854.00	09.02.2018	
	4TH INST	\$854.00	13.04.2018	
	TOTAL	\$3,416.09		

Deposit Slip/Office Copy

ASSESSMENT NUMBER	A6521	OPTION 1	<input type="checkbox"/>	\$3,181.21
OWNER	PAUL ANTHONY SACHSE	OPTION 2	<input type="checkbox"/>	\$3,337.85
PROPERTY ADDRESS	Welbungin-Wialki Rd WIALKI	OPTION 3	<input type="checkbox"/>	\$854.09



In Person

Payment by cash or cheque can be made at the Shire office between 9.00am and 4.00pm Monday to Friday



By Mail

Detach this slip and make your cheque payable to:
Shire of Mt Marshall
PO Box 20, Bencubbin WA 6477

By Direct Deposit

Payment can be made directly into the following bank account online:

BSB: 633-000
Account: 157625575
Your Reference: A6521

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Payment of \$3,337.85 was received by cheque from Mr Sachse on 8 November 2017. Mr Sachse paid the full amount of rates as per the original notice and did not deduct the discount, nor allow for the \$33.18 interest which applied due to late payment.

On 8 November 2017, the following correspondence was received from Mr Sachse, requesting a refund of \$156.64, being the amount equivalent to the discount if A6521 had been paid prior to 22 September 2017:

John Nutall
CEO
Mt Marshall Shire Council
80 Monger St
BENCUBBIN WA 6477

SHIRE OF MT MARSHALL	
Received	
- 8 NOV 2017	
File No	F2/2
Officer	CEO
Copy	FAM-email

4th November 2017

Dear Sir

I would like to bring to your attention a concern affecting me.

This year I received rate notices A6318, A6321, A6319 and A6332 all issued on 25th August, 2017. I paid them by cheque on 7th September. I received a phone call telling me I was \$417 short in the amount which I paid 13th September. I checked if that was all owed for rates.

I received an account - a Final Rate notice issued on 11th October for A6521. My concern is that I never received the first notice and therefore was denied the opportunity to receive the discount.

I have been a rate payer in Mt Marshall for 55 years and always paid in time to attract the discount.

Please consider the discount for this rate notice. I am enclosing a cheque for the full amount and would appreciate a refund for \$156.64.

Thank you in anticipation.

Yours faithfully

Paul Anthony Sachse

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Consultation:

Nil

Statutory Environment:

Local Government Act 1995

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,
- which is owed to the local government.

* Absolute majority required.

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

[Section 6.12 amended by No. 64 of 1998 s. 39.]

6.41. Service of rate notice

- (1) A local government is required to give to —
- (a) the owner of rateable land; and
 - (b) the owner or occupier, as the case requires, of land on which a service charge is imposed,
- a rate notice stating the date the rate notice was issued and incorporating or accompanied by the details and particulars prescribed.
- (2) The rate notice is to be given —
- (a) as soon as practicable after —
 - (i) the rate record of the land is completed; or
 - (ii) the rate record of the land is amended, if that amendment results in a change in the amount of rates or service charges payable on that land;
 - or
 - (b) where an election has been made under section 6.45 to pay rates or service charges by instalments, not less than 28 days before each instalment is due.
- (3) Notwithstanding sections 75 and 76 of the Interpretation Act 1984 service of the rate notice is deemed to have been effected if delivered to the address shown in the rate record for the owner at the time of delivery.

Relevant Plans and Policy:

N/A

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Financial Implications:

Nil

Risk Assessment:

Nil

Community & Strategic Objectives:

N/A

Comment:

Although Mr Sachse claims not to have received a rate notice for A6521, Shire records confirm that the original notice was posted along with his other notices on 25 August 2017.

Given that the rate notice was issued in accordance with the Local Government Act 1995 and payment was not received until after the due date, writing off the discount amount cannot be justified.

2017/11 - 20 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Mr Paul Anthony Sachse be advised that the discount amount of \$156.64 against Assessment 6521 will not be written off.

Moved Cr RM Kirby

Seconded Cr NR Gillett

Carried 6/0

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12.4.35 Unclaimed Funds – Sheryl Fowler

File No:	F1/20
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Sheryl Fowler
Author:	Tanika McLennan – Finance and Administration Manager
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

On 15 November 2007, Ms Sheryl Fowler paid a deposit of \$1,000 on land she intended to purchase from the Shire. Funds were placed in the Shire's trust account to be held as security for the sale. Ms Fowler did not complete the purchase of land and despite numerous attempts over the past 10 years, staff have been unable to locate her.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

6.9. Trust fund

- (4) *Where money has been held in the trust fund for 10 years it may be transferred by the local government to the municipal fund but the local government is required to repay the money, together with any interest earned from its investment, from that fund to a person claiming and establishing a right to the repayment.*

Relevant Plans and Policy:

N/A

Financial Implications:

Unbudgeted income of \$1,000

Risk Assessment:

The local government is required to repay the money, together with any interest earned from its investment, to a person claiming and establishing a right to the repayment.

Community & Strategic Objectives:

N/A

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Comment:

Every attempt has been made by staff to locate Ms Fowler or her relatives during the 10 years that funds have been held. During this time, Ms Fowler's mail has gone unanswered or been returned, her mobile telephone number has been disconnected and reissued, she is not listed in the white pages and an internet search cannot locate her. It is considered extremely unlikely that she will come forward to claim the funds after this amount of time has lapsed and it is therefore recommended that Council exercise its power under Section 6.9 (4) of the Local Government Act 1995 and transfer the unclaimed money to the Municipal Fund.

2017/11 - 21 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That, in accordance with section 6.9 (4) of the Local Government Act 1995, unclaimed funds held in trust of \$1,000, being a deposit on land made by Ms Sheryl Fowler on 15 November 2007, be transferred to the municipal fund.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 6/0

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12.5 Community Development Officer

Nil

12.6 Regulatory Officer

Nil

12.7 Development

Nil

13.0 Matters for Which Members of the Public are Excluded

2017/11 – 22 RECOMMENDATION / COUNCIL DECISION:

That members of the public be excluded to discuss agenda item 13.1 and 13.2 as it is considered to be a matter affecting an employee.

Moved Cr SE Faulkner

Seconded Cr SR Putt

Carried 6/0

Mrs Tanya Gibson, Mrs Jenni Bunce and Ms Tanika McLennan left the meeting at 8.21pm.

13.1 CONFIDENTIAL – Chief Executive Officer Key Performance Indicators

2017/11 – 23 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

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

Moved Cr SR Putt

Seconded Cr NR Gillett

Carried 6/0

13.2 CONFIDENTIAL – Chief Executive Officer Annual Review

2017/11 – 24 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council, pursuant to Section 5.38 Local Government Act 1995, undertake the annual appraisal of the Chief Executive Officer internally sitting as full Council.

Moved Cr SE Faulkner

Seconded Cr SR Putt

Carried 6/0

2017/11 – 25 RECOMMENDATION / COUNCIL DECISION:

That the meeting come out from behind closed doors.

Moved Cr RM Kirby

Seconded Cr IC Sanders

Carried 6/0

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Ms Tanika McLennan entered the meeting at 8.37pm

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

Nil

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

Nil

16.0 Next Meeting – Tuesday 19 December 2017 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin

17.0 Closure of Meeting

The Presiding Member declared the meeting closed at 8.37pm

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

Date

Cr ARC Sachse President