



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 19 June 2018, at the Beacon Country Club, Shemeld St, Beacon 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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15. **Next Meeting – Tuesday 17 July 2018 commencing at 3:00pm in Council Chambers, Monger St, Bencubbin**
16. **Closure of Meeting**

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1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member declared the meeting open at 3:00pm and welcomed all those present.

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr ARC Sachse	President	
Cr NR Gillett	Deputy President	
Cr RM Kirby	Councillor	
Cr SE Faulkner	Councillor	
Cr LN Gobbart	Councillor	
Cr SR Putt	Councillor	
Cr IC Sanders	Councillor	3.00 – 3.30, 3.31 – 4.36pm
Mr John Nuttall	Chief Executive Officer	
Ms Nadine Richmond	Executive Assistant	
Ms Tanika McLennan	Finance and Administration Manager	
Mrs Olivia Granich	Community Development Officer	
Miss Daneeka Beagley	Customer Service Officer	3.00 – 3.53, 3.54 – 4.36pm
Mr Len Cargeeg	Member of the Public	
Mrs Tanya Gibson	Member of the Public	3.00 – 4.19pm
Mr Noel Miguel	Member of the Public	3.00 – 4.19, 4.24 – 4.36pm
Mrs Vicki Miguel	Member of the Public	
Mrs Marian Kirby	Member of the Public	
Mrs Jenni Bunce	Member of the Public	3.00 – 4.19pm
Mrs Megan Beagley	Member of the Public	3.17 – 4.19pm

Apologies

Nil

3.0 Standing Orders

2018/5- 001 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 RM Kirby

Seconded Cr IC Sanders

Carried 7/0

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4.0 Public Questions

4.1 Response to Public Questions Taken on Notice

Nil

4.2 Public Question Time

The Presiding Member declared Public Question time open at 3.01pm

4.2.1 Summary of question from Mrs Marian Kirby:

Agenda item 12.1.23 - In light of the report received and the fact that these days most people have air conditioning of some kind in their homes and there are many private pools in a Shire with a population quoted at 481, one third of whom would live too far from a pool in either town to make practical use of it, does this Council consider it to be good governance to persist with the idea of a Public Swimming Pool when the money could be put to much more practical use?

Summary of response from the Presiding Member:

No final decision has yet been made relating to a public swimming pool. The item on the agenda today deals with receiving a number of reports and concepts which have been prepared at the request of Council, and recommends further investigation into potential funding options. Once all the available funding options are explored and received Council will be in a position to make an informed decision.

4.2.2 Summary of question from Megan Beagley on behalf of Beacon Progress Association:

Agenda item 12.1.23 - The findings of the Needs Analysis Report presented by ABV clearly states that there are 4 options for the Mt Marshall Aquatic program:

Following a review of all other information, four options were identified:

- Refurbish the existing facility in the current location in Bencubbin
- Provide a new facility in either Bencubbin OR Beacon
- Provide for aquatic facilities in Bencubbin AND Beacon
- Demolish the existing facilities and not replace

If the Council is seeking to reject the recommendation (1 and 2) relating to the provision of new facilities, is it going to intensely consider both of the other two options, including option 4, to demolish and not replace? As part of these deliberations has the Council considered the long term financial impact on the Shire and the possible far-reaching benefits that could result from the reallocation of the Bencubbin Pool reserve funds to other, higher impact projects than a pool?

Summary of response from the Presiding Member:

The recommendation in the report at 12.1.23 is for potential funding opportunities to be researched and presented back to Council. This

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means that Council will be invited to consider all costs and funding options and opportunities including the long term financial impact, based upon full information when making a decision regarding an aquatic facility within the Shire at a future meeting.

4.2.3 Summary of question from Megan Beagley on behalf of Beacon Progress Association:

Agenda item 12.1.23 - Will the Councillors assure the Mt Marshall Shire constituents that further consultation will occur once the total costings relating to the following aspects of the refurbishment are made available to the public?

1. Cost of construction (depreciation and loans)
2. Operating costs
3. The cash reserve fund for the eventual replacement / repairs of the facility and
4. Total financial deficit per year that the pool will represent in dollars and percentage of rates.

and that no funding applications will be made prior to this process taking place?

Summary of response from the Presiding Member:

The timing and availability of potential funding sources are not yet known, so it is not possible to determine when any application would have to be made. It is extremely likely, however, any funding application will be linked to some own source (probably matching) funding. Such matching funding would have to be budgeted by Council.

Although there is no reference to further public consultation within the current agenda recommendation, it is open to any Councillor to move an amendment or alternative motion to include a public consultation requirement when the item is called. If supported such a motion could then be debated during that item.

4.2.4 Summary of question from Mrs Tanya Gibson:

Can we have clear transparency of discussions and greater debate in Council meetings regarding the aquatic centre?

Summary of response from the Presiding Member:

The Presiding member informed Mrs Gibson that he can only assume that her question is in relation to the option of refurbishment of the existing aquatic centre site in agenda item 12.1.23. Information has been received which would not be appropriate for release to the community as the information was received under commercial in confidence and should the information be released there would be a risk it could prejudice future tenders.

4.2.5 Summary of question from Mrs Tanya Gibson:

Agenda item 12.4.14 – EFT number 13630 is listed in the Accounts Paid as John Gosper Design, NEWHealth Building Surveying January/March 18 for an amount of \$990. What is this for?

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Summary of response from the Presiding Member:

The Presiding Member invited Finance and Administration Manager, Tanika McLennan to address Mrs Gibson. Ms McLennan informed Ms Gibson that the Shire of Mt Marshall administers the NEWHealth program which consists of six (6) Shires, being Mt Marshall, Koorda, Trayning, Mukinbudin, Wyalkatchem and Nungarin. John Gosper is contracted to carry out work throughout the NEWHealth Shires. As the administrator of NEWHealth the Shire pays all of Mr Gosper's fees and then recoups the required amount from the Shire who incurred the charges.

The Presiding Member declared Public Question time closed at 3.09pm

5.0 Applications for Leave Of Absence

Nil

6.0 Declarations of Interest

Cr IC Sanders declared an indirect financial interest in agenda item 12.1.21 being that Mr Craig Anderson is an employee as well as a relative.

7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 15 May 2018

2018/5-002 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 15 May 2018 be confirmed as a true and correct record of proceedings.

Moved Cr LN Gobbart

Seconded Cr SR Putt

Carried 7/0

8.0 Announcements by Presiding Person Without Discussion

The Shire of Mt Marshall would like thank all those associated with the 9th Annual Western Australian Off Road Racing Championship held in Bencubbin over the WA Day long weekend in June, 2018.

9.0 Report's of Councillors

9.1 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:

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The President represented the Shire at the following meetings and training opportunities from 16th May 2018 to 19th June 2018:

6/06/18 – 8/06/18 Emergency Media and Public Affairs (EMPA) Disaster & Emergency Communications Conference, Perth.

7/06/18 Great Eastern Country Zone Executive Meeting, Teleconference.

12/06/18 Corporate Information Session Council Chambers with Deputy President Cr Gillett, Cr Faulkner, Cr Gobbart, Cr Kirby, Cr Putt, Cr Sanders, CEO John Nuttall and FAM Tanika McLennan.

13/06/18 Meeting with Senior Telstra Representatives – Telecommunication Outages Across The North East Wheatbelt, Council Chambers with CEO John Nuttall.

14/06/18 Wheatbelt District Emergency Management Committee Meeting. Human Epidemic Avian Influenza Virus and Biosecurity Foot and Mouth Disease Emergency Management Workshops, Northam.

9.2 Councillors

Cr RM Kirby attended the following meetings:

31 May 2018 – CEACA Executive Meeting in Perth

6 June 2018 – CEACA Committee Meeting

Cr LN Gobbart attended the following meetings:

8 June 2018 - LHAG Meeting in Kununoppin

Cr SR Putt attended the following meetings:

5 June 2018 - Eastern Wheatbelt Biosecurity Group Meeting in Merredin with Cr NR Gillett

10.0 Petitions / Deputations / Presentations / Submissions

Submission from Ms Pamela Rogan

P.O. Box 166

Bassendean 6054

Dear Mount Marshall Shire Councillors,

It is respectfully requested that the Council consider a payment arrangement to clear the debt owed for rates by myself Pamela Rogan.

I believe the Shire's Officer has recommended that the Shire sell properties at Lots 47,48,49,50,51 Monger St Bencubbin to clear the debt.

I am a little unclear exactly what the debt is as I have been focusing on making as many payments as soon as I was informed that the payment arrangement I offered and have been paying since February was deemed to be inadequate. I only received notification of this in April, so I have done my best to clear as much as possible.

I did request a running balance from John Nuttall on 12/6/2018 and he informed me that he had sent through a spreadsheet on 11/5/2018 so I should work it out for myself. This

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experience, as I have explained to John Nuttall, has been very stressful and unfortunately the effect is I have become confused over exactly what I have paid. I am just a small business owner and Mother and do not have the luxury of any staff to help me and it has been hard for me to keep track. I transfer from a few bank accounts, so I will need to reconcile them all to get an exact figure. I did also contact the Bailiff's office, but they were not able to help as they did not know that I had even made any payments.

I realise this debt has gone over the 3-year deadline that allows for the Shire to take this action, I would like to be able put forward some of the reasons why this has occurred and the challenges we have faced, for you to consider in your decision.

As you are all no doubt aware the decision to leave Bencubbin was made due to our (myself and partner Mark Scott) son's difficulty as a boarder at school and there being no High School in Bencubbin for him to attend. We did put the Hotel on the market, once we began to experience staffing issues, we were mindful that the town needed its Hotel functioning correctly. We received one offer, which we accepted but the person was unable to obtain finance and the sale fell through. Other than a ridiculously low offer that we were financially not able to accept from someone in town via Facebook there were no other expressions of interest.

We did have the Hotel staffed, to keep the facilities available for the town, this proved problematic as attracting quality staff to such an isolated town is very difficult. As you are also no doubt aware the last Manager refused to leave and while the Police were sympathetic they were not able to help, and we had to wait for her to leave of her own accord.

At this time the Hotel was closed due to a work order for electrical compliance and a structural report. We have invested a total of approximately \$400,000 in property in Bencubbin and a further \$225,000 in repairs and restoration of the Hotel. We estimate between \$350 - \$400,000 to complete the restoration.

Repairs done to date:

- Rewired the whole building
- Hard wired smoke alarms
- Emergency Lighting
- New Light fittings
- New Toilets
- Plumbing and fixtures
- Roof repairs, re-screwing of roof struts
- Restumping of front veranda
- Restumping of rear veranda
- Restumping and rebuilding of Back Stairs
- Restumping and rebuilding Courtyard Veranda
- Purchase new oven
- Purchase New Combi Oven
- Purchase new flat plate
- Purchase 2 deep fryers
- Restored rear toilet and shower area at back of rooms
- Restored sash windows replaced glass panels in back area

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- The kitchen lino has been removed ready for new flooring
- Room furniture beds/tables/bedding etc has been purchased

I have seen the agenda written by the Shire and feel they are making a judgement on the state of the Hotel's repair without knowing what works have been done. I have never had any communication from them regarding our plans for the Hotel or perhaps how the Shire could be involved. I am unsure why opinions have been formed without any basis in fact.

I also note that the Agenda states that I have made some "small payments". I list the payments below that I have made since the Payment Arrangement. For a small business owner and average income earner I class these payments as substantial. I do reiterate my confusion over the balance, due to my stress, and what payments I have made so I may have missed some payments that have been made on top of these.

26/2	\$500	2/5	\$500	22/5	\$300
5/3	\$500	4/5	\$500	23/5	\$500
11/3	\$500	9/5	\$600	34/5	\$350
21/3	\$500	10/5	\$400	28/5	\$100
28/3	\$500	11/5	\$300	30/5	\$200
3/4	\$500	14/5	\$600	31/5	\$500
10/4	\$500	15/5	\$500	4/6	\$200
17/4	\$500	16/5	\$550	5/6	\$200
24/4	\$500	17/5	\$300	7/6	\$300

The debt for A6056 which has been mentioned in the Agenda has had \$50 a week being sent for several months. On top of this the properties for accounts A6052 A6053 A6490 have been brought up to date. These were in arrears, but we have managed to get them paid. I am sure John Nuttall could supply a spreadsheet to substantiate this. Please note we have made payments of \$1000 and \$700 from two different accounts to Account A6491 today 18/6. I think this takes the debt under 3 years for this account but I am unsure as I do not have the rates notices, I have estimated what I think it is up to today's date.

Unfortunately, someone let pigeons go in town and these have got in to the roof of the Hotel which has also caused an issue. We had been in discussion with Kevin Smith to have them removed. He is the one who re-tex screwed all roof panels and rebuilt front roof gable. We were planning to replace bird barge boards. This has since been put on hold as we are sending any funds we have to the Shire.

While John Nuttall is correct when he says we should have used the money we spent on repairs to pay the rates rather than repair the Hotel, we thought we would be able to get the Hotel up and running and pay the rates that way. Having lived in the town we understand the importance of the Hotel to the town and we felt that getting it open again was a priority. The Hotel was very run down when we took it on and had had no major works done for many years. Unfortunately, due to the economic downturn we have not been able to get all the works completed as quickly as we originally planned.

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Part of the problem with my getting so behind with the rates has been that I had not been receiving rates notices. I have been informed by Tanika McLennan that the Shire did not have contact details for us, although this was a bit surprising as we have had several calls from Shire staff over the years to let us know when for example a sheet had lifted on the roof, or there was rubbish that needed removing. I am a little disappointed that no one could call me to say all my rate notices were being returned to sender. I understand that the Shire staff are busy, and this is probably not something anyone thought to do when they called us about other issues. I have since updated my details, so this should not occur again.

I make no excuse for not having kept up with the rates and take full responsibility but like most families we have a very busy life and many commitments and as the notices were never received I overlooked them. I did make payments from time to time as of course I knew that rates would be owed. In October of 2017 my partner Mark spoke to John Nuttall and was informed that if we kept making some payments it was ok. Two weeks later we received a summons to court. I am not sure why this decision was made without at least letting us know, I am sure it was just an oversight.

I did not attend court as I obviously owed the rates and did not have a defence. I received a letter from a Debt Collection Company instructing me to either pay the whole amount or contact the Shire of Mount Marshall to make a payment arrangement. I rang the Shire and was put through to Tanika McLennan. She was unable to tell me what a suitable payment arrangement was and asked that I put forward a proposal. I put forward a proposal to pay \$500 a week on 21/2/2018 and I proceeded to start payments. I did not hear back from the Shire other than some queries regarding allocation of payments that they were unable to identify, which turned out to be from one of my accounts. I then presumed that my arrangement proposal was acceptable as I did not hear otherwise.

I received a letter from Tanika McLennan dated 18/4/2018 saying the arrangement of \$500 was not acceptable and the whole amount of \$15,000 must be paid immediately. (attachment 1) We did contact the Shire to ask what a suitable payment plan would be, but we were told we must pay the total of \$15000. After speaking to Tanika McLennan we received an email to say that the matter would be held until May 30th before being referred to the Council at the following meeting. (attachment 2)

On the 8th of May we received a distressing visit from the Bailiff who explained they had been instructed by the Mount Marshall Shire to visit. This was extremely stressful for myself and family. I spoke to the Shire president regarding this incident as I was so upset and could not understand why this had been done to me, after I had been assured nothing would happen until the next Council meeting. Tony explained that operational items were not his area and that he would ask John Nuttall to contact me.

I did not hear anything from John Nuttall so I contacted Tony again and he assured me he had spoken to John Nuttall. As you can probably understand I was severely distressed and feeling very unsure about what action was being taken against me without warning again. I did then receive an email from John Nuttall saying the Bailiff had been instructed not to proceed and had made a mistake. I have spoken to Cameron at the Bailiff's Office and he said this was not the case. Not sure why the delay in letting

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me know, perhaps John Nuttall did not understand the impact the Bailiff coming to my house had had on myself and family. Perhaps an oversight?

It is extremely distressing to have a Bailiff at your door at 7pm at night and not something I have coped very well with, it has made me very on edge. It was my youngest son who answered the door and it also had a detrimental effect on him. Again, I am sure it was just an oversight.

It might be something the Shire staff are made aware of as, I would hate for this to happen to another family. I am mindful of the general advice being received currently about mental health and Western Australia's huge suicide rate and this is the type of mistake that can end in tragedy, when families get pushed and feel they have nowhere to turn. I myself have approached John Nuttall to ask what help I could get with handling this situation and he did send me a referral to Wheatbelt Agcare Community Support Services Inc. but doubts " however, if they are able to assist someone who is not living in the region" I wonder if the Shire should at least be aware of the effect of their actions on families and have some way of ensuring they know how someone that is being threatened with property seizure by them can access any help they need, regardless of where they live.

I would have liked to deliver this letter in person and attend the Council meeting, I do apologise, but I have a regular volunteer commitment at St Barts Homeless Shelter every Tuesday and could not get anyone else to cover. I did not want to let them down. I hope you understand and take this letter in to consideration when making your decision.

Thank you for your consideration

Pamela Rogan

Mrs Megan Beagley entered the meeting at 4.17pm.

11.0 Reports of Committees

Nil

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12.0 Reports of Officers

12.1 Chief Executive Officer

12.1.20 Chief Executive Officer Annual Leave

File No:	STAFF
Location/Address:	N/A
Name of Applicant:	John Nuttall - Chief Executive Officer
Name of Owner:	N/A
Author:	John Nuttall - Chief Executive Officer
Attachments:	Nil
Declaration of Interest:	This report relates to my employment
Voting Requirements:	Simple 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

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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.

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.

2018/5-003 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council:

- 1. Approve a period of annual leave for the Chief Executive Officer between August 3 2018 and August 17 2018 inclusive.***
- 2. Appoint Ms Tanika McLennan to the position of Acting Chief Executive Officer between August 3 2018 and August 17 2018 inclusive, during which time she is to receive the same basic remuneration as the Chief Executive Officer.***

Moved Cr NR Gillett

Seconded Cr IC Sanders

Carried 7/0

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Cr IC Sanders declared an indirect financial interest in agenda item 12.1.21 being that Mr Craig Anderson is an employee as well as a relative and left the meeting at 3.30pm.

12.1.21 Sale of 29 Brown St, Bencubbin

File No:	Tender Register
Location/Address:	29 Brown St, Bencubbin
Name of Applicant:	N/A
Name of Owner:	Shire of Mt Marshall
Author:	John Nuttall - Chief Executive Officer
Attachments:	12.1.21a – Tender Offer from Mr Craig Anderson 12.1.21b – Tender Offer from Mr Kevin Smith
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

Following an offer to purchase the home he currently rents from the Shire by Mr Craig Anderson, Council gave local public notice of an intention to dispose of the property. Due to submissions made by the community, Council resolved, at the April Ordinary Meeting as follows:

2018/3 - 007 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council:

- 1. Direct the Chief Executive Officer to inform Mr Anderson that his offer to purchase 29 Brown Street, Bencubbin is not accepted; and*
- 2. Call public tenders for the disposal of 29 Brown Street Bencubbin as soon as practicable, with received tenders being referred to Council for consideration and decision.*

Moved Cr RM Kirby

Seconded Cr LN Gobbart

Carried 5/0

A public tender for the disposal of the property has been called, and this item invites Council to determine the tender.

Consultation:

There was a period of public notice, and Council considered the submissions in April relating to the original offer made for the property.

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Statutory Environment:

Local Government Act 1995

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

Relevant Plans and Policy:

Nil

Financial Implications:

The budget for the current year had anticipated that this property would be disposed of. Unfortunately it is now likely to be early next financial year before the sale is completed.

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

4.3.5 Use resources efficiently and effectively

4.3.6 Operate in a financially sustainable manner

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

Comment:

Two (2) tenders were received for the property. Copies of the tenders received are attached at **attachment 12.1.21a and 12.1.21b**. On the basis of the tenders received, the tender from Mr Kevin Smith is substantially higher than that received from Mr Craig Anderson. Given the amounts offered, and notwithstanding that Mr Anderson is currently a tenant at the property, the recommendation of this report is to award the tender to Mr Kevin Smith.

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2018/5-004 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council:

- 1. Award the tender for the purchase of 29 Brown Street, Bencubbin to Mr Kevin Smith at the tendered price of \$37500.***

- 2. Authorise the Chief Executive Officer to undertake the necessary arrangements to effect and complete the sale to Mr Kevin Smith, including the use of the Shire Common Seal on any necessary contract and transfer documentation.***

- 3. Resolve that the income received for the property be placed into the housing reserve.***

Moved Cr SE Faulkner
Absolute Majority

Seconded Cr SR Putt

Carried 6/0

Cr IC Sanders re-entered the meeting at 3.31pm.

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Risk Assessment:

Nil

Community & Strategic Objectives:

Nil – this is a WALGA Zone issue, and has no direct relevance to the Strategic Community Plan.

Comment:

There is unfortunately little additional information that can be provided to Councillors to assist with this item. The matter was raised briefly, with the information provided, at the most recent zone meeting. As a result of those brief discussions the resolution copied above was passed. Given this lack of knowledge and information, the recommendation is that Mt Marshall holds no strong views either way regarding the matter. Should Council feel that they do wish to communicate a particular view, it will be open for a Councillor recommendation to be moved accordingly.

2018/5-005 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council:

- 1. Note and receive the information from zone relating to the number of Councillors voted onto State Council.***
- 2. Direct the Chief Executive Officer to report to the zone that Mt Marshall does not hold any firm view regarding any potential change to the number of Councillors voted onto State Council.***

Moved Cr RM Kirby

Seconded Cr LN Gobbart

Carried 7/0

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12.1.23 Mt Marshall Aquatic Facility

File No:	A6/19
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Mt Marshall
Author:	John Nuttall - Chief Executive Officer Olivia Granich – Community Development Officer
	12.1.23a – Mt Marshall Aquatic Needs Analysis Report
	12.1.23b – Mt Marshall Concept and Feasibility Report
Attachments:	12.1.23c – Mt Marshall Life Cycle Cost Analysis Summary
	12.1.23d – 10yr Life Cycle Cost Analysis
	12.1.23e – 25yr Life Cycle Cost Analysis
	12.1.23f – 50yr Life Cycle Cost Analysis
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The Mt Marshall aquatic facility located in Bencubbin was closed in 2016 due to the poor state of repair of the facility, and the expense of running the centre especially with the loss of water. As a result the Shire has had a number of strategies in place including reimbursing community members who use pools in surrounding towns and an occasional bus transfer service.

Over the last 12 months at the instigation of Council, officers have been obtaining a needs analysis study, potential location and design options and costings. Attached to this report are those documents. As can be seen from the documents, during the public consultation there was a significant amount of support for Mt Marshall to have a swimming pool (although it is fair to say there was also some opposition, primarily on cost grounds). Those who supported a swimming pool did not however agree on the location, with unsurprisingly those from Bencubbin believing it should be located in Bencubbin, and those in Beacon believing it should be located in Beacon. As a result, and with no clear direction, the consultants prepared design options for two locations, those being the recreation centres at Bencubbin and Beacon. Those locations were chosen in the hope that there could be some co-use of the existing changing room and toilet facilities to attempt to reduce costs. They then prepared and provided indicative costings for those two options. As can be seen from those costings, it has not been possible (due to location and design) to utilise the existing facilities at either location. Unfortunately, as can be seen, the indicative costings are extremely high. Given the size of the Shire rate base and the amount of potential users, the difficulty in obtaining large grants (particularly in the current climate) and the amount of savings that the Shire

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currently has, officers do not believe that either of the options that are presented are feasible.

Given the indicative costings it was felt, in discussions with Council that officers should attempt to look at other options which may be more suitable and within the affordable cost range. Accordingly there has been discussion with manufacturers regarding a potential upgrade to the current facility. Whilst not wishing to reveal any 'commercial in confidence' information, the draft quotes that have been received indicate that a full refurbishment of the existing facility, including a 25 metre fibreglass pool insert, renovated changing rooms and new pump and filter equipment would cost under \$2 million.

Consultation:

There has been a large amount of consultation during the process. This has included public consultation, discussions with Council and internally.

Statutory Environment:

N/A

Relevant Plans and Policy:

N/A

Financial Implications:

The cost of either a new facility or an upgrade of the current facility will have to be budgeted when a final decision has been made by Council regarding how best to proceed.

Risk Assessment:

Along with the cost of either construction or renovation, the ongoing running costs, particularly as assessed against usage, is an assessment to be made when a final decision regarding the best way to proceed is to be made.

Community & Strategic Objectives:

Outcome 1.2 An environment that provides for a caring and healthy community

1.2.4 Provide an environment that attracts and retains youth and young adults

Outcome 1.3 Active and passive recreation facilities and services

1.3.1 Develop, maintain and support appropriate recreation facilities throughout the Shire in line with the Sporting & Recreation Master Plan

Outcome 3.2 A sense of place through public infrastructure and facilities

3.2.3 Develop and maintain sustainable assets and infrastructure

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

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Comment:

Although it was necessary to undertake the full consultation, it is apparent from the information received that the construction of a new pool in either town would be a very costly exercise, and certainly one outside the financial reach of the Shire. It is particularly disappointing that there was no ability to use existing change room infrastructure to help keep the costs of a new facility down. On the basis of the information and costings received, this report recommends to Council that at this stage they reject any construction of a new facility.

Recent investigations regarding potential refurbishment of the existing facility, which unfortunately were discounted by the consultants, has revealed that this option is both practically and potentially financially within the reach of the Shire. Given that, the recommendation is that Council direct further investigation regarding this option, including seeking any funding opportunities which may be available. Should funding opportunities be available to the extent that the project is financially feasible, a further report would be presented to Council asking for a decision regarding putting the refurbishment out to tender. To this end a meeting with the Department of Local Government, Sport and Communities has already been requested during the Local Government Week forum.

OFFICER'S RECOMMENDATION:

That Council:

- 1. Receive the needs analysis report, concept designs and costings prepared by A Balanced View Leisure Consultancy Services;*
- 2. Reject the concept options as proposed by A Balanced View Leisure Consultancy Services;*
- 3. Direct the Chief Executive Officer to actively seek funding opportunities to assist with the cost of redeveloping the existing aquatic facility, with information regarding potential funding opportunities to be communicated to Council for further direction prior to any application being lodged.*

COUNCILLOR MOTION:

That Council:

- 1. Receive the needs analysis report, concept designs and costings prepared by A Balanced View Leisure Consultancy Services;*
- 2. Reject the concept options as proposed by A Balanced View Leisure Consultancy Services;*

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3. *Direct the Chief Executive Officer to seek indicative quotes for a zero depth (splash pad) aquatic option located at the Beacon Recreation Complex;*
4. *Direct the Chief Executive Officer to investigate funding opportunities to assist with the cost of redeveloping the existing aquatic facility, with a report outlining;
A) potential grant funding opportunities; and
B) overall funding scenario/s for the project;
To be presented to Council for further direction prior to any application being lodged.*
5. *Direct the Chief Executive Officer to conduct public consultation with residents and ratepayers following the presentation of the report outlined in 4, prior to any application for funding being lodged.*

Moved Cr RM Kirby

Seconded Cr SE Faulkner

COUNCILLOR AMENDMENT:

That Council:

1. *Receive the needs analysis report, concept designs and costings prepared by A Balanced View Leisure Consultancy Services;*
2. *Reject the concept options as proposed by A Balanced View Leisure Consultancy Services;*
3. *Direct the Chief Executive Officer to seek indicative quotes for a zero depth (splash pad) aquatic option located at the Beacon Recreation Complex;*
4. *Direct the Chief Executive Officer to investigate funding opportunities to assist with the cost of redeveloping the existing aquatic facility, with a report outlining;
A) potential grant funding opportunities; and
B) overall funding scenario/s for the project;
To be presented to Council for further direction prior to any application being lodged.*
5. *Direct the Chief Executive Officer to conduct public consultation with residents and ratepayers following the presentation of the report outlined in 4, prior to any application for funding being lodged.*
6. *Instruct the CEO to engage with the same manufacturer used for the refurbishment costings of current Mt Marshall Aquatic Centre to supply indicative costs for a new stand alone pool at either the Bencubbin or Beacon Recreation Grounds*

Moved Cr SR Putt

Seconded Cr IC Sanders

Carried 7/0

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2018/5-006 COUNCIL DECISION:

That Council:

- 1. Receive the needs analysis report, concept designs and costings prepared by A Balanced View Leisure Consultancy Services;***
- 2. Reject the concept options as proposed by A Balanced View Leisure Consultancy Services;***
- 3. Direct the Chief Executive Officer to seek indicative quotes for a zero depth (splash pad) aquatic option located at the Beacon Recreation Complex;***
- 4. Direct the Chief Executive Officer to investigate funding opportunities to assist with the cost of redeveloping the existing aquatic facility, with a report outlining;***
 - A) potential grant funding opportunities; and***
 - B) overall funding scenario/s for the project;******To be presented to Council for further direction prior to any application being lodged.***
- 5. Direct the Chief Executive Officer to conduct public consultation with residents and ratepayers following the presentation of the report outlined in 4, prior to any application for funding being lodged.***
- 6. Instruct the CEO to engage with the same manufacturer used for the refurbishment costings of current Mt Marshall Aquatic Centre to supply indicative costs for a new stand alone pool at either the Bencubbin or Beacon Recreation Grounds***

Moved Cr SR Putt

Seconded Cr IC Sanders

Carried 7/0

Reason Council decision is different to officer recommendation: Council would like to include other possible scenarios in the CEO's investigations regarding aquatic facilities in the Shire and ensure community consultation is conducted prior to any funding applications being lodged.

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12.1.24 CEACA Update

File No:	A5/15
Location/Address:	Brown St, Bencubbin and Rowlands St, Beacon
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall - Chief Executive Officer
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

Council is well aware of the CEACA project, which was anticipated to deliver three aged care units to Mt Marshall in the first stage. There were due to be two units built on the land at Brown Street, Bencubbin (adjoining the current age care units) and one at Rowlands Street, Beacon.

Unfortunately, and very late into the project, we have been informed that the Department of Health require that only one unit can be built on a parcel of land of 1000sq/m. The same advice has been received for both the land at Bencubbin and Beacon.

Accordingly there have been attempts to locate additional land on which it may be possible to build an additional unit. At this stage the Shire is still waiting to hear from the project management team if there would be sufficient funds to allow for the third unit to be built in a separate location, given the additional survey and headworks costs. However, in order to be prepared should it be possible, this report seeks to suggest a new location for the third unit to be constructed on.

There is a piece of land currently for sale within the same precinct as the currently planned unit in Beacon – at 3 Rowlands Street. In discussions with CEACA this piece of land and its location would be suitable to use for an additional unit. It would be necessary, however, for CEACA to buy the land with the Shire being asked to fund that purchase.

Consultation:

There have been discussions with the CEACA group, project management team and the CEACA Council delegates.

Statutory Environment:

N/A

Relevant Plans and Policy:

N/A

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Financial Implications:

Should Council agree to this proposal, there would be the cost of the land, and the cost of purchase and transfer costs. This is estimated to be no more than \$10,000.

Risk Assessment:

Should an additional piece of land not be available and provided, then it is likely that Mt Marshall will only receive two units in this funding round, instead of the three that had been anticipated and paid for.

Community & Strategic Objectives:

Outcome 1.2 An environment that provides for a caring and healthy community
1.2.2 Provision of affordable housing for aged persons and people with disabilities

Comment:

It is extremely unfortunate that so late into the process (CEACA are already starting construction in Kellerberrin and Merredin) the Health Department have determined that we are not able to locate two small units on one block of land. This has meant the need to find alternative options, and given the need in Beacon and the availability of a block of land to purchase, this would seem to be the best option.

OFFICER'S RECOMMENDATION:

That:

1. *Council agree that it will fund the cost of CEACA purchasing and transferring 3 Rowlands Street Beacon for the purpose of construction of a third aged care unit in the current CEACA construction phase.*
2. *The cost of the purchase and transfer be budgeted in the 2018/19 annual budget.*

2018/5-007 COUNCILLOR MOTION / COUNCIL DECISION:

That the agenda item 12.1.24 lay on the table until 17 July 2018 Ordinary Council meeting or earlier at a Special Council meeting if required information is obtained.

Moved Cr IC Sanders

Seconded Cr SR Putt

Carried 4/3

Reason Council decision is different to officer recommendation: To allow for more time in which further information can be obtained regarding possible unit locations and related costings.

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FORESHADOWED MOTION:

That:

- 1. Council agree that it will fund the cost of CEACA purchasing and transferring 3 Rowlands Street Beacon for the purpose of construction of a third aged care unit in the current CEACA construction phase.*

- 2. The cost of the purchase and transfer be budgeted in the 2018/19 annual budget.*

Moved Cr SE Faulkner

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12.2 Works Supervisor

12.2.4 Works Report June 2018

File No:	N/A
Location/Address:	Mt Marshall District
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	Aaron Wootton – 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

Koorda-Bullfinch Road railway crossing shoulders have been finalised and are waiting on sealing works for completion.

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ARC have completed their part of the program by completing the upgrade of the crossing to asphalt stage.



Beacon-Bencubbin Road intersection has been finalised to pavement standard and is now waiting for primer seal, kerbing and asphalt to complete works.



Blight Street, Beacon has been constructed up to pavement standard and is waiting on sealing to complete the works.

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Beacon Hall carpark is awaiting sealing works.

Weather permitting all seal works will be commenced on Monday the 19th of June and should be completed mid week.

Contract Works

Mandiga-Marindo Road gravel sheeting works have been completed
Andrews Tank Road gravel re-sheeting works have been completed

Town Maintenance

Beacon Townsite- a new waste site hole will be excavated early next week and the old hole covered.

All other maintenance works are ongoing

Bencubbin Townsite- Footpath repairs and entries to the fuel bowser on the corner of Brown and Padbury streets has been completed.

All other maintenance works are ongoing.



Plant

Maintenance Grading- One grader is currently working along Maroubra Rd.

Ralph is currently away and Peter Walker has assumed the grader operations in the last couple of days and he is working in the Wren Road area.

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Bill has completed the Koorda-Bullfinch shoulders and is currently working on Fitzpatrick Road.

2018/5-008 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the June report of the Works Supervisor be received.

Moved Cr SR Putt

Seconded Cr SE Faulkner

Carried 7/0

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12.3 Executive Assistant

12.3.11 Status Report – May 2018

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	12.3.11 – Status Report May 2018
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.

2018/5-009 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The Status Report for May 2018 be received.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 7/0

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12.4 Finance and Administration Manager

12.4.13 Statement of Financial Activity to 31 May 2018

File No:	F1/4
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Tanika McLennan – Finance & Admin Manager
Attachments:	12.4.13 – Statement of Financial Activity to 31 May 2018
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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2018/5-010 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The Statement of Financial Activity for the month ending 31 May 2018 be endorsed.

Moved Cr NR Gillett

Seconded Cr RM Kirby

Carried 7/0

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12.4.14 Accounts Paid to 31 May 2018

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 19 June 2018 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
108	01/05/2018	TELSTRA	UTILITY CHARGES - MARCH 2018	1908.78
109	01/05/2018	SYNERGY	UTILITY CHARGES 11.1.18-13.4.18	7670.95
110	01/05/2018	BEACON COMMUNITY REC COUNCIL	ANNUAL CONTRIBUTION-POWER USAGE BEACON GYM & RETIC FOR BEACON OVAL	1300.00
111	23/05/2018	TELSTRA	UTILITY CHARGES-APRIL18	1902.48
112	23/05/2018	WATER CORPORATION	UTILITY CHARGES 12.3.18-15.5.18	16624.30
113	23/05/2018	SYNERGY	UTILITY CHARGES PLUS STREETLIGHTS	4026.30
114	23/05/2018	SHIRE OF DANDARAGAN	WHEATBELT CONFERENCE PARTNER'S PROGRAM	55.00
115	30/05/2018	WATER CORPORATION	STANDARD WATER SERVICE	5172.58

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Chq/EFT	Date	Name	Description	Amount
116	30/05/2018	SYNERGY	UTILITY CHARGES 9.3.18-21.5.18	242.75
EFT13594	01/05/2018	CJD EQUIPMENT PTY LTD	APRIL SUPPLIES	971.28
EFT13595	01/05/2018	COURIER AUSTRALIA	FREIGHT-APRIL 18	60.22
EFT13596	01/05/2018	STATE LIBRARY OF WA	FREIGHT CHARGES FOR VDX LOANS	301.82
EFT13597	01/05/2018	ST JOHN AMBULANCE AUSTRALIA	APRIL SUPPLIES	664.76
EFT13598	01/05/2018	NINGHAN SPRAYING & AG SERVICES	APRIL SUPPLIES	51.21
EFT13599	01/05/2018	MUKA MATTERS	ADVERTISING-APRIL18	85.00
EFT13600	01/05/2018	JASON SIGNMAKERS	SIGNS	187.00
EFT13601	01/05/2018	SHIRE OF TRAYNING	DOCTORS RENT MARCH 18	768.00
EFT13602	01/05/2018	BENCUBBIN NEWS & POST	POSTAGE 9.4.18-13.4.18	150.65
EFT13603	01/05/2018	BUNNINGS BUILDING SUPPLIES	APRIL SUPPLIES	70.81
EFT13604	01/05/2018	BEACON PROGRESS ASSOCIATION INC.	DAYCARE-ROOM HIRE (JANUARY TO APRIL)	396.00
EFT13605	01/05/2018	DIELECTRIC SECURITY SERVICES	MONITORING FEES 1.5.18-31.7.18	101.20
EFT13606	01/05/2018	WINC AUSTRALIA PTY LTD	APRIL SUPPLIES	105.08
EFT13607	01/05/2018	ICS CARPENTRY	APRIL REPAIRS	12644.78
EFT13608	01/05/2018	STAR TRACK EXPRESS	FREIGHT-APRIL18	5.07
EFT13609	01/05/2018	ALL-WAYS FOODS	APRIL SUPPLIES	470.14
EFT13610	01/05/2018	PORKY'S ENTERPRISES	ROAD TRAIN & WATER CART HIRE	13185.77
EFT13611	01/05/2018	HITACHI CONSTRUCTION MACHINERY (AUST) P/L	APRIL SUPPLIES	555.46
EFT13612	01/05/2018	DAVES TREE SERVICE	TREE LOPPING	2860.00
EFT13613	01/05/2018	PEERLESS JAL PTY LTD	APRIL SUPPLIES	221.23
EFT13614	01/05/2018	KOORDA FARM TREES	STATE NRM GRANT-SEEDLINGS	6072.00
EFT13615	01/05/2018	JR & A HERSEY	APRIL SUPPLIES	474.65
EFT13616	01/05/2018	5RIVERS PLUMBING AND GAS	APRIL REPAIRS	2958.25
EFT13617	01/05/2018	KARNI ENGINEERING	APRIL REPAIRS (FROM JULY 17)	255.75
EFT13618	01/05/2018	CR IC SANDERS	MEETING FEES & ALLOWANCES 17.4.18	493.18
EFT13619	01/05/2018	KC SALES	CATERING APRIL 18	162.00
EFT13620	01/05/2018	WA CONTRACT RANGER SERVICES	RANGER SERVICES 27.3.18 & 12.4.18	561.00
EFT13621	01/05/2018	LOREN NORTHOVER	REIMBURSEMENT-UNIFORM	75.00
EFT13622	01/05/2018	CR ARC SACHSE	MEETING FEES & ALLOWANCES 26.3.18- 16.4.18	1668.90

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Chq/EFT	Date	Name	Description	Amount
EFT13623	01/05/2018	CR RM KIRBY	MEETING FEES & ALLOWANCES 20.3.18-17.4.18	1463.18
EFT13624	01/05/2018	CR SE FAULKNER	MEETING FEES & ALLOWANCES 685.18	685.18
EFT13625	01/05/2018	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES	338.39
EFT13626	01/05/2018	SITE ARCHITECTURE	CONTRACT ADMINISTRATION	6551.60
EFT13627	01/05/2018	JOHN NUTTALL	REIMBURSEMENT-MEALS AT WHEATBELT CONFERENCE	88.00
EFT13628	01/05/2018	CR NICK GILLETT	MEETING FEES & ALLOWANCES 9.4.18-17.4.18	750.50
EFT13629	01/05/2018	DEVLYN CONSTRUCTION	REDEVELOPMENT BENCUBBIN MULTIPURPOSE COMPLEX	451654.57
EFT13630	01/05/2018	JOHN GOSPER DESIGN	NEW HEALTH-BUILDING SURVEYING SERVICE JAN/MARCH18	990.00
EFT13631	01/05/2018	CR LEEANNE GOBBART	MEETING FEES & ALLOWANCES 12.4.18-17.4.18	908.18
EFT13632	01/05/2018	GRESLEY ABAS PTY LTD	MT MARSHALL AQUATIC CENTRE FEASABILITY STUDY	660.00
EFT13633	01/05/2018	N & S MCDONALD FAMILY TRUST	GRAVEL	3955.60
EFT13634	17/05/2018	SHIRE OF WYALKATCHEM	RENT-EHO 1.4.18-30.6.18	2340.00
EFT13635	17/05/2018	SHIRE OF MT MARSHALL	NEW HEALTH RECOUP 31.3.18	5879.90
EFT13636	17/05/2018	AVON WASTE	RUBBISH COLLECTION-APRIL18	5737.03
EFT13637	17/05/2018	BOC GASES	GAS CYLINDERS-APRIL18	40.25
EFT13638	17/05/2018	TWO DOGS HOME HARDWARE	APRIL SUPPLIES	118.99
EFT13639	17/05/2018	COURIER AUSTRALIA	FREIGHT-APRIL18	102.32
EFT13640	17/05/2018	NINGHAN SPRAYING & AG SERVICES	APRIL SUPPLIES	90.86
EFT13641	17/05/2018	KTY ELECTRICAL SERVICES	WASHING MACHINE	1144.44
EFT13642	17/05/2018	SHIRE OF TRAYNING	DOCTORS VEHICLE/MEDICAL PRACTICE EXPENSES PLUS DOCTORS RENT-APRIL18	6170.16
EFT13643	17/05/2018	BENCUBBIN NEWS & POST	APRIL SUPPLIES	186.19
EFT13644	17/05/2018	BEACON CO-OPERATIVE LTD	CLEANING-APRIL18	794.40
EFT13645	17/05/2018	MOORE STEPHENS (WA) PTY LTD	INTERIM BILLING IN RESPECT-AUDIT YEAR END 30.6.18	11731.50
EFT13646	17/05/2018	ICS CARPENTRY	APRIL REPAIRS	5863.00

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Chq/EFT	Date	Name	Description	Amount
EFT13647	17/05/2018	STAR TRACK EXPRESS	LATE PAYMENT CHARGE	5.07
EFT13648	17/05/2018	ALL-WAYS FOODS	APRIL SUPPLIES	151.07
EFT13649	17/05/2018	PORKY'S ENTERPRISES	HIRE OF PLANT	4677.75
EFT13650	17/05/2018	AG IMPLEMENTS	APRIL SUPPLIES	205.98
EFT13651	17/05/2018	BENCUBBIN TRUCK N AUTO'S	APRIL REPAIRS	6444.46
EFT13652	17/05/2018	COLAS WESTERN AUSTRALIA PTY LTD	BITUMEN SEALING WORK	114810.49
EFT13653	17/05/2018	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER SERVICES	85.00
EFT13654	17/05/2018	LANDGATE	RURAL UV GENERAL REVALUATION 2017/18	6410.23
EFT13656	17/05/2018	JOHN HUGHES	MITSUBISHI MQ4L20 TRITON GLX 2.4L	16292.00
EFT13657	17/05/2018	SIPPE'S MUKINBUDIN	PAINT	38.80
EFT13658	17/05/2018	BENCUBBIN AG SUPPLIES	APRIL SUPPLIES	17.60
EFT13659	17/05/2018	REFUEL AUSTRALIA	FUEL-APRIL18	221.52
EFT13660	17/05/2018	5RIVERS PLUMBING AND GAS	APRIL REPAIRS	141.90
EFT13661	17/05/2018	BENNY MART	APRIL SUPPLIES	73.94
EFT13662	17/05/2018	KUNUNOPPIN MEDICAL PRACTICE	PRE EMPLOYMENT MEDICAL-K.BRADDON	143.00
EFT13663	17/05/2018	MERREDIN PANEL AND PAINT	EXCESS-REPAIRS TO HOLDEN TRAILBLAZOR	300.00
EFT13664	17/05/2018	GREAT SOUTHERN FUELS	FUEL-APRIL18	25712.73
EFT13665	17/05/2018	MUKINBUDIN HOTEL / MOTEL	STREET SWEEPING	495.00
EFT13666	17/05/2018	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS	690.87
EFT13667	17/05/2018	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMENT-APRIL18	1520.06
EFT13668	17/05/2018	WESTERN STABILISERS	WET MIX	50535.54
EFT13669	17/05/2018	PALM PLUMBING	APRIL REPAIRS	672.03
EFT13670	17/05/2018	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES	180.77
EFT13671	17/05/2018	SOUTHERN CROSS AUSTereo PTY LTD	ADVERTISING-APRIL18	82.50
EFT13672	17/05/2018	DMB QUARRIES	SUPPLY AGGREGATE	7550.71
EFT13673	17/05/2018	CHARISSE WALKER	REIMBURSEMENT FOR MOPS-RESEALING NETBALL COURT	79.96
EFT13674	17/05/2018	NADINE RICHMOND	REIMBURSEMENT-MOPS & BUCKET FOR NETBALL COURT	190.95
EFT13675	17/05/2018	WILDSTRAWBERRYCATERING	CATERING-BEACON BAH	100.00

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EFT13676	17/05/2018	EASISALARY	PAYROLL DEDUCTIONS	491.46
EFT13677	18/05/2018	DEVLYN CONSTRUCTION	REDEVELOPMENT BENCUBBIN MULTIPURPOSE COMPLEX	427314.50
EFT13678	14/05/2018	BENDIGO BANK	APRIL SUPPLIES	690.86
EFT13679	23/05/2018	BENCUBBIN COMMUNITY RECREATION COUNCIL	ECONOMIC DEVELOPMENT FUND	9683.59
EFT13680	23/05/2018	WESTRAC PTY LTD	REPAIRS TO BACKHOE	1694.00
EFT13681	23/05/2018	CJD EQUIPMENT PTY LTD	MAY REPAIRS	1587.74
EFT13682	23/05/2018	COURIER AUSTRALIA	FREIGHT-MAY18	20.88
EFT13683	23/05/2018	MUKA TYRE MART	APRIL REPAIRS	165.00
EFT13684	23/05/2018	NINGHAN SPRAYING & AG SERVICES	TANKS	8877.61
EFT13685	23/05/2018	KTY ELECTRICAL SERVICES	MAY REPAIRS	1332.53
EFT13686	23/05/2018	BENCUBBIN NEWS & POST	POSTAGE 1.5.18-4.5.18	30.35
EFT13687	23/05/2018	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	80.00
EFT13688	23/05/2018	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	MARCH SUPPLIES	36.00
EFT13689	23/05/2018	AUSTRALIAN TAXATION OFFICE	FBT	5578.21
EFT13690	23/05/2018	BEACON CO-OPERATIVE LTD	CARAVAN PARK VOUCHERS	150.89
EFT13691	23/05/2018	MOORE STEPHENS (WA) PTY LTD	FBT	1485.00
EFT13692	23/05/2018	DIGGA-WEST & EARTHPARTS WA	MAY SUPPLIES	767.80
EFT13693	23/05/2018	ICS CARPENTRY	MAY REPAIRS	9885.70
EFT13694	23/05/2018	STAR TRACK EXPRESS	FREIGHT-MAY18	82.74
EFT13695	23/05/2018	BENCUBBIN COMMUNITY RESOURCE CENTRE	HIRE OF PROJECTOR	30.00
EFT13696	23/05/2018	PORKY'S ENTERPRISES	HIRE OF ROADTRAIN & LOADER	8461.25
EFT13697	23/05/2018	DAVID GRAY & CO. PTY LIMITED	MAY SUPPLIES	137.45
EFT13698	23/05/2018	JR & A HERSEY	MAY SUPPLIES	38.50
EFT13699	23/05/2018	AUSTRALASIAN PERFORMING RIGHT ASSOCIATION LTD	ANNUAL LICENCE-MUSIC ON HOLD 1.6.18- 31.5.18	158.55
EFT13700	23/05/2018	CUTTING EDGES EQUIPMENT PARTS	GRADER BLADES	2140.71
EFT13701	23/05/2018	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	RECRUITMENT SERVICES-WORKS SUPERVISOR POSITION	4571.94
EFT13702	23/05/2018	5RIVERS PLUMBING AND GAS	MAY REPAIRS	3716.03

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EFT13703	23/05/2018	WESTERN POWER - NON ENERGY	INSTALLATION OF NEW STREET LIGHT-72 BROWN ST BENCUBBIN	6928.00
EFT13704	23/05/2018	TUTT BRYANT EQUIPMENT	MAY SUPPLIES	282.56
EFT13705	23/05/2018	ORBIT HEALTH & FITNESS SOLUTIONS	MAY SUPPLIES	270.78
EFT13706	23/05/2018	TM & AM GRANT	PURCHASE OF GRAVEL	6200.48
EFT13707	23/05/2018	NADINE RICHMOND	REIMBURSEMENT-UNIFORM	39.00
EFT13708	23/05/2018	KC SALES	MAY SUPPLIES	39.52
EFT13709	23/05/2018	LOREN NORTHOVER	REIMBURSEMENT-TRAVEL TO BEACON & RETURN FOR BAH	67.86
EFT13710	23/05/2018	MODUS AUSTRALIA	DUMP-EZY SYSTEM & TANK	6374.50
EFT13711	23/05/2018	CR ARC SACHSE	MEETING FEES & ALLOWANCES 20.4.18-15.5.18	2039.90
EFT13712	23/05/2018	CR RM KIRBY	MEETING FEES & ALLOWANCES 18.4.18-3.5.18	903.18
EFT13713	23/05/2018	MARKETFORCE PTY LTD	ADVERTISING-JANUARY18	160.60
EFT13714	23/05/2018	CR SE FAULKNER	MEETING FEES & ALLOWANCES 15.5.18	579.18
EFT13715	23/05/2018	SITE ARCHITECTURE	CONTRACT ADMINISTRATION	10487.95
EFT13716	23/05/2018	CR NICK GILLETT	MEETING FEES & ALLOWANCES 3.5.18-15.5.18	688.50
EFT13717	23/05/2018	AVON PAPER SHRED	SHREDDING OF RECORDS	271.15
EFT13718	23/05/2018	CR STUART PUTT	MEETING FEES & ALLOWANCES 18.4.18-15.5.18	986.36
EFT13719	23/05/2018	CR LEEANNE GOBBART	MEETING FEES & ALLOWANCES 15.5.18	525.18
EFT13720	28/05/2018	WA TREASURY CORPORATION	LOAN NO. 119 INTEREST PAYMENT - LOAN TO BENNYMART - REPAID IN LEASE PAYM	975.84
EFT13721	29/05/2018	TUDOR HOUSE	REPLACEMENT BANNERS FOR BEACON	928.00
EFT13722	29/05/2018	EASISALARY	PAYROLL DEDUCTIONS	491.46
EFT13723	29/05/2018	CARDTRONICS AUSTRALASIA PTY LTD	ONGOING FEES FOR ATM-APRIL18	89.91
EFT13724	30/05/2018	SHIRE OF MT MARSHALL	ACCOMMODATION-A.MONSON 18.1.18-27.4.18	12584.00
EFT13725	30/05/2018	CJD EQUIPMENT PTY LTD	SERVICE-GRADER	5326.40
EFT13726	30/05/2018	COURIER AUSTRALIA	FREIGHT-MAY18	185.92
EFT13727	30/05/2018	NINGHAN SPRAYING & AG SERVICES	MAY SUPPLIES	299.20

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EFT13728	30/05/2018	KTY ELECTRICAL SERVICES	MAY REPAIRS	86.63
EFT13729	30/05/2018	EDGECOMBE'S JEWELLERS	KEYS CUT	55.00
EFT13730	30/05/2018	JASON SIGNMAKERS	MAY SUPPLIES	2451.57
EFT13731	30/05/2018	BENCUBBIN NEWS & POST	POSTAGE 7.5.18-11.5.18	100.55
EFT13732	30/05/2018	MOORE STEPHENS (WA) PTY LTD	WALGA TAX PAYG WORKSHOP 2018-S.WYATT	660.00
EFT13733	30/05/2018	WINC AUSTRALIA PTY LTD	MAY SUPPLIES	476.72
EFT13734	30/05/2018	DEPARTMENT OF FIRE & EMERGENCY SERVICES	ESLB 4TH QUARTER CONTRIBUTION	3750.00
EFT13735	30/05/2018	ICS CARPENTRY	MAY REPAIRS	17349.20
EFT13736	30/05/2018	ALL-WAYS FOODS	MAY SUPPLIES	536.32
EFT13737	30/05/2018	BENCUBBIN COMMUNITY RESOURCE CENTRE	ECONOMIC DEVELOPMENT FUND	3173.50
EFT13738	30/05/2018	PORKY'S ENTERPRISES	HIRE OF WATER CART	3423.75
EFT13739	30/05/2018	BENCUBBIN TRUCK N AUTO'S	MAY REPAIRS	342.05
EFT13740	30/05/2018	PEERLESS JAL PTY LTD	MAY SUPPLIES	143.55
EFT13741	30/05/2018	D & D TRANSPORT	FREIGHT-MAY18	218.41
EFT13742	30/05/2018	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER SERVICES	255.00
EFT13743	30/05/2018	JOHN HUGHES	MITSUBISHI TRITON	2002.55
EFT13744	30/05/2018	5RIVERS PLUMBING AND GAS	MAY REPAIRS	3776.45
EFT13745	30/05/2018	KUNUNOPPIN MEDICAL PRACTICE	STAFF FLU VACCINATIONS	683.00
EFT13746	30/05/2018	KC SALES	VOUCHERS	100.00
EFT13747	30/05/2018	CJ & ML KIRBY	GRAVEL	3606.24
EFT13748	30/05/2018	MATT GIRAUDO	BEACON ROCK SYPHON ANALYSIS REPORT	1122.00
EFT13749	30/05/2018	WA CONTRACT RANGER SERVICES	RANGER SERVICES 23.4.18 & 10.5.18	537.62
EFT13750	30/05/2018	SARAH MARY MOUG	REIMBURSEMENT FOR WORK CLOTHES	211.50
EFT13751	30/05/2018	GRESLEY ABAS PTY LTD	MT MARSHALL AQUATIC CENTRE FEASABILITY STUDY	8690.00
EFT13752	30/05/2018	WHEATBELT LIQUID WASTE MANAGEMENT	SEPTIC PUMP OUT	960.00
EFT13753	30/05/2018	GABBIN COMMUNITY GROUP	ECONOMIC DEVELOPMENT FUND	3000.00
EFT13754	30/05/2018	CENTRAL REGIONAL TAFE	CERTIFICATE 111 EARLY CHILDHOOD EDUCATION AND CARE RPL-S.MOUG	72.75
DD9157.1	09/05/2018	WALGS PLAN	PAYROLL DEDUCTIONS	5597.55

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Chq/EFT	Date	Name	Description	Amount
DD9157.2	09/05/2018	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	179.85
DD9157.3	09/05/2018	DL SELLENGER SUPERFUND	SUPERANNUATION CONTRIBUTIONS	91.07
DD9157.4	09/05/2018	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	189.74
DD9157.5	09/05/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	1142.02
DD9157.6	09/05/2018	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	190.25
DD9157.7	09/05/2018	TASPLAN	SUPERANNUATION CONTRIBUTIONS	430.92
DD9157.8	09/05/2018	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	195.32
DD9157.9	09/05/2018	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	511.54
DD9170.1	23/05/2018	WALGS PLAN	PAYROLL DEDUCTIONS	5720.36
DD9170.2	23/05/2018	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	179.85
DD9170.3	23/05/2018	DL SELLENGER SUPERFUND	SUPERANNUATION CONTRIBUTIONS	78.94
DD9170.4	23/05/2018	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	189.74
DD9170.5	23/05/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	1171.75
DD9170.6	23/05/2018	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	190.25
DD9170.7	23/05/2018	TASPLAN	SUPERANNUATION CONTRIBUTIONS	364.80
DD9170.8	23/05/2018	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	195.32
DD9170.9	23/05/2018	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	511.54
DD9157.10	09/05/2018	BENDIGO SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	169.02
DD9170.10	23/05/2018	BENDIGO SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	169.02
				1,453,741.45

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2. Trust

Chq/left	Date	Name	Description	Amount
EFT13755	31/05/2018	DEPARTMENT OF TRANSPORT	MMSO20180509	15718.85
				15,718.85

3. Mastercard

Details	Amount
Bank fees	4.00
Bank fees	4.00
Flags	210.00
Bank fees	4.00
Banners in the Terrace	234.30
Paint for banners	230.56
Bank fees	4.00
	\$690.86

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 **19 June 2018**. 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

Chairperson Initial

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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

2018/5-011 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Accounts Listed

<i>Municipal Fund</i>	\$ 1,453,741.45
<i>Trust Fund</i>	\$ 15,718.85
<i>Mastercard</i>	\$ <u>690.86</u>
<i>Total</i>	\$ 1,470,151.16

Be endorsed.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 7/0

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12.4.15 Unspent Plant Replacement Funds

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

Background:

The 2017/18 Annual Budget allows for the changeover of the Volvo 930G Grader (MM349) at a cost of \$355,000. This was intended to be funded as follows:

Plant Reserve	\$73,000
Disposal of Asset	\$70,000
Municipal Funds	<u>\$212,000</u>
	\$355,000

A purchase order was issued to Hitachi Construction Machinery for the supply of a new grader on 14 December 2017. Hitachi Construction Machinery recently advised that the new grader could not be delivered before 30 June 2018 and the purchase order was subsequently cancelled.

\$73,000 has already been withdrawn from the Plant Reserve as staff anticipated the delivery of the new grader prior to the end of financial year.

Consultation:

John Nuttall – Chief Executive Officer
Jack Walker – Regulatory Officer

Statutory Environment:

Local Government Act 1995

6.2. Local government to prepare annual budget

- (4) The annual budget is to incorporate —
 - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

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- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* *Absolute majority required.*

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil

Community & Strategic Objectives:

Nil

Comment:

As the grader is unable to be delivered within this budget period, it is recommended that the funds set aside in the 2017/18 budget for this purchase, be transferred to the Plant Reserve and the replacement grader be carried forward and included in the 2018/19 budget.

Funds to be transferred to Plant Reserve:

Unspent plant reserve funds to be returned	\$73,000
Municipal funds allocated to purchase of grader	<u>\$212,000</u>
	\$285,000

2018/5-012 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the sum of \$285,000, being unspent plant reserve and municipal funds budgeted for the changeover of the Volvo 930G Grader (MM349), be transferred to the Plant Reserve.

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

Seconded Cr SE Faulkner

Carried 7/0

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Mr Noel Miguel re-entered the meeting at 4.24pm.

12.4.16 Unpaid Rates - Pamela Marie Rogan

File No:	A6056 & A6491
Location/Address:	Lots 47, 48, 49, 50 & 51 Monger Street, Bencubbin
Name of Applicant:	Nil
Name of Owner:	Pamela Rogan
Author:	Tanika McLennan – Finance Admin Manager
Attachments:	12.4.16a – Photos of Bencubbin Hotel
	12.4.16b – Photos of Residential Property, 51 Monger St, Bencubbin
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

In 2011 rates on A6056 (Bencubbin Hotel) and A6491 (House at Lot 51 Monger St, Bencubbin) first fell into arrears. The author referred the matter to AMPAC Debt Recovery on 25 July 2016. Records show that the matter was also with AMPAC in 2014, prior to the author commencing at the Shire of Mt Marshall, but it is unclear what action occurred in 2015, aside from the normal issue of rate notices and final notices. Both properties are owned by Ms Pamela Marie Rogan.

The following action has taken place since September 2016:

- 6 September 2016 – AMPAC requested instruction as to whether to proceed with General Procedure Claim (GPC)
- 6 September 2016 – Finance Administration Manager, Tanika McLennan (FAM), advised that Ms Rogan had not made contact to make a payment arrangement, please proceed to GPC.
- 2 October 2016 – Mark Scott, Ms Rogan's partner, contacted the shire and advised that he would commence payment of \$500 per week towards all outstanding assessments. Ms Rogan owns 5 properties within the Shire of Mt Marshall, all had outstanding rates at this time.
- 21 October 2016 – AMPAC advised GPC was served on 28 September 2016 and requested instruction as to whether to proceed to judgement. FAM advised AMPAC of payment arrangement relating to all properties.
- 11 September 2017 – FAM contacted AMPAC for advice as although payments were being received for some of Ms Rogan's properties, no payment had been received against A6056 or A6491.
- 12 September 2017 - GPC reissued as the previous claim had expired.
- 13 November 2017 – Bailiff attended the Bencubbin Hotel to find it vacant.
- 14 November 2017 – AMPAC search revealed that Ms Rogan owned property in Ashfield WA.
- 22 November 2017 – Ms Rogan served with GPC at Ashfield property.

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- 4 January 2018 – No contact from Ms Rogan, AMPAC requested to proceed the matter to Judgement.
- 19 February 2018 – Judgement expired, AMPAC sought permission to proceed to Property Seizure and Sale Order (PSSO).
- 23 February 2018 – Email received from Ms Rogan proposing payment arrangement of \$500 per week. AMPAC advised.
- 13 to 15 March 2018 – FAM sought advice from AMPAC as to suitability of proposed payment arrangement.
- 23 March 2018 – CSO contacted Ms Rogan to confirm whether payments received in Shire bank account with no reference were made by her.
- 29 March 2018 – Ms Rogan requested and was provided a transaction listing on all assessments owned by her.
- 13 April 2018 – As Ms Rogan had not confirmed if the payments without references were made by her, CSO contacted the bank payments were received from, they could not give details of who had made the payment but offered to contact the account holder.
- 13 April 2018 – FAM received an email from Ms Rogan advising payments were made by her but that she would not be using that account anymore and references would appear on future transactions.
- 16 April 2018 – AMPAC advised payment arrangement was not accepted and to proceed with PSSO.
- 18 April 2018 – Letter sent to Ms Rogan advising that proposed payment arrangement of \$500 per week was not acceptable and requesting that \$15,000 be paid immediately to bring the outstanding amount within 3 years and avoid invoking Section 6.64 of the Local Government Act.
- 30 April 2018 – Phone call between Mark Scott, Ms Rogan’s partner, and Chief Executive Officer, John Nuttall. Email sent by FAM, to Ms Rogan, confirming that payment of \$15,000 by 31 May 2018 was required or the matter would be referred to Council under Section 6.64 of the Local Government Act.
- 30 April 2018 – Baycorp instructed to place PSSO on hold.
- 7 May 2018 – Baycorp attempted to seize property.
- 8 May 2018 – FAM contacted AMPAC to enquire why Baycorp had attempted to seize property. Baycorp confirmed receipt of instructions to place PSSO on hold and apologised.
- 10 May 2018 – Ms Rogan rang and emailed Shire President, Tony Sachse, advising of her concerns about the treatment she had received and her reluctance to speak to Shire staff as she is “unsure of the integrity of the information they give me. Nor do I trust I will be given fair treatment. I am beginning to think there is a personal reason for the treatment as I am at a loss to understand why they would put a family through this stress.”
- 10 May 2018 – CEO responded to Ms Rogan’s email to President apologising for the bailiff incident.
- 10 May 2018 – Ms Rogan responded and requested a transaction listing on her assessments.
- 11 May 2018 – Transaction list provided to Ms Rogan.

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- 11 May 2018 – Email from Ms Rogan asking for transaction list to be explained.
- 11 May 2018 – CEO emailed explanation of transaction list to Ms Rogan.
- 23 May 2018 – Baycorp advised that 3 vehicles at the Ashfield property, Mercedes, Hyundai and Holden Astra, DO NOT belong to Pamela Marie Rogan.
- 31 May 2018 – Payment of \$15,000 not received. Refer to Council.

Although Ms Rogan has made some small payments since the matter was referred to AMPAC, insufficient progress has been made, with Ms Rogan now owing more on both properties than what was originally referred back in 2016, due to the application of annual rates, legal fees and interest.

Assessment	Debt Referred 25/07/16	Outstanding 12/06/18
A6056	\$20,283.83	\$24,651.05
A6491	\$2,382.46	\$5,459.81
Total	\$22,666.29	\$30,110.86

The Bencubbin Hotel (A6056) has been closed for approximately 3 to 4 years and is the subject of a number of health and building concerns as its condition has deteriorated during this time, due to lack of maintenance and the infestation of vermin. See **attachment 12.4.16a**.

The condition of Lot 51 (A6491) is not known, although this dwelling has also been uninhabited for a large portion of the last 3 to 4 years. See **attachment 12.4.16b**.

Consultation:

AMPAC Debt Recovery
John Nuttall – Chief Executive Officer

Statutory Environment:

Local Government Act 1995

Subdivision 6 — Actions against land where rates or service charges unpaid

6.64. Actions to be taken

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
 - (a) from time to time lease the land; or
 - (b) sell the land; or
 - (c) cause the land to be transferred to the Crown; or
 - (d) cause the land to be transferred to itself.
- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.

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- (3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

Relevant Plans and Policy:

N/A

Financial Implications:

Reduction in Rate Debtors \$30,110.86

Risk Assessment:

N/A

Community & Strategic Objectives:

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

4.3.6 Operate in a financially sustainable manner

Comment:

Rates exceeding 3 years are outstanding on both A6056 and A6491. Ms Rogan has been given 7 years, since her rates fell into arrears in 2011, to make a suitable payment arrangement and although she has made some small payments against these properties during the period in question, she has fallen progressively further behind and the size of the debt has increased considerably over that time. Since at least 2014, numerous attempts have been made, by Shire staff and AMPAC Debt Recovery, to recover the amounts outstanding. It is now recommended that Council proceed to sell the properties under Section 6.64 (1) (b) of the Local Government Act 1995.

OFFICER'S RECOMMENDATION:

That, pursuant to Section 6.64 (1) (b) of the Local Government Act 1995, the following properties, which have rates in arrears for 3 or more years, be sold to recover unpaid rates and charges totalling \$30,110.86:

1. *A6056 being Lots 47, 48, 49 and 50 Monger Street, Bencubbin - Bencubbin Hotel;
and*
2. *A6491 being Lot 51 Monger Street, Bencubbin – Residential Property*

Absolute Majority Required

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2018/5-013 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That, pursuant to Section 6.64 (1) (b) of the Local Government Act 1995, the following property, which has rates in arrears for 3 or more years, be sold to recover unpaid rates and charges totalling \$24,651.05:

- 1. A6056 being Lots 47, 48, 49 and 50 Monger Street, Bencubbin - Bencubbin Hotel***

Moved Cr SR Putt

Seconded Cr RM Kirby

Carried 6/1

Reason resolution is different to officer recommendation:

Payment of \$1,700 was received from Ms Rogan against A6491 on 18 June 2018, reducing the outstanding balance on this property to \$3,737.75. This assessment no longer has rates in arrears for 3 years or more.

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12.5 Community Development Officer

12.5.1 Club Support Fund 2017/2018

File No:	A6/18a
Location/Address:	Shire of Mt Marshall
Name of Applicant:	Beacon Hockey Club Bencubbin Football Club
Name of Owner:	N/A
Author:	Olivia Granich – Community Development Officer
Attachments:	12.5.1a – Application from the Beacon Hockey Club 12.5.1b – Application from the Bencubbin Football Club
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The Shire of Mt Marshall Club Support Fund is an initiative by the Shire to provide support and assistance to sport and recreational clubs within the community. A similar scheme called the 'Community Support Fund' was run by the Shire between 2003-2008 and assisted many community projects and events. The Club Support Fund aims to facilitate and encourage growth within our sport and recreation programs, communities and facilities to provide access to recreational opportunities for all.

Every year the Shire receives funding requests from different community groups to assist them with various projects. The intent of this fund was to streamline this process and ensure all groups receive an equal opportunity for funding, aside from the budget submission process which is usually for larger scale projects. Applying for financial assistance for smaller projects can often be very time consuming for the volunteers in committee roles, the Club Support Fund is a local opportunity only open to incorporated clubs or associations within our Shire.

A total fund pool of \$12,000 was allocated in the 2017/18 budget, with clubs invited to apply for a grant of up to \$8,000. Applications closed on the 23rd May 2018. Shire staff have assessed the applications to ensure all meet eligibility requirements and the final decision is to be awarded by Council. Successful applicants will be required to acquit the funding by the 30th June 2018.

Consultation:

John Nuttall – Chief Executive Officer

Statutory Environment:

Nil

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Relevant Plans and Policy:

Nil

Financial Implications:

\$12,000 allocated within the 2017/18 budget.

Risk Assessment:

Nil

Community & Strategic Objectives:

S 1.2 Partner with the community to support the creation of community driven activity centres such as playgroups and community centres

S 4.3 Partner with stakeholders to achieve greater community participation in recreational facilities and services

Comment:

Two applications were received for the Club Support Fund 2017/18.

A total fund pool of \$12,000 has been allocated in the 17/18 budget, Council have discretion as to how this funding is awarded and how much of the fund is allocated.

Once Council have selected the successful applicants, the Community Development Officer will work with the clubs to complete and acquit their projects prior to 30th June 2018.

2018/5-014 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the following 2017/18 Club Support Fund Applications be approved for funding by Council;

<i>Beacon Hockey Club</i>	<i>\$3,500</i>
<i>Bencubbin Football Club</i>	<i>\$6,380</i>

Moved Cr IC Sanders

Seconded Cr RM Kirby

Carried 7/0

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12.6 Regulatory Officer

Nil

12.7 Development

Nil

12.8 Environmental Health Officer

Nil

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

Nil

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

Nil

15.0 Next Meeting – Tuesday 17 July 2018 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin

16.0 Closure of Meeting

The Presiding Member declared the meeting closed at 4:36pm.

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

Date

Cr ARC Sachse President