



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 17 July 2018, in Council Chambers, 80 Monger St, Bencubbin commencing at 3:00pm.

Cr ARC Sachse

President

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intentionally**

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

John Nuttall
Chief Executive Officer

Chairperson Initial

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

TABLE OF CONTENTS

1. Declaration of Opening / Announcement of Visitors
2. Record of Attendance / Apologies / Approved Leave of Absence
3. Standing Orders
4. Public Questions
 - 4.1 Response to Previous Public Questions Taken On Notice
 - 4.2 Public Question Time
5. Applications for Leave of Absence
6. Declarations of Interest
7. Confirmation of Minutes of Previous Meetings
 - 7.1 Minutes of the Ordinary Meeting held on Tuesday 19 June 2018
8. Announcements by Presiding Person Without Discussion
9. Reports of Councillors
 - 9.1 President
 - 9.2 Councillors
10. Petitions / Deputations / Presentations / Submissions
11. Reports of Committees
12. Reports of Officers
 - 12.1 Chief Executive Officer
 - 12.1.20 Fees and Charges – Lot 229 Murray St, Bencubbin
 - 12.1.21 WALGA Quarterly Report
 - 12.1.22 Mt Marshall Aquatic Facility
 - 12.2 Works Supervisor
 - 12.2.5 Works Report July 2018
 - 12.3 Executive Assistant
 - 12.3.11 Status Report June 2018
 - 12.3.12 Minutes of NEWROC Meeting held 26 June 2018
 - 12.4 Finance and Administration Manager
 - 12.4.17 Statement of Financial Activity to 30 June 2018
 - 12.4.18 Accounts Paid to 30 June 2018
 - 12.5 Community Development Officer
 - 12.6 Regulatory Officer
 - 12.7 Development
 - 12.7.4 Development Approval DA 2 – 16 Q Stone Pty Ltd - Variation to Condition 1
 - 12.8 Environmental Health Officer
 - 12.8.2 House Unfit for Human Habitation – Lot 10 Hammond Street, Gabbin
 - 12.8.3 Shire of Mt Marshall Health Local Law 2018
13. Elected Members' Motions of Which Previous Notice Has Been Given

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

- 14. New Business of an Urgent Nature Introduced by Decision of the Meeting
 - 14.1 CEACA Update
- 15. Next Meeting – Tuesday 21 August 2018 commencing at 3:00pm in Council Chambers, Monger St, Bencubbin
- 16. Closure of Meeting

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

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	3.00 – 3.54, 3.55 – 4.05pm
Cr LN Gobbart	Councillor	
Cr SR Putt	Councillor	
Cr IC Sanders	Councillor	

Mr John Nuttall	Chief Executive Officer
Ms Nadine Richmond	Executive Assistant
Ms Tanika McLennan	Finance and Administration Manager
Mr Len Cargeeg	Member of the Public
Mrs Tanya Gibson	Member of the Public

Apologies

Nil

3.0 Standing Orders

2018/6- 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 SR Putt

Carried 7/0

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 and closed at 3.01pm

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

5.0 Applications for Leave Of Absence

Nil

6.0 Declarations of Interest

Cr SE Faulkner declared a financial interest in item 12.7.4 to an extent of approximately \$30,000 in earnings annually.

7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 19 June 2018

2018/6-002 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 19 June 2018 be confirmed as a true and correct record of proceedings.

Moved Cr SR Putt

Seconded Cr IC Sanders

Carried 7/0

8.0 Announcements by Presiding Person Without Discussion

Nil

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:

The President represented the Shire at the following meetings and training opportunities from 20 June 2018 to 17th July 2018.

20/06/2018	Local Emergency Management Committee (LEMC). Hazard Risk Assessment Council Chambers with CEO John Nuttall, RO Jack Walker and CDO Olivia Granich.
26/06/2018	North Eastern Wheatbelt Regional Organisation Of Councils (NEWROC) Wyalkatchem with CEO John Nuttall.
28/06/2018	Great Eastern Country Zone (GECZ) Kellerberrin with CEO John Nuttall.
6/07/2018	Rural Water Council Meeting Narembreen AM. Narembreen Town Tour PM including the Wadderin Wildlife Sanctuary, Council Owned Farmlands, Recreation Precinct, Emergency Services Facility, Hospital, Men's Shed and other projects.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

7/07/2018	Bencubbin Lions Club Changeover - Hugh and Deanne Morgan's house.
12/07/2018	Kununoppin Medical Practice Committee, Trayning with CEO John Nuttall and Cr Kirby.
17/07/2018	Corporate Information Session, Council Chambers, with Deputy President Cr Nick Gillett, Cr Faulkner, Cr Gobbart, Cr Kirby, Cr Putt, Cr Sanders, CEO John Nuttall and FAM Tanika McLennan.

9.2 Councillors

Cr RM Kirby attended the following meetings:

5th July - CEACA Executive Special Teleconference Meeting

12th July - Kununoppin Medical Practice Committee, Trayning

10.0 Petitions / Deputations / Presentations / Submissions

Nil

11.0 Reports of Committees

Nil

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.0 Reports of Officers

12.1 Chief Executive Officer

12.1.25 Fees and Charges – Lot 229 Murray St, Bencubbin

File No:	F1/3 and B3/19
Location/Address:	Lot 229 Murray St, Bencubbin
Name of Applicant:	N/A
Name of Owner:	Shire of Mt Marshall
Author:	John Nuttall – Chief Executive Officer
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

The house situated at Lot 229 Murray Street, Bencubbin is nominally the house set aside for the Chief Executive Officer. The house was most recently used to house the previous Work Supervisor, Mr Andrew Johnson. Since Mr Johnson left the property at Christmas time last year it has been empty. It is a large 4 bedroom property, and the Chief Executive Officer has not moved into this house given that his family is not living with him in the Shire. He is currently comfortable in the small unit on Rowlands Street.

The Shire have recently been approached by a gentleman who is working for CBH in the area, looking for a property to rent. As the Shire does not currently have any other empty houses available, consideration has been given by officers to allowing the property at Murray Street to be made available, on a short term basis, for rent by someone other than a staff member. This report seeks to obtain Councils approval for that course of action and set a rental amount to be charged for such a purpose.

Consultation:

There has been discussion internally regarding the current property stock and how best it could be used. Council has also had discussions regarding the long term executive staff housing situation.

Statutory Environment:

Local Government Act 1995

6.16. Imposition of fees and charges

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

* Absolute majority required.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
 - (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

* Absolute majority required.

Relevant Plans and Policy:

Nil

Financial Implications:

If Council adopt a charge, this income will be budgeted in the forthcoming financial year.

Risk Assessment:

Nil

Community & Strategic Objectives:

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

4.3.5 Use resources efficiently and effectively

4.3.6 Operate in a financially sustainable manner

Comment:

Although it is not ideal to use what has previously been an executive staff house as a community rental house, it is also much better to have someone in the property and paying rent, rather than it remaining empty. It is intended that only short term rental be available for this property (up to 6 months) with the intention that should other property become available that would then be offered at the end of the term.

OFFICER RECOMMENDATION:

That subject to Local Government Act 1995 section 6.16, Council impose a new charge as follows:

Rental of Lot 229 Murray Street, Bencubbin \$220 per week

This new rate is to come into effect as of Wednesday 18 July 2018.

Moved Cr SR Putt

Seconded Cr RM Kirby

Lost 3/4

FORESHADOWED COUNCILLOR MOTION:

The house at Lot 229 Murray St become the Chief Executive residence and the house located at 7 Rowlands St, Bencubbin be offered for rent at \$200 per week as of 18 July 2018

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Moved Cr NR Gillett

Seconded Cr LN Gobbart

Lost 3/4

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.1.26 WALGA Quarterly Report

File No:	N/A
Location/Address:	N/A
Name of Applicant:	WALGA
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.26 – WALGA Quarterly Report
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

WALGA produce every quarter a personalised document for each Council relating to services that they have provided to that Council in the last quarter. This document is provided to the Chief Executive Officer, with a request that it is formally presented to Council. Accordingly, attached to this item is a copy of the most recent quarterly report.

Consultation:

Nil

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil, but WALGA request that the whole Council receives a copy of the document each time it is produced.

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

Comment:

WALGA will provide an information each quarter detailing which of their services have been utilised in the previous quarter.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

2018/6-003 OFFICER RECOMMENDATION / COUNCIL DECISION:

That Council receive the attached WALGA quarterly report, relating to quarter 2 2018.

Moved Cr RM Kirby

Seconded Cr SE Faulkner

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.1.27 Mt Marshall Aquatic Facility

File No:	A6/19
Location/Address:	To be determined
Name of Applicant:	N/A
Name of Owner:	Shire of Mt Marshall
Author:	John Nuttall – Chief Executive Officer
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	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. Those documents were all provided to Council at the June Ordinary Council Meeting. 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, 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 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

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

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.

A report presenting all of the investigations that had taken place since the closure of the facility was presented to Council at the June Ordinary Council Meeting. As a result the following resolutions were carried by Council:

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

As a result of these resolutions further investigation has been undertaken by officers, which has resulted in this further report to Council.

Consultation:

There has been further consultation with a company who have significant expertise in the redevelopment of aquatic facilities, particularly utilising a fibreglass option. There has also been some significant investigation into potential funding options.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

As per the resolution of Council there will need to be further public consultation prior to any application from funding being lodged.

Statutory Environment:

Nil

Relevant Plans and Policy:

The Sporting and Recreation Master Plan from 2016 presents the aquatic facility as strategy 3 in the Action and Implementation Plan with a high priority.

Financial Implications:

The final decision regarding the future of aquatic facilities will have financial implications for the Shire.

Risk Assessment:

Whilst there are risks to be considered in the future regarding either the upgrade or the construction of an aquatic facility, there are no significant risks inherent with this report.

Community & Strategic Objectives:

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

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

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:

In line with the resolution of Council, further investigative work has been undertaken by officers. Dealing with each resolution in turn the following updated information can be provided:

Direct the Chief Executive Officer to seek indicative quotes for a zero depth (splash pad) aquatic option located at the Beacon Recreation Complex

There has been some investigation regarding this option. If Council were to be considering a 'waterpark' type option then the cost is likely to be in the hundreds of thousands of dollars. By way of example the waterpark in Sandstone cost almost \$500,000.

For a basic pad with water feature then an indicative cost would be in the region of \$200,000 to \$300,000. We have received an indication that the high costs, no matter what size of pad was to be installed, are due to the extremely strict WA Health

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Department guidelines governing splash pads and water parks. It should therefore be recognised that these type of features require significant monitoring of the water (as it can lie in shallow pools in the sun), which would add ongoing costs which have not been calculated.

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;

Funding sources, as Council will be aware are much reduced currently from a few years ago. In essence the only realistic funding opportunities for a project of this type and cost are through the annual and forward planning round of the Community Sporting and Recreation Facilities Fund (CSRFF) via the Department of Local Government, Sports and Culture (DLGSC) or the Federal Building Better Regions Fund.

There is a current CSRFF round open, which is due to close for applications at the end of September, and is related to projects to be delivered in financial year 2019/20. This funding requires a co-contribution. The fund is designed to assist with the funding of new and upgraded sporting facilities. It would seem to be an ideal funding stream to apply for assistance to upgrade the current aquatic facility. As part of any application there is a need to demonstrate ongoing costs of the facility, along with how any future replacement would be funded. Some indicative running costs for the upgraded facility have been provided by the manufacturer, which could be used to fulfil this criteria.

There is no current BBRF round open, but one may open later in the year. Each year this funding stream, which again is aimed at assistance with building and upgrading infrastructure, has a theme which takes priority. Information has recently been provided that the theme for the next BBRF round will be tourism. Whilst this would not preclude an application to upgrade the aquatic facility, it would mean our application would receive a lower score against other applicants with tourist type applications.

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

The Chief Executive Officer has spoken again to the manufacturer as requested. As Council will no doubt accept, as there is no guarantee that they would be awarded the project by the Shire (both because Council has not yet determined if any upgrade or new build will take place, and if they did because it would have to go to tender), it is difficult to expect them to come to the Shire and spend time and effort providing further quotations for these additional two locations.

Should Council be firm in their wish for indicative costings to supply this type of pool as a stand alone option at those sites there will be a need to source and fund a further

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

consultant to provide this information. Council are invited to move a resolution to this effect if that is what is required.

In order to assist, however, the manufacturer was able to indicate that a rough estimate would be an additional \$700,000 to \$800,000 on top of the indicative price of the upgrade for the construction at either site. There would also be additional funding required to demolish and make safe the existing facility, which would also add substantial costs.

Given all of the above information, this report respectfully requests that Council give consideration to directing that a short period of community consultation be opened regarding the upgrading of the current aquatic facility.

It is considered that the consultation would be an advertised period of time for community members to provide a short submission answering the following:

- Their view of the Shire again having a functioning aquatic facility
- Their view of the potential of upgrading the current facility by use of reserve funds (which currently stands at \$940,000) and grant monies if possible.
- Their comments regarding expenditure from general funds and/or a loan if the reserve and any grant are not sufficient to fund the upgrade.

Should this occur, all responses could be collated and presented to Council in time for the Ordinary Council Meeting in August. Once those submissions are considered should Council favour upgrading the current facility there would still be time to lodge an application to the CSRFF fund before the end of September deadline.

It is important to re-iterate at this point, that Council are not being invited to make any final decision regarding whether the aquatic facility upgrade should go ahead, but should no application be made to this current round of CSRFF then it would be another year before an application could be lodged, and a year after that before any works be done.

OFFICER RECOMMENDATION:

That Council:

- 1. Direct the Chief Executive Officer to run a period of community consultation by asking for submissions from community members regarding the potential upgrade of the current aquatic facility, funded jointly by the Shire and any successful grant funding application.*
- 2. Direct that all submissions be presented to Council at the August Ordinary Meeting of Council, with a further report regarding the potential for applying for CSRFF funding.*

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

2018/6-004 COUNCIL DECISION:

That Council:

- 1. Direct the Chief Executive Officer to run a period of community consultation by asking for submissions from community members, including direct communication with non-resident rate payers regarding the potential upgrade of the current aquatic facility, funded jointly by the Shire and any successful grant funding application.***
- 2. Direct that all submissions be presented to Council at the August Ordinary Meeting of Council, with a further report regarding the potential for applying for CSRFF funding.***

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 7/0

Reason Council decision is different to officer recommendation: To include more specific community consultation instructions.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.2 Works Supervisor

12.2.5 Works Report July 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 completed up to seal stage, line marking has been set out and we are just waiting for that to be done.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

The Beacon-Bencubbin Road and Burakin-Wialki Road intersection has been completed up to asphalt stage and we are now waiting for the installation of white lining. Blight Street, Beacon has been completed.

Beacon Hall carpark has been completed.

Maintenance Works

Construction crew are currently cleaning up verges on some of the bitumen roads to allow the grader in to maintenance grade the road shoulder.

All other maintenance works are ongoing.

Maintenance Grading

Stretch is currently working north of Beacon

Ralph is currently working his way down Gillett Road

Bill is working along the Beacon Back Road

2018/6-005 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the July report of the Works Supervisor be received.

Moved Cr LN Gobbart

Seconded Cr NR Gillett

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.3 Executive Assistant

12.3.12 Status Report – June 2018

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	12.3.12 – Status Report June 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.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

2018/6-006 OFFICER RECOMMENDATION / COUNCIL DECISION:

The Status Report for June 2018 be received.

Moved Cr RM Kirby

Seconded Cr SE Faulkner

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.3.13 Minutes of NEWROC Council Meeting held 26 June 2018

File No:	N/A
Location/Address:	NEWROC District
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	12.3.13 – Minutes of NEWROC Council Meeting held 26 June 2018
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The Shire of Mt Marshall is a member of the North Eastern Wheatbelt Regional Organisation of Councils (NEWROC). NEWROC is not a formal organisation but was formed for the purpose of collaboration and joint initiatives between the Shires of Koorda, Mt Marshall, Mukinbudin, Nungarin, Trayning and Wyalkatchem, and is governed by a Memorandum of Understanding (MOU) between these Shires.

NEWROC Council and NEWROC Executive meetings alternate on a bi-monthly basis.

Consultation:

Nil

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Nil

Risk Assessment:

Nil

Community & Strategic Objectives:

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

Comment:

The Minutes of the NEWROC Council meeting held on 26 June 2018 are submitted (**Attachment 12.3.13**) in order to keep all members abreast of the activities of the NEWROC Council.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

The next meeting of the NEWROC Council is scheduled to be held on Tuesday 28 August 2018 at the Shire of Koorda.

2018/6-007 OFFICER RECOMMENDATION / COUNCIL DECISION:

The minutes of the NEWROC Council meeting held on 26 June 2018 be noted.

Moved Cr NR Gillett

Seconded Cr RM Kirby

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.4 Finance and Administration Manager

12.4.17 Statement of Financial Activity to 30 June 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:	12.4.17 – Statement of Financial Activity to 30 June 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

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

2018/6-008 OFFICER RECOMMENDATION / COUNCIL DECISION:

The Statement of Financial Activity for the month ending 30 June 2018 be endorsed.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.4.18 Accounts Paid to 30 June 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 17 July 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
117	13/06/2018	MAYBERRY HAMMOND & CO	LEGAL EXPENSES	1325.31
118	22/06/2018	TELSTRA	UTILITY CHARGES-MAY18	1949.02
119	22/06/2018	SYNERGY	UTILITY CHARGES 14.4.18-12.6.18	4275.65
EFT13756	08/06/2018	EASISALARY	PAYROLL DEDUCTIONS	491.46
EFT13757	13/06/2018	AVON WASTE	RUBBISH COLLECTION-MAY18	6174.06
EFT13758	13/06/2018	BOC GASES	GAS CYLINDERS-MAY18	41.57
EFT13759	13/06/2018	NINGHAN SPRAYING & AG SERVICES	MAY SUPPLIES	363.28
EFT13760	13/06/2018	KTY ELECTRICAL SERVICES	MAY REPAIRS	2360.29
EFT13761	13/06/2018	JASON SIGNMAKERS	SIGNS	484.44
EFT13762	13/06/2018	SHIRE OF TRAYNING	DOCTORS HOUSE RENT 29.4.18-27.5.18	768.00

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Chq/EFT	Date	Name	Description	Amount
EFT13763	13/06/2018	BENCUBBIN NEWS & POST	STATIONERY	1096.83
EFT13764	13/06/2018	BEACON CO-OPERATIVE LTD	CLEANING-MAY18	1560.80
EFT13765	13/06/2018	WINC AUSTRALIA PTY LTD	MAY SUPPLIES	13.79
EFT13766	13/06/2018	ICS CARPENTRY	MAY REPAIRS	368.75
EFT13767	13/06/2018	ALL-WAYS FOODS	MAY SUPPLIES	181.06
EFT13768	13/06/2018	PORKY'S ENTERPRISES	REPAIRS TO HYDRAULIC HOSE-SIDE TIPPER	385.00
EFT13769	13/06/2018	D I TOMAS CONTRACTING	FOOTPATH	16884.30
EFT13770	13/06/2018	AG IMPLEMENTS	MOWER BLADES	141.04
EFT13771	13/06/2018	BENCUBBIN TRUCK N AUTO'S	MAY REPAIRS	3751.05
EFT13772	13/06/2018	CLIFF HAINES TYRES	WHEEL ALIGNMENT	65.00
EFT13773	13/06/2018	HILLS FIRE EQUIPMENT SERVICE	SERVICE FIRE EQUIPMENT	1873.30
EFT13774	13/06/2018	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER SERVICES	85.00
EFT13775	13/06/2018	LANDGATE	RURAL UV'S CHARGEABLE	80.90
EFT13776	13/06/2018	BENCUBBIN AG SUPPLIES	MAY SUPPLIES	904.13
EFT13777	13/06/2018	REFUEL AUSTRALIA	FUEL-MAY18	230.92
EFT13778	13/06/2018	5RIVERS PLUMBING AND GAS	MAY REPAIRS	704.16
EFT13779	13/06/2018	BENNY MART	MAY SUPPLIES	235.74
EFT13780	13/06/2018	GREAT SOUTHERN FUELS	FUEL-MAY18	23274.78
EFT13781	13/06/2018	NEWTONS HOME FURNISHINGS	SOFA FOR BEACON LIBRARY	669.00
EFT13782	13/06/2018	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS-1043	866.80
EFT13783	13/06/2018	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMENT-MAY18	1920.07
EFT13784	13/06/2018	KC SALES	VOUCHERS	138.00
EFT13785	13/06/2018	ECOWATER SERVICES	MAINTENANCE-BIOMAX SYSTEM-229 MURRAY ST	226.30
EFT13786	13/06/2018	CARDTRONICS AUSTRALASIA PTY LTD	ONGOING FEES FOR ATM-MAY18	89.19
EFT13787	13/06/2018	MARKET CREATIONS	PRINTING OF LETTERHEADS	913.00
EFT13788	13/06/2018	INITIAL HYGIENE	SANITARY DISPOSAL SERVICE 11/05/18- 10/06/18	1219.23
EFT13789	13/06/2018	QC ULTIMATE CLEAN	CARPET CLEANING	438.90
EFT13790	13/06/2018	MARKETFORCE PTY LTD	ADVERTISING-MAY18	838.93
EFT13791	13/06/2018	SOUTHERN CROSS AUSTereo PTY LTD	ADVERTISING-MAY18	82.50

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Chq/EFT	Date	Name	Description	Amount
EFT13792	13/06/2018	W ASPDEN PLASTERING & TILING	RENDER TO BEACON COMPLEX	7000.00
EFT13793	14/06/2018	BENDIGO BANK	MAY SUPPLIES	2265.78
EFT13794	22/06/2018	SHIRE OF MT MARSHALL	NEW HEALTH RECOUP 31.5.18	4688.22
EFT13795	22/06/2018	CJD EQUIPMENT PTY LTD	REPAIRS TO GRADER	20448.89
EFT13796	22/06/2018	COURIER AUSTRALIA	FREIGHT-JUNE18	11.99
EFT13797	22/06/2018	WESFARMERS KLEENHEAT GAS P/L	SERVICE CHARGE-GAS CYLINDERS	151.80
EFT13798	22/06/2018	NINGHAN SPRAYING & AG SERVICES	JUNE SUPPLIES	57.20
EFT13799	22/06/2018	KTY ELECTRICAL SERVICES	JUNE REPAIRS	654.76
EFT13800	22/06/2018	BENCUBBIN NEWS & POST	POSTAGE 6.6.18-8.6.18	47.85
EFT13801	22/06/2018	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	190.00
EFT13802	22/06/2018	AUSTRALIAN TAXATION OFFICE	BAS-MAY18	4305.00
EFT13803	22/06/2018	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	CDN SPOTLIGHT FORUM-L.NORTHOVER	60.00
EFT13804	22/06/2018	ICS CARPENTRY	JUNE REPAIRS	18110.95
EFT13805	22/06/2018	ALL-WAYS FOODS	JUNE SUPPLIES	1196.36
EFT13806	22/06/2018	PORKY'S ENTERPRISES	HIRE OF EQUIPMENT & CONSTRUCT CULVERT HEADS	11803.88
EFT13807	22/06/2018	BENCUBBIN TRUCK N AUTO'S	JUNE SUPPLIES	1780.80
EFT13808	22/06/2018	PB & DM SACHSE	GRAVEL	246.40
EFT13809	22/06/2018	PERFECT COMPUTER SOLUTIONS PTY LTD	BACKUP TO BEACON LIBRARY PC	170.00
EFT13810	22/06/2018	KOORDA FARM TREES	STATE NRM GRANT-SEEDLINGS	6072.00
EFT13811	22/06/2018	JR & A HERSEY	JUNE SUPPLIES	475.78
EFT13812	22/06/2018	BENCUBBIN AG SUPPLIES	TANKS	7557.00
EFT13813	22/06/2018	5RIVERS PLUMBING AND GAS	CONNECTING DUMP EZY	4623.47
EFT13814	22/06/2018	JOHN LAURO BEACON GARAGE	MAY REPAIRS	1508.81
EFT13815	22/06/2018	CR IC SANDERS	MEETING FEES & ALLOWANCES 15.5.18- 19.6.18	986.36
EFT13816	22/06/2018	KOORDA COMMUNITY RESOURCE CENTRE	ADVERTISING	25.00
EFT13817	22/06/2018	NADINE RICHMOND	REIMBURSEMENT-ADAPTER FOR BEACON LIBRARY COMPUTER	11.80
EFT13818	22/06/2018	LAKE MCDERMOTT CATCHMENT GROUP INC	ECONOMIC DEVELOPMENT FUND	9052.45
EFT13819	22/06/2018	VARLEY TRANSPORT	GRAVEL CARTAGE	150403.00

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Chq/EFT	Date	Name	Description	Amount
EFT13820	22/06/2018	WA CONTRACT RANGER SERVICES	RANGER SERVICES 21.5.18 & 6.6.18	514.25
EFT13821	22/06/2018	SANDRA WYATT	TRAVEL-WALGA TAX WORKSHOP	438.05
EFT13822	22/06/2018	MICHAEL PUTT	PURCHASE OF GRAVEL	59.84
EFT13823	22/06/2018	INITIAL HYGIENE	SANITARY DISPOSAL SERVICE 11.7.18-10.8.18	521.33
EFT13824	22/06/2018	CR ARC SACHSE	MEETING FEES & ALLOWANCES 6.6.18-19.6.18	2332.90
EFT13825	22/06/2018	CR RM KIRBY	MEETING FEES & ALLOWANCES 6.6.18-20.6.18	603.18
EFT13826	22/06/2018	CR SE FAULKNER	MEETING FEES & ALLOWANCES 19.6.18	513.18
EFT13827	22/06/2018	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES	351.47
EFT13828	22/06/2018	SITE ARCHITECTURE	CONTRACT ADMINISTRATION	8472.75
EFT13829	22/06/2018	DEVLYN CONSTRUCTION	REDEVELOPMENT BENCUBBIN MULTIPURPOSE COMPLEX	104911.94
EFT13830	22/06/2018	CR STUART PUTT	MEETING FEES & ALLOWANCES 5.6.18-19.6.18	729.18
EFT13831	22/06/2018	CR LEEANNE GOBBART	MEETING FEES & ALLOWANCES 8.6.18-19.6.18	659.18
EFT13832	22/06/2018	ARC INFRASTRUCTURE	MODIFICATION OF LEVEL CROSSING	122959.10
EFT13833	25/06/2018	WA TREASURY CORPORATION	LOAN NO. 118 INTEREST PAYMENT - STAFF HOUSING	30980.37
EFT13834	27/06/2018	EASISALARY	PAYROLL DEDUCTIONS	491.46
EFT13835	27/06/2018	SHIRE OF MT MARSHALL	PAYROLL DEDUCTIONS	660.00
EFT13836	27/06/2018	STAFF SOCIAL CLUB	PAYROLL DEDUCTIONS	575.00
EFT13837	27/06/2018	WA TREASURY CORPORATION	LOAN NO. 119 INTEREST PAYMENT - LOAN TO BENNYMART - REPAID IN LEASE PAYM	975.84
EFT13839	29/06/2018	SHIRE OF MT MARSHALL	FLEET SCHEDULE RENEWAL 30/6/2019	10109.95
DD9181.1	06/06/2018	WALGS PLAN	PAYROLL DEDUCTIONS	6058.21
DD9181.2	06/06/2018	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	179.85
DD9181.3	06/06/2018	DL SELLENGER SUPERFUND	SUPERANNUATION CONTRIBUTIONS	23.36
DD9181.4	06/06/2018	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	189.74
DD9181.5	06/06/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	1066.94
DD9181.6	06/06/2018	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	190.25

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Chq/EFT	Date	Name	Description	Amount
DD9181.7	06/06/2018	TASPLAN	SUPERANNUATION CONTRIBUTIONS	373.92
DD9181.8	06/06/2018	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	195.32
DD9181.9	06/06/2018	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	511.54
DD9201.1	20/06/2018	WALGS PLAN	PAYROLL DEDUCTIONS	6337.21
DD9201.2	20/06/2018	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	195.64
DD9201.3	20/06/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	944.79
DD9201.4	20/06/2018	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	195.42
DD9201.5	20/06/2018	TASPLAN	SUPERANNUATION CONTRIBUTIONS	371.64
DD9201.6	20/06/2018	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	195.32
DD9201.7	20/06/2018	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	511.54
DD9201.8	20/06/2018	BENDIGO SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	169.02
DD9201.9	20/06/2018	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	179.85
DD9181.10	06/06/2018	BENDIGO SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	169.02
				636,294.65

2. Trust

Chq/left	Date	Name	Description	Amount
5	18/06/2018	SHIRE OF MT MARSHALL	SOCIAL CLUB FUNCTION 18.6.18	1100.00
EFT13840	30/06/2018	DEPARTMENT OF TRANSPORT	MMSO20180612	12515.95
				13,615.95

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

3. Mastercard

Details	Amount
Accomm.N.Richmond-Records Course	149.00
Snacks for Council	33.27
Sand.disc-Netball court	505.12
Freight for disc	150.00
Snacks for Council	12.99
Coffee machine	349.00
Bank fees	4.00
Engraved coasters	98.70
Uniforms-S.Wyatt	205.00
Uniforms-D.Beagley	113.88
Uniforms-D.Beagley	66.12
Bank fees	4.00
Plate change	25.70
Two way radios	341.00
Bank fees	4.00
Clearing app.-Beacon Airstrip	200.00
Bank fees	4.00
	\$2,265.78

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 **17 July 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

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Consultation:

Tanika McLennan – Finance and Administration Manager

Statutory Environment:

Financial Management Regulations and the Local Government Act 1995

Relevant Plans and Policy:

Nil

Financial Implications:

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

Risk Assessment:

Nil

Community & Strategic Objectives:

CIVIC LEADERSHIP - Provide efficient and effective management

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

Comment:

Nil

2018/6-009 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Accounts Listed

<i>Municipal Fund</i>	\$ 636,294.65
<i>Trust Fund</i>	\$ 13,615.95
<i>Mastercard</i>	\$ <u>2265.78</u>
<i>Total</i>	\$ 652,176.38

Be endorsed.

Moved Cr SE Faulkner

Seconded Cr LN Gobbart

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.5 Community Development Officer

Nil

12.6 Regulatory Officer

Nil

12.7 Development

Cr SE Faulkner declared a financial interest in item 12.7.4 to an extent of approximately \$30,000 in earnings annually.

Cr SE Faulkner left the meeting at 3.54pm.

12.7.4 Development Approval DA 2 – 16 Q Stone Pty Ltd - Variation to Condition 1

File No:	TP1/2
Location/Address:	Ninghan Locations 606, 3029 and 2643
Name of Applicant:	Q Stone Pty Ltd – John Guthrie
Name of Owner:	N/A
Author:	Jack Walker – Regulatory Officer
Attachments:	12.7.4 - Letter from Q Stone Pty Ltd
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

At its July 2016 ordinary meeting Council approved a development application for an extractive industries to Q Stone Pty Ltd to mine pegmatite aggregate, see below for details. A condition of the development application was that substantial development be commenced within two (2) years, otherwise the development application will lapse. The two year period will expire on 16 July 2018.

Mr Guthrie has written to the Shire requesting consideration be given to extending Condition 1 by a further two (2) years. The extension is required as a result of unexpected and uncontrolled delays with the Department of Waste and Environment Regulation's (DWER) processes applicable to clearing permits and works approvals. DWER has also sought further environmental information and data in relation to the proposed development site area.

All documents submitted with the original application are still current and agreements with the landowners are still valid.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

The long drawn out process to close the Potts Road reserve has had no effect on Q Stone's ability to commence operations.

The cost of a new Development Application is \$739.00.

2016/108 AMENDMENT/COUNCIL DECISION:

That Council approves the application for development for an extractive industry on Ninghan locations 606, 3029, and 2643, Potts Road, Welbungin for Qstone Pty Ltd for the purpose of extracting pegmatite aggregate in accordance with the development application dated 7 July 2016 subject to the following conditions:

- 1. to activate the planning approval, the development subject to this approval must be substantially commenced within a period of two (2) years of the date of the approval notice. If the development is not commenced within this period the approval shall lapse;**
- 2. where a permit is required under the provisions of the Building Act 2011 and Building Regulations 2012, all relevant approvals and /or requirements to be lodged with the permit authority prior to the commencement of any building works on-site;**
- 3. the approval is valid for 15 years;**
- 4. no excavation or associated operations and facilities to occur outside of the locations indicated on the application;**
- 5. the hours of operation of the extractive industry shall be limited to daylight hours Monday to Saturday, exclusive of public holidays.**
- 6. a \$1,000.00 per year (subject to an annual review by Council) paid to the Shire covering road maintenance in accordance with the approved Traffic Management Plan, etc.**
- 7. payment of a bond of \$5,000.00 for the rehabilitation and closure of the site to be lodged with the Shire of Mt Marshall.**
- 8. an agreement to be signed by both parties accepting the above conditions.**
- 9. Qstone management provides contact details for the distribution of SMS messaging relating to Total Fire Bans and Harvest and Movement of Vehicles in Paddock Bans.**
- 10. extraction on or under the road reserve to be the subject of a separate application for development approval.**

Moved Cr WJ Beagley

Seconded Cr HJ Shemeld

Carried 4/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Pegmatite Aggregates – Lots 606, 3029 and 2643, Potts Road, Wondanning
 Qstone Pty Ltd

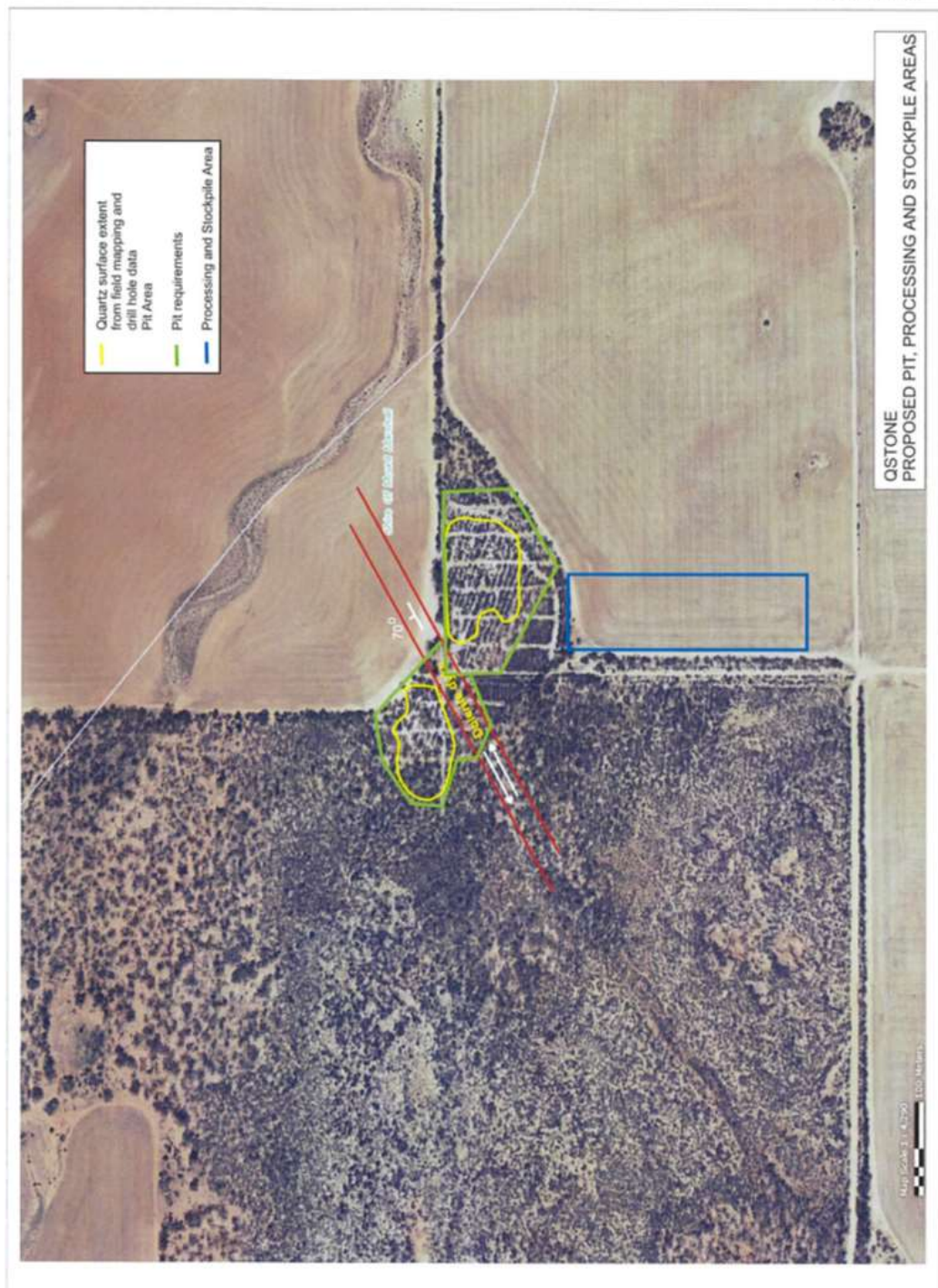


Figure 6 Proposed Pit and Processing Area

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Consultation:

John Nuttall – Chief Executive Officer
Paul Bashall – Town Planning Consultant

Statutory Environment:

Refer to Council's Town Planning Policy

Relevant Plans and Policy:

Schedule 9 — Determination on Application for Planning Approval

Town Planning Act 1928

Shire of Mt Marshall

Determination on application for planning approval

Location:

Lot: Plan/Diagram:

Vol. No.: Folio No.:

Application date: Received on:

Description of proposed development:
.....

The application for planning approval is:

- ☐ granted subject to the following conditions:
☐ refused for the following reasons(s): Conditions/reasons for refusal:

.....
.....
.....

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with Part V of the *Town Planning and Development Act 1928*. An application must be made within 28 days of the determination.

Signed: Dated:

.....

for and on behalf of the Shire of Mt Marshall

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Date Resolved:

Amendment: 20 May 2014 (resolution 2014/076)

Financial Implications:

Income of \$739.00 for a new application

Risk Assessment:

Nil

Community & Strategic Objectives:

CIVIC LEADERSHIP – provide accountable and transparent leadership:

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

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

CIVIC LEADERSHIP – provide efficient and effective management:

C3.2 Enhance the capacity and effectiveness of the administrative process

Comment:

The two (2) year period for commencement of the project will lapse on 16th July 2018 and as far as officers are aware there has been no substantial development commenced on the project.

Officers do not believe Council has any powers under its current Town Planning Scheme or Policies and Procedures to grant an extension to the two (2) year period.

2018/6-010 OFFICER RECOMMENDATION / COUNCIL DECISION:

That Q Stone Pty Ltd be advised that their request for a two (2) year extension on Development Application DA2-16 has been refused and they will be required to submit a new Development Application before any further work is commenced.

Moved Cr RM Kirby

Seconded Cr NR Gillett

Carried 6/0

Cr SE Faulkner re-entered the meeting at 3.55pm.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.8 Environmental Health Officer

12.8.2 House Unfit for Human Habitation – Lot 10 Hammond Street, Gabbin

File No:	Property File, H1/15, B1/2
Location/Address:	Lot10 Hammond Street, Gabbin
Name of Applicant:	Peter Toboss – Principal Environmental Health Officer
Name of Owner:	Gill Trainor
Author:	Peter Toboss – Principal Environmental Health Officer
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The Shire of Mt Marshall has received a complaint regarding the condition of the dwelling located at 10 Hammond Street in the Gabbin town site. After failing to make contact with the owners, despite attempts being made via telephone, the Principal Environmental Health Officer (PEHO) undertook an inspection on 17 April 2018 to determine compliance with the *Health (Miscellaneous Provisions) Act 1911* and the *Building Act 2011*.

Consultation:

John Nuttall – Chief Executive Officer

Statutory Environment:

Health (Miscellaneous Provisions) Act 1911;

Section 135. Dwellings unfit for habitation

- (1) Any local government may, of its own motion, and shall, when required by order of the Chief Health Officer by notice in writing, declare that any house, or any specified part thereof, is unfit for human habitation.
- (2) The notice may direct that such house or part thereof shall not, after a time to be specified in the notice, be inhabited or occupied by any person.
- (3) The notice shall be affixed to some conspicuous part of the house, and a copy of such notice shall be served upon the owner or occupier thereof.

Section 136. Such house not to be let or occupied

Any person who, after the expiration of the specified time, inhabits or occupies, or suffers to be inhabited or occupied, such house or part thereof, commits an offence.

Section 137. Condemned building to be amended or removed

A notice may be served by the local government upon the owner of such house directing him, within a time limited by such notice, either to amend the same in some specified manner or take down and remove the same. Provided that —

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

- (i) the notice may direct the owner to take down and remove the house, without giving him the alternative of amending the same; and
- (ii) any person aggrieved by any notice under this section may apply to the State Administrative Tribunal for a review of the decision.

Section 138. Land to be cleaned up after removal of house or building therefrom
Any person who dismantles any house, building, or other structure, whether in pursuance of a notice from the local government or not, shall forthwith clean the land to the satisfaction of the local government, and remove all rubbish to a place appointed by the local government.

Section 139. Owner may be required to clean or repair house
In addition to the powers contained in the preceding sections of this Part, a local government may, if in its opinion any house is unfit for human habitation by reason of uncleanness or want of repair, require the owner of such house by a notice served on such owner to render clean or to repair such house within the time and in the manner specified in such notice.

Section 140. Local government may act in default of owner

- (1) Whenever any owner fails to comply with a notice served upon him under any of the foregoing provisions of this Part, within a time therein specified, he commits an offence, and the local government may carry out the terms of the notice and recover all expenses from the owner:

Provided that the local government may sell or dispose of the material taken from a demolished or amended building, but the proceeds of sale shall be applied towards the expense of carrying out the terms of the notice — the surplus (if any) to be paid to the owner.

- (2) Where, pursuant to subsection (1), a local government is empowered and has resolved to take down and remove a house, any person or authority that supplies electricity, gas or water to the house may, and shall if so requested by the local government, take such action as is necessary to ensure that all equipment, fixtures and fittings on or about the house for the purposes of the supply thereto of electricity, gas or water, as the case may be, are removed or are left in such a state as will not interfere with the taking down and removal of the house.

Relevant Plans and Policy:

This proposal does not contain any notable policy implications.

Financial Implications:

In the event of the dwelling not being brought up to the appropriate habitable standard or the owner fails to comply with a notice served upon him under any of the foregoing provisions of the Act, the Shire of Mt Marshall may demolish the dwelling or may carry out

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

the terms of the notice and recover all expenses from the owner or recover the cost to do so by placing a charge on the land.

Risk Assessment:

The building poses a health risk to the surrounding neighbours and to any member of the community.

Community & Strategic Objectives:

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

4.3.3 Ensure compliance with all relevant legislation

Comments:

The Shire of Mt Marshall PEHO visited the dwelling on 17 April 2018 with the intention of performing a health inspection under the *Health (Miscellaneous Provisions) Act 1911*. The inspection of the outside and interior found the dwelling to be in a dangerous state and derelict with the following observations made:

- Exposed, broken and disconnected septic plumbing
- Partly collapsed verandah
- Gutters are damaged, require repair and missing in most areas
- Termite damage to exposed wood frames of appurtenant parts of the house and the shed
- Doors are not properly fitted in door frames and show signs of deterioration
- Plumbing against, in and around septic and near building not to a required standard
- Deteriorating barge boards
- Cracks in brick work greater than Class 3 damage being >10mm

Access was gained through an open rear door to facilitate a health inspection of the interior of the dwelling. The interior was found to be in a condition unfit for habitation with the following observations made:

- Collapsed ceilings
- Collapsed floor
- Damaged wall panels
- Termite attack of the wooden stud walls and ceiling wooden frames
- Termite attack of wooden and cardboard boxes strewn throughout the house inclusive of contents, particularly books
- Clothing and furniture piled up in most rooms affording refuge for rodents
- Kitchen, Bathroom, Laundry and toilets in a state of disrepair and unfit for use
- No water, electricity and gas

Below are some of the photographs of Lot 10 Hammond Street, Gabbin

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018



Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018



Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018



Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018



Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018



Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018



Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018



Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018



2018/6-011 OFFICER RECOMMENDATION / COUNCIL DECISION:

That:

- 1. In accordance to section 135 of the Health (Miscellaneous Provisions) Act 1911, the dwelling on Lot 10 Hammond Street Gabbin, being of brick veneer, suspended timber floors and timber framed roof with clay tiles be declared unfit for human habitation by reason of want of repairs and must not be occupied or inhabited by any persons from immediate effect of date of notification;***
- 2. Subject to section 137 of the Health (Miscellaneous Provisions) Act 1911 grant approval for a Notice be issued to the owner to take down and remove the house, without giving him the alternative of amending the same;***
- 3. Subject to section 138 of the Health (Miscellaneous Provisions) Act approval be granted for a Notice to be issued to the owner to clean the land to the satisfaction of the Principal Environmental Health Officer, and remove all rubbish to a place appointed by Principal Environmental Health Officer; and***
- 4. A period of time being 60 days of notification of dwelling unfit for habitation to be allowed to do such works.***

Moved Cr SR Putt

Seconded Cr RM Kirby

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

12.8.3 Shire of Mt Marshall Health Local Law 2018

File No:	A2/4
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	Peter Toboss – Environmental Health Officer
Attachments:	12.8.3a – Amendments Required by the DLGSC to the Shire of Mt Marshall Health Local Law 2018 12.8.3b – Shire of Mt Marshall Health Local Law 2018
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	May 2018

Background:

At the Ordinary Meeting of Council held on 15 May 2018, Council considered and resolved as follows:

2018/4-016 OFFICER RECOMMENDATION/COUNCIL DECISION:
That Council:

1. *Subject to section 3.12 of the Local Government Act 1995, endorse the giving of 42 days State Wide public notice of an intention to make the Shire of Mt Marshall Health Local Law 2018 with the changes (as required by the Joint Parliamentary Committee on Delegated Legislation) to the current Local Law as below:*
 - *Amend clause 3.2.4(3) of the Local Law to replace "AS/NZS 3666.2;1995" with "AS/NZS 3666.2:2011"*
 - *Amend clause 5.1.2 of the Local Law to replace the word "maintain" with "keep" Amend clause 5.1.10 of the Local Law to insert the words " Unless transporting a pet animal or bird," at the beginning of the clause.*
 - *Amend clause 7.1.3(3) of the Local Law to move the words "the officer may, by notice in writing, direct as the case may be-" to a new line aligned with the first word of subclause (3)*
 - *Amend clause 7.1.3(3) of the Local Law to align the words "within the time and in the manner specified in the notice" with paragraphs (i) and (ii).*
 - *Amend clause 8.1.2 of the Local Law to align the words "resides or intends to reside continuously in the lodging house whenever there are one or more lodgers in the lodging house" with the first word of paragraph (d).*
 - *Amend the first line of subclause 8.3.6(1) of the local law to read "A keeper of a lodging house shall not –"*
 - *In column B of the Table in Schedule 14 insert "1000m" in each row.*

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

2. *In addition to the changes required by the Joint Parliamentary Committee on Delegated Legislation above, give State Wide public notice of an intention to make the Shire of Mt Marshall Health Local Law 2018 with these additional changes to the current Local Law:*

- *The title has changed from Shire of Mt Marshall Health Local Law 2014 to Shire of Mt Marshall Health Local Law 2018. The Shire of Mt Marshall Health Local Law 2014 is now repealed.*
- *The Health Act 1911 has been deleted on the title and now referred to as Health (Miscellaneous Provisions) Act 1911*
- *The new Public Health Act 2016 has been added to the Shire of Mt Marshall Health Local Law 2018*
- *The Content list has been adjusted to reflect these changes*
- *Clause 1.4 Interpretation has been moved and is now clause 1.5 and clause 1.5 Repeal is now moved to clause 1.4. That is one moved up and the other moved down in order*
- *“Authorised Officer” with its meaning has been inserted into the Shires of Mt Marshall Health Local Laws 2018 as per the changes under the new Public Health Act 2016*
- *Environmental Health Officer has been deleted and all references to Environmental Health Officer are now Authorised Officer under the Public Health Act 2016*
- *The title Part 4 – “Waste food and refuse” has been deleted and replaced with Part 4 – “Liquid Refuse, Liquid Waste, Butchers’ Waste, Rubbish and Refuse”. Part 5, division 6 – piggeries has been moved to part 9; Offensive trades. Therefore piggeries are now division 7 of part 9 – Offensive trade*
- *The order of schedules in part 11 has been changed. Part 11 – schedule of forms are now*
SCHEDULE 1 – Application for Registration of a Lodging House
SCHEDULE 2 – Certification of Registration of a Lodging House
SCHEDULE 3 – Notice of Change of Owner of a Lodging House
SCHEDULE 4 – Register of Lodgers
SCHEDULE 5 – List of Lodgers
SCHEDULE 6 – Certificate of Sleeping Accommodation
SCHEDULE 7 – Certificate of Sleeping Accommodation for a Lodging House with more than 20 Sleeping Compartments
SCHEDULE 8 – Application for Licence of a Morgue
SCHEDULE 9 – Licence of a Morgue
SCHEDULE 10 – Application for Consent to Establish an Offensive Trade
SCHEDULE 11 – Application for Registration of Premises for Offensive Trade
SCHEDULE 12 – Certificate of Registration of Premises for Offensive Trade
SCHEDULE 13 – Required buffer distance for feedlots
SCHEDULE 14 – Required buffer distance for piggeries
SCHEDULE 15 – Required buffer distance for intensive piggeries.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

3. *Subject to section 9.49 (A) (3) of the Local Government Act 1995 authorise the Shire President and the Chief Executive Officer to apply the Shire of Mt Marshall Common Seal to the Health Local Law 2018*

Moved Cr RM Kirby
6/0
Absolute Majority

Seconded Cr SE Faulkner

Carried

Following the decision by Council at the May meeting, advertising of the proposed Health Local Law was comprehensively carried out as scheduled with the submission period closing on 2 July 2018. Advertising took place using the following

- West Australian Newspaper on the 18 May 2018;
- Local newspapers between 18 May 2018 and Monday 2 July 2018;
- Shire of Mt Marshall notice boards between 18 May 2018 and Monday 2 July 2018 ;
- Shire of Mt Marshall website <www.mtmarshall.wa.gov.au> between 18 May 2018 and Monday 2 July 2018.

No submissions were received during the submission period.

A copy of the Mt Marshall Health Local Laws 2018 was also submitted to the Joint Standing Committee on Delegated Legislation in accordance with section 3.12 (3)(b) of the Local Government Act 1995, along with the Minister for Local Government and the Minister for Health.

On Wednesday 4 July 2018, the Shire received an email from the Department of Local Government, Sports and Cultural Industries with new comments. The Department's comments are noted below.

1. Enacting provision

The enacting provision currently states that the local law was made on 15 May 2018. This date is incorrect, since the local law is still in the drafting phase and is yet to be submitted to Council for final endorsement.

When the final draft of the local law is submitted to Council to be made, the Shire should ensure that the correct date of this meeting is included in the enacting provision.

2. Health local law

The Department notes that this local law is made under the *Local Government Act 1995* and as a result, the approval of the Department of Health (DoH) is not required.

Nevertheless, it may be advisable to contact the DoH to see if they have any comments or suggestions on the proposed draft. The staff of DoH have a high level of expertise in health matters and they may have input that will assist the Shire.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

3. New health legislation

The Department is aware that WA is slowly transitioning away from the current *Health Act 1911* to the new *Public Health Act 2016*.

As this shift occurs, it is possible that new regulations may come into force and render parts of health local laws invalid. The Shire should keep in touch with the Department of Health to identify when this shift is likely to occur and how the Shire's local law may be impacted.

4. Use of Australian Standards

The Department notes that the local law includes several references to Australian Standards. The Department's standard advice on the use of Standards is as follows:

- (a) The Shire should ensure that the citations for these standards are complete, accurate and up to date.
- (b) The Parliament's Delegated Legislation Committee has expressed concerns about local laws containing Standards, since many of these Standards are not freely accessible. When the Shire makes the local law and provides its supporting material to the Committee, the Shire should include information on where the Shire's residents can view the relevant Standards or obtain technical advice on how these Standards can be complied with. For example, if the Shire keeps a copy of the Standards at its office or library, this should be mentioned to the Committee.

5. Clause 1.4 – repeal

Clause 1.4 currently refers to a health local law made in 2002. This reference is unnecessary, since the 2002 local law was repealed in 2015 by the Shire's most recent health local law.

It is suggested the second sentence be reworded as follows:

"This local law repeals the *Shire of Mount Marshall Health Local Law 2014* as published in the *Government Gazette* on 1 April 2015."

6. Clause 5.1.4 – Public vehicles

Clause 5.1.4 currently refers to "public vehicles". It is suggested that the term be defined, as the meaning may be subject to various interpretations by readers.

7. Minor edits

The following minor edits are suggested:

- **Contents page** – In the item for 7.1.11 insert a full stop between "1" and "11".
- **Clause 1.5** – Change "victors of diseases" to "vectors of disease"
- **Clause 3.2.1** – Change the cross reference to "Division 1 of Part 8".
- **Clause 3.2.3** – In the first line change the cross reference to "clause 3.2.2".
- **Clause 5.1.10** – At the start of the clause delete "An".

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

- **Clause 5.2.1** – The term **cattery** does not appear to be used elsewhere in that division. The definition may not be required.
- **Clause 5.3.3(1)** – The paragraphs in this subclause start at (c). They should be renumbered to avoid confusion. A similar issue exists for subclause (2).
- **Clause 5.4.2(3)** –
 - After “pigeons” insert “that may be”
 - Change “any one lot of land” to “a premises” to ensure consistency with the terminology of subclause (1).
- **Clause 5.4.4(1)** - The first part of the subclause repeats itself prior to branching into paragraphs. The additional text should be removed.
- **Clause 5.4.4(2)** - The term “gamebird” refers to birds which can be legally hunted. Emu and ostriches can’t generally be hunted, so it may be preferable to move them to a new paragraph to avoid confusion.
- **Clause 5.4.5** – Remove the excess space between paragraph (a) and (b).
- **Clause 5.5.1** –
 - At the end of the first two definitions, replace the full stop with a semicolon.
 - At the end of the third definition, insert a full stop.
- **Clause 7.2.1** – Two clauses are currently numbered as “7.2.1”. The second clause should be renumbered to “7.2.2”.
- **Clause 7.1.2** – Remove the excess space between this clause and the next clause.
- **Clause 7.1.11(1)** – Renumber the paragraph as (a) and (b).
- **Clause 8.1.1:**
 - In the definition for ***Certificate of Registration of a Lodging House*** change the cross reference to “clause 8.1.4”.
 - In the definition for ***Certificate of Sleeping Accommodation*** change the cross reference to “clause 8.3.4”. A similar amendment is also required for the next definition as well.
- **Clause 8.2.9(5)(a)** – In subparagraph (i), number the provisions with capital roman numerals [e.g. (I) (II)]. Similar amendments can be made to subparagraph (ii) and (iii).
- **Clause 8.2.12** – Two clauses are currently numbered as “8.2.12”. The second clause should be renumbered to “8.2.13”. The remaining clauses in Part 8 Division 2 after that point will also need to be renumbered.
- **In the first instance of clause 8.2.12** - change “clause 8.34” to “clause 8.3.4”.
- **Clause 8.3.11:** Paragraph (h) currently refers to clause 8.34. It is possible that this reference is intended to refer to 8.3.10 or some other clause. The Shire should review the reference and ensures it refers to the correct provision.
- **Clause 9.1.2(1)(a)** – Change the cross reference to “9.1.3”
- **Clause 9.1.3** – Change both instances of “9.2” to “9.1.2”.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Consultation:

Department of Local Government and Communities
Joint Standing Committee on Delegated Legislation.
Department of Health

Statutory Environment:

Local Government Act 1995

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give Statewide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, at any place specified in the notice; being a day that is not less than 6 weeks after the notice is given

and

- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* Absolute majority required.
- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

- (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

- (8) In this section —

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

[Section 3.12 amended by No. 1 of 1998 s. 8; No. 64 of 1998 s. 6; No. 49 of 2004 s. 16(4) and 23.]

Relevant Plans and Policy:

Nil

Financial Implications:

There will be fees associated with gazettal of the new Local Law (changes only).

Risk Assessment:

The Shire is currently legislatively non-compliant.

Community & Strategic Objectives:

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

4.3.3 Ensure compliance with all relevant legislation

Comment:

These further minor changes to the Shire of Mt Marshall Health Local Law 2018 as recommended by the Department of Local Government require endorsement by Council. Subject to section 3.12 of the LGA 1995, this report recommends the making of the local law, with an absolute majority vote and subsequently the local laws gazettal as the **Shire of Mt Marshall Health Local Law 2018**.

The Shire President is to read aloud the purpose and effect of the Local Law:

“The purpose of the Shire of Mt Marshall Health Local Law 2018 is to effect corrections of errors in the Shire of Mt Marshall Health Local Law 2014 as required by the Joint Standing Committee on Delegated Legislation.”

2018/6-012 OFFICER RECOMMENDATION / COUNCIL DECISION:

That Council:

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

1. ***Subject to section 3.12 of the Local Government Act 1995 endorse the following amendments to the Shire of Mt Marshall Health Local Law 2018 as requested by the Departments of Local Government and Health:***

Minor edits

- ***Contents page – In the item for 7.1.11 insert a full stop between “1” and “11”.***
- ***Clause 1.5 – Change “victors of diseases” to “vectors of disease”***
- ***Clause 3.2.1 – Change the cross reference to “Division 1 of Part 8”.***
- ***Clause 3.2.3 – In the first line change the cross reference to “clause 3.2.2”.***
- ***Clause 5.1.10 – At the start of the clause delete “An”.***
- ***Clause 5.2.1 – The term cattery does not appear to be used elsewhere in that division. The definition may not be required.***
- ***Clause 5.3.3(1) – The paragraphs in this subclause start at (c). They should be renumbered to avoid confusion. A similar issue exists for subclause (2).***
- ***Clause 5.4.2(3) –***
 - ***After “pigeons” insert “that may be”***
 - ***Change “any one lot of land” to “a premises” to ensure consistency with the terminology of subclause (1).***
- ***Clause 5.4.4(1) - The first part of the subclause repeats itself prior to branching into paragraphs. The additional text should be removed.***
- ***Clause 5.4.4(2) - The term “gamebird” refers to birds which can be legally hunted. Emu and ostriches can’t generally be hunted, so it may be preferable to move them to a new paragraph to avoid confusion.***
- ***Clause 5.4.5 – Remove the excess space between paragraph (a) and (b).***
- ***Clause 5.5.1 –***
 - ***At the end of the first two definitions, replace the full stop with a semicolon.***
 - ***At the end of the third definition, insert a full stop.***
- ***Clause 7.2.1 – Two clauses are currently numbered as “7.2.1”. The second clause should be renumbered to “7.2.2”.***
- ***Clause 7.1.2 – Remove the excess space between this clause and the next clause.***

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

- **Clause 7.1.11(1) – Renumber the paragraph as (a) and (b).**
 - **Clause 8.1.1:**
 - **In the definition for Certificate of Registration of a Lodging House change the cross reference to “clause 8.1.4”.**
 - **In the definition for Certificate of Sleeping Accommodation change the cross reference to “clause 8.3.4”. A similar amendment is also required for the next definition as well.**
 - **Clause 8.2.9(5)(a) – In subparagraph (i), number the provisions with capital roman numerals [e.g. (I) (II)]. Similar amendments can be made to subparagraph (ii) and (iii).**
 - **Clause 8.2.12 – Two clauses are currently numbered as “8.2.12”. The second clause should be renumbered to “8.2.13”. The remaining clauses in Part 8 Division 2 after that point will also need to be renumbered.**
 - **In the first instance of clause 8.2.12 - change “clause 8.34” to “clause 8.3.4”.**
 - **Clause 8.3.11: Paragraph (h) currently refers to clause 8.34. It is possible that this reference is intended to refer to 8.3.10 or some other clause. The Shire should review the reference and ensures it refers to the correct provision.**
 - **Clause 9.1.2(1)(a) – Change the cross reference to “9.1.3”**
 - **Clause 9.1.3 – Change both instances of “9.2” to “9.1.2”.**
 - **Clause 5.1.4 - the definition of public vehicle has been inserted as “public vehicle includes a coach, cab, omnibus, motor car, wagon, or other vehicle carrying passengers for hire, and includes a tramcar and railway carriage”.**
 - **Clause 1.4 – amended to read: “This local law repeals the Shire of Mount Marshall Health Local Law 2014 as published in the Government Gazette on 1 April 2015.”**
2. **Subject to s3.12 (4) Local Government Act 1995 make the Shire of Mt Marshall Health Local Law 2018 as presented in Attachment 12.8.3b;**
 3. **Authorise the Shire of Mt Marshall Seal to be affixed to the Shire of Mt Marshall Health Local Law 2018;**
 4. **Subject to s3.12 (5) Local Government Act 1995 direct the Chief Executive Officer to publish the Shire of Mt Marshall Health Local Law 2018 in the gazette, and provide copies to the relevant Ministers; and**

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

5. ***Subject to s3.12 (6) Local Government Act 1995 direct the Chief Executive Officer to give local public notice of the Shire of Mt Marshall Health Local Law 2018***

Moved Cr NR Gillett
Absolute Majority

Seconded Cr IC Sanders

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

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

2018/6-013 COUNCIL DECISION:

That the late item 14.1 be considered as presented.

Moved Cr IC Sanders

Seconded Cr RM Kirby

Carried 7/0

2018/6-014 COUNCIL DECISION:

That agenda item 14.1 be lifted from the table for consideration.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 7/0

14.1 LATE ITEM - CEACA Update

File No:	A5/15, F1/3
Location/Address:	Brown St, Bencubbin & 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:	Absolute 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 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.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

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

Financial Implications:

Should Council agree to this proposal, there would be the cost of the land, and the cost of purchase and transfer costs. Further any contribution required by CEACA for the third unit to be constructed in Beacon

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

Further to this original item there has been substantial communication between the Chief Executive Officer and CEACA, particularly Mr Ralton Benn the Manager Asset Programs, Access Housing. Unfortunately it appears that the tight finances of the project did not allow either the additional unit on an extra piece of land in Beacon, or the connection to the existing sewer pipe system in Bencubbin to be approved by him. The matter was presented to the Executive, with a recommendation for decision.

The information received relating to the Executive Meeting is that there would be an additional cost to the project for constructing a unit on an additional piece of land. The additional costs are set out below:

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

Preliminaries	\$10,000
Fees and licenses	\$0
Consultants	\$4,838
Groundworks	\$5,241
Driveways	\$11,958
Leach Drain	\$8,000
Headworks	\$4,500
Survey / Geotech	\$7,000
Drainage	\$3,500
Fencing	\$2,727
Hard and soft landscaping	\$12,541
BCTIF Levy	\$500
Total	\$70,805

The note from the Executive Officer regarding how these costs should be met is as follows:

As you probably appreciate CEACA is financially at a very delicate stage in the project. As such, the Executive Committee is supportive of developing the Beacon site but will need to have a discussion with the Shire about cost sharing at this late stage.

Unfortunately Council cannot operate by 'having discussions' regarding budget decisions, but can only make decisions in the formal setting of a Council Meeting. With that in mind it is respectfully suggested that if Council are prepared to do so, an offer should be made to CEACA via resolution regarding how much they would be prepared to contribute.

Further questions were also raised with Ralton Benn regarding the cost and possibility of retaining the second unit in Bencubbin by connecting to the pipe which runs past the current age care units. The response to this request was not favourable, with the following comments made:

In terms of Bencubbin, the deleted unit will leave a space for future a unit. This will require connection to an external/offsite sewer treatment system with the only potential for that being the proposed pressure main or for the Country Sewerage Policy to change. Assuming it can be achieved, the challenge for CEACA is both time and money as the site will require investigation, design and procurement of a pump station that is able to communicate/coordinate with the existing one in order for us to tap into and use that pressure main.

Given those comments, and discussions held, it would appear that the CEACA project team do not feel that it would be possible to utilise the main in this building round, but it is something that would be investigated in future building rounds.

With no firm indication regarding how much CEACA would require Mt Marshall to contribute in order for the third unit to go ahead, the resolution below recommends roughly half of the increase in cost as a guide figure.

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

2018/6-015 OFFICER RECOMMENDATION / COUNCIL DECISION:

That Council:

- 1. 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. direct the Chief Executive Officer to confirm to CEACA that it is willing to contribute \$35,000 towards the additional costs of construction of a third unit in Beacon; and***
- 3. the cost of the purchase, transfer and construction contribution be budgeted in the Shire's 2018/19 annual budget.***

Moved Cr SE Faulkner
Absolute Majority

Seconded Cr RM Kirby

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 17 July 2018

15.0 Next Meeting – Tuesday 21 August 2018 commencing at 3:00pm in Council Chambers, 80 Monger St, Bencubbin

16.0 Closure of Meeting

The Presiding Member thanked the members of the gallery for attending and declared the meeting closed at 4:05pm.

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

Date

Cr ARC Sachse President