



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 18 September 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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John Nuttall
Chief Executive Officer

Chairperson Initial

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 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 21 August 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 Royal Commission into Child Sexual Abuse
 - 12.1.21 Freight Routes
 - 12.1.22 Snake Soak Water Tank
 - 12.1.23 Response to Water Corporation – Standpipes
 - 12.2 Works Supervisor
 - 12.2.7 Works Report September 2018
 - 12.3 Executive Assistant
 - 12.3.11 Minutes of the NEWROC Meeting held 28 August 2018
 - 12.3.12 Status Report for July and August 2018
 - 12.4 Finance and Administration Manager
 - 12.4.21 Statement of Financial Activity to 31 August 2018
 - 12.4.22 Accounts Paid to 31 August 2018
 - 12.4.23 Request for Extension of Time to Submit Annual Financial Report
 - 12.5 Community Development Officer
 - 12.6 Regulatory Officer
 - 12.6.2 Tender MM01. 18/19 - Bitumen Supply 2018/2019
 - 12.6.3 Tender MM02. 18/19 – Supply of Grader
 - 12.7 Development
 - 12.8 Environmental Health Officer
13. Elected Members' Motions of Which Previous Notice Has Been Given

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

14. **New Business of an Urgent Nature Introduced by Decision of the Meeting**
15. **Next Meeting – Tuesday 16 October 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 18 September 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 RM Kirby	Councillor	
Cr SE Faulkner	Councillor	3.00 – 3.11, 3.33 – 4.14pm
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 Aaron Wootton	Works Supervisor	
Mr Len Cargeeg	Member of the Public	

Apologies

Cr NR Gillett	Deputy President
Cr LN Gobbart	Councillor
Mrs Tanya Gibson	Member of the Public

3.0 Standing Orders

2018/8-001 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 SE Faulkner

Seconded Cr SR Putt

Carried 5/0

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 18 September 2018

5.0 Applications for Leave Of Absence

Nil

6.0 Declarations of Interest

Cr SE Faulkner declared a proximity interest in item 12.1.32 being that he is a neighbouring land owner.

7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 21 August 2018

2018/8-002 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 21 August 2018 be confirmed as a true and correct record of proceedings.

Moved Cr RM Kirby

Seconded Cr SE Faulkner

Carried 5/0

8.0 Announcements by Presiding Person Without Discussion

The Shire of Mt Marshall passes on our condolences to Jim Shipway and his Children and families on the passing of their Wife and Mother, Sally (O'Neil). Sally was a long term Beacon resident. Rest in Peace.

The Shire of Mt Marshall would like thank Melissa Price MP for her role in the official opening of the Bencubbin Multipurpose Complex Redevelopment on 7th September, 2018. Thank you to all the other official guests and people who attended. Special thanks to Shire Staff and volunteers for their role in the opening and setup. Thanks also to KC's Cafe for the wonderful afternoon tea.

Congratulations to the Beacon Theatre Arts for the very successful production of "A Wink at the Sphinx" at the Beacon Hall last Saturday evening, 15th September, 2018.

On Saturday, 20th October 2018, the Beacon Country Club and Community are presenting Adam Harvey live in Concert at the Beacon Recreation Ground. Other performing artists are also performing. This is a major social event within the Shire of Mt Marshall and we wish the organisers every success in what should be an excellent evening's entertainment.

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.

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Comment:

The President represented the Shire at the following meetings and training opportunities from 22 August 2018 to 18 September 2018.

23/08/2018 WALGA Great Eastern Country Zone (GECZ) Meeting, Merredin with CEO John Nuttall.

25/08/2018 Central Wheatbelt Football League, 2018 Grand Final Nungarin. Half time live interview with Mukinbudin Shire President Gary Shadbolt.

28/08/2018 North Eastern Wheatbelt Regional Organisation of Councils (NEWROC) Meeting, Koorda with Cr Kirby.

4/09/2018 Corporate Information Session, Council Chambers, with Deputy President Cr Gillett, Cr Faulkner, Cr Gobbart, Cr Kirby, Cr Putt, Cr Sanders, and CEO John Nuttall.

5/09/2018 Central East Aged Care Alliance Inc (CEACA) Committee Meeting, Merredin, with Cr Kirby and CEO John Nuttall.

7/09/2018 AM: Cultural Awareness Activities Bencubbin and Beacon Primary Schools, Bencubbin Primary School with Mick Hayden, Jeno Hayden, Marika Hayden and Debbie Cole from the Njaki Njaki Group.

7/09/2018 PM: Meeting with Melissa Price MP, Council Chambers with Deputy President Nick Gillett, Cr Faulkner, Cr Gobbart, Cr Kirby, Cr Putt, Cr Sanders and CEO John Nuttall. Official Opening of the Bencubbin Multipurpose Complex Redevelopment with Melissa Price MP, Deputy President Cr Gillett, Cr Faulkner, Cr Gobbart, Cr Kirby, Cr Putt, Cr Sanders, CEO John Nuttall, CDO Olivia Granich and EA Nadine Richmond.

12/09/2018 WA Country Health Service Strategic Plan Meeting, Northam with CEO John Nuttall.

9.2 Councillors

Cr RM Kirby – 29 August 2018 - signing of CEACA and Shire of Wyalkatchem agreement at the Dowerin Field Days

10.0 Petitions / Deputations / Presentations / Submissions

Nil

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

11.0 Reports of Committees

Nil

12.0 Reports of Officers

12.1 Chief Executive Officer

12.1.30 Royal Commission into Child Sexual Abuse

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

Background:

The Royal Commission into Institutional Responses to Child Sexual Abuse set out a number of recommendations, and these included suggesting the Local Government designating child safety positions from existing staff profiles to carry out a number of functions including (among other things) developing child safe messages, assisting local institutions to access online child safe resources, providing child safety information and support.

The State Government has provided some response to the commission, and is continuing to participate in discussions. Included in this is Stakeholder consultation and discussion. There is a chance to provide a response to some questions by the end of September. Attached to this report are two presentations regarding this topic.

This report seeks endorsement from Council for proposed responses to the consultation discussion topics to be sent on behalf of the Shire to the State Government.

Consultation:

There have been discussions regarding this topic at NEWROC and at WALGA Zone level.

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Financial Implications:

One of the concerns is that any legislation in this area could add cost and time burden to the Shire without any compensation. The full extent of any costs are not currently known and would need to be considered when final recommendations are handed down.

Risk Assessment:

Nil

Community & Strategic Objectives:

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

4.3.2 Provide sufficient resources to facilitate effective governance

4.3.3 Ensure compliance with all relevant legislation

Comment:

There are discussion prompt questions provided on the presentation from the State Government to the Royal Commission, and it is proposed that the Shire will make a response to the questions asked. Below are the questions with answers prepared for endorsement by Council:

What impact would the designation of child safety officers have within a local government's workforce?

This depends very much upon the requirements placed upon a child safety officer. If the requirements are only in the dissemination of information area, this would not add too much to a particular positions time (such as a Community Development Officer), but if there was an expectation of more detailed involvement such as assisting and reporting issues then this would add both an undue time burden and also (especially in small communities) the potential for extremely difficult, confidential community conflicts.

What areas of the local government do you believe this designation would occur and how might it benefit and / or be effective in supporting the community?

Whilst it would be likely to sit at the Community Development level it is not clear at this time how it might benefit or support the community. Local Government is not currently the place one would expect a report to be made. Rather such reports should be made to trained police or medical staff who could assist physically, emotionally and legally where necessary and appropriate. Forcing the Local Government to become 'reporting and support' designation may not be appropriate.

What training, resources and support would be required by the local government to successfully implement designated child safety officers?

Again this will depend upon the requirements placed upon them. However there should be training on how to deal emotionally with a difficult situation as may be encountered, along with how to avoid being seen to be 'taking sides' in the community – this could

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

cause a lot of harm to the community development aspect of the role. A further issue is the turnover of staff as encountered across Local Government, and how to maintain up to date training.

What would be the most effective method(s) of supporting local government with the implementation of child safety officers?

The appropriate finance to properly engage with necessary training along with compensating for the lost time that could be an outcome if a large amount of burden is placed on Local Government.

2018/8-003 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

That Council endorse the answers above and direct the Chief executive Officer to lodge this response with WALGA.

Moved Cr SR Putt

Seconded Cr RM Kirby

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.1.31 Wheatbelt Secondary Freight Routes Co-contribution

File No:	F1/3
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
	12.1.31a – Briefing Note Wheatbelt Secondary Freight Route
Attachments:	12.1.31b – Email from Ricky Storer dated 7 August
	12.1.31c – Email from Ricky Storer dated 9 August 2018
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

A request has been received from Mr Ricky Storer, Chair of the Wheatbelt North Regional Road Group (WBNRRG) for confirmation of Councils consideration of co-contribution of \$6,000 towards the project to go with a funding application in the next few months. That co-contribution can be one that Council is prepared to put into either the current budget year or next financial year. Given that Council have already adopted a budget for the current year, this item recommends that Council indicate it is prepared to put this funding into next year's budget.

An overview of the Freight Route Project has been provided, and is at attachment **12.1.31a** in order that all Councillors are fully aware of the background and need for this project. Also attached are the emails from the WBNRRG Chair

Consultation:

There has been a Freight Route Committee working on this project for some time.

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

There would be a need to budget \$6000 next financial year as the Shire of Mt Marshall's contribution towards this project.

Risk Assessment:

Nil

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Community & Strategic Objectives:

Outcome 2.3 An effective and efficient transportation network

2.3.1 Plan for the provision and delivery of transport services and infrastructure in the Shire in close consultation with the State and Federal governments and the local community

2.3.2 Maintain an efficient, safe and good quality local road network

2.3.3 Advocate for improvement and provision of appropriate regional transport links, including rail, air and bus services

Comment:

The Wheatbelt Secondary Freight Route initiative has been an ongoing project for the last few years. As a quick overview, the program is to look at other freight services required for the Wheatbelt region, not just grain to port and ensuring that the road infrastructure is able to support the freight. This project could lead to a large sum of funds being spent in the Wheatbelt to upgrade the roads.

The funding would need to be included in the Shire of Mt Marshall 2019/2020 Budget.

The chair of the WBNRRG is asking for a letter of support for the project so that it can be included with the funding application. The more support that can be shown for the application, the greater chance of funding being received as it is seen to show the importance of the program and the commitment of the local government bodies' involved.

2018/8-004 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

That Council:

- 1. Notes the Secondary Freight Routes Project Development report;***
- 2. Supports the strategic intent of the Secondary Freight Routes project;***
- 3. Authorises the Chief Executive Office to prepare and sign a letter of support in favour of an application for Federal Government Funding under the Building Better Regions Program to develop the Secondary Freight project; and***
- 4. Endorses in principle an allocation of \$6,000 in the 2019/20 budget to co-fund Secondary Freight Route Project development subject to a successful Building Better Regions Program application***

Moved Cr SE Faulkner

Seconded Cr RM Kirby

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Cr SE Faulkner declared a proximity interest in Item 12.1.32 and left the meeting at 3.11pm.

12.1.32 Snake Soak Water Tank

File No:	A6/25
Location/Address:	Snake Soak, Welbungin-Wialki Road
Name of Applicant:	Mr Paul Sachse
Name of Owner:	Department of Water
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.32a – AA Dams Preliminary Report 12.1.32b – Email from Paul Sachse
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

At the Ordinary Meeting of Council held in April 2017, the following resolutions were passed:

2017/04-10 COUNCIL DECISION:

That Council:

1. *Subject to funding being provided by Water Corporation for essential works as indicated in attachment 12.1.15a accept the offer from Water Corporation of the transfer of ownership from the Water Corporation to the Shire of Mt Marshall of the following AA Dams:*
 - *Warkutting Tank*
 - *Gabbining Tank*
 - *Marindo Rocks*
 - *Beebeegnying Tank*
 - *Sand Soak Dam*

2. *Decline the offer from Water Corporation of the transfer of ownership from the Water Corporation to the Shire of Mt Marshall of the following AA Dams:*
 - *Wiacubbing Dam*
 - *Gabbin Dam*
 - *Snake Soak Dam*

3. *Direct the Chief Executive Officer to communicate the above resolution to the Water Corporation, and make the necessary arrangements for the transfer of the assets into the control of the Shire of Mt Marshall*

Moved Cr ARC Sachse

Seconded Cr SE Faulkner

Carried 6/0

Reason Council decision is different to officer recommendation: To stipulate that the Shire will only accept the transfer of ownership of said AA Dams if funding is provided by Water Corporation for essential works.

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Subsequently discussions were held with the Department of Water and an offer of funding (\$5000 per tank where ownership was transferred) was accepted, and the relevant paperwork to begin the process of transferring the 5 selected tanks was commenced. Unfortunately, due to native title negotiations involving the state government the transfer of the tanks is still pending.

As can be seen above one of the tanks that Council resolved not to take ownership of was Snake Soak Tank, located on Welbungin-Wialki Road. A document had been prepared by Mr Dylan Copeland, NRM Consultant, regarding all of the tanks (**Attachment 12.1.32a**) and that document was used for the basis of the decisions made by Council.

Under cover of an email dated 30 July 2018 (**Attachment 12.1.32b**), Mr Paul Sachse has requested that Council reconsider their original decision and determine that Snake Soak should also be transferred to the Shire. The reasons why Mr Sachse wishes Council to make that decision are clearly set out in the email.

Consultation:

There has been no further consultation regarding Snake Soak Tank since Council resolved not to take control of it in April 2017.

Statutory Environment:

Local Government (Administration) Regulations 1996

10. Revoking or changing decisions (Act s. 5.25(1)(e))

(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first mentioned decision must be made —

(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or

(b) in any other case, by an absolute majority.

(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

Relevant Plans and Policy:

Nil

Financial Implications:

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Should a decision now be made to take control of Snake Soak Tank there would be a cost to the Shire when it is transferred to make the area useable and potentially safe. Whilst there is a possibility that the Department of Water may provide some funding for these works, it is unlikely that it would be enough to cover the total cost.

Risk Assessment:

Nil

Community & Strategic Objectives:

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

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

4.3.5 Use resources efficiently and effectively

4.3.6 Operate in a financially sustainable manner

Comment:

Council made the decision regarding which AA Dams to retain based upon information provided by Mr Dylan Copeland (NRM Consultant) and a report prepared by the Chief Executive Officer. The decision made by Council was communicated to the Department of Water, and it is only due to an unresolved Native Title issue at State Government level that the transfer has not been enacted. Although there may be merit in some of what has been suggested by Mr Sachse, it is respectfully suggested to Council that the original decision be upheld.

2018/8-005 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

That Council affirm resolution 2017/04-10 and direct the Chief Executive Officer to respond to Mr Sachse indicating that the Shire will not be taking control of Snake Soak.

Moved Cr SR Putt

Seconded Cr RM Kirby

Lost 0/4

Reason: Council wish for more information from Water Corporation regarding what land would be transferred to the Shire prior to making a final decision regarding Snake Soak and what their intention would be if the Shire did not take control.

Cr SE Faulkner re-entered the meeting at 3.33pm.

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.1.33 Response to Water Corporation - Standpipes

File No:	A6/25
Location/Address:	Various – See attached map
Name of Applicant:	N/A
Name of Owner:	Water Corporation
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.33a – Map of Standpipe Locations
	12.1.33b – Water Corporation FAQ Sheet
	12.1.33c – Standpipe Action Plan
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The Water Corporation have undertaken an extensive, state wide review of the use of standpipes, particularly by Local Government and their communities. Unfortunately some illegal practices in parts of the state have lead the Corporation to review the price costing (both service charge and tariff), with some significant increases to those costs to be made in certain circumstances from June 2019.

Officers have been approached by the Water Corporation who have provided extensive detail regarding the projected price increases, along with a list of our current services. We have an opportunity to make appropriate changes now which will avoid the Shire being subject to unnecessary charges next financial year. Further the Water Corporation will also bear the costs, if we comply with the response timescale, of service size reductions in certain circumstances. Again this will represent a significant saving to the Shire.

Copies of the information which has been provided to the Shire by the Water Corporation are attached.

Consultation:

There has been discussion with officers from the Water Corporation along with internal review regarding the current use of the standpipes in the shire.

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

If no action is taken there is the potential for a large increase to the Shire water charges for next financial year.

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Risk Assessment:

There is a risk if the Shire fails to work with Water Corporation that there could be a significant and unnecessary increase to the Shire water costs from next financial year.

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:

Officers have undertaken an assessment of the current standpipe arrangements, and listed below is each standpipe, the current service size, and the proposed service size and type:

<i>Meter Number</i>	<i>Meter Size</i>	<i>Proposed Usage</i>	
BK9520916	20	Shire	
BK9303021	20	Community Usage	
BC303329	20	Community Usage	
BD9805718	20	Community Usage	
M147392	20	Community Usage	(Additional possible)
Fire if			
BC1653515	20	Disconnect	
FK1000303	50	Shire	
FK1650125	50	Shire	
WFK0650118	50	Shire	
FK1150053	50	Shire	
HK1200090	80	Shire	
HK0320021	80	Shire	
WHK0320016	80	Shire	
HK0220003	80	Shire	

As can be seen there is no proposal to reduce any meter size so that fire services etc are not affected. However a request will be made for all of the large meter points to have a community (20mm) sized meter also fitted. Although it is unlikely that the Water Corporation will be prepared to fit (at no cost) a small meter at every site, officers would work with Water Corporation to determine how many they would be prepared to fit and which would be the most strategic points.

Additionally there is a standpipe in Beacon which is not on the list provided. This meter would also be kept at its current size and likely be for use by the Shire and/or the community.

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

2018/8-006 OFFICER'S RECOMMENDATION/COUNCIL DECISIONS:

That Council:

- 1. Endorse the proposed usage status of the Shire standpipes as per the following list:***

<i>Meter Number</i>	<i>Meter Size</i>	<i>Proposed Usage</i>
<i>BK9520916</i>	<i>20</i>	<i>Shire</i>
<i>BK9303021</i>	<i>20</i>	<i>Community Usage</i>
<i>BC303329</i>	<i>20</i>	<i>Community Usage</i>
<i>BD9805718</i>	<i>20</i>	<i>Community Usage</i>
<i>M147392</i>	<i>20</i>	<i>Community Usage (Additional Fire if possible)</i>
<i>BC1653515</i>	<i>20</i>	<i>Disconnect</i>
<i>FK1000303</i>	<i>50</i>	<i>Shire</i>
<i>FK1650125</i>	<i>50</i>	<i>Shire</i>
<i>WFK0650118</i>	<i>50</i>	<i>Shire</i>
<i>FK1150053</i>	<i>50</i>	<i>Shire</i>
<i>HK1200090</i>	<i>80</i>	<i>Shire</i>
<i>HK0320021</i>	<i>80</i>	<i>Shire</i>
<i>WHK0320016</i>	<i>80</i>	<i>Shire</i>
<i>HK0220003</i>	<i>80</i>	<i>Shire</i>

- 2. Direct the Chief Executive Officer to enter negotiations with Water Corporation regarding the possibility of a community size meter being installed where it is proposed standpipes become Shire use only.***

Moved Cr SE Faulkner

Seconded Cr SR Putt

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.2 Works Supervisor

12.2.7 Works Report September 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 Rd 2018/2019 RRG programmed works gravel has been laid out along the road side and in the next week will be graded across the road ahead of the pavement machine coming in and mixing it with the old bitumen.

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Koorda-Bullfinch Rd 2018/2019 stage 2 RRG programmed works gravel has been laid out along the road side and later this week will be graded across the road ahead of the pavement machine coming in and mixing it with the old bitumen.

The pavement machine has been booked for the week commencing 25th September.

Welbungin South Rd will commence when the paving machine has completed both of the Koorda-Bullfinch Rd jobs.

Maintenance Works

Patching has been carried out along the first 900mts of Bimbijy Road.

The Beacon Depot site has been cleaned up in light of the recent safety audit carried out by LGIS.

The Wialki dumping site has been cleaned up and covered to try and deter illegal dumping at the site.

Leach drain works at the rear of Brown Street, Bencubbin residence.

Maintenance Grading

Stretch is currently working north of Beacon in the Clarke Road area.

Ralph is currently working east of Bencubbin in the Welbungin-Wialki Road area.

Bill is working along the Beacon Back Rd area.

Other

All of the Shire's outside staff have now been bought up to date on their Traffic Management accreditations. All major worksites now have project induction files on site with Safe Work Method Statements and current Traffic Management plans for each site.

2018/8-007 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

That the September report of the Works Supervisor be received.

Moved Cr RM Kirby

Seconded Cr IC Sanders

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.3 Executive Assistant

12.3.15 Minutes of NEWROC Council Meeting held 28 August 2018

File No:	N/A
Location/Address:	NEWROC District
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	12.3.15 – Minutes of NEWROC Council Meeting held 28 August 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 28 August 2018 are submitted (**Attachment 12.3.15**) in order to keep all members abreast of the activities of the NEWROC Council.

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

The next meeting of the NEWROC Council is scheduled to be held on Tuesday 23 October 2018 at the Shire of Mt Marshall.

2018/8-008 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

The minutes of the NEWROC Council meeting held on 28 August 2018 be noted.

Moved Cr RM Kirby

Seconded Cr SE Faulkner

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.3.16 Status Report – July & August 2018

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	12.3.16 – Status Report July & August 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. Due to no status report being presented to the August meeting the report will include updates from both July and August.

2018/8-009 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

The Status Report for July and August 2018 be received.

Moved Cr RM Kirby

Seconded Cr IC Sanders

Carried 5/0

Chairperson Initial

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.4 Finance and Administration Manager

12.4.21 Statement of Financial Activity to 31 August 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:	12.4.21 – Statement of Financial Activity to 31 August 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 18 September 2018

2018/8-010 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

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

Moved Cr SR Putt

Seconded Cr SE Faulkner

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.4.22 Accounts Paid to 31 August 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 18 September 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
126	23/08/2018	TELSTRA	UTILITY CHARGES-JULY18	2192.76
27	31/08/2018	BANK FEES - BANK FEES	BANK FEES	241.89
EFT13964	03/08/2018	SYNERGY	UTILITY CHARGES 1.7.18-17.7.18	99.15
EFT13965	06/08/2018	CJD EQUIPMENT PTY LTD	JULY SUPPLIES	562.87
EFT13966	06/08/2018	BENCUBBIN TRUCK N AUTO'S	JULY REPAIRS	1808.60
EFT13967	06/08/2018	JR & A HERSEY	JULY SUPPLIES	966.13
EFT13968	06/08/2018	EASISALARY	PAYROLL DEDUCTIONS	691.46
EFT13969	09/08/2018	AVON WASTE	RUBBISH COLLECTION-JULY18	5776.09
EFT13970	09/08/2018	BOC GASES	GAS CYLINDERS-JULY18	41.57
EFT13971	09/08/2018	CJD EQUIPMENT PTY LTD	JULY REPAIRS	4757.02

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Chq/EFT	Date	Name	Description	Amount
EFT13972	09/08/2018	COURIER AUSTRALIA	FREIGHT-JULY18	10.78
EFT13973	09/08/2018	STATE LIBRARY OF WA	BETTER BEGINNINGS PROGRAM 2018/19	33.00
EFT13974	09/08/2018	NINGHAN SPRAYING & AG SERVICES	JULY SUPPLIES	310.40
EFT13975	09/08/2018	DEPARTMENT OF PREMIER AND CABINET	PUBLICATION IN GOVERNMENT GAZETTE	4849.90
EFT13976	09/08/2018	SHIRE OF TRAYNING	MEDICAL PRACTICE EXPENSES PLUS DOCTORS RENT-JULY18	6018.00
EFT13977	09/08/2018	BENCUBBIN NEWS & POST	POSTAGE 23.7.18-27.7.18	217.80
EFT13978	09/08/2018	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	120.00
EFT13979	09/08/2018	CSE CROSSCOM	JULY REPAIRS	66.00
EFT13980	09/08/2018	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	JULY SUPPLIES	159.00
EFT13981	09/08/2018	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	MEMBERSHIP-T.MCLENNAN 2018/19	1062.00
EFT13982	09/08/2018	WINC AUSTRALIA PTY LTD	JULY SUPPLIES	312.66
EFT13983	09/08/2018	ICS CARPENTRY	JULY REPAIRS	6094.00
EFT13984	09/08/2018	ALL-WAYS FOODS	JULY SUPPLIES	96.80
EFT13985	09/08/2018	PORKY'S ENTERPRISES	EXCAVATE NEW WASTE HOLE AT BEACON WASTE SITE	2475.00
EFT13986	09/08/2018	PAUL SACHSE	BENCUBBIN REFUSE SITE LEASE 2018/19	3375.00
EFT13987	09/08/2018	ROAD AND TRAFFIC SERVICES	PAVEMENT MARKINGS/TRAFFIC MANAGEMENT	10296.00
EFT13988	09/08/2018	BENCUBBIN TRUCK N AUTO'S	JULY REPAIRS	4677.35
EFT13989	09/08/2018	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER SERVICES	127.50
EFT13990	09/08/2018	LANDGATE	RURAL UV'S CHARGEABLE	82.10
EFT13991	09/08/2018	CUTTING EDGES EQUIPMENT PARTS	GRADER BLADES	3353.78
EFT13992	09/08/2018	BENCUBBIN AG SUPPLIES	JULY SUPPLIES	1588.17
EFT13993	09/08/2018	BENCUBBIN AG SUPPLIES	JULY SUPPLIES	39.60
EFT13994	09/08/2018	REFUEL AUSTRALIA	FUEL18	208.94
EFT13995	09/08/2018	5RIVERS PLUMBING AND GAS	JULY REPAIRS	513.37
EFT13996	09/08/2018	BENNY MART	JULY SUPPLIES	150.88
EFT13997	09/08/2018	CHATFIELD'S	SEEDLINGS FOR BOTANICAL GARDENS	330.00
EFT13998	09/08/2018	TUTT BRYANT EQUIPMENT	JULY SUPPLIES	255.18

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Chq/EFT	Date	Name	Description	Amount
EFT13999	09/08/2018	GREAT SOUTHERN FUELS	FUEL	32486.64
EFT14000	09/08/2018	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS-1044	1840.27
EFT14001	09/08/2018	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMENT	1680.06
EFT14002	09/08/2018	KC SALES	CATERING	257.40
EFT14003	09/08/2018	WA CONTRACT RANGER SERVICES	RANGER SERVICES 3.7.18 & 18.7.18	864.87
EFT14004	09/08/2018	GREAT BEGINNINGS FAMILY DAY CARE SERVICE	ANNUAL FDC MEMBERSHIP 2018/19	210.00
EFT14005	09/08/2018	WHEATBELT OFFICE & BUSINESS MACHINES	STAPLE REFILL	79.20
EFT14006	09/08/2018	JOHN NUTTALL	REIMBURSEMENT-COST ASSOCIATION WITH INTERNET PROVISION FOR HOME	384.93
EFT14007	09/08/2018	SOUTHERN CROSS AUSTereo PTY LTD	ADVERTISING-JULY18	82.50
EFT14008	09/08/2018	GRESLEY ABAS PTY LTD	MT MARSHALL AQUATIC CENTRE-FEASABILITY STUDY (FROM MARCH)	990.00
EFT14009	09/08/2018	WHEATBELT LIQUID WASTE MANAGEMENT	SEPTIC PUMP OUT	1200.00
EFT14010	09/08/2018	CARRINGTON'S TRAFFIC SERVICES	TRAFFIC CONTROL DIAGRAMS	550.00
EFT14011	09/08/2018	UNITED AUTOMOTIVE SOLUTIONS	VEHICLE HOIST SERVICE	242.00
EFT14013	14/08/2018	BENDIGO BANK	JULY SUPPLIES	459.32
EFT14014	22/08/2018	SYNERGY	STREETLIGHTS 25.6.18-24.7.18	1782.05
EFT14015	23/08/2018	EASISALARY	PAYROLL DEDUCTIONS	691.46
EFT14016	23/08/2018	SHIRE OF MT MARSHALL	ACCOMMODATION-G & K MUNNS	1870.00
EFT14017	23/08/2018	SHIRE OF MUKINBUDIN	HIRE OF TRACTOR FOR SWEEPING	1000.00
EFT14018	23/08/2018	NINGHAN SPRAYING & AG SERVICES	JULY SUPPLIES	122.16
EFT14019	23/08/2018	BEACON THEATRE ARTS CLUB	COMMUNITY SUPPORT FUNDING	3000.00
EFT14020	23/08/2018	KTY ELECTRICAL SERVICES	AUGUST REPAIRS	5062.12
EFT14021	23/08/2018	JASON SIGNMAKERS	SIGNS	3098.59
EFT14022	23/08/2018	BENCUBBIN NEWS & POST	POSTAGE 30.7.18-3.8.18	112.25
EFT14023	23/08/2018	BEACON COUNTRY CLUB INC.	CARAVAN PARK VOUCHERS	200.00
EFT14024	23/08/2018	BEACON PROGRESS ASSOCIATION INC.	CONTRIBUTION-FUTURE UPGRADES-BEACON CENTRAL CRC	10400.00
EFT14025	23/08/2018	BEACON CO-OPERATIVE LTD	CLEANING-JULY18	1738.46
EFT14026	23/08/2018	MOORE STEPHENS (WA) PTY LTD	AUDIT CERTIFICATION-COMPLEX ACQUITTAL	4235.00

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Chq/EFT	Date	Name	Description	Amount
EFT14027	23/08/2018	WINC AUSTRALIA PTY LTD	AUGUST SUPPLIES	99.90
EFT14029	23/08/2018	ICS CARPENTRY	AUGUST REPAIRS	5423.00
EFT14030	23/08/2018	TANIKA LOUISE MCLENNAN	REIMBURSEMENT FOR UNIFORM	109.80
EFT14031	23/08/2018	BENCUBBIN TRUCK N AUTO'S	AUGUST SUPPLIES	15.00
EFT14032	23/08/2018	D & D TRANSPORT	FREIGHT-JULY18	302.39
EFT14033	23/08/2018	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	WALGA CONFERENCE 2018-T.SACHSE	14924.00
EFT14034	23/08/2018	ADINA APARTMENT HOTEL	ACCOMMODATION & INCIDENTALS-LG WEEK	6471.00
EFT14035	23/08/2018	DEPARTMENT OF MINES,INDUSTRY REGULATION AND SAFETY (DMIRS)	BUILDING SERVICES LEVY-JULY18	56.65
EFT14036	23/08/2018	5RIVERS PLUMBING AND GAS	AUGUST REPAIRS	506.00
EFT14037	23/08/2018	BENNY MART	CARAVAN PARK VOUCHER	10.00
EFT14038	23/08/2018	OCLC (UK) LTD	AMLIB SUBSCRIPTION 2018/2019	1984.95
EFT14039	23/08/2018	JOHN LAURO BEACON GARAGE	JULY REPAIRS	426.19
EFT14040	23/08/2018	TRUCK CENTRE (WA) PTY LTD	AUGUST SUPPLIES	395.96
EFT14041	23/08/2018	CR IC SANDERS	MEETING FEES & ALLOWANCES 18.7.18-21.8.18	493.18
EFT14042	23/08/2018	MW GRANT	PUSHING GRAVEL	6776.00
EFT14043	23/08/2018	BOB WADDELL & ASSOCIATES PTY LTD	VARIOUS ACCOUNTING SUPPORT	2970.00
EFT14044	23/08/2018	KC SALES	UNIFORMS	5115.37
EFT14045	23/08/2018	INITIAL HYGIENE	SANITARY DISPOSAL SERVICE 11.9.18-10.10.18	686.19
EFT14046	23/08/2018	CR RM KIRBY	MEETING FEES & ALLOWANCES 18.7.18-21.8.18	1033.18
EFT14047	23/08/2018	CR SE FAULKNER	MEETING FEES & ALLOWANCES 18.7.18-21.8.18	598.18
EFT14048	23/08/2018	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPY CHARGES	376.65
EFT14049	23/08/2018	EXECUTIVE MEDIA PTY LTD	ADVERTISING-CARAVANNING AUSTRALIA SPRING 2018	1800.00
EFT14050	23/08/2018	AUSQ TRAINING	BASIC WORKSITE TRAFFIC MANAGEMENT AND TRAFFIC CONTROLLER COURSE	4396.00
EFT14051	23/08/2018	CR NICK GILLETT	MEETING FEES & ALLOWANCES 18.7.18-21.8.18	650.50

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Chq/EFT	Date	Name	Description	Amount
EFT14052	23/08/2018	CR STUART PUTT	MEETING FEES & ALLOWANCES 18.7.18-21.8.18	493.18
EFT14053	23/08/2018	CR LEEANNE GOBBART	MEETING FEES & ALLOWANCES 10.8.18-21.8.18	612.18
EFT14054	23/08/2018	WHEATBELT LIQUID WASTE MANAGEMENT	SEPTIC PUMP OUT	650.00
EFT14055	23/08/2018	CENTRAL REGIONAL TAFE	CERTIFICATE 111 EARLY CHILDHOOD STUDIES-S.MOUG	165.75
EFT14056	23/08/2018	ONLINE VENTURES PTY LTD TRADING AS SITEMINDER	ONLINE ACCOMMODATION	326.95
EFT14057	24/08/2018	SYNERGY	UTILITY CHARGES 11.7.18-7.18.18	1102.70
EFT14058	27/08/2018	WA TREASURY CORPORATION	LOAN NO. 119 INTEREST PAYMENT - LOAN TO BENNYMART - REPAID IN LEASE PAYM	975.84
EFT14059	29/08/2018	CARDTRONICS AUSTRALASIA PTY LTD	ONGOING FEES FOR ATM-JULY18	87.27
EFT14060	29/08/2018	SYNERGY	UTILITY CHARGES 14.6.18-7.8.18	300.15
DD9247.1	01/08/2018	WALGS PLAN	PAYROLL DEDUCTIONS	6695.55
DD9247.2	01/08/2018	AMP SUPERANNUATION SAVINGS TRUST	SUPERANNUATION CONTRIBUTIONS	164.90
DD9247.3	01/08/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	776.53
DD9247.4	01/08/2018	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	203.26
DD9247.5	01/08/2018	COLONIAL FIRST STATE INVESTMENTS	SUPERANNUATION CONTRIBUTIONS	441.24
DD9247.6	01/08/2018	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	202.16
DD9247.7	01/08/2018	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	511.54
DD9247.8	01/08/2018	BENDIGO SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	174.94
DD9247.9	01/08/2018	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	186.12
DD9261.1	15/08/2018	WALGS PLAN	PAYROLL DEDUCTIONS	6879.04
DD9261.2	15/08/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	765.90
DD9261.3	15/08/2018	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	203.26
DD9261.4	15/08/2018	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	202.16
DD9261.5	15/08/2018	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	511.54
DD9261.6	15/08/2018	BENDIGO SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	174.94
DD9261.7	15/08/2018	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	186.12
DD9276.1	29/08/2018	WALGS PLAN	PAYROLL DEDUCTIONS	6735.91
DD9276.2	29/08/2018	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	199.46

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Chq/EFT	Date	Name	Description	Amount
DD9276.3	29/08/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	967.92
DD9276.4	29/08/2018	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	307.40
DD9276.5	29/08/2018	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	202.16
DD9276.6	29/08/2018	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	511.54
DD9276.7	29/08/2018	BENDIGO SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	174.93
DD9276.8	29/08/2018	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	186.12
				226498.78

2. Trust

Chq/eft	Date	Name	Description	Amount
EFT14062	31/08/2018	DEPARTMENT OF TRANSPORT	MMSO20180807	8099.05
				8,099.05

3. Mastercard

Details	Amount
Dog bags	-17.98
Council snacks	27.40
Bank fees	4.00
White card-K.Gibson	80.00
White card-B.Drinkwell	80.00
Bank fees	4.00
Protective case	273.90
Bank fees	4.00
Bank fees	4.00
	459.32

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

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 **18 September 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

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

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Comment:

Nil

2018/8-011 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

That the Accounts Listed

<i>Municipal Fund</i>	\$	226,498.78
<i>Trust Fund</i>	\$	8,099.05
<i>Mastercard</i>	\$	<u>459.32</u>
<i>Total</i>	\$	235,057.15

Be endorsed.

Moved Cr SE Faulkner

Seconded Cr IC Sanders

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.4.23 Request for Extension of Time to Submit Annual Financial Report

File No:	F1/1
Location/Address:	Nil
Name of Applicant:	Nil
Name of Owner:	Nil
Author:	Tanika McLennan – Finance Admin Manager
Attachments:	12.4.23 – DLGC Request for Extension Time Form
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The Annual Financial Report is required to be submitted to the Shire's auditor by 30 September each year.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

6.4. Financial report

- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
- (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
 - (b) the annual financial report of the local government for the preceding financial year.

Relevant Plans and Policy:

N/A

Financial Implications:

Nil

Risk Assessment:

Risk of non-compliance

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

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Comment:

Due to their other commitments, the Shire's auditors, Moore Stephens, have scheduled their annual visit for 8-9 November 2018 and as a result, the Shire will not be able to satisfy the statutory time frame for submission of its Annual Financial Report to its auditors. The Department of Local Government and Communities requires that an extension be requested in such circumstances and the attached (**Attachment 12.4.23**) has been prepared accordingly for Council consideration.

2018/8-012 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

That a request for extension of time to submit an Annual Financial Report to the Auditor be submitted to the Department of Local Government and Communities.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.5 Community Development Officer

Nil

12.6 Regulatory Officer

12.6.2 Tender MM01. 18/19 – Bitumen Supply 2018/2019

File No:	Tender Register
Location/Address:	N/A
Name of Applicant:	Shire of Mt Marshall
Name of Owner:	N/A
Author:	Jack Walker – Regulatory Officer
Attachments:	12.6.2 – Policy F&R.2.5
Declaration of Interest:	Nil
Voting Requirements:	Recommendations 1 & 2: Simple Majority Recommendation 3: Absolute Majority
Previously Considered:	Nil

Background:

Council are aware that the Bitumen Supply service for the 2018/19 road sealing program is included in the Shire's recently adopted budget. This report seeks Council endorsement for the following:

- a call for a Request for Tender (RFT)
- setting of the selection criteria to be used to assess any tenders received
- delegated authority for the Chief Executive Officer to award the contract to the most appropriate tender.

Consultation:

Mr John Nuttall – Chief Executive Officer
Mr Aaron Wootton – Works Supervisor

Statutory Environment:

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

14. Publicly inviting tenders, requirements for

(2a) "If a Local Government -

(a) is required to invite a Tender; or

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

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

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

11. *When tenders have to be publicly invited*

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
- (b) the supply of the goods or services is to be obtained through the WALGA Preferred Suppliers Program.

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

5.42. *Delegation of some powers and duties to CEO*

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

* *Absolute majority required.*

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

Relevant Plans and Policy:

Shire Policy F&R.2.5 – Purchasing deals with purchasing and tenders, but it does not set a standard selection criteria. Accordingly Council are invited to consider the appropriate selection criteria through this report. A copy of that policy is attached at **12.6.2**.

Financial Implications:

Application of appropriate selection criteria for the tender process will assist in ensuring that tenderers offer the "best value" with respect to the supply of goods and services. The costs for bitumen supply has been included in the 2018/19 budget.

Risk Assessment:

Due to the expenditure involved, failure to acquire bitumen supplies through a tender process would be a breach of the *Local Government Act 1995*.

Community & Strategic Objectives:

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

4.3.3 Ensure compliance with all relevant legislation

4.3.6 Operate in a financially sustainable manner

Comment:

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

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

2018/8-013 OFFICER'S RECOMMENDATION'S/COUNCIL DECISIONS:

Officer's Recommendation 1:

That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 call for Tenders (RFT MM01. 18/19) for the provision of Bitumen Supplies for a period of 1 year through the WALGA Preferred Supplier Program (r. 11 (2)(b).

Officer's Recommendation 2:

That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 set the Qualitative Evaluation Criteria for RFT MM01.18/19, as follows:

<i>Relevant Experience</i>	<i>25%</i>
<i>Submitted Rates</i>	<i>25%</i>
<i>Resources & Current Commitments</i>	<i>25%</i>
<i>Confirmation rates are fixed for 18/19</i>	<i>25%</i>

Officer's Recommendation 3:

That Council pursuant to Section 5.42 of the Local Government Act, 1995 delegate authority to the Chief Executive Officer to award the bitumen supply contract in accordance with the results of the tender evaluation process.

Moved Cr SR Putt
Absolute Majority

Seconded Cr IC Sanders

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

12.6.3 Tender MM02. 18/19 - Grader Supply

File No:	Tender Register
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author:	Jack Walker – Regulatory Officer
Attachments:	Nil – See Item 12.6.2 Attachment
Declaration of Interest:	Nil
Voting Requirements:	Recommendations 1 & 2: Simple Majority Recommendation 3: Absolute Majority
Previously Considered:	Nil

Background:

When adopting the 2018/19 budget, provision was made for the purchase of two (2) new graders. Given the budgeted amount and the cost of a new grader, the purchase must be made by way of tender. This report seeks Council endorsement for the following:

- a call for a Request for Tender (RFT)
- setting of the selection criteria to be used to assess any tenders received
- delegated authority for the Chief Executive Officer to award the contract to the most appropriate tender.

Consultation:

Mr John Nuttall – Chief Executive Officer

Mr Aaron Wootton – Works Supervisor

Statutory Environment:

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

14. Publicly inviting tenders, requirements for

(2a) "If a Local Government -

(a) is required to invite a Tender; or

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

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

11. When tenders have to be publicly invited

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

(b) the supply of the goods or services is to be obtained through the WALGA Preferred Suppliers Program.

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

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

5.42. Delegation of some powers and duties to CEO

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

* *Absolute majority required.*

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

Relevant Plans and Policy:

Shire Policy F&R 2.5 deals with purchasing and tenders, but it does not set a standard selection criteria. Accordingly Council are invited to consider the appropriate selection criteria through this report. A copy of that policy is attached at previous item's **12.6.2**.

Financial Implications:

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

Risk Assessment:

Due to the expenditure involved, failure to acquire a grader through a tender process would be a breach of the *Local Government Act 1995*.

Community & Strategic Objectives:

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

4.3.3 Ensure compliance with all relevant legislation

Comment:

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

2018/8-014 OFFICER'S RECOMMENDATION's/COUNCIL DECISIONS:

Officer's Recommendation 1:

That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 call for Tenders (RFT MM02. 18/19) for the provision of two (2) graders through the WALGA Preferred Supplier Program (r. 11 (2)(b).

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

Officer's Recommendation 2:

That Council, pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996 set the Qualitative Evaluation Criteria for RFT MM02. 18/19, as follows:

<i>Price</i>	<i>50%</i>
<i>Servicing and Reliability</i>	<i>25%</i>
<i>Availability of Machinery</i>	<i>25%</i>

Officer's Recommendation 3:

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

Moved Cr SE Faulkner
Absolute Majority

Seconded Cr SR Putt

Carried 5/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 18 September 2018

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 16 October 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 4.14pm.

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

Date

Cr ARC Sachse President