



SHIRE OF MT MARSHALL

MINUTES

Notice is hereby given that an Ordinary Meeting of Council was held on Tuesday 21 May 2019, in Council Chambers, 71 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 21 May 2019

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 16 April 2019
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
 - 12.1.15 Request to Waive Rental Fees, Lot 15 Lindsay St, Beacon
 - 12.1.16 Chief Executive Officer Annual Leave
 - 12.1.17 Wheatbelt Secondary Freight Network – Updated Financial Contribution Allocation
 - 12.1.18 Delegation Register Review 2019
 - 12.1.19 Salaries and Allowances Tribunal Determination April 2019
 - 12.2 Works Supervisor
 - 12.2.4 Works Report May 2019
 - 12.3 Executive Assistant
 - 12.3.3 Status Report for April 2019
 - 12.3.4 Minutes of NEWROC Council Meeting held 23 April 2019
 - 12.4 Finance and Administration Manager
 - 12.4.11 Statement of Financial Activity to 30 April 2019
 - 12.4.12 Accounts Paid to 30 April 2019
 - 12.4.13 Request for Donation of Rates - Avongro
 - 12.5 Community Development Officer
 - 12.6 Regulatory Officer
 - 12.6.1 Request to Waive Private Works Invoice – T Hill
 - 12.6.2 Proposed Extractive Industries Local Planning Policy
 - 12.7 Development

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

- 12.8 Environmental Health Officer
- 13. Elected Members' Motions of Which Previous Notice Has Been Given
- 14. New Business of an Urgent Nature Introduced by Decision of the Meeting
- 15. Next Meeting – Tuesday 18 June 2019 commencing at 3:00pm at the Beacon Country Club, Shemeld St, Beacon
- 16. Closure of Meeting

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

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 SE Faulkner	Councillor
Cr SR Putt	Councillor
Cr LN Gobbart	Councillor
Cr RM Kirby	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

Apologies

Nil

3.0 Standing Orders

2019/4-001 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 LN Gobbart

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 at 3:02pm.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

- 4.2.1 Summary of question from Mr Len Cargeeg:**
Could you please tell me who wrote the Shire's history section included in the Disability Access and Inclusion Plan (DAIP)?

Summary of response from the Presiding Member:
The Shire's Environmental Health Officer, Mr Peter Toboss has prepared the DAIP however the history information would probably have been taken from previous documents.

The Presiding Member declared public question time closed at 3:04 pm

5.0 Applications for Leave of Absence

Nil

6.0 Declarations of Interest

Nil

7.0 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Meeting held on Tuesday 16 April 2019

2019/4-002 OFFICER RECOMMENDATION / COUNCIL DECISION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 16 April 2019 be confirmed as a true and correct record of proceedings.

Moved Cr SE Faulkner

Seconded Cr NR Gillett

Carried 7/0

8.0 Announcements by Presiding Person Without Discussion

The Shire of Mt Marshall would like to thank the Beacon Community and the Bencubbin Sub Branch of the Returned and Services League for conducting the Anzac Day services on the 25th April 2019 within the Shire. The services were very well attended on Australia and New Zealand's National Day of Remembrance.

The Shire of Mt Marshall would like to pass on our deepest condolences to the family of William Gracie who passed on in hospital, Perth, on 27th April 2019. Bill, or Hund/Hunda as he was affectionately known, was a long and loyal employee of the Shire of Mt Marshall for 25 years, and his sense of humour and character will be missed. Bill's funeral service was in Meekatharra on Friday 10 May 2019. Rest in Peace.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

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 of Mt Marshall at the following meetings and training opportunities from 17 April 2019 to 21 May 2019.

23/04/2019	North Eastern Wheatbelt Regional Organisation of Councils (NEWROC) Meeting, Shire of Mt Marshall Council Chambers, with CEO John Nuttall
24/04/2019	Great Eastern Country Zone (GECZ) Meeting, Kellerberrin with CEO John Nuttall
25/04/2019	Anzac Day Service, Bencubbin War Memorial, with Deputy President Cr Nick Gillett and Cr Leeanne Gobbart
02/05/2019	Webinar "Communication in Recovery"
7/05/2019	WALGA Economic Development Launch and the Economic Development Framework Launch, Perth, with CEO John Nuttall
9/05/2019	Webinar "Facilitating Council Business"
10/05/2019	Funeral Service for William Gracie, Meekatharra
14/05/2019	Local Emergency Management Committee Meeting, Shire of Mt Marshall Council Chambers, with CEO John Nuttall and CDO Rebecca Watson
17/05/2019	Wheatbelt Community Resource Centre Strategy Day, Quairading, with CEO John Nuttall and representatives of the Beacon and Bencubbin CRC's

9.2 Councillors

Cr RM Kirby:

2/05/2019 CEACA Executive gathering and met with new Chair, Terry Waldron

Cr SE Faulkner

25/04/2019 Beacon Anzac Day Service

10.0 Petitions / Deputations / Presentations / Submissions

Nil

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

11.0 Reports of Committees

Nil

12.0 Reports of Officers

12.1 Chief Executive Officer

12.1.15 Request to Waive Rental Fees, Lot 15 Lindsay St, Beacon

File No:	F1/20, B3/24
Location/Address:	Lot 15 Lindsay Street, Beacon
Name of Applicant:	Nil
Name of Owner:	Shire of Mt Marshall
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.15 – Statement of Outstanding Rental Invoices
Declaration of Interest:	Nil
Voting Requirements:	Recommendation 1: Simple Majority Recommendation 2: Absolute Majority
Previously Considered:	Nil

Background:

Council will recall that at the Ordinary Council Meeting of October 2018 a resolution was passed to set a charge for the Silver Chain house at Lot 15 Lindsay Street, Beacon. This rate was set after discussion and meetings with Silver Chain. The resolution of Council was as follows:

2018/9-007 OFFICER'S RECOMMENDATION/COUNCIL DECISION:

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

Lot 15 Lindsay Street, Beacon \$170 per week

This new rate is to come into effect as of Wednesday 22 October 2018.

*Moved Cr NR Gillett
Absolute Majority*

Seconded Cr LN Gobbart

Carried 7/0

Unfortunately after the rate had been set by Council and the relevant invoices sent to Silver Chain further contact has been made indicating that the Silver Chain budget for 2018/19 did not allow for payment of the rent, and that it would not be until the 2019/20 budget that there would be capacity to make the rental payments.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Accordingly this item requests Council to consider writing off some invoices which are outstanding, and deferring the imposition of the rental amount until the 2019/20 financial year. A copy of the current statement of outstanding invoices is attached at **12.1.15**.

Consultation:

There has been further discussion with Silver Chain and some internal discussion regarding outstanding invoices.

Statutory Environment:

Local Government Act 1995

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

(1) Subject to subsection (2) and any other written law, a local government may —

(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or

(b) waive or grant concessions in relation to any amount of money; or

(c) write off any amount of money,

which is owed to the local government.

* Absolute majority required.

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

6.16. Imposition of fees and charges

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

* Absolute majority required.

(2) A fee or charge may be imposed for the following —

(a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;

(b) supplying a service or carrying out work at the request of a person;

(c) subject to section 5.94, providing information from local government records;

(d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;

(e) supplying goods;

(f) such other service as may be prescribed.

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

(a) imposed* during a financial year; and

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

* Absolute majority required.

Relevant Plans and Policy:

Nil

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Financial Implications:

There will be a loss of income this financial year in the amount of 7 months rental income.

Risk Assessment:

Loss of some income which had been anticipated for the current financial year.

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

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

4.3.5 Use resources efficiently and effectively

4.3.6 Operate in a financially sustainable manner

Comment:

It is very regrettable that the miscommunication lead to Council setting a charge for the Silver Chain House which is not able to be paid at present. The Shire has an excellent working relationship with Silver Chain, and given their status and the desire to work with agencies such as Silver Chain it is recommended that Council waive the outstanding debt and amend the fees and charges so that no rent is payable on the house for the rest of this financial year. The rent will then be re-imposed through the budget process for 2019/20.

2019/4-003 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council:

- 1. Subject to Section 6.12 (1)(c) Local Government Act 1995 authorise the outstanding debt of \$510 owed by Silver Chain relating to rent for the Silver Chain House, Beacon being written off; and***
- 2. Subject to Section 6.16 (3)(b) Local Government Act 1995 authorise amending the fees and charges so that no rent is payable on the Beacon Silver Chain House.***

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

Seconded Cr IC Sanders

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.1.16 Chief Executive Officer Annual Leave

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

Background:

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

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

5.39. Contracts for CEO and senior employees

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

(1a) Despite subsection (1) —

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

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

Relevant Plans and Policy:

Nil

Financial Implications:

Annual leave is budgeted.

Risk Assessment:

There is little risk in relation to this application as arrangements will be made so that issues can be dealt with in the absence of the Chief Executive Officer.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Community & Strategic Objectives:

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

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

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

Comment:

Given the length of leave that is requested, it is not felt necessary for Council to appoint an Acting Chief Executive Officer.

2019/4-004 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council approve a period of annual leave for the Chief Executive Officer between July 5 2019 and July 15 2019 inclusive.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.1.17 Wheatbelt Secondary Freight Network – Updated Financial Contribution Allocation

File No:	F1/3
Location/Address:	N/A
Name of Applicant:	Shire of Koorda
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 Wheatbelt Secondary Freight Network (WSFN) network comprises 4,400km of Local Government managed roads that connect with State and National highways to provide access for heavy vehicles into the region. These roads are intended to enable large, high productivity trucks safe and cost effective access to business.

The project is being driven by local government authorities with a Working Group established consisting of representatives from the following organisations:

- Wheatbelt North Regional Road Group (WN RRG)
- Wheatbelt South Regional Road Group (WS RRG)
- WA Local Government Association (WALGA)
- Regional Development Australia - Wheatbelt (RDA-W)
- Main Roads WA-Wheatbelt Region (MRWA-WR)
- Wheatbelt Development Commission (WDC)

Over the last 2 years, 42 Local Government authorities across the region have collaborated to identify priority routes and have also participated in a technical data collection process, preparation of a pre-feasibility business case and a cost benefit analysis of the planning process. The in-kind investment by local government to date is estimated to be in excess of \$750,000. The process has been an excellent example of a large number of local governments working together on a common strategic regional priority. The key undertakings of the project so far are:

1. Identification of nominated WSFN roads based upon a simple criteria developed by RRG.
2. Determination of basic project framework and minimum design standards.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

3. Road condition assessment against minimum design standards.
4. High level scope of works and order of magnitude costs for upgrades required.
5. A summary of data collection and assessment across the 42 local of governments is:

	Route Length (km)	Proposed Works (km)	Proposed Length (%)	Indicative Costs (\$)
TOTAL	4,337	2,851	66	\$ 493,000,000

This initial approach was to assist the Working Group to work towards an Infrastructure Australia Stage 3/4 submission for inclusion of the WSNF project on the Infrastructure Australia Infrastructure Priority List (IPL). The long term goal is to obtain funding support for a broadly estimated, \$500 million capital works program over 10 - 20 year timeframe to bring the network up to a fit for purpose standard for current and anticipated future needs. The group is working towards submitting an IA Stage 4 Business Case submission for the WSNF. The project development costs associated with the business case submission are estimated to be \$5M, which is in the order of 1% of the estimated capital investment.

The following provides an outline of the proposed budget and funding applications that were submitted to assist with the development and planning stages the WSNF project.

Stages	Budget and Funding Sources
Stage 1 – Strategic Planning	\$1,000,000
<ul style="list-style-type: none"> ▪ Design Criteria and Objectives ▪ Options Assessment ▪ Collated Data Review ▪ Multiple Criteria Assessment ▪ Staging Plan 	<ul style="list-style-type: none"> ▪ BBRF (\$750K) ▪ LGA co-contribution (\$250K)
Stage 2 – Detailed Planning	\$3,600,000
<ul style="list-style-type: none"> ▪ Concept Design Investigations ▪ Preliminary Design Investigations 	<ul style="list-style-type: none"> ▪ Commodity Route (\$1M) ▪ LGA in-kind
Stage 3 – IA Stage 3/4 Submission	\$400,000
<ul style="list-style-type: none"> ▪ Project Management ▪ Governance Plan ▪ Business Case Development 	<ul style="list-style-type: none"> ▪ REDS (\$100K) ▪ LGA in-kind
	\$5,000,000

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Building Better Regions Fund (BBRF) submission

The Building Better Regions Fund (BBRF) submission is only intended to contribute towards funding activities associated with Stage 1 – Strategic Planning at an estimated budget of \$1M.

Funding and the associated BBRF application can be summarised as follows:

- Budget
 - Total Cash \$1M
- Funding
 - BBRF \$750K
 - LGA cash co-contribution \$250K.

This strategic planning work will inform the strategic allocation of road capital works funding provided to LGAs in the region, the economically optimal sequence for developing the network and ensure that roads are designed and constructed to an optimal standard from a ‘whole-of-life’ asset management perspective. The detailed planning exercise is expected to achieve a net benefit in the order of \$20 million based solely on the benefits gained from freight route prioritisation.

Commodity Freight Roads Fund (CFRF)

The Commodity Freight Roads Fund submission is intended to contribute towards funding of activities associated with Stage 2 – Detailed Planning. This will specifically entail \$1M for consultants to undertake Preliminary Design Investigations. The remainder of Stage 2 is intended to be undertaken via in-kind by local governments and other funding sources currently being investigated, should they become available.

Regional Economic Development (RED) Grant

The Regional Economic Development (RED) Grants submission is intended to contribute towards funding activities associated with Stage 3 – IA Stage 3/4 Submission. This will specifically entail \$100K for a Lead Consultant to undertake project management. The remainder of Stage 3 is intended to be undertaken via in-kind by local governments and other funding sources being investigated should they become available.

Major Project Business Case Fund (MPBCF) Initiative

The Australian Government is investing \$100 billion over 10 years from 2019–20 through its rolling infrastructure plan to help manage our growing population, meet our national freight challenge and get Australians home sooner and safer. This includes \$250 million allocated to the Major Project Business Case Fund (MPBCF) initiative. Projects with clear strategic merit that has:

- Engagement in the project planning stage
- View of future priorities
- Ready to invest to enable economic activity

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

- Address nationally significant deficits in the transport system
- Drive economic productivity growth and liveability in cities and regions through transport infrastructure investment

The WSFR Working Group sees the \$5M sought for the Stage 4 IA submission for this regionally significant project as an ideal candidate for the MPBCF.

Roads of Strategic Importance (ROSI) Initiative

The Australian Government will invest \$4.5 billion, including \$1 billion of additional funding committed in the 2019-20 Budget, to the Roads of Strategic Importance (ROSI) initiative to help connect regional businesses to local and international markets, and better connect regional communities. ROSI has the following principles:

- Key freight corridors that connect primary agricultural areas and mining resource regions to ports and other transport hubs.
- Support communities along the corridors and provide better access for tourists and other road users
- Characterised by narrow sections of road, low capacity bridges and deteriorating pavements,
- Constrains the productivity and efficiency of freight movements.
- Catalyse economic activity and improve access to communities and tourist attractions.

From an estimated total of \$500,000,000 in funding the Working Group sought \$125,000,000 over the next 3 years for the delivery of the first stage of capital works.

The Working Group put in separate funding submissions for each of the abovementioned funding sources for the various stages of the project. The project has been successful in obtaining funding from the following sources:

- ROSI initiative funding (
 - Stage 1 Priority Works – Wheatbelt Secondary Freight Network.
 - The Australian Government has committed \$70 million towards the project.

“Upgrades will be prioritised based on linkages to state and national roads and highways and the rail network. Consideration will also be given to links to six ports and two livestock centres, as well as regional and metro grain receival sites, accessed by the producers of the Wheatbelt region.

Benefits of the project include:

- improve road safety
- improve freight efficiency, connectivity and travel time

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

- ensure consistent Restricted Access Vehicles (RAVs) ratings across the network, which will provide improved access for agricultural and mining regions to transport hubs”
- RED Grants (Supported by the WA State Government’s Royalties for Regions Program)
 - Lead Consultant Project Coordinator – Wheatbelt Secondary Freight Network.
 - \$100,000.

“The Lead Consultant will form part of the Project Management Team and work with the member organisation Working Group.

The Lead Consultant - Project Management is an integral key to successful project delivery. The complexity and scale of this project is significant and well beyond the technical and financial capabilities of the Wheatbelt shires on an individual basis.

Engaging a Lead Consultant – Project Management with the skills and expertise required to work with all technical consultants and the PMT will ensure a cohesive collaborative environment is established for optimum outputs. The project is planned to be managed via oversight from the WSFR Steering Committee with a nominated Project Manager and the Project Management Team (PMT) representing the WSFR.

Lead Consultant – Project Management will direct the work of the external technical consultants and will be the main contact for communication between the Project Management Team and external consultants.

The WSFN Project will require the specialised skills of a range of external technical consultants. Key areas of technical expertise identified for the project are:

- Civil Design
- Surveying
- Environmental
- Economic Assessment”

Previously 42 local governments were asked to financially contribute to the WSFN project via a budget allocation of \$6,000 which was proposed to be part of a co-contribution towards BBRF. With the unsuccessful BBRF bid, it is proposed that the \$6,000 in financial contributions from each of the 42 local governments totalling \$252,000 be allocated to combine with the RED funding of \$100,000 to become project management pool of approximately \$350,000. This would contribute towards the overall project management requirements associated with the delivery of Stage 1 Priority Works over the course of an estimated 3 year delivery timeframe. Funding would contribute towards the following nominal requirements:

- Project Coordinator

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

- Nominal \$60,000 per annum (\$180,000 across 3 years)
- Project Administration and Communications Officer.
 - Nominal \$20,000 per annum (\$60,000 across 3 years)
- Technical Consultancy Resources
 - Nominal \$100,000.

Consultation:

An email was received from Cr Ricky Storer containing the request which forms this report.

Statutory Environment:

Nil

Relevant Plans and Policy:

Nil

Financial Implications:

Council had already agreed to allow \$6000 in the 2019/20 annual budget towards the project. This report simply requests the reallocation of funds from Building Better Regions fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant.

Risk Assessment:

There is a risk that the project will be underfunded without the contribution from all Shires who are part of the project.

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:

This report requests Council to consider support for the Wheatbelt Secondary Freight Network project by reallocation of funds from Building Better Regions fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

2019/4-005 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council:

- 1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project;***
- 2. Authorises the Chief Executive Officer to prepare and sign a letter of support that endorses the re-allocation of \$6,000 in 2019/20 budget to co-fund the project management of the Wheatbelt Secondary Freight Network in combination with the WA State Government's \$100,000 of Regional Economic Development Grant funding, as part of the delivery of its Stage 1 Priority Works.***

Moved Cr SE Faulkner

Seconded Cr LN Gobbart

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.1.18 Delegation Register Review 2019

File No:	A2/23
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
Attachments:	12.1.18a – Reviewed Delegation Register 2019 12.1.18b – Reviewed Sub-Delegation Register 2019
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previously Considered:	Nil

Background:

Council is required, subject to Local Government Act 1995 Section 5.46(2), to review annually the register of delegations. The review was undertaken in May 2018, and is now due again to comply with legislation. A thorough review of the delegation register was undertaken in 2017 where several amendments were made. There were several reasons for these changes, which included:

- Legislation not authorising delegation or sub-delegation
- Incorrect legislation previously referenced
- Delegation not required (eg. Because it is an operational issue)

This report provides Council with an updated delegations register (**Attachment 12.1.18a**) for endorsing, and sub-delegation register for noting (**Attachment 12.1.18b**).

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Relevant Plans and Policy:

Whilst there is no direct policy, there is a register maintained as required by legislation.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Financial Implications:

Whilst there are no direct financial implications relating to endorsing the attached delegation register, several of the delegations relate to financial functions across the Shire administration.

Risk Assessment:

Should Council fail to review the delegation register as required by the Local Government Act, a breach of the act would be noted by the Auditors.

Community & Strategic Objectives:

CIVIC LEADERSHIP - Provide efficient and effective management

C 3.2 Enhance the capacity and effectiveness of administrative processes

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

Comment:

Due to the thorough review of the register in 2017 and further minor changes last year there are no amendments recommended to the delegation register in this review. Council are not required to endorse the sub-delegation register, however it is attached for noting.

Council are of course free to consider the delegations presented, and accept, reject or amend as deemed appropriate. In order for Council to make an informed decision, below is some background and explanation regarding delegations:

Delegations are the means by which decision making bodies can access the power to undertake certain statutory functions. A delegation is the conferral of the ability to exercise a power or duty under legislation, to a person or committee from a local authority that is vested with the responsibility to exercise that power or duty. When a person exercises delegated authority they do so 'on behalf' of the delegator, and in doing so the person exercising delegated authority makes the decision 'on behalf' of the delegator.

Local Government Guideline No17 – Delegations says that a decision to delegate a power or duty should be made only after thorough consideration of whether the delegation will facilitate the effective operation of the local government. The principal consideration is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented.

Accordingly, it is respectfully suggested that the delegation register as presented to Council with this report meet the guidelines above, and it is recommended that it be endorsed.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

2019/4-006 OFFICER'S RECOMMENDATION:

That subject to S5.46 Local Government Act 1995, Council endorse the Delegation Register as attached at Attachment 12.1.18a and note the Sub-Delegation Register as attached at Attachment 12.1.18b.

***Moved Cr RM Kirby
Absolute Majority***

Seconded Cr SR Putt

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.1.19 Salaries and Allowances Tribunal Determination April 2019

File No:	F1/3
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	John Nuttall – Chief Executive Officer
	12.1.19a – SAT Determination effective July 2019
Attachments:	12.1.19b – Section 30 <i>Local Government Officers (Western Australia) Interim Award 2011</i>
	12.1.19c – Policy C&C 1.4 Councillor Meeting Fees, Allowances & Reimbursements
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

The Salaries and Allowances Tribunal provides an annual determination regarding remuneration levels for Local Government CEO's and Elected Members. The latest determination was issued on 9 April, and takes effect from 1 July 2019. This report relates to some changes which will be required to bring some of the current allowances paid to Elected Members into line with the updated determination. A copy of the determination is attached.

Consultation:

Nil

Statutory Environment:

See attached determinations

Relevant Plans and Policy:

Policy C&C 1.4 is relevant and attached (**12.1.19c**). Please note that this policy will be out of date as of July if Council resolve to change the rates as per this report. An updated policy will be presented to the June Ordinary Meeting for adoption.

Financial Implications:

The changes will have a minor effect upon the budget, but will be factored into the annual budget for 2019/20.

Risk Assessment:

A failure to make changes to comply with the determination will result in the Shire breaching this legislation.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

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:

The meeting attendance fees which Councillors currently receive are still within the band set for a Band 4 Local Government, although there could be consideration of the amount paid if Councillors so choose. This report is designed to prevent any breach of the determination, and as such Council needs to review the reimbursement levels for use of motor vehicles. The determination at Section 8.2 (5) indicates that for Councillor travel reimbursement, the rates should be the same as in Section 30.6 of the Local Government Officers (Western Australia) Interim Award 2011. That section (**attachment 12.1.19b**) determines the rates to be used. This report seeks Council resolution to adopt those rates for use from July 1 2019 when the determination comes into force.

2019/4-007 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council, subject to Local Government Chief Executive Officer and Elected Members Determination 2019 adopt the following rates (Cents per kilometre) for Elected Members reimbursement:

- | | |
|--------------------------------|--------------|
| • Over 2600cc | 95.54 |
| • Over 1600cc to 2600cc | 68.66 |
| • 1600cc and under | 56.69 |
| • Motor Cycle | 32.55 |

Moved Cr SE Faulkner

Seconded Cr NR Gillett

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.2 Works Supervisor

12.2.4 Works Report May 2019

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 2nd stage 4.20-6.00 (Western end) RRG programmed works - this section of road has now been sealed and completed

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Burakin-Wialki Rd RRG programmed works - these works have now been sealed and completed.

Wialki-Welbungin Rd R2R second stage works have now been sealed although some trim is required. Guide posts to be placed later next week and then works are complete.

Powell St, Bencubbin - Staff have just commenced these works and it should be up to seal stage within the next two weeks, however it will be held back and sealed at the same time as Rowlands St in Beacon which we will move straight onto.

Gardening

Gardeners from Bencubbin and Beacon are spending a lot of time controlling falling leaves at this time of year.

White cockies have been doing a fair amount of damage to the Bencubbin football oval and staff have been constantly filling in holes that have been created.

Other works are cleaning up paths, roads and vacant lots around town as well as their general duties of mowing and whipper snipping parks and gardens.

Maintenance Works

Maintenance staff have been replacing signs and carrying out a lot of patching on bitumen roads throughout the Shire before any substantial rains begin.

Maintenance Grading

They are currently working in the following locations:

Stretch- is grading along Scotsmans Rd

Ralph- is currently along Gillett Rd

Bill- is currently on Beacon-Back Rd

2019/4-008 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the May 2019 report of the Works Supervisor be received.

Moved Cr NR Gillett

Seconded Cr SR Putt

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.3 Executive Assistant

12.3.7 Status Report – April 2019

File No:	N/A
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	12.3.7 – Status Report April 2019
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 21 May 2019

2019/4-009 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The Status Report for April 2019 be received.

Moved Cr LN Gobbart

Seconded Cr RM Kirby

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.3.8 Minutes of NEWROC Council Meeting held 23 April 2019

File No:	N/A
Location/Address:	NEWROC District
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Nadine Richmond – Executive Assistant
Attachments:	12.3.8 – Minutes of NEWROC Council Meeting held 23 April 2019
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 23 April 2019 are submitted (**Attachment 12.3.8**) in order to keep all members abreast of the activities of the NEWROC Council.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

The next meeting of the NEWROC Council is scheduled to be held on Tuesday 25 June 2019 at the Shire of Nungarin.

2019/4-010 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The minutes of the NEWROC Council meeting held on 23 April 2019 be noted.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.4 Finance and Administration Manager

12.4.11 Statement of Financial Activity to 30 April 2019

File No:	F1/4
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Tanika McLennan – Finance & Admin Manager
Attachments:	12.4.11 – Statement of Financial Activity to 30 April 2019
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 21 May 2019

2019/4-011 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

The Statement of Financial Activity for the month ending 30 April 2019 be endorsed.

Moved Cr SR Putt

Seconded Cr LN Gobbart

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.4.12 Accounts Paid to 30 April 2019

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

Background:

Following is a List of Accounts submitted to Council on Tuesday 21 May 2019 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
35	30/04/2019	BANK FEES - BANK FEES	BANK FEES	329.63
144	12/04/2019	WATER CORPORATION	UTILITY CHARGES 22.1.19-25.3.19	102.64
145	16/04/2019	WESTERN POWER	FEASIBILITY STUDY	2300.00
146	30/04/2019	TELSTRA	UTILITY CHARGES-MARCH19	2092.14
EFT14817	02/04/2019	EASISALARY	PAYROLL DEDUCTIONS	491.46
EFT14818	12/04/2019	SHIRE OF WYALKATCHEM	RENT-EHO 1.2.19-28.2.19 & WATER USAGE 8.12.18-12.2.19	1128.60
EFT14819	12/04/2019	BENCUBBIN COMMUNITY RECREATION COUNCIL	ROOM HIRE	140.00
EFT14820	12/04/2019	SHIRE OF MT MARSHALL	NEW HEALTH RECOUP 28.2.19	8034.68
EFT14821	12/04/2019	AVON WASTE	RUBBISH COLLECTION-MARCH19	5064.64

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Chq/EFT	Date	Name	Description	Amount
EFT14822	12/04/2019	BOC GASES	GAS CYLINDERS	42.08
EFT14823	12/04/2019	TWO DOGS HOME HARDWARE	KEYS CUT	57.54
EFT14824	12/04/2019	EASTERN HILLS SAWS & MOWERS PTY LTD	MARCH SUPPLIES	294.00
EFT14825	12/04/2019	COURIER AUSTRALIA	FREIGHT-MARCH19	121.68
EFT14826	12/04/2019	STATE LIBRARY OF WA	FREIGHT CHARGES FOR VDX LOANS	310.88
EFT14827	12/04/2019	NINGHAN SPRAYING & AG SERVICES	MARCH SUPPLIES	82.90
EFT14828	12/04/2019	KTY ELECTRICAL SERVICES	MARCH REPAIRS	3929.47
EFT14829	12/04/2019	SHIRE OF TRAYNING	DOCTORS HOUSE RENT 3.3.19-30.3.19	852.50
EFT14830	12/04/2019	BENCUBBIN NEWS & POST	NEWSPAPERS-MARCH19	123.82
EFT14831	12/04/2019	BEACON CENTRAL COMMUNITY RESOURCE CENTRE	CARAVAN PARK VOUCHER	20.00
EFT14832	12/04/2019	WA HINO SALES & SERVICE	MARCH SUPPLIES	248.97
EFT14833	12/04/2019	BEACON CO-OPERATIVE LTD	CLEANING-MARCH19	1474.30
EFT14834	12/04/2019	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	INTEGRATED PLANNING & REPORTING FORUM-J.NUTTALL	80.00
EFT14835	12/04/2019	WINC AUSTRALIA PTY LTD	MARCH SUPPLIES	177.51
EFT14836	12/04/2019	BURGESS RAWSON (WA) PTY LTD	LICENCE PREPARATION FEE-BEACON RAILWAY RESERVE	385.00
EFT14837	12/04/2019	ICS CARPENTRY	MARCH REPAIRS	7986.00
EFT14838	12/04/2019	BENCUBBIN COMMUNITY RESOURCE CENTRE	HIRE OF CONFERENCE ROOM	20.00
EFT14839	12/04/2019	SHIRE OF BRUCE ROCK	STAFF TRAINING	635.21
EFT14840	12/04/2019	D & D TRANSPORT	FREIGHT-MARCH19	346.95
EFT14841	12/04/2019	COLAS WESTERN AUSTRALIA PTY LTD	EMULSION SEALING WORKS	63877.55
EFT14842	12/04/2019	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER SERVICES	85.00
EFT14843	12/04/2019	LANDGATE	RURAL UV'S CHARGABLE	121.10
EFT14844	12/04/2019	CUTTING EDGES EQUIPMENT PARTS	MARCH SUPPLIES	92.40
EFT14845	12/04/2019	BENCUBBIN AG SUPPLIES	MARCH SUPPLIES	501.12
EFT14846	12/04/2019	REFUEL AUSTRALIA	FUEL-MARCH19	489.34
EFT14847	12/04/2019	TUTT BRYANT EQUIPMENT	MARCH SUPPLIES	2326.56
EFT14848	12/04/2019	CR IC SANDERS	MEETING FEES & ALLOWANCES 13.2.19-20.3.19	493.18

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Chq/EFT	Date	Name	Description	Amount
EFT14849	12/04/2019	KOORDA COMMUNITY RESOURCE CENTRE	ADVERTISING	50.00
EFT14850	12/04/2019	GREAT SOUTHERN FUELS	FUEL	22489.22
EFT14851	12/04/2019	BOB WADDELL & ASSOCIATES PTY LTD	VARIOUS ACCOUNTING SERVICES	33.00
EFT14852	12/04/2019	AMPAC DEBT RECOVERY PTY LTD	DEBT RECOVERY COSTS-1043	6519.02
EFT14853	12/04/2019	DYLAN COPELAND	PROVISION OF NATURAL RESOURCE MANAGEMENT-MARCH19	1584.00
EFT14854	12/04/2019	KC SALES	CATERING-WHEATBELT WOMENS BUSINESS	457.60
EFT14855	12/04/2019	LOREN NORTHOVER	REFRESHMENTS	32.07
EFT14856	12/04/2019	PALM PLUMBING	MARCH REPAIRS	1689.87
EFT14857	12/04/2019	HANDS ON THERAPEUTIC MASSAGE	STAFF VOUCHERS	70.00
EFT14858	12/04/2019	SARAH MARY MOUG	REIMBURSEMENT FOR TRAVEL TO CONFERENCE	424.32
EFT14859	12/04/2019	JOHN GOSPER DESIGN	NEW HEALTH-BUILDING SURVEYING SERVICE-JAN/MARCH19	2420.00
EFT14860	12/04/2019	BRIANNA PETERS	AQUATIC CENTRE REIMBURSEMENT SCHEME 2018/19	150.00
EFT14861	12/04/2019	CENTRAL REGIONAL TAFE	STUDY-S.MOUG	333.14
EFT14862	12/04/2019	COFFEY & TEA	SOCIAL MEDIA MARKETING PRESENTATION & WORKBOOK FOR 20-FINAL PAYMENT	2102.50
EFT14863	12/04/2019	THE FARMHOUSE KITCHEN CATERING	CATERING-TWO COURSE LUNCH FOR WHEATBELT WOMEN MEAN BUSINESS DAY	988.00
EFT14864	12/04/2019	WHEATBELT BUSINESS NETWORK	MEMBERSHIP	165.00
EFT14865	12/04/2019	CRISP COPY	SPEAKING AND PRESENTING 1 DAY EVENT, TRAVEL AND WORKSHEET PRINTING-FINAL PAYMENT	531.70
EFT14866	11/04/2019	CRISP WIRELESS PTY LTD	BUSINESS LITE SUBSCRIPTION-INTERNET ACCESS	328.90
EFT14868	15/04/2019	EASISALARY	PAYROLL DEDUCTIONS	491.46
EFT14869	14/04/2019	BENDIGO BANK	MARCH SUPPLIES	3283.48
EFT14870	08/04/2019	SYNERGY	UTILITY CHARGES 21.2.19-20.3.19	467.80
EFT14871	16/04/2019	BENCUBBIN COMMUNITY RECREATION COUNCIL	ROOM HIRE	100.00

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Chq/EFT	Date	Name	Description	Amount
EFT14872	16/04/2019	NINGHAN SPRAYING & AG SERVICES	MARCH SUPPLIES	73.85
EFT14873		CANCELLED		
EFT14874	16/04/2019	CIVIC LEGAL	PROJECT AWARE GOVERNANCE PROGRAM	2255.00
EFT14875	29/04/2019	MT MARSHALL & DISTRICTS AGRICULTURAL SOCIETY	ANNUAL CONTRIBUTION TO 2019 MT MARSHALL COMMUNITY SHOW	8120.00
EFT14876	30/04/2019	EASISALARY	PAYROLL DEDUCTIONS	491.46
EFT14877	29/04/2019	CARDTRONICS AUSTRALASIA PTY LTD	ONGOING FEE FOR ATM-MARCH19	89.91
EFT14878	29/04/2019	WA TREASURY CORPORATION	LOAN NO. 121 INTEREST PAYMENT - SAR BENCUBBIN MULTIPURPOSE COMPLEX REDEV	42350.36
EFT14879	30/04/2019	SHIRE OF MT MARSHALL	RATES	25097.15
EFT14880	30/04/2019	CJD EQUIPMENT PTY LTD	APRIL SUPPLIES	347.12
EFT14881	30/04/2019	COURIER AUSTRALIA	FREIGHT-APRIL19	43.51
EFT14882	30/04/2019	NINGHAN SPRAYING & AG SERVICES	APRIL SUPPLIES	239.22
EFT14883	30/04/2019	KTY ELECTRICAL SERVICES	APRIL REPAIRS	4107.28
EFT14884	30/04/2019	MUKA MATTERS	ADVERTISING	220.00
EFT14885	30/04/2019	WHEATBELT SIGNS	UPDATE SIGN	66.00
EFT14886	30/04/2019	EDGECOMBE'S JEWELLERS	KEY CUTTING	60.00
EFT14887	30/04/2019	JASON SIGNMAKERS	SIGNS	2020.70
EFT14888	30/04/2019	SHIRE OF TRAYNING	ADVERTISING	20.00
EFT14889	30/04/2019	BENCUBBIN NEWS & POST	POSTAGE 15.4.19-19.4.19	58.34
EFT14890	30/04/2019	BEACON COUNTRY CLUB INC.	THANK A VOLUNTEER BBQ	430.00
EFT14891	30/04/2019	AUSTRALIAN TAXATION OFFICE	BAS-MARCH19	29660.00
EFT14892	30/04/2019	BEACON PROGRESS ASSOCIATION INC.	HIRE OF CRC CONFERENCE ROOM	22.00
EFT14893	30/04/2019	DIELECTRIC SECURITY SERVICES	MONITORING FEES 1.5.19-31.7.19	101.20
EFT14894	30/04/2019	MOORE STEPHENS (WA) PTY LTD	PREPARATION & ATTENDANCE-AUDIT COMMITTEE MEETING 20.3.19	604.90
EFT14895	30/04/2019	WINC AUSTRALIA PTY LTD	APRIL SUPPLIES	144.47
EFT14896	30/04/2019	ICS CARPENTRY	APRIL REPAIRS	82115.00
EFT14897	30/04/2019	ALL-WAYS FOODS	APRIL SUPPLIES	283.25
EFT14898	30/04/2019	MERREDIN TOYOTA	TOYOTA LANDCRUISER	6958.59
EFT14899	30/04/2019	BENCUBBIN TRUCK N AUTO'S	MARCH REPAIRS	4006.46

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Chq/EFT	Date	Name	Description	Amount
EFT14900	30/04/2019	PERFECT COMPUTER SOLUTIONS PTY LTD	COMPUTER SERVICES	170.00
EFT14901	30/04/2019	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	LG ECONOMIC DEVELOPMENT FRAMEWORK LAUNCH-J.NUTTALL	300.00
EFT14902	30/04/2019	KUNUNOPPIN MEDICAL PRACTICE	PRE EMPLOYMENT MEDICAL-R.WATSON	143.00
EFT14903	30/04/2019	TUTT BRYANT EQUIPMENT	APRIL SUPPLIES	1621.73
EFT14904	30/04/2019	LOCAL PEST CONTROL	PEST CONTROL	1020.00
EFT14905	30/04/2019	ORBIT HEALTH & FITNESS SOLUTIONS	GYM EQUIPMENT	968.18
EFT14906	30/04/2019	WA CONTRACT RANGER SERVICES	RANGER SERVICES 26.3.19 & 16.4.19	561.00
EFT14907	30/04/2019	PALM PLUMBING	APRIL REPAIRS	1245.59
EFT14908	30/04/2019	MARKET CREATIONS	REFUND-ACCOMMODATION PAID TWICE	220.00
EFT14909	30/04/2019	INITIAL HYGIENE	SANITARY DISPOSAL SERVICE 11.5.19-10.6.19	686.19
EFT14910	30/04/2019	CR ARC SACHSE	MEETING FEES & ALLOWANCES 21.3.19-16.4.19	1648.90
EFT14911	30/04/2019	CR RM KIRBY	MEETING FEES & ALLOWANCES 21.3.19-16.4.19	983.18
EFT14912	30/04/2019	CR SE FAULKNER	MEETING FEES & ALLOWANCES 21.3.19-16.4.19	513.18
EFT14913	30/04/2019	WHEATBELT OFFICE & BUSINESS MACHINES	PHOTOCOPIER CHARGES	571.72
EFT14914	30/04/2019	CR NICK GILLETT	MEETING FEES & ALLOWANCES 21.3.19-16.4.19	674.50
EFT14915	30/04/2019	DEASE FARM	PURCHASE AND PUSHING GRAVEL	3796.20
EFT14916	30/04/2019	CR STUART PUTT	MEETING FEES & ALLOWANCES 21.3.19-16.4.19	729.18
EFT14917	30/04/2019	LEEANNE NOLA GOBBART	MEETING FEES & ALLOWANCES 21.3.19-16.4.19	597.18
EFT14918	30/04/2019	ABSOLUTELY ALL ELECTRICAL	SUPPLY AND INSTALL CARAVAN SITE BOX FOR 3 SITES	5047.33
EFT14919	30/04/2019	ARCUS AUSTRALIA PTY LTD	OVEN WITH GRIDDLE PLATE	7249.00
EFT14920	30/04/2019	SALLY J DESIGN	CANVA WORKSHOP	320.00

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

Chq/EFT	Date	Name	Description	Amount
EFT14921	30/04/2019	DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS	PREPARATION & LODGEMENT OF DEPOSITED PLAN-DATJOIN WELL	417.33
EFT14922	30/04/2019	HOT SHOTS FERAL & PEST SOLUTIONS	GERAL PIGEON CULL 6-8.3.19	280.50
EFT14923	08/04/2019	CRISP WIRELESS PTY LTD	INSTALLATION OF INTERNET AND MODEM	447.00
EFT14924	18/04/2019	SYNERGY	UTILITY CHARGES 10.1.19-11.3.19	218.85
EFT14925	23/04/2019	SYNERGY	STREETLIGHTS 25.2.19-24.3.19	1854.65
EFT14927	26/04/2019	CRISP WIRELESS PTY LTD	BUSINESS LITE SUBSCRIPTION-INTERNET ACCESS	328.90
DD9553.1	10/04/2019	WALGS PLAN	PAYROLL DEDUCTIONS	7546.16
DD9553.2	10/04/2019	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	601.53
DD9553.3	10/04/2019	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	202.49
DD9553.4	10/04/2019	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	248.68
DD9553.5	10/04/2019	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	204.53
DD9553.6	10/04/2019	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	529.80
DD9553.7	10/04/2019	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	186.12
DD9564.1	24/04/2019	WALGS PLAN	PAYROLL DEDUCTIONS	7919.49
DD9564.2	24/04/2019	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	201.72
DD9564.3	24/04/2019	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	601.53
DD9564.4	24/04/2019	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	246.80
DD9564.5	24/04/2019	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	204.53
DD9564.6	24/04/2019	LEGALSUPER	SUPERANNUATION CONTRIBUTIONS	529.80
DD9564.7	24/04/2019	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	241.71
				411,633.88

2. Trust

Chq/EFT	Date	Name	Description	Amount
EFT14867	12/04/2019	JEFFRIES FARMS	REFUND DUE TO LICENSING ERROR	609.40
EFT14926	30/04/2019	DEPARTMENT OF TRANSPORT	MMSO20190418	10960.55
				11,569.95

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

3. Mastercard

Details	Amount
Annual post box rental	85.00
Bank fees	4.00
S.Moug-Daycare conf.-accomm	995.81
Accomm-K.Ferguson-training	130.15
Repairs-freight-road counter	63.80
Bank fees	4.00
Little hotelier fees	81.95
Little hotelier fees	81.95
Accomm.&meals-S.Wyatt-LG Conf.	507.01
Incorrect charges-reversed in credit	12.14
Credit for incorrect charges	-17.20
Bank fees	4.00
Advertising-Travel guide The West	660.00
Sleeve dispenser-coffee machine	66.00
Coffee pods	47.60
Annual subscrip.Adobe	343.07
Council snacks	11.20
First aid training-C.Begley	199.00
Bank fees	4.00
	3,283.48

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

This List of Accounts Paid under Delegation 14 and covering vouchers and direct debits as above was submitted to each Member of the Council for the Ordinary Meeting of **21 May 2019**. 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

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

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

2019/4-012 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That the Accounts Listed

<i>Municipal Fund</i>	\$	<i>411,633.88</i>
<i>Trust Fund</i>	\$	<i>11,569.95</i>
<i>Mastercard</i>	\$	<i><u>3,283.48</u></i>
<i>Total</i>	\$	<i>426,487.31</i>

Be endorsed.

Moved Cr RM Kirby

Seconded Cr LN Gobbart

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.4.13 Request for Donation of Rates - Avongro

File No:	F2/1
Location/Address:	Lots 6,7,8 Hammond St, Gabbin
Name of Applicant:	Avongro
Name of Owner:	Avongro
Author:	Tanika McLennan – Finance & Admin Manager
Attachments:	12.4.13 – Correspondence from Avongro
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

Correspondence has been received from Bruce Storer, Secretary of Avongro, an organisation promoting revegetation in Western Australia (**Attachment 12.4.13**).

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

Relevant Plans and Policy:

Nil

Financial Implications:

Nil – however consideration to the value of minimum rates and applicable rubbish/ESL charges to an approximate value of \$1,800 may be applicable to the 2019/20 budget.

Risk Assessment:

Nil

Community & Strategic Objectives:

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

- i. Encourage eco-tourism through the district
- ii. Support protection of existing and remnant vegetation
- iii. Encourage and support community awareness and participation in environmental projects

Comment:

The Strategic Community Plan identifies caring for the environment as one of four main areas of focus and as such, the work of Avongro aligns with this strategic objective, particularly Strategy 3.1.4.

Rate exemptions are no longer granted under current legislation, however Council does have the ability to make a donation to offset rates. This practice is currently in place for the Bencubbin Lions Depot and Beacon Central.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

OFFICER'S RECOMMENDATION:

That consideration of \$1,800 be made in the 2019/20 Annual Budget, being a donation equivalent to the rates applicable to Lots 6, 7 and 8 Hammond St, Gabbin, which would ordinarily be due and payable by Avongro.

2019/4-013 COUNCILLOR MOTION / COUNCIL DECISION:

That item 12.4.13 lay on the table for presentation at the June Ordinary meeting of Council to allow staff more time to gather information from Avongro regarding their plans in the Shire of Mt Marshall.

Moved Cr RM Kirby

Seconded Cr SR Putt

Carried 7/0

Reason Council decision is different to Officer's Recommendation:

Council would like more information regarding Avongro's plans of environmental projects in the Shire before making a decision.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.5 Community Development Officer

Nil

12.6 Regulatory Officer

12.6.1 Request to Waive Private Works Invoice – T Hill

File No:	F1/20
Location/Address:	Lot 3 (1) Powell Street, Bencubbin
Name of Applicant:	Nil
Name of Owner:	Ms Theresa Hill
Author:	Jack Walker – Regulatory Officer
	12.6.1a – Correspondence to Ms T Hill Regarding Fire Break Responsibilities
	12.6.1b – Staff Member Time Card
	12.6.1c – Shire Invoice to Ms T Hill for Private Works
Attachments:	12.6.1d – Correspondence from Ms T Hill Querying Invoice
	12.6.1e – Correspondence to Ms T Hill Requesting Contractor Quote
	12.6.1f – Correspondence from Ms T Hill Including Private Contractor Quote
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

An annual Fire Break Order is included in all Shire rates notices informing property owners that they are required to remove all inflammable materials from their properties by the 1st October. Should property owners ignore this notice, written notice is given reminding them of their obligations. There is no suggested time limit for the works to be completed and therefore we usually advise them that they have fourteen (14) days to complete the work or the Shire can complete the works using either a contractor or Shire staff. Either way the cost of the work can be recouped from the owner. They are also advised of the hourly rate charged for Shire staff which is \$90.00 plus GST.

On the 22 October 2018 Shire staff wrote to Ms Theresa Hill who is the partner of the late Mr Peter Whitbread, advising her that the property was overgrown with inflammable materials and she had fourteen (14) days to clean up the property (**attachment 12.6.1a**). Taking into account mail delivery time an approximate date of 9 November would seem reasonable to have the works completed. On 20 November Shire staff entered the property and carried out the necessary works.

According to Ms Hill she rang on 19 November and told a staff member that the work would be completed by the end of November. Unfortunately this message was not passed on to

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

the appropriate staff member. Ms Hill claims she rang again on the 25th November and was told this would be ok, however, the 25th was a Sunday.

Ms Hill also states that when the contractor arrived on 27 November, Shire staff were on site carrying out the work. Shire staff carried out the work on the 20th November as shown on a staff member's time card at **attachment 12.6.1b**.

Shire staff have since obtained a copy of the contractor's quote which stated that he would carry out the work for \$95.00. The Shire's account was for \$594.00.

Consultation:

Mr John Nuttall – Chief Executive Officer

Ms Tanika McLennan – Finance and Administration Manager

Statutory Environment:

Local Government Act 1995

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

(1) Subject to subsection (2) and any other written law, a local government may —

(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or

(b) waive or grant concessions in relation to any amount of money; or

(c) write off any amount of money,
which is owed to the local government.

* Absolute majority required.

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

Relevant Plans and Policy:

Nil

Financial Implications:

Should Council agree to the recommendation there would be a reduction of \$495.00 to the Private Works account.

Risk Assessment:

There is a risk the debt will remain unpaid and involve the cost of legal action for recovery.

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:

Unfortunately, there is no proof that Ms Hill was given incorrect information and therefore the author has no option other than to recommend that Invoice 13453 be written off and a new invoice for one (1) hours labour hire be charged to match the quote received by Ms Hill.

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

It would also cost more in staff member's time to pursue this account if it remained unpaid.

2019/4-014 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

That Council, subject to the Local Government Act 1995 section 6.12(1)(c), authorise Invoice 13453 for an amount of \$594.00 being written off and direct that a new invoice for \$99.00 be issued.

Moved Cr SR Putt

Seconded Cr SE Faulkner

Carried 6/1

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

12.6.2 Proposed Extractive Industries Local Planning Policy

File No:	A2/24
Location/Address:	N/A
Name of Applicant:	Nil
Name of Owner:	N/A
Author:	Jack Walker – Regulatory Officer
Attachments:	Nil
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previously Considered:	Nil

Background:

At the May 2017 Ordinary Meeting Council resolved as follows:

2017/05–18 OFFICER’S RECOMMENDATION / COUNCIL DECISION:

That:

- 1. Council resolve not to proceed with the Extractive Industries Local Law.*
- 2. The Chief Executive Officer be directed to draw up and present to Council an Extractive Industries Local Planning Policy.*

*Moved Cr HJ Shemeld
Absolute Majority*

Seconded Cr ARC Sachse

Carried 6/0

Consultation:

Mr John Nuttall – Chief Executive Officer

Statutory Environment:

Nil

Relevant Plans and Policy:

The Shire of Mt Marshall has no plans or policies to cover Extractive Industries, but in the past have approved Development Applications with certain conditions for Extractive Industries.

Financial Implications:

Nil

Risk Assessment:

As Council wishes to encourage industry in the shire it is important that any prospective business are not discouraged by over regulation.

Community & Strategic Objectives:

CIVIC LEADERSHIP – provide accountable and transparent leadership

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

C1.2 Promote and support the community member’s participation in the shire’s governance

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

CIVIC LEADERSHIP – provide efficient and effective management:

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

Comment:

Shire staff have carried out an exhaustive search of both neighbouring shires and shires of a similar size to Mt Marshall for a suitable Extractive Industries Local Planning Policy. None of our neighbours have such a policy and those shires we have found that do have policies are generally in areas of heavy extractive industry and do not really meet the needs of our shire.

Extractive industries require development approval and part of the process requires the owners of the land to give permission for the development to proceed. Without that permission the development does not go ahead. This provides Council with the knowledge that they will have the final say regarding an approval and the ability to attach all necessary conditions. This appears to be acceptable to the applicants and makes the process fairly straight forward.

As Council would be aware the Shire operates several gravel pits in the area and also sources gravel from local farmers. The introduction of an Extractive Industries Local Planning Policy could also mean more work to be able to access this resource.

2019/4-015 OFFICER'S RECOMMENDATION / COUNCIL DECISION:

Council resolves not to proceed with an Extractive Industries Local Planning Policy.

Moved Cr RM Kirby

Seconded Cr NR Gillett

Carried 7/0

Minutes of the Ordinary Meeting of Council
held on Tuesday 21 May 2019

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 18 June 2019 commencing at 3:00pm at the Beacon Country Club, Shemeld St. Beacon

16.0 Closure of Meeting

The Presiding Member declared the meeting closed at 3.52pm.

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

Date

Cr ARC Sachse President