



SHIRE OF MT MARSHALL

**Minutes of Meeting held on
Wednesday 21 March 2012, at
Beacon Country Club, Beacon
commencing at 2:00pm.**

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SHIRE OF MT MARSHALL

**These Minutes were confirmed
by Council at the Ordinary
Meeting of Council held on
27 April 2012**

Cr PA Gillett

President

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held on Wednesday 21 March 2012

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- 15. Closure of Meeting

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1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member declared the meeting open at 2:00pm, welcomed the members of the public present in the gallery, and directed their attention to the disclaimer.

2.0 Record of Attendance / Apologies / Approved Leave of Absence

In Attendance

Cr PA Gillett	President / Presiding Member
Cr RN Breakell	Deputy President
Cr MP Hogan	Councillor
Cr DA Miguel	Councillor
Cr CJ Kirby	Councillor
Cr WJ Beagley	Councillor
Cr IC Sanders	Councillor

Mr Matthew Gilfellow Chief Executive Officer

Mrs Vanessa Munns	Public (2:00pm – 3:21pm)
Mr David Dunne	Public
Mrs Megan Beagley	Public
Mrs Marilyn Dunne	Public (2:00pm – 3:10pm)
Mrs Tanya Gibson	Public (2:00pm – 4:34pm)
Mrs Ruth Miguel	Public (2:01pm – 4:35pm)
Mr Ray Miguel	Public (2:01pm – 4:35pm)
Mrs Vicki Miguel	Public (2:03pm – 4:35pm)

Apologies

Nil

3.0 Standing Orders

2012/018 COUNCIL DECISION:

That Standing Orders be suspended for the duration of the meeting to allow for greater debate on items in the agenda.

Moved Cr Beagley Seconded Cr Miguel Carried 7/0

4.0 Public Questions

4.1 Response to Public Questions Taken on Notice

Nil

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4.2 Public Question Time

Public Question Time opened at 2:03pm

1. Mrs Marilyn Dunne enquired as to the progress of the gardens at the Beacon Lifestyle Retirement units?
The Gardens have been delayed due to the first quote being considered too high. A second contractor was asked for a quote however they became too busy. A quote is being sourced from a third contractor.

2. Mrs Tanya Gibson asked about the timing of the Beacon Regional Transition Group Community Consultation?
The shire did try to move the consultation date but due to the availability of some persons it was not possible. A videotape was taken of the consultation and was made available for the public to view.

Public Question time closed at 2:13pm.

5.0 Applications for Leave Of Absence
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Nil

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6.0 Confirmation of Minutes of Previous Meetings

6.1 Minutes of the Ordinary Meeting held on Wednesday 15 February 2012

2012/019 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 15 February 2012 be confirmed as a true and correct record of proceedings.

Moved Cr IC Sanders

Seconded Cr RN Breakell

Carried 7/0

7.0 Announcements by Presiding Person Without Discussion

Nil

8.0 Petitions / Deputations / Presentations / Submissions

Nil

Minutes of the Ordinary Meeting of Council
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9.0 Reports of Committees

9.1 Audit Committee

9.1.1 Minutes of Audit Committee Meeting held 15 February 2012

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: N/A
FILE REFERENCE: A1/3
AUTHOR: Lauren Grylls – Executive Administrator
DISCLOSURE OF INTEREST: No Interest to Disclose
DATE: 24 February 2012
ATTACHMENT NUMBER: 9.1.1 Minutes of Audit Committee Meeting
CONSULTATION: Nil
STATUTORY ENVIRONMENT: Nil
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2012/020 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the minutes of the Mt Marshall Audit Committee meeting held on 15 February 2012 be received.

Moved Cr DA Miguel

Seconded Cr MP Hogan

Carried 7/0

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9.2 NEWROC Council

9.2.1 Minutes of NEWROC Council Meeting held 28 February 2012

LOCATION/ADDRESS:	NEWROC District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A5/16
AUTHOR:	Lauren Grylls – Executive Administrator
DISCLOSURE OF INTEREST:	No Interest to Disclose
DATE:	14 February 2012
ATTACHMENT NUMBER:	9.2.1 Minutes of NEWROC Council Meeting
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2012/021 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the minutes of the NEWROC Council meeting held on 28 February 2012 be received.

Moved Cr CJ Kirby

Seconded Cr MP Hogan

Carried 7/0

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10.0 Reports of Officers

10.1 Environmental Health Officer/Building Surveyor
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10.1.1 Amendments to Delegation Register

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A2/23
AUTHOR:	Julian Goldacre – Environmental Health Officer/ Building Surveyor
DISCLOSURE OF INTEREST:	Nil
DATE:	15 March 2012
ATTACHMENT NUMBER:	10.1.1 – Proposed Delegation For the Building Act 2011
CONSULTATION:	Honourable Simon O’Brien – MLA Minister for Finance; Commerce; Small Business Mr T Bush – President Australian Institute of Building Surveyors National & Principal Building Surveyor City of Belmont Mr J Mitchell – Manager Developmental Services Coolgardie-Kambalda (formally at Merredin) Mrs M Dennis – Manager Developmental Services Katanning Mr L Thomas – PEHO/BS Goomalling-Dowerin Mr P Gow – Building Commission Director Mr P Scalzi – Building Commission Mr M Gilfellon – CEO
STATUTORY ENVIRONMENT:	Local Government Act 1995 Local Government (Miscellaneous Provisions) Act 1960 Building Act 2011 Building Services Levy Act 2011 Building Services (Complaint Resolution & Administration) Act 2011 Local Government (Function and General) Regulations 1996. Building Regulations 1989
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

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2012/022 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council upon promulgation of the *Building Act 2011* rescind the following Building Delegations being BLDG001, BLDG002, BLDG003 & BLDG004 from the Delegation Authority Register and adopt the new delegation statements BLDG001, BLDG002, BLDG003 and BLDG004 as shown in Attachment.

**Moved Cr MP Hogan
Absolute Majority**

Seconded Cr WJ Beagley

Carried 7/0

BACKGROUND:

The State Government has progressed through Parliament legislation that will change the future of the building approvals process throughout Western Australia (WA).

The *Building Act 2011* was given Royal Assent on 11 July 2011 and is expected to be proclaimed together with supporting Regulations on 2 April 2012.

The new Act aligns with the following recently proclaimed complementary Acts:

- *Building Services(Registration) Act 2011;*
- *Building Services (Complaint Resolution & Administration) Act 2011; and*
- *Building Services Levy Act 2011.*

The *Building Act 2011* will replace Parts VIII, IX and XV of the current *Local Government (Miscellaneous Provisions) Act 1960* as the building control legislation. The existing Building Regulations 1989 will be replaced by the Building Regulations 2012 to support the new *Building Act 2011* .

With the introduction of the new *Building Act 2011* there will be key changes that will affect local governments as it will introduce changes such as:

- Private Certification (allows plans to be approved outside of the Shire)
- Permit Authorities and Special Permit Authorities
- Timeframe for approvals.
- Occupancy Permits and Building Approval Certificates.
- Applying for Building Permit when ready to build or occupy.
- Consent to affect other land.
- Local government no longer able to certify their own building projects

The Act will also set out the role of local government (Permit Authority) which can be categorised into the following three (3) main functions:

1. Building Approval Certificates (Uncertified Applications);
2. Permit approval and issue (Building and Occupancy Permits); and
3. Enforcement.

Within the Act there are new terms used and the Building Commission has released a paper with the common terms used in the Act. Furthermore the roles and responsibilities of a Permit Authority is also attached.

The intent of the Act is to give the head of power to enable matters to be done and the

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Regulations will deal with the day to day operation of the Act.

COMMENT:

A Special Permit Authority or a local government will be able under section 127 of the *Building Act 2011* to delegate any of its powers or duties as a Permit Authority to an employee of the Special Permit Authority or a local government (under the *Local Government Act 1995* - section 5.36). The power and the duties of the Permit Authority in relation to both the approval or enforcement roles cannot be delegated to the private sector. The delegation is to be in writing, executed by, or on behalf of, the Special Permit Authority or local government. The person that has the delegated power cannot on delegate those powers to someone else.

The areas in the Act where reference to the local governments having the ability or Requirements to perform tasks and delegation from the Council to employees as required is set out as follows.

- Section 20 - Grant of building permit;
- Section 21 - Grant of demolition permit;
- Section 22 - Further grounds for not granting an application;
- Section 50 - Grant of occupancy permit, building approval certificate Strata type properties
- Section 55 Further Information
- Section 58 - Grant of occupancy permit, building approval certificate;
- Section 96 - Authorised persons;
- Section 110 - Building orders; and

Currently under the Shires Delegation Authority Register there is one section relating to Building Control. It is recommended that the existing delegations remain in place and until the Building Act 2011 becomes operative on the 2 April 2012; then the recommended delegations within this item are enacted.

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10.1.2 Proposed Fee Structure under New Building Act

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A2/15
AUTHOR:	Julian Goldacre – Environmental Health Officer/ Building Surveyor
DISCLOSURE OF INTEREST:	Nil
DATE:	15 March 2012
ATTACHMENT NUMBER:	10.1.2 – Proposed Fee Structure under new Building act.
CONSULTATION:	Honourable Simon O'Brien – MLA Minister for Finance; Commerce; Small Business Mr T Bush – President Australian Institute of Building Surveyors National & Principal Building Surveyor City of Belmont Mr J Mitchell – Manager Developmental Services Coolgardie-Kambalda (formally at Merredin) Mrs M Dennis – Manager Developmental Services Katanning Mr L Thomas – PEHO/BS Goomalling-Dowerin Mr P Gow – Building Commission Director Mr P Scalzi – Building Commission Mr M Gilfellon – CEO
STATUTORY ENVIRONMENT:	Local Government Act 1995 Building Act 2011 Building Services Levy Act 2011
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Potential change in the level of building fee income
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

OFFICER RECOMMENDATION:

That the shire adopt the attached section of the Fees & Charges Schedule and remove the previous section of the Fees & Charges Schedule upon commencement of the Building Act 2011.

2012/023 COUNCIL DECISION:

That the Shire adopt the attached section of Fees and Charges schedule excluding the non statutory fees and charges for EHO/BS time and remove the previous section for fees and charges Schedule upon commencement of the Building Act 2011.

**Moved Cr RN Breakell
Absolute Majority**

Seconded Cr MP Hogan

Carried 7/0

Note: The officer recommendation was amended by the council decision to remove the non statutory fees and charges for the EHO/BS time.

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BACKGROUND

The State Government has progressed through Parliament legislation that will change the future of the building approvals process throughout Western Australia (WA).

The *Building Act 2011* was given Royal Assent on 11 July 2011 and is expected to be proclaimed together with supporting Regulations on 2 April 2012.

The new Act aligns with the following recently proclaimed complementary Acts:

- *Building Services(Registration) Act 2011;*
- *Building Services (Complaint Resolution & Administration) Act 2011; and*
- *Building Services Levy Act 2011.*

The *Building Act 2011* will replace Parts VIII, IX and XV of the current *Local Government (Miscellaneous Provisions) Act 1960* as the building control legislation. The existing Building Regulations 1989 will be replaced by the Building Regulations 2012 to support the new *Building Act 2011*.

With the introduction of the new *Building Act 2011* there will be key changes that will affect local governments as it will introduce changes such as:

- Private Certification (allows plans to be approved outside of the Shire)
- Permit Authorities and Special Permit Authorities
- Timeframe for approvals.
- Occupancy Permits and Building Approval Certificates.
- Applying for Building Permit when ready to build or occupy.
- Consent to affect other land.
- Local government no longer able to certify their own building projects

The Act will also set out the role of local government (Permit Authority) which can be categorised into the following three (3) main functions:

1. Building Approval Certificates (Uncertified Applications);
2. Permit approval and issue (Building and Occupancy Permits); and
3. Enforcement.

Within the Act there are new terms used and the Building Commission has released a paper with the common terms used in the Act.

The intent of the Act is to give the head of power to enable matters to be done and the Regulations will deal with the day to day operation of the Act.

COMMENT:

Statutory fees are fees prescribed by the state government and are set out in Regulations. The prescribed building fees as set out in the *Building Regulations 1989* are statutory fees imposed by the state government. Given these fees are not a fee charge by or a fee that the '*local government wishes to impose*', the local government is not required to advertise these statutory fees under the *Local Government Act 1995*.

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The *Building Act 2011* statutory fees have been set for applications for building (Section 16 (l)), demolition (Section 16 (l)), and occupancy permits (Section 54(4) (d)). The Act also introduces a number of other applications which fees can now be charged for.

Currently, statutory building fees are set in Regulation 24 of the Building Regulations 1989. This Regulation will be amended to reflect the new rates and the various types of applications and permits that statutory fees will be applied to additional permits and applications to which new statutory fees will be applied are as follows:

- Application for Occupancy Certificate;
- Application for temporary Occupancy Permit;
- Application for modification of an Occupancy Certificate; and
- Application for a replacement of an Occupancy Permit (or Certificate of Classification).

Non-statutory fees are those which are imposed by the local government for a service in which it has chosen to offer without any legislative requirement to do so. Under Section 6.19 of the *Local Government Act 1995*, non-statutory fees imposed by the local Government after the adoption of the Shire's budget are required to be advertised. When advertising the fee, the local government is required to advertise the fee charged and the service being delivered for the fee.

Under the *Building Act 2011*, the local government has the opportunity to provide a service to the community to carry out inspections for the purpose of either obtaining appropriate certificates to enable applications to be made to the local government for building related permits to be issued, or to carry out inspections for the builder if required under the issued Certificate of Design Compliance for the Building Permit. Also the builder is required to submit a Certificate of Completion to the local government within seven (7) days of completing the works.

The Certificate of Completion is to note that any inspections that were required (as stated on the Design Compliance Certificate) during construction have been carried out and that the required certificates of inspection have been attached to the Certificate of Completion. The inspections required during the construction can be carried out by any competent person and the local government may be requested or offer to undertake these inspections for the builder and as such charge the appropriate fee for this service.

As this is a non-statutory fee which is imposed by the local government it is required to be advertised in accordance with Section 6.19 of the *Local Government Act 1995*.

Based on the current salaries and overheads for the current building surveyor the recovery rate for a staff member is approximately \$45.00 per hour. When considering the fee for the service of doing inspections, allowances for the following provision should be taken into account:

1. Travel at \$0.91 per kilometre + time travelled based on Full Time Employee rate [FTE])
2. Inspection time -minimum 30 minutes; and

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3. Administration and preparation of documentation - minimum 30 minutes (preparation, report, printing, registering and storage).

The minimum cost for an inspection would be 1 hour at \$45.00 per hour + \$0.91 per kilometre + time travelled, therefore it is recommended that the building inspection fee be a minimum of \$90.00 ++.

Based on the above recommended inspection fees and the expected amount of inspections, the total revenue would not be a major trading activity in relation to the *Local Government Act 1995* and the Local Government (Function and General) Regulations 1996.

In summary the *Building Act 2011* establishes Permit Authorities with the power to administer building control and issue permits within its district and introduces reform in the processing and documentation in applying and issuing permits for building, demolition and occupancy. Provisions have been made in the Act to ensure appropriate delegations and appointments are adopted to ensure the Shire's obligations under the Act are complied with.

Fees for existing statutory applications have been amended and additional statutory fees for new application types have been included. Also under the Act there is the ability for the local government to provide additional services such as building inspections.

Local governments still maintain the responsibility for enforcement of non-compliance matters, with some increased powers to assist in the gathering of evidence and increased penalties for severe breaches of the Act.

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10.2 Community and Recreation Development Officer

10.2.2 Beacon Netball/Basketball Courts

LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	Nil
FILE REFERENCE:	A6/18, B2/12
AUTHOR:	Rebecca Watson – Community and Recreation Development Officer
DISCLOSURE OF INTEREST:	No Interest to Disclose
DATE:	12 March 2012
ATTACHMENT NUMBER:	10.2.2a – Quote from West Coast Synthetic Surfaces 10.2.2b – Photos of Beacon Netball Court 10.2.2c – CSRFF Funding Application
CONSULTATION:	Matthew Gilfellon – Chief Executive Officer
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Change in 2011/12 Budget
STRATEGIC IMPLICATIONS:	Change in Forward Capital Works Plan priorities
VOTING REQUIREMENT:	Absolute Majority

2012/024 COUNCIL DECISION / OFFICER RECOMMENDATION:

- 1. That Council endorse the changes made to the Forward Capital works Plan so that \$31,092 of the 2010-2011 Royalties for Regions and country Local Government Fund Distribution is allocated to the Beacon Netball/Basketball court project**
- 2. That \$8,908 currently budgeted to be transferred to the Land and Road Development Reserve is re-allocated to the Beacon Netball/Basketball Court project.**

**Moved Cr CJ Kirby
Absolute Majority**

Seconded Cr PA Gillett

Carried 7/0

BACKGROUND:

Beacon Netball Club approached the Shire several months ago in regards to the Beacon Netball Court. The court has become cracked to the point where it is becoming too dangerous to play on. The court has already had some work in previous years filling cracks to make it safer for the Netball season but the court has continued to deteriorate over the past twelve months.

COMMENT:

The Beacon Netball club have expressed that they are happy to contribute \$10,000 towards new courts and also assist with any in-kind work that they can do. They are asking that the shire pay the remaining money for the courts to be replaced. There is currently \$31,092 of 2010/2011 Royalties for Regions Country Local Government

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Fund money that is budgeted to be transferred to reserve. This is due to the amount of grant funding received for the Bencubbin Community Resource Centre. There is also \$40,000 that has been budgeted to be transferred to the Land & Road Development Reserve for the purpose of Residential Subdivision in Beacon.

The basketball court closest to the Complex does not experience the underground root and clay problems like the netball court does. We thought that this site would be the most appropriate for the new court to be built as it would be closest to the pavilion, furthest from the trees and would serve the purpose of co-locating the basketball and netball courts which would assist from a grants and future maintenance perspective. The court would be built to cater for both netball and basketball.

There are two options for the new surface, one to resurface over the existing basketball court and the other to remove the court and construct a new court including a new base. I have received quotes from West Coast Synthetic Surfaces to resurface the court and to construct a new court. The total cost would be \$56,270.00 plus GST for the resurfacing over the existing court (see attached quote for an outline of what is involved in this process) or \$72,500 for a complete new court which involves removing the existing court and starting from scratch. Council would need to also contribute some gravel, labour, water and plant costs on top of this figure.

Income for the project is outlined below based on the shire accessing the Department of Sport and Recreation (DSR) Small Community Sport and Recreation Facilities Fund which is up to 1/3 of the total project costs.

INCOME

Shire of Mt Marshall		\$40,000	(ex GST)
Beacon Netball Club	Cash	\$10,000	(no GST)
Beacon Netball Club	In Kind Labour	\$20,000	(no GST)
DSR	CSRFF Funding	\$27,500	
Total Income		\$97,500	

EXPENDITURE

West Coast Synthetic Surfaces		\$72,500	(ex GST)
Removal of old courts and installation of new court			
Relocation of Fence and Shed-Beacon Netball Club		\$20,000	(no GST)
10 people, 80 hours @ \$25/hour			
Gravel-Shire Contribution		\$5,000	(ex GST)
Approximately 72 cubic metres will be needed plus labour and plant for delivery to site			
Total Expenditure		\$97,500	

If Council choose not to apply for funding they would need to find an extra \$27,500 (ex GST) on top of the \$40,000 CLGF allocation to cover the cost of the new courts.

If Council were to choose to submit an application for funding, they need to have a look at the attached application to be submitted and in particular look at the last section which is the Local Government assessment of the project. Council can make any changes to this form before it is submitted.

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Cr Sanders declared financial interest and left the room at 2:21pm

10.2.3 Beacon Community Gymnasium
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LOCATION/ADDRESS:	Mt Marshall District
NAME OF APPLICANT:	N/A
FILE REFERENCE:	B2/12
AUTHOR:	Rebecca Watson – Community and Recreation Development Officer
DISCLOSURE OF INTEREST:	No Interest to Disclose
DATE:	14 March 2012
ATTACHMENT NUMBER:	10.2.3a – Plans for Beacon Community Gymnasium 10.2.3b Quote for Beacon Gymnasium Work
CONSULTATION:	Matthew Gilfellon – Chief Executive Officer
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

2012/025 COUNCIL DECISION / OFFICER RECOMMENDATION:
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That \$12,934 currently budgeted to be transferred to the Land and Road Development Reserve be re-allocated to the Beacon Gymnasium project.

Moved Cr DA Miguel	Seconded Cr PA Gillett	Carried 6/0
Absolute Majority		

BACKGROUND:

Council currently have \$80,000 allocated for the Beacon Community Gymnasium project. \$15,000 of this was received through the Regional Local Community Infrastructure Project (RLCIP) which was required to be spent by 31 December 2011. I applied for an extension on the funding until 31 March 2012 for these funds which was granted.

Structural and architectural plans for the Beacon Community Gymnasium building (extension to the Beacon Recreation Complex) were received in January 2012. These plans were forwarded to ICS Carpentry, Shayne Tollarzo and Kevin Smith asking them to supply the Shire with a quote for the work. I contacted Shayne Tollarzo and Kevin Smith in February 2012 and they expressed that they were not interested in submitting a quote for the work. Therefore only one quote has been received for the work.

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COMMENT:

Council currently has a budget allocation of \$80,000 for the Beacon Community Gym Project. This total is made up of:

RLCIP Funding	\$15,000 (ex GST)
To be used towards infrastructure	
CLGF Allocation	\$43,900 (ex GST)
Royalties for Regions	
Council Funds	\$21,100 (ex GST)
The Expenditure for the project is as follows:	
McDowell Affleck	\$2,265 (ex GST)
Architectural and Structural Plans	
ICS Carpentry	\$58,669 (ex GST)
Construction of the Building as per Architectural and Structural Plans	
Orbit Fitness	\$27,000 (ex GST)
Equipment, including delivery and set up	
Paving	\$5,000 (ex GST)
Lay the remaining pavers around the extension once complete	
TOTAL EXPENDITURE	\$92,934 (ex GST)

There is a \$12,934 (ex GST) shortfall which Council need to determine where these funds are taken from. One option would be to reallocate funds currently budgeted to be transferred to the Land and Roads Development Reserve within the 2011/2012 towards the project. A second option would be to take the funds from the Country Local Government Fund Reserve. As we have already signed the financial agreement for the CLGF money we would need to request a change in the agreement which can take some time. The only issue with this is that the RLCIP Funding (\$15,000) which has already been received needs to be spent by 31 March 2012 or needs to be returned.

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Cr Gillett left the meeting at 2:27pm.

Mr Dave Dunne left the meeting 2:27pm and returned to the meeting at 2:27pm.

Cr Sanders and Cr Gillett returned to the meeting at 2:28pm.

10.3 Natural Resource Management Officer

Nil

10.4 Senior Finance Officer

10.4.6 Abbreviated Statement of Financial Position

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/4
AUTHOR:	Nancy Collins – Acting Senior Finance Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	6 March 2012
ATTACHMENT NUMBER:	10.4.6a – Municipal Fund Statement 10.4.6b – Trust Fund Statement 10.4.6c – Municipal Term Deposit Statement 10.4.6d – Reserve Term Deposit Statement
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Financial Management Regulations 1996 and the Local Government Act 1995
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2012/025 COUNCIL DECISION / OFFICER RECOMMENDATION:
--

That the Abbreviated Statement of Financial Position as at 29 February 2012 be accepted.

Moved Cr MP Hogan

Seconded Cr CJ Kirby

Carried 7/0

BACKGROUND:

Nil

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COMMENT:

ABBREVIATED STATEMENT OF FINANCIAL POSITION AS AT 29 FEBRUARY 2012

	MUNICIPAL (\$)	TRUST (\$)	RESERVE (\$)
Synergy Balance as at 01/02/2012	855,461.21	28,036.44	1,202,725.60
Plus Receipts 01/02/2012 to 29/02/2012	396,671.12	28,541.55	-
Plus Adjustment	-	-	-
Plus Outstanding Journals (interest)	-	-	5,633.20
	1,252,132.33	56,577.99	1,208,358.80
Less Payments 01/02/2012 to 29/02/2012	- 351,017.69	- 29,225.05	-
Less Outstanding Journals	- 4,487.01	-	-
Synergy Balance as at 29/02/2012	896,627.63	27,352.94	1,208,358.80

This is represented by:

Cash at Bank	169,247.32	25,886.69	-
Investments	726,252.03	-	1,208,358.80
Housing Bonds Held by Bankwest	-	1,700.00	-
Balance as per Bank Reconciliation	895,499.35	27,586.69	1,208,358.80

RECONCILIATION AS AT 29 FEBRUARY 2012

Balance as per Bank Statement	169,247.32	25,886.69	-
Balance of Term Deposits	726,252.03	-	1,208,358.80
Balance of Housing Bonds (Bank)	-	1,700.00	-
	895,499.35	27,586.69	1,208,358.80
Plus Outstanding Deposits	3,743.70	304.85	-
	899,243.05	27,891.54	1,208,358.80
Less Outstanding Cheques	- 2,615.42	- 538.60	-
	896,627.63	27,352.94	1,208,358.80

BALANCE OF RESERVE FUNDS AS AT 29 FEBRUARY 2012

	\$
Plant Replacement	349,907.37
Aged Care Units	55,999.58
Community Housing	32,180.65
Council Staff Housing	119,498.89
Employee Entitlements	99,228.70
Caravan Park Upgrades	21,044.66
Public Amenities and Buildings	265,637.14
Land & Road Development	20,841.76
Television & Radio Broadcasting	25,658.64
Bencubbin Aquatic Centre Development	127,186.72
Community Bus	49,555.26
Refuse Site Development	-
Bencubbin Recreation Complex	22,864.87

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Office Equipment	13,121.36
Industrial Shed	-
Country Local Government Fund Reserve	-
	1,202,725.60
	1,202,725.60

INVESTMENTS AS AT THE 29 FEBRUARY 2012

FUND	INSTITUTION	TERM	RATE	AMOUNT	EXPIRY	ACCOUNT No.
Reserve	Bankwest	3 Months	5.75%	795,638.07	29/02/2012	028-035695-8
Reserve	Bankwest	2 months	5.70%	280,286.98	2/04/2012	028-036484-4
Reserve	Bankwest	1 Month 12 Days	4.64%	132,433.75	12/03/2012	028-036280-0
Municipal	Bankwest	1 Month	5.00%	504,156.87	13/03/2012	028-038504-0
Municipal	Bankwest	3 Months	5.70%	222,098.16	19/03/2012	028-037829-9

N.B. Latest statement for first term deposit not received when agenda prepared.

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10.4.7 Statement of Financial Activity

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: F1/4
AUTHOR: Nancy Collins – Acting Senior Finance Officer
DISCLOSURE OF INTEREST: Nil
DATE: 7 March 2012
ATTACHMENT NUMBER: Nil
CONSULTATION: Nil
STATUTORY ENVIRONMENT: Local Government (Financial Management)
Regulations 1996
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2012/026 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the Statement of Financial Activity for the period ended 29 February 2012 be endorsed.

Moved Cr MP Hogan

Seconded Cr CJ Kirby

Carried 7/0

BACKGROUND:

Council has resolved that material variances greater than ten percent be reported and these have been listed in the notes to the statement.

COMMENT:

Please see over.

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SHIRE OF MT MARSHALL
ABBREVIATED STATEMENT OF FINANCIAL ACTIVITY
for the period 1 July 2011 to 29 February 2012

OPERATING ACTIVITIES	Note	Budget	YTD Budget	YTD Actual	Variances Greater Than 10% of YTD Budget
		\$	\$	\$	
Income					
General Purpose Funding	3i	3,158,481	2,135,608	1,681,351	21.27%
Governance		4,900	3,256	35,476	-989.56%
Law, Order and Public Safety	5i	86,055	57,352	41,459	27.71%
Health		-	-	7,111	0.00%
Education and Welfare		23,216	15,472	43,455	-180.86%
Housing		61,360	40,904	52,293	-27.84%
Community Amenities		74,995	49,968	101,639	-103.41%
Recreation and Culture		19,240	12,800	18,186	-42.08%
Transport		1,612,200	1,074,776	1,102,914	-2.62%
Economic Services		199,500	49,656	68,135	-37.21%
Other Property and Services	14i	40,600	27,048	(13,045)	148.23%
		5,280,547	3,466,840	3,138,974	
Expenditure					
General Purpose Funding		68,139	45,408	42,277	-6.90%
Governance		634,341	416,008	280,169	-32.65%
Law, Order and Public Safety	5e	89,011	59,264	78,708	32.81%
Health	7e	104,198	69,416	149,348	115.15%
Education and Welfare		134,366	88,336	79,788	-9.68%
Housing		220,564	147,824	159,285	7.75%
Community Amenities		304,210	202,672	187,511	-7.48%
Recreation and Culture		523,546	348,824	337,768	-3.17%
Transport		2,882,341	1,921,480	1,801,169	-6.26%
Economic Services		227,026	151,240	158,189	4.59%
Other Property and Services	14e	36,735	24,408	39,582	62.17%
		5,224,477	3,474,880	3,313,794	

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Net Operating Profit/(Loss)	(2,194,140)	(8,040)	(174,820)
ADD NON CASH ITEMS			
Depreciation	2,349,494	1,174,747	1,242,763
Provisions/Other Accruals			
Loss/(Profit) on Sale of Assets	77,013	38,507	-
	2,426,507	1,213,254	1,242,763
Net Operating Surplus/(Deficit)	232,367	1,205,214	1,067,943
LESS CAPITAL EXPENDITURE			
Land & Buildings	1,060,689	530,345	161,620
Plant & Machinery	543,500	271,750	445,088
Furniture, Fittings & Equipment	-	-	-
Infrastructure - Roads	1,683,638	841,819	558,025
Infrastructure - Other	370,889	185,445	1,926
	(3,426,349)	(624,145)	(98,716)
LESS OTHER NON OPERATING			
Loan Principal Repayments	121,690	60,845	89,566
Transfer to Community Group	200,000	100,000	-
Transfer to Reserves	585,372	292,686	23,212
Funding Required	(4,333,411)	(977,676)	(211,494)
FUNDED FROM			
Transfer from Reserves	279,620	139,810	-
Capital Contribution			-
Proceeds from New Loans		-	
Proceeds on Sale of Assets	213,500	106,750	-
Self-Supporting Loan Income	7,861	3,931	-
Opening Funds	1,582,220	1,225,614	1,258,004
Closing Funds	-	1,623,534	1,046,510

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Notes

3i - This variance is due to Royalties for Regions not being received until March.

5i – This variance is due to grant for Wialki Fire Shed not yet being acquitted. This will be done at the completion of the project.

14i – This variance is due to plant hire and private works income being under what has been budgeted to be received at this time of the year.
As it is unknown how much private works and plant hire will take place during the year it can't be said if this will meet budget expectations.

5e – This variance is due to the purchase of the CCTV camera. Grant funding will result in no additional budget expenditure.

7e – This variance is due to medical practice expenses being higher than budgeted. The shire has been paying accounts on behalf of the medical practice and should be reimbursed after the other participating shire's have paid their share.

14e – This variance is mainly due to private works being over budget. It is expected that these will be recouped.

Composition Of Net Current Asset Position

Current Assets

Cash - Unrestricted	901,515
Cash - Restricted	1,202,726
Receivables	297,930
Inventories	24,344

Less Current Liabilities

Payables & Provisions	(177,279)
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Less: Cash Reserves - Restricted	(1,202,726)
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1,046,510

1,046,510

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10.4.8 Accounts Paid

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: F1/4
AUTHOR: Nancy Collins – Acting Senior Finance Officer
DISCLOSURE OF INTEREST: No Interest to Disclose
DATE: 12 March 2012
CONSULTATION: Nil
STATUTORY ENVIRONMENT: Financial Management Regulations and the Local Government Act 1995
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

2012/027 COUNCIL DECISION / OFFICER RECOMMENDATION:

That the Accounts Listed

Municipal Fund	\$ 277532.77
Trust Fund	\$ 29576.90

Be endorsed.

Moved Cr MP Hogan

Seconded Cr DA Miguel

Carried 7/0

BACKGROUND:

Following is a List of Accounts submitted to Council on Wednesday 21 March 2012 for the Municipal Fund and Trust Fund.

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1. Municipal Fund

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT5767	02/02/2012	CJD EQUIPMENT PTY LTD	SIDE WINDOW FOR BACKHOE (TINTED)	621.35
EFT5768	02/02/2012	STAR TRACK EXPRESS	FREIGHT	137.28
EFT5769	02/02/2012	ACCENT RUBBER STAMPS & TROPHIES	SELF INKING DATE STAMP	75.00
EFT5770	02/02/2012	VERNON CONTRACTING	TRENCHING FOR TREE ROOT BARRIER - HAMMOND ST BENCUBBIN	716.65
EFT5771	02/02/2012	D & D TRANSPORT	FREIGHT	78.10
EFT5772	13/02/2012	BOC GASES	CYLINDER HIRE - JANUARY 2012	61.04
EFT5773	13/02/2012	COURIER AUSTRALIA	FREIGHT	24.54
EFT5774	13/02/2012	NINGHAN SPRAYING SERVICE	FUEL, DIVERter VALVE, SLEDGE HAMMER, RETIC FITTINGS	716.27
EFT5775	13/02/2012	KTY ELECTRICAL SERVICES	INSTALL NEW 3 PHASE POLE, RUN CABLES TO PUMPSTARTER AND FIT POWER FOR BUILDING SUPPLY	4312.69
EFT5776	13/02/2012	BENCUBBIN NEWS & POST	STATIONERY ACCOUNT - JANUARY 2012	209.22
EFT5777	13/02/2012	MT MARSHALL & DISTRICTS AGRICULTURAL SOCIETY	ANNUAL CONTRIBUTION	6000.00
EFT5778	13/02/2012	CARTS T/AS DIRECTIONS	REIMBURSEMENT WAGES - COURTNEY TRANter	886.99
EFT5779	13/02/2012	SIGMA CHEMICALS	POOL CHEMICALS	793.88
EFT5780	13/02/2012	WA TREASURY CORPORATION	Loan No. 111 Interest payment - 229 Murray Street House	9518.08
EFT5781	13/02/2012	DIELECTRIC SECURITY SERVICES	CENTRAL STATION MONITORING 1.2 - 30.4.2012	101.20
EFT5782	13/02/2012	BENCUBBIN BULK HAULIERS	FREIGHT - LIMESTONE BLOCKS	3828.00
EFT5783	13/02/2012	CORPORATE EXPRESS AUSTRALIA LTD	A5 DIARY	1.75
EFT5784	13/02/2012	RELIANCE PETROLEUM	FUEL CARD PURCHASES - JANUARY 2012	2403.13
EFT5785	13/02/2012	ALL-WAYS FOODS	CHIPS FOR POOL KIOSK	45.50
EFT5786	13/02/2012	D I TOMAS CONTRACTING	DRY HIRE OF BOBCAT	2750.00
EFT5787	13/02/2012	FUJI XEROX AUSTRALIA PTY LTD	PHOTOCOPIER SUPPORT SERVICE AGREEMENT - JANUARY 2012	475.32
EFT5788	13/02/2012	BENCUBBIN SMASH REPAIRS	FRONT WHEEL ALIGNMENT	65.00
EFT5789	13/02/2012	VERNON CONTRACTING	TRENCHING FOR UNDERGROUND POWER TO NEW BUILDING PAD	535.70
EFT5790	13/02/2012	LANDGATE	MINIMUM CHARGE - MINING TENEMENTS	34.00
EFT5791	13/02/2012	BENCUBBIN AG SUPPLIES	PPMV - B REID	300.00

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT5792	13/02/2012	RADIOWEST BROADCASTERS PTY LTD	FIRE SAFETY MESSAGES - JANUARY 2012	33.00
EFT5793	13/02/2012	GERALDTON FUEL	LIPLEX EP2 GREASE	294.28
EFT5794	13/02/2012	5RIVERS PLUMBING AND GAS	REPAIR LEAKS TO URINAL - BENCUBBIN CARAVAN PARK	146.30
EFT5795	13/02/2012	EASTWAY FOOD SUPPLIES	ICECREAMS AND PIZZAS - POOL KIOSK	378.59
EFT5797	13/02/2012	KALANNIE COMMUNITY RESOURCE CENTRE	MOVIE SCREEN AND PROJECTIONISTS, LICENCES, TRAVEL	1251.50
EFT5798	14/02/2012	DONOVAN FORD	NEW ST D40 NISSAN NAVARA DUAL CAB \$38507.90 LESS TRADE RX D40 NAVARA \$25031.10	13475.80
EFT5799	14/02/2012	ITRAVELAUSTRALIA.COM	COMMISSION ON CABIN BOOKING	11.00
EFT5800	17/02/2012	TOTAL EDEN PTY LTD	POPOP SPRINKLERS WITH ADJUSTABLE NOZZLES	182.47
EFT5801	17/02/2012	AUSTRALIAN TAXATION OFFICE	JANUARY BAS	533.00
EFT5802	17/02/2012	BENCUBBIN TRUCK N AUTO'S	CHANGE REAR AXLE, CHANGE 8 TYRES ON SIDE TIPPER, REPAIR WINDOW ON HINO	8651.21
EFT5803	20/02/2012	AVON WASTE	RUBBISH COLLECTION - JANUARY 2012	5152.00
EFT5804	20/02/2012	SHIRE OF KOORDA	SHARE OF LSL - STEVE CLEAVER	1290.63
EFT5805	20/02/2012	CJD EQUIPMENT PTY LTD	BATTERIES, LOCKING PINS, VACUUM SWITCH	909.96
EFT5806	20/02/2012	COURIER AUSTRALIA	FREIGHT	8.13
EFT5807	20/02/2012	KTY ELECTRICAL SERVICES	REPAIR LIGHTS AT DEPOT INCLUDING HIRE OF CHERRYPICKER	2285.18
EFT5808	20/02/2012	JASON SIGNMAKERS	STREET SIGNS	566.50
EFT5809	20/02/2012	BENCUBBIN NEWS & POST	POSTAGE 6.2 - 10.2.12	10.20
EFT5810	20/02/2012	CARTS T/AS DIRECTIONS	REIMBURSEMENT WAGES - COURTNEY TRANTER	887.01
EFT5811	20/02/2012	HUTTON & NORTHEY MUKINBUDIN	MAKE UP HYDRAULIC HOSE FOR GRADER	51.98
EFT5812	20/02/2012	KENNETH LAMBLEY & CO	LETTERHEAD, ENVELOPES WITH SHIRE LOGO	568.83
EFT5813	20/02/2012	ICS CARPENTRY	WORK COMPLETED TO LOT 5 HAMMOND ST BENCUBBIN, LOT 30 ROWLANDS ST BEACON, BENCUBBIN PUBLIC TOILETS	2412.30
EFT5814	20/02/2012	STAR TRACK EXPRESS	FREIGHT	73.79
EFT5815	20/02/2012	ALL-WAYS FOODS	POPCORN AND PAPER BAGS FOR MOVIE NIGHT	36.86
EFT5816	20/02/2012	HITACHI CONSTRUCTION MACHINERY (AUST) P/L	REFRIGERANT HOSE	211.61

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT5817	20/02/2012	CR PA GILLETT	MEETING FEES AND ALLOWANCES - FEBRUARY 2012	1527.38
EFT5818	20/02/2012	BENCUBBIN SMASH REPAIRS	REMOVE TWO-WAY AND PHONE KIT FROM WS UTE	132.00
EFT5819	20/02/2012	BENCUBBIN TRUCK N AUTO'S	AUTO ELECTRICIAN'S WORK TO REPAIR WINDOW, LAMP AND BLOWER MOTOR - HINO TRUCK	1261.50
EFT5820	20/02/2012	VERNON CONTRACTING	TRENCHING FOR TREE BARRIER - HAMMOND STREET	2897.40
EFT5821	20/02/2012	D & D TRANSPORT	FREIGHT - SIGMA CHEMICALS	45.72
EFT5822	20/02/2012	IPLX PIPELINES	6 LENGTHS OF BLACK MAX PIPE	2346.99
EFT5823	20/02/2012	JR & A HERSEY	SPRAYMARK, SUNGLASSES, GLOVES, TYRE INFLATOR, HOSE TAIL, HEX KEY SET, DUST MASKS	766.42
EFT5824	20/02/2012	CR RN BREAKELL	MEETING FEES AND ALLOWANCES - FEBRUARY 2012	421.61
EFT5825	20/02/2012	CR DA MIGUEL	MEETING FEES AND ALLOWANCES - FEBRUARY 2012	830.72
EFT5826	20/02/2012	CR MP HOGAN	MEETING FEES AND ALLOWANCES - FEBRUARY 2012	316.17
EFT5827	20/02/2012	BENCUBBIN AG SUPPLIES	FENCING MATERIALS - A WEST, D TOMAS, K KETT - PERENNIAL SHRUB TRIAL, POOL CHEMICALS	18984.22
EFT5828	20/02/2012	5RIVERS PLUMBING AND GAS	CHECK STOVE - 64 BROWN STREET, FIT TAPS - 28 ROWLANDS ST BEACON	687.17
EFT5829	20/02/2012	JENNI BUNCE	BEACON CONTRACT CLEANING 19.1 - 1.2.12	1680.00
EFT5830	20/02/2012	CR CJ KIRBY	MEETING FEES AND ALLOWANCES - DECEMBER 2011	957.21
EFT5831	20/02/2012	JOHN LAURO BEACON GARAGE	CHECK COOLING SYSTEM - TORO LAWN MOWER	143.00
EFT5832	20/02/2012	KARNI ENGINEERING	REPAIR LEAK IN FUEL TANK ON HINO TRUCK	132.00
EFT5833	20/02/2012	RK ADAMS	PROVIDE ENERGY RATING FOR COMMUNITY RESOURCE CENTRE	350.00
EFT5834	20/02/2012	CR WJ BEAGLEY	MEETING FEES AND ALLOWANCES - FEBRUARY 2012	325.27
EFT5835	20/02/2012	CR IC SANDERS	MEETING FEES AND ALLOWANCES - FEBRUARY 2012	285.23
EFT5836	20/02/2012	WARRICK L MILLAR	REIMBURSEMENT FOR POLICE CLEARANCE	55.50

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT5837	21/02/2012	KUNUNOPPIN MEDICAL PRACTICE	25% MEDICAL PRACTICE EXPENSES LESS 25% INCOME 1.6.11 - 31.1.12	56719.40
EFT5838	28/02/2012	AUSTRALIAN SERVICES UNION	Payroll deductions	39.40
EFT5839	28/02/2012	LGRCEU	UNION CONTRIBUTIONS - W GRACIE	52.20
EFT5840	28/02/2012	WALGS PLAN	Superannuation contributions	9812.07
EFT5841	28/02/2012	PRIME SUPER	Superannuation contributions	114.67
EFT5842	28/02/2012	THE INDUSTRY SUPERANNUATION FUND	Superannuation contributions	268.66
EFT5843	28/02/2012	JOHN HUGHES	NEW MITSUBISHI TRITON GLX 4X2 2.5L MANUAL (2) \$50678.50 LESS TRADED TRITONS (2) \$29900.00	20778.50
EFT5844	28/02/2012	MTAA SUPERANNUATION	Superannuation contributions	279.48
EFT5845	28/02/2012	AUSTRALIAN SUPER	Superannuation contributions	279.48
EFT5846	28/02/2012	WHEATBELT GP NETWORK KUNUNOPPIN	LOSS INCURRED BY KUNUNOPPIN MEDICAL PRACTICE OCTOBER - DECEMBER 2011	50947.78
20027	03/02/2012	WATER CORPORATION	NEW DEVELOPMENT & RELOCATE SERVICE	1747.00
20028	08/02/2012	PROSTATE CANCER FOUNDATION OF AUSTRALIA	DONATION TOWARDS TRENTON JONES' PRESENTATION	1500.00
20029	09/02/2012	SHIRE OF MT MARSHALL	CASH PAYMENT 08/02/2012	1800.00
20030	13/02/2012	AUSTRAL POOL SOLUTIONS	VACUUM HEAD, LEAF RAKE, BROOM HANDLE FOR POOL	162.83
20031	14/02/2012	DEPARTMENT OF HEALTH (WATER UNIT)	SEPTIC FEE - NEW CRC BUILDING	35.00
20032	17/02/2012	SYNERGY	ELECTRICITY 30.11.11 - 31.01.12	9331.75
20033	20/02/2012	GELDENS	SHIRTS - JACK WALKER	303.80
20034	20/02/2012	AJ MARSH PTY LTD	SURVEY/EXCISION WORK - LOT 2642 BEACON BACK ROAD AND BREAKELL ROAD	10824.00
20035	23/02/2012	SHIRE OF MT MARSHALL	CASH PAYMENT 22/02/2012	1800.00
20036	28/02/2012	TELSTRA	TELEPHONE - FEBRUARY 2012	1742.67
20037	28/02/2012	SHIRE OF MT MARSHALL	PETTY CASH RECOUP - FEBRUARY 2012	196.70
20038	28/02/2012	SYNERGY	STREETLIGHTS 25.12.2011 - 24.01.2012	539.05
				277532.77

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1. Trust

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
3390	28/02/2012	SHIRE OF MT MARSHALL	REIMBURSEMENT FOR ELECTRICITY	226.45
3391	28/02/2012	PORKY'S ENTERPRISES	REFUND OF BOND LESS ELECTRICITY	173.55
EFT5766	01/02/2012	DEPARTMENT OF PLANNING & INFRASTRUCTURE	RECOUP LICENSING - JANUARY 2012	29176.90
				29576.90

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 March 2012**. 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).

Matthew Gilfellon
Chief Executive Officer

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10.5 Engineering Administration Officer

Nil

10.6 Chief Executive Officer

10.6.4 General Practitioner Medical Services

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	Shire of Wyalkatchem
FILE REFERENCE:	H2/10
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	6 March 2012
ATTACHMENT NUMBER:	10.6.4 – Correspondence from Shire of Wyalkatchem
CONSULTATION:	Niel Mitchell – Shire of Trayning
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Dependent on Council decision
STRATEGIC IMPLICATIONS:	Future direction of Medical Practice
VOTING REQUIREMENT:	Simple Majority

OFFICER RECOMMENDATION:

For Council Consideration.

2012/028 COUNCIL DECISION:

Council decline the invitation and review it at a later date

Moved Cr PA Gillett

Seconded Cr DA Miguel

Carried 7/0

BACKGROUND:

On 29 February 2012 a letter was received from the Shire of Wyalkatchem regarding General Practitioner Medical Services. The letter is seeking views from Council on whether they would consider participating in a regional general practice model under a private practice arrangement.

COMMENT:

This is a good opportunity for council to discuss its participation in General Practitioner Medical Services.

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Mrs Marilyn Dunne left the meeting at 3:10pm
Mrs Megan Beagley entered the meeting at 3:14pm and left the meeting at 3:15pm.
Mrs Megan Beagley returned to the meeting at 3:15pm left the meeting at 3:19pm.

10.6.5 Amalgamation Decision

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A2/17
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Potential Effect of Amalgamation on Employment
DATE:	9 March 2012
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Ron Back & Chris Liversage – RJ Back Consulting Niel Mitchell – Shire of Trayning David Burton – Shire of Koorda
STATUTORY ENVIRONMENT:	Local Government Act 1995
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Potential Cost & Benefits of Amalgamation
STRATEGIC IMPLICATIONS:	Future of the Shire
VOTING REQUIREMENT:	Simple Majority

OFFICER RECOMMENDATION:

For Council consideration.

2012/029 COUNCIL DECISION:

The Shire of Mt Marshall agrees in principle to amalgamation with the Shires of Trayning and Koorda provided that the following two conditions are met:

- 1. The amalgamation is agreed to by the Shire of Trayning and the Shire of Koorda; and**
- 2. Each shire agrees on conditions of amalgamation that are yet to be negotiated and the conditions be approved by the Minister of Local Government.**

Should these two conditions be met, then the proposal for the amalgamation including the approved conditions of amalgamation, be submitted to the Local Government Advisory Board for consideration in accordance with the provisions of clause 2 of schedule 2.1 of the Local Government Act 1995.

Moved Cr MP Hogan

Seconded Cr PA Gillett

Carried 7/0

BACKGROUND:

In September 2010 the Shire entered into a Regional Transition Group in order to investigate the potential costs and benefits of a merger between the Shires of Mt Marshall, Koorda and Trayning. The consultants RJ Back and Co we engaged to

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prepare a feasibility report on the merger. This report was released in November 2011.

In late February and early March, a series of community consultation sessions were held in order to get feedback from the community on the report and on the potential merger of the three shires. The below table gives the results of informal polls conducted by the shires at the end of the consultation sessions:

	Shire of Mt Marshall	Shire of Koorda	Shire of Trayning
Yes	14	3	2
Yes to Mt Marshall	N/A	N/A	2
No	15	37	32
Undecided	8	1	4

COMMENT:

There are many different factors to consider when making a merger decision. Although community consultation may be taken into account when making a decision, the decision ultimately lies with Council.

2012/030 COUNCIL DECISION:

Meeting Adjourned at 3:21pm

Moved Cr DA Miguel Seconded Cr Mp Hogan Carried 7/0

2012/031 COUNCIL DECISION

Meeting came out of adjournment at 3:32pm

Moved Cr DA Miguel Seconded Cr IC Sanders Carried 7/0

Note:Everyone who was present at the meeting before the adjournment was still present after the adjournment with the exception of Mrs Vanessa Munns, Mrs Megan Beagley and Mrs Vicki Miguel.

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10.6.6 Beacon Residential Land

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A3/5
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	29 February 2012
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Dannelle Foley – Economic Development Officer
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Possible Residential Land Development
VOTING REQUIREMENT:	Simple Majority

2012/032 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council support the Regional Development Assistance Program application for the development of residential land in Beacon.

Moved Cr DA Miguel

Seconded Cr RN Breakell

Carried 7/0

BACKGROUND:

Through various community engagement processes the shire has been requested that residential and industrial land be made available in Beacon. In the most recent round of community engagement that took place both types of vacant land were raised however residential land was rated as being a higher priority. The preferred location for the residential development was the north part of the school reserve which is currently not accessible for residential land development. There is land that has been available for residential land development along Askew St. Residential land development costs approximately \$90,000 per lot and it is more to develop industrial land.

The state government through Landcorp run the Regional Assistance Development Program which aims to deliver serviced industrial, residential or commercial land in town sites throughout Western Australia. In November Council approved the submission of an RDAP Application for Industrial Land in Beacon. After discussion with Landcorp it became known that under the RDAP Program the shire is able to put in an application for both industrial and residential land as these are treated separately.

COMMENT:

The Department of Lands recently completed taking of the blocks following Native Title Clearance. This is now an ideal time to put in an RDAP application as there are no current native title claims.

If residential land is available then houses are able to be built in Beacon which will hopefully contribute to population growth. If the RDAP application is successful then it will remove the onus from the shire to provide residential land.

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Mrs Megan Beagley entered the meeting at 3:37pm.

Mrs Vicki Miguel entered the meeting at 3:52pm.

10.6.7 Application for Planning Approval – Whitestone Quarries W.A. Pty Ltd

LOCATION/ADDRESS:	Northwest corner of Lot 3989 Whittle Rd, Welbungin
NAME OF APPLICANT:	Whitestone Quarries Pty Ltd
FILE REFERENCE:	A3/2, TP1/2
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	29 February 2012
ATTACHMENT NUMBER:	10.6.7a – Application for planning approval 10.6.7b – Map
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Planning and Development Act 2005
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Unbudgeted planning income of \$2,885/\$4,170
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

2012/033 COUNCIL DECISION / OFFICER RECOMMENDATION:

That in accordance with Section 7.2 of the Shire of Mt Marshall Town Planning Scheme No.2, Council advertise that an application for planning approval has been received for an Industry – Extractive at the Northwest corner of Lot 3989 Whittle Rd, Welbungin (as attached).

**Moved Cr WJ Beagley
Absolute Majority**

Seconded Cr MP Hogan

Carried 7/0

BACKGROUND:

Whitestone Quarries W.A. Pty Ltd has submitted a planning application for an Industry – Extractive to be established on the Northwest corner of Lot 3989 Whittle Rd, Welbungin (as per attachment 10.6.7a). This location is zoned 'rural'. Under the Mt Marshall Town Planning Scheme No. 2 an application for Industry – Extractive in a rural zone is 'SA' which means the Council may, at its discretion, permit the use after notice of application has been given in accordance with clause 7.2. Clause 7.2 states that Council must advertise the application for planning approval for a minimum of 21 days.

Industry – Extractive is defined under the Mt Marshall Town Planning Scheme No. 2 as an industry that involves:

- a) The extraction of sand, gravel, clay, turf, soil, rock, stone, minerals, or similar substance from the land, and also the storage, treatment, or manufacture of products from those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products;
- b) The production of salt by the evaporation of salt water.

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COMMENT:

Section 7.2 of the Mt Marshall Town Planning Scheme No.2 gives three choices of advertising however should council approve the motion, publishing the notice in a newspaper circulating in the Scheme area shall be used.

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10.6.8 Application for Planning Approval – Carbon Conscious Ltd

LOCATION/ADDRESS: Ninghan Location 2758 Felbar Rd, Welbungin
NAME OF APPLICANT: Carbon Conscious Ltd
FILE REFERENCE: TP1/2
AUTHOR: Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil
DATE: 29 February 2012
ATTACHMENT NUMBER: Nil
CONSULTATION: Julian Goldacre – Environmental Health Officer/Building Surveyor
Lisa Clark – Natural Resource Management Officer
STATUTORY ENVIRONMENT: Bush Fires Act 1954
Planning and Development Act 2005
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Planning fee income of \$240
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Absolute Majority

2012/034 COUNCIL DECISION / OFFICER RECOMMENDATION:

That planning approval be given to Carbon Conscious Ltd for the purpose of a Mixed Species of Eucalypt Plantation at Ninghan Location 2758 Felbar Rd, Welbungin.

**Moved Cr Mp Hogan
Absolute Majority**

Seconded Cr CJ Kirby

Carried 7/0

BACKGROUND:

Carbon Conscious submitted a planning application for a Mixed Species of Eucalypt Plantation at Ninghan Location 2758 Felbar Rd, Welbungin.

COMMENT:

At the December 2011 Ordinary Meeting of Council it was resolved to follow section 7.2 of the Mt Marshall Town Planning Scheme No. 2 and advertise the application for planning approval for a period of 21 days. At the end of the submission period no submissions had been received.

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10.6.9 Bencubbin Botanical Gardens Gazebo Relocation

LOCATION/ADDRESS:	Bencubbin Botanical Gardens
NAME OF APPLICANT:	Paul Gillett – Mt Marshall Shire President
FILE REFERENCE:	A6/36
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	7 March 2012
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Paul Gillett – Mt Marshall Shire President
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

OFFICER RECOMMENDATION:

That:

- 1. The removal of the Bencubbin Botanical Garden Gazebo be advertised for a period of 14 days in local newspapers to allow for public comment; and**
- 2. Should no adverse comment be received, the Gabbin Progress Association be informed that the relocation of the Bencubbin Botanical Garden Gazebo is approved.**

2012/035 COUNCIL DECISION:

That:

- 1. The removal of the Bencubbin Botanical Garden Gazebo be advertised for a period of 14 days in local newspapers to allow for public comment; and**
- 2. That the President and the Chief Executive Officer be authorised to decided on the relocation of the Bencubbin Botanical Garden gazebo following the period of public consultation.**

Moved Cr PA Gillett

Seconded Cr MP Hogan

Carried 5/2

BACKGROUND:

The Gabbin Progress Association has been trying to find funding in order to make improvements to the Gabbin town site. So far these attempts have been unsuccessful so the Gabbin Progress Association approached the shire to fund improvements to the town site. It was suggested that rather than make a financial contribution the shire could instead make a contribution of the gazebo that is currently in the botanical garden and does not appear to receive a lot of use.

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COMMENT:

Even with the removal of the gazebo from the botanical garden it would still leave one gazebo on Monger St in Bencubbin. The second gazebo is located next to the parking bay, has lawn surrounding it, is close to the public toilets, cafe, Bencubbin Community Resource Centre. Soon it will also be located close to the tourist information bay and tourist centre, which is to be located in the new Bencubbin Community Resource Centre Building.

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Mr Ray Miguel left meeting at 4:10pm and returned to the meeting 4:13pm.
Mrs Tanya Gibson left meeting at 4:10pm and returned to the meeting 4:12pm.

10.6.10 Central East Aged Care Regional Solution

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	Wheatbelt Development Commission
FILE REFERENCE:	A5/2
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	13 March 2012
ATTACHMENT NUMBER:	10.6.10 – Accommodation/Aged Care Minutes
CONSULTATION:	Niel Mitchell – CEO, Shire of Trayning
STATUTORY ENVIRONMENT:	Local Government Act 1995
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Unbudgeted expense of \$5,000
STRATEGIC IMPLICATIONS:	Future planning in regards to Aged Care Accommodation
VOTING REQUIREMENT:	Absolute Majority

2012/036 COUNCIL DECISION / OFFICER RECOMMENDATION:

That:

- 1. NEWROC make a \$5,000 per shire contribution to the Central East Aged Care Regional Solution; and**
- 2. Council authorise unbudgeted expenditure of \$5,000 for account 0431001 – NEWROC, to be used to cover any shortfall in the contribution made by NEWROC on behalf of the Shire of Mt Marshall.**

**Moved Cr DA Miguel
Absolute Majority**

Seconded Cr MP Hogan

Carried 7/0

BACKGROUND:

With the average age in the Wheatbelt increasing, aged care accommodation is becoming a major issue. With a relatively sparse population it is important for any aged care planning that includes higher level aged care accommodation to be conducted over a wide area to ensure that there are adequate numbers to support higher level facilities.

The Wheatbelt Development Commission is proposing that a Central East Aged Care Regional Solution be conducted across the shires that comprise NEWROC and WEROC. This study is to encompass the range of aged care from independent living units to high-care accommodation.

In order to complete the study, the Wheatbelt Development Commission will be seeking a \$5,000 contribution from all the shires in the Central East Wheatbelt.

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COMMENT:

This study will not interfere with the 2011-2012 Regional Component of the Royalties for Regions Country Local Government Fund.

Each shire this year contributed to NEWROC \$3,000 for the completion of a business case which now looks like it will now not be needed. The Shire of Trayning will be recommending that NEWROC make the contribution on behalf of the shires

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10.6.11 Forward Capital Works Plan Review

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A2/18
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	8 March 2012
ATTACHMENT NUMBER:	10.6.11a – Original Forward Capital Works Plan 10.6.11b – Revised Forward Capital Works Plan 10.6.11c – Community Survey Results 10.6.11d – Submissions from Community Groups & Members
CONSULTATION:	Community Consultation performed
STATUTORY ENVIRONMENT:	Royalties for Regions Act 2009
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Affects future budgets and projects funded under Royalties for Regions
STRATEGIC IMPLICATIONS:	Direct effect on the Forward Capital Works Plan
VOTING REQUIREMENT:	Absolute Majority

OFFICER RECOMMENDATION:

That Council adopt the revised Forward Capital Works Plan, with amendments, as per attachment 10.6.11b.

2012/037 COUNCIL DECISION:

That The item be deferred to the April Ordinary Meeting of Council while more information is gathered

**Moved Cr MP Hogan
Absolute Majority**

Seconded Cr DA Miguel

Carried 7/0

BACKGROUND:

After much criticism of the 2008/2009 round of the Royalties for Regions – Country Local Government Fund the 2009/2010 round was delayed and instead shires were given a grant to develop a Forward Capital Works Plan. This plan is to provide a base for shires to use when considering what projects will be funded by the Royalties for Regions – Country Local Government Fund grant received.

In December 2010 a Forward Capital Works Plan was prepared by an external consultant who was assisted by the Shire Engineer. This plan was adopted by Council at the December 2010 Ordinary Meeting of Council. The plan attempted to find a balance in capital expenditure between Beacon and Bencubbin with each town determining their own priorities.

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As part of the development of the plan community consultation was held in both Beacon and Bencubbin in the form of public meetings. The Beacon session was very well attended with the priorities determined as follows:

1. Co-op Building
2. Residential land with bigger lots
3. Complex bathrooms – Renew and install disabled toilets
4. Staff housing
5. Caravan Park – Unit, Campers Kitchen, Sullage Point
6. Lifestyle Units (Aged care units)/Land for aged care
7. Synthetic bowling greens
8. Building for community gym

The Bencubbin public meeting was not as well attended but still had a reasonable attendance. The priorities decided by the meeting were as follows:

1. Community Resource Centre
2. Synthetic Bowling Green
3. Swimming Pool Upgrade
4. Industrial Land
5. Caravan Park – Relocate/Upgrade
6. TV Rebroadcast for digital TV
7. Museum
8. Mobile/Broadband

At the November 2011 Ordinary Meeting of Council it was decided to review the Forward Capital Work Plan in February/March 2012. For the review a survey was conducted. There were a total of 15 forms returned, four from Beacon and 11 from Bencubbin and an additional four letters regarding the plan. The results of the survey and the four letters received are an attachment to this item. Please note that the results of the survey do seem weighted towards Bencubbin but this is due to the lower number of responses from Beacon.

COMMENT:

For the question “Are there any projects not in the plan that you feel should be in the plan?” there was a strong response towards a mobile tower in the northern part of the shire and a synthetic bowling surface in Bencubbin. It should also be noted that these seemed to be the two types of projects the whole shire could agree on. Mobile coverage was wanted for the whole shire and a synthetic bowling green in both Bencubbin and Beacon.

Unfortunately for the question “Are there any projects in the plan that you feel should not be in the plan?” it was used to try and remove projects from the other towns list of priorities. Where this happened it was not included in the results however overall most respondents seemed happy with the projects that were already in the plan.

The question “What do you see as the three priorities for the Shire of Mt Marshall?” drew an unintentional response of respondents looking at the whole of shire activities. This may be helpful as it shows what areas are really considered important. Recreation headed the list especially a bowling green in Bencubbin. Mobile phone

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coverage for the whole shire was next and roads was seen by some respondents as the most important issue with the rest of the projects to be funded after the roads are maintained. The Beacon Co-op Building and Bencubbin Caravan Park Relocation also had some support. Please note in the survey results a weighting was applied so a person's most important priority would receive a 'three', second most important priority a 'two' and third priority a 'one'.

The comments made by the respondents were also attached though many made additional comments while answering the first two questions in the survey.

When the plan was first adopted it had an equal amount of expenditure for both towns over the four future years of the plan. Each project was given its full expense allocation and a break-up of the funding areas was shown. This was in order to keep the plan as simple as possible which considering the impact that Integrated Planning will have on the shire may become handy in future years. Altering the amounts of each project may also have a potential negative effect on funding for the projects in the plan.

The plan presented to council has been revised due to changes in funding amounts, total project costs and has taken into account projects that have been pushed forward to the current year and those that are no longer required due to them being supplied through other means, such as Industrial Land in Bencubbin and Mobile Phone Coverage in Bencubbin though Council may still wish for them to be included. The Bencubbin 'Other' project has also been changed to a Synthetic Bowling Green as this was listed as the second priority for Bencubbin and there was an equivalent amount of funding available. The revised plan also has an unequal expenditure between the two towns. This was done because feedback indicated that no matter how the plan was presented there would be claims of bias toward a town so it was felt that this was unavoidable. Overall however this difference amounted to less than \$4,000 which over \$3,000,000 of expenditure. Ultimately however, these are merely recommendations of officers and it is the job of council to decide what projects end up in the plan and what priority is assigned to each project.

There are many different parts of the plan that can be argued with however in my opinion the best way to look at it is a list of priorities for each town that the shire endeavours to bring to fruition which will largely be dependent on funding is available and when it is available.

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10.6.12 Sub-Lease of Bencubbin Hall

LOCATION/ADDRESS:	67 Monger Street Bencubbin
NAME OF APPLICANT:	Millbrook Nominees Pty Ltd
FILE REFERENCE:	B2/3, Agreements/Leases
AUTHOR:	Matthew Gilfellon – Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	13 March 2012
ATTACHMENT NUMBER:	10.6.12 – Correspondence received from Millbrook Nominees Pty Ltd
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Lease Agreement between the Shire of Mt Marshall and Millbrook Nominees Pty Ltd.
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2012/038 OFFICER RECOMMENDATION:

That council approve Millbrook Nominees Pty Ltd sub-leasing the Bencubbin Hall to Dave, Jane and Samantha Walker for a period of twelve (12) months commencing 1 March 2012.

Moved Cr DA Miguel

Seconded Cr IC Sanders

Carried 7/0

BACKGROUND:

Currently “Benny Mart” is run by Millbrook Nominees Pty Ltd. As ‘Benny Mart’ operates out of the Bencubbin Hall, a lease agreement is held between the shire and Millbrook Nominees Pty Ltd. Lease payments cover a self-supporting loan and rent of the hall.

Millbrook Nominees Pty Ltd have agreed to sub-lease the running of ‘Benny Mart’ to Dave, Jane and Samantha Walker (operating as Bencubbin Supermarket) for a period of one year. Under the lease agreement between the Shire and Millbrook Nominees Pty Ltd, Council must give their approval to the sub-lease of Bencubbin Hall.

COMMENT:

As the letter states, Millbrook Nominees Pty Ltd will still be responsible for ensuring the terms of the lease are met. This sub-lease will not have an impact on the Shire.

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10.6.13 Housing Rents

LOCATION/ADDRESS:	Shire of Mt Marshall
NAME OF APPLICANT:	N/A
FILE REFERENCE:	F1/3, B2/1
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Lives in a shire owned house
DATE:	13 March 2013
ATTACHMENT NUMBER:	10.6.13a – Section 9 - Fees & Charges Schedule 10.6.13b – Housing Rent Chart
CONSULTATION:	Jack Walker – Engineering Administration Officer
STATUTORY ENVIRONMENT:	Residential Tenancies Act 1987
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Increase in rental income
STRATEGIC IMPLICATIONS:	Council direction in regards to the provision of housing
VOTING REQUIREMENT:	Absolute Majority

2012/039 COUNCIL DECISION / OFFICER RECOMMENDATION:

That:

- 1. The Fees and Charges in the attached schedule be adopted;**
- 2. Rents be reviewed in six months; and**
- 3. The Chief Executive Officer and Economic Development Officer work towards a program that encourages an increase in dwellings using the most cost effective approach for the shire.**

**Moved Cr RN Breakell
Absolute Majority**

Seconded Cr CJ Kirby

Carried 7/0

BACKGROUND:

The Shire of Mt Marshall currently owns 32 houses. Currently 13 of these houses are rented by shire staff out of a full time equivalent of 27 staff. Housing rents have not been increased since 2007/2008 and the majority of houses are currently rented for \$100 per week. Rents in Bencubbin are now around \$150 per week.

Under a fixed term tenancy agreement, rent cannot be increased during the term of the tenancy unless the agreement says so and it is at least six months since the last increase. Tenants need not be given notice of a rent increase if a fixed term tenancy is being renewed because all conditions are up for renegotiation.

In a periodic tenancy rent may be increased at six-monthly intervals but tenants must be given at least 60 days notice in writing with details of the amount of the increase and the day it will take effect. Rent cannot be increased in the first six months of a periodic tenancy or less than six months after the previous increase.

If a tenant believes the amount of a rent increase is unreasonable then they can apply to the Magistrates Court for a reduction or to argue against the proposed increase

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COMMENT:

I am proposing that rents for non-staff members be increased by \$30 per week. Considering that rents have not been raised since 2008 and since then there has been a large rise in housing rents I do not believe that this is too big a rate rise. My preference for non-staff members residing in staff housing would have been for \$150 per week as these houses were not constructed for the purpose of community housing and the incentive to have a long tenure in a staff house needs to be removed. This however may be seen as an unreasonable rate rise so it might be better to pass on a smaller increase now and then another increase in six months time.

Rents for staff houses have not been increased (apart from 229 Murray Street, Bencubbin). This is because it is hard enough already to find staff without diminishing their overall conditions. The other option will would have a nil financial effect to employees in rental would be to raise rents and raise the rental subsidy by the same amount however then the housing allowance would need to be raised which have a negative financial effect on the shire.

The rent for 229 Murray Street was raised to bring it into line with the contract for the Chief Executive Officer who resides in that house. As the house is provided rent free it will not have a negative financial effect on the employee.

The shire does not make money from renting out houses. In this year's budget review the shire budgeted to lose \$50,960 on 'Community' Housing. This figure does not include depreciation and does not include 'Other' Housing or community members living in 'Staff' Housing. This loss is approximately 5% of rates income. The more houses built and owned by the shire the more this loss will increase and the burden on ratepayers increase. Rental rates are currently low when compared to the market rates so by raising rates it will be increasing individual tenant's contribution towards the provision of their housing. This will help to decrease the burden on the ratepayer or over a longer term help to contribute to an increase in the number of dwellings in each town.

In addition to the operating expense of providing accommodation is the capital expense of providing new accommodation. The construction of a new house is approximately 30% of the shire rates income. For a landowner paying \$20,000 in rates, \$6,000 of this will go to constructing a new house. Depreciation on a house costing \$300,000 will be \$6,000 per year. With rents set at \$100 per week the yearly rental income will be \$5,200. This means that the current rental rates do not even cover the capital cost of providing a house.

Increasingly the shire is being expected to provide accommodation for all people moving to the shire. Unfortunately if the shire does not build new housing then it is likely that new housing will not be built at all. In towns that are seeking to increase their population it will be difficult if housing constrains the maximum size of a town. It may therefore be worthy of the shire investigating ways to make building a new dwelling more attractive to current and potential residents so that the burden of providing housing does not fall solely on the shire.

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10.6.14 Functional Road Hierarchy

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	W1/6
AUTHOR:	Matthew Gilfellon – Chief Executive Officers
DISCLOSURE OF INTEREST:	Nil
DATE:	13 March 2012
ATTACHMENT NUMBER:	10.6.14a – Council Policy – R&V.1.1 Road Formation Widths & Clearing Widths For New Construction Works 10.6.14b – Presentation on Functional Road Hierarchy 10.6.14c – Old Functional Road Hierarchy Criteria
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Nil
POLICY IMPLICATIONS:	R&V 1.1. Road Formation Widths & Clearing Widths For New Construction Works
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Effect on planning for future road works
VOTING REQUIREMENT:	Simple Majority

2012/040 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Council proceed with the preparation of a Functional Road Hierarchy.

Moved Cr MP Hogan

Seconded Cr RN Breakell

Carried 7/0

BACKGROUND:

The current policy R&V 1.1. has a Functional Road Hierarchy(FRH) based on a Main Roads WA Document developed in 2002.

In 2011 Cardno BSD completed a road survey which found that there was a shortfall in capital road expenditure in the shire of Mt Marshall.

COMMENT:

The shortfall in road amounted to around \$200,000 per year. As this gap is not big enough to employ a new road construction crew some more innovative strategies must be found. Already some options are being pursued such as working collaboratively with surrounding shires as well as utilising our current employees and equipment in a different way. It is hoped that this will go some way towards bridging the gap but the development of a FRH will also allow capital renewal and maintenance of our existing to happen in a more strategic way. This will then hopefully translate into maintaining the roads at consistent level.

Attached is a presentation from the Shire of Yilgarn that was shown at the most recent Sub-Regional Road Group meeting. Though similar to the current FRH the FRH developed by the Shire of Yilgarn has an extra step in the hierarchy. There has also

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been a change in the size of vehicles using roads and the routes that these vehicles are taking since the original FRH was developed in 2002. By completing the FRH it would allow council to have input into the strategic direction of our road network.

There are other benefits of having a FHR in place however these are outweighed by the strategic direction of a FRH. The shire currently has under its control \$6,654,378 of buildings and \$97,232,183 of roads. There is plenty of talk about rationalisation of buildings and whether new buildings should be or should not be constructed in order to make the shire more sustainable in the future however unless the same thinking is applied to roads the decisions on building will have little effect on the sustainability of the shire.

The shire of Yilgarn spent \$3,500 on a consultant to prepare their FRH. There should be enough money in the Engineering Consultant section of the fund to cover this expense.

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10.6.15 Sandalwood Shop Three

LOCATION/ADDRESS:	Shop 3, Sandalwood Shops, Monger Street Bencubbin
NAME OF APPLICANT:	Jane & David Walker T/A Bencubbin Supermarket
FILE REFERENCE:	B2/15
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	14 March 2012
ATTACHMENT NUMBER:	10.6.15 Letter from Jane & David Walker
CONSULTATION:	Paul Gillett – President, Shire of Mt Marshall
STATUTORY ENVIRONMENT:	Commercial Tenancies (Retail Shops) Act 1985
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Simple Majority

2012/041 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Sandalwood Shop 3 is leased to David and Jane Walker once the Bencubbin Community Resource centre has vacated the premises.

Moved Cr MP Hogan

Seconded Cr WJ Beagley

Carried 7/0

BACKGROUND:

On 12 March 2012 a letter was received from Jane and David Walker T/A Bencubbin Supermarket expressing their interest in renting Sandalwood Shop 3 for the purpose of running a liquor and gifts shop.

COMMENT:

Currently Emma Gillett is the only person on the waiting list. She was offered a Sandalwood Shop to rent in October 2010 but was not interested at that time. In November 2011 she expressed interest in renting a shop once the Community Resource Centre was re-located.

Shops are normally allocated on a first come first serve basis however considering the time and money that the shire is putting into developing business within the shire then it may be more pragmatic to take other factors into consideration when determining what tenants to move in.

Once the Bencubbin Community Resource Centre is built, the current Gimlet Office located at the hall will become available.

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10.6.16 Policy Manual Review

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A2/24
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	15 March 2012
ATTACHMENT NUMBER:	10.6.16a Section of Policy & Procedures Manual 10.6.16b Proposed Section of Policy & Procedures Manual
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Local Government Act 1995
POLICY IMPLICATIONS:	Potential change of council policies
FINANCIAL IMPLICATIONS:	Nil
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

2012/042 COUNCIL DECISION / OFFICER RECOMMENDATION:

That council endorse the proposed changes to the Shire of Mt Marshall Policy Manual.

**Moved Cr MP Hogan
Absolute Majority**

Seconded Cr CJ Kirby

Carried 7/0

BACKGROUND:

A Policy & Procedures Manual is a way in which Council are able guide the decision making of local government officers. It directs officers to know what decision Council would make if they were faced with the same decision.

The Policy Statement at the front of the Policy & Procedures Manual gives the objectives of the Policy & Procedures Manual. It also requires Council to conduct a review of polices each even year.

COMMENT:

The Policies & Procedures Manual is due to be reviewed this year. The policy and procedures manual is now over 204 pages long. It may be unreasonable for Council to expect Local Government Officers to remember and apply all of the policies especially for decisions that are not made on a regular basis. For this reason I have reviewed the manual with a view to reducing the size of the manual. In order to do this, I have concentrated on removing policies that are covered in other documents, policies that no longer apply and policies that are of little benefit due to the irregularity of use. The Policy Statement does state that "Policies shall relate to issues of an on-going nature".

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As I am proposing a thorough review of the policy manual I will be putting one or two sections to Council each month so that Council can more easily consider the proposed changes and review each section of the manual.

10.6.17 Sale of 'SDA Church' by Tender

LOCATION/ADDRESS:	Lot 96 Monger Street Bencubbin
NAME OF APPLICANT:	N/A
FILE REFERENCE:	B2/23
AUTHOR:	Matthew Gilfellon – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE:	15 March 2012
ATTACHMENT NUMBER:	Nil
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Local Government Act 1995
POLICY IMPLICATIONS:	Nil
FINANCIAL IMPLICATIONS:	Income from sale
STRATEGIC IMPLICATIONS:	Nil
VOTING REQUIREMENT:	Absolute Majority

2012/043 COUNCIL DECISION / OFFICER RECOMMENDATION:

That Lot 96 Monger Street Bencubbin be offered for sale by public tender.

Moved Cr DA Miguel
Absolute Majority

Seconded Cr PA Gillett

Carried 7/0

BACKGROUND:

Lot 96 Monger Street Bencubbin, known as the 'SDA Church' was originally purchased for the purpose of a Telecentre (community resource centre). Currently a new building is being constructed for the purpose of a community resource centre.

COMMENT:

The 'SDA Church' is currently not used for any activities and there are no future plans for the building. By selling the building it helps to remove a not required building and potentially provides an opportunity for someone outside of the shire.

A valuation was performed on the building and following this it has been advertised for sale. This was done as the shire could sell the building but would need to advertise the sale with a recent market value. This was unsuccessful so a tender is the other avenue of sale. If the tender is unsuccessful then the property can be sold in the six months following the tender without the need to advertise.

Proceeds of the sale would be able to be moved to the Public Amenities and Buildings Reserve.

10.7 Administration Officer

Nil

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10.8 Executive Administration

Nil

11.0 Reports of Elected Members

Cr IC Sanders attended the following meetings / functions:

29 February 2012	RTG Public Meeting	Bencubbin
17 March 2012	Mt Marshall Community Show	Bencubbin

Cr DA Miguel attended the following meetings / functions:

Nil

Cr MP Hogan attended the following meetings / functions:

19 March 2012	Mt Marshall Sandalwood Society Meeting	Bencubbin
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Cr CJ Kirby attended the following meetings / functions:

29 February 2012	Beacon Progress Meeting	Beacon
01 March 2012	Community Consultation	Beacon
13 March 2012	Beacon Community Resource Centre Committee Meeting	Beacon
14 March 2012	Country Football League Meeting	Wyalkatchem
20 March 2012	Beacon Football Club Meeting	Beacon

Cr WJ Beagley attended the following meetings / functions:

29 February 2012	RTG Public Meeting	Bencubbin
11 March 2012	Mt Marshall Ag. Society Busy Bee	Bencubbin
16 March 2012	Mt Marshall Community Show Busy Bee	Bencubbin
17 March 2012	Mt Marshall Community Show	Bencubbin

Cr RN Breakell attended the following meetings / functions:

01 March 2012	Great Eastern Country Zone Meeting	Bencubbin
07 March 2012	Swimming Pool Busy Bee	Bencubbin
9 March 2012	Mt Marshall Swimming Carnival	Bencubbin
16 March 2012	Mt Marshall Community Show Busy Bee	Bencubbin
17 March 2012	Mt Marshall Community Show	Bencubbin

Cr PA Gillett attended the following meetings / functions:

29 March 2012	RTG Public Meeting	Bencubbin
01 March 2012	Great Eastern Country Zone Meeting	Bencubbin
01 March 2012	RTG Public Meeting	Beacon
16 March 2012	Mt Marshall Community Show Busy Bee	Bencubbin
17 March 2012	Mt Marshall Community Show	Bencubbin

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18 March 2012	Mt Marshall Community Show Clean Up	Bencubbin
19 March 2012	Mt Marshall Sandalwood Society	Bencubbin

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12.0	Elected Members Motions of Which Previous Notice Has Been Given
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Nil

13.0	New Business of an Urgent Nature Introduced by Decision of the Meeting
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Nil

14.0	Next Meeting – Wednesday 27 April 2012 commencing at 4:00pm in Council Chambers, 80 Monger St, Bencubbin
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15.0	Closure of Meeting
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The Presiding Member thanked everyone for their attendance declared the meeting closed at 4:35pm.

These Minutes were confirmed by the Council at the Ordinary Meeting of Council held on 27 April 2012.

Date

Cr PA Gillett

President