



Western Australia

Agenda for the Ordinary Meeting of the Murchison Shire Council,
To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Friday **21 June 2013**, commencing at 10.00 am.

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Carpe Diem will be doing a presentation to Council on the Workforce Plan

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Leave of Absence:

Cr Squires
Cr Seaman

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

4.1 Standing Orders

<i>Council Decision:</i>		
Moved: Councillor	Seconded: Councillor	
That the following Local Law-Standing Orders 2001 be stood down:		
8.2 Limitation on the number of speeches		
8.3 Duration of speeches		
Carried/Lost	For:	Against:

5. NEXT MEETING

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

8. CONFIRMATION OF MINUTES

8.1 Ordinary Council Meeting – 17th May 2013

Background:

Minutes of the Ordinary Meeting of Council have previously been circulated to all Councillors.

Recommendation:

That the minutes of the Ordinary Council meeting held on 17th May be confirmed as an accurate record of proceedings.

Voting Requirements:

Simple majority

<i>Council Decision:</i>		
Moved: Councillor	Seconded: Councillor	
.		
Carried/Lost	For:	Against:

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Carpe Diem – Workforce Planning

11. ACTION LIST

No	Item	Action	Action
1.	CEO Residence	Decorative front fence – need input from new CEO	Ongoing – Design pending
2.	Improve shade house south of Road House	Per MSDC meeting and September Council meeting. Changed per November 2012 meeting	RLCIP funding changed – further input required re shade house
3.	Concrete front of motel units	Budgeted item	Completed
4.	Provision for open fires at Caravan Park	Investigate – quotes from Dalwallinu Concrete received Funding approved from Community Fund	5 Fire Pit/BBQ's ordered
5.	Classification of Pindar Beringarra Road	Pindar – Beringarra ongoing.	Further letter sent.
6.	Nookawarra Airstrip	Meeting with the Tomkins held 11 th March	Work Scheduled for this week. Letter reply from Tomkins asking for road repairs- Mileura – Nookawarra Road
7.	Community Centre Kitchen	Install Lockable Storage Area	Materials ordered, contractor required
8.	Rates on Boolardy Station now that it is owned by CSIRO	Response received from PLB. Letter sent to CSIRO. Ex-gratia payment claimed of \$95,000	Seeking clarification of basis of payment
9.	Review of the committees of council	Establish terms of reference and roles of councils committees.	Item in today's meeting
10.	Dust Suppression	Costing prepared – submitted to CSIRO	Awaiting CSIRO response
11.	Contact CGG re gravel road in their shire. Carnarvon-Mullewa and Beringarra-Pindar	Letter sent to Neil Arbutnot, Director Community Infrastructure. He has acknowledged letter	Awaiting response – followed up.

Recommendation:

That the Action List be accepted.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
That the Action List be accepted.		
Carried/Lost	For:	Against:

12. DISCLOSURE OF INTERESTS

The CEO declares an interest in item 18.9

13. REPORTS OF OFFICERS

13.1 Monthly Plant Report – Works Supervisor

			Hours					YTD	
** Fuel costings to various small plant total				Start	End	Total		Operating Costs	
Plant Item	Year	Rego	1 July '12	Hrs/kms	Hrs/km	Month	YTD	Plant	Fuel
Cat Grader 12H	2005	MU 141	8405	9706	9871	165	1466	29128.14	23828.63
Cat Grader 12M	2008	MU 51	4488	5588	5729	141	1241	35096.3	19952.94
Volvo Loader	2006	MU 65	4276	5274.3	5337	62.7	1061	31495.35	19548.56
Komatsu Dozer	1997		7820	8075	8134	59	314	35210.05	6816.84
Cat Vibe Roller	2005	MU 177	564	1320	1424	104	860	19098.57	14139.79
JD Grader	2011	MU 121	1390.5	2740.9	2906.8	165.9	1516.3	13298.45	34787.9
Bomag Roller	2012	1DVH726	324	1045	1066.6	21.6	742.6	5693.37	5623.39
Cat 938G Loader	2004	MU 193	3196	3937	4040	103	844	8583.11	10605.38
Kenworth P/Mover	2004	MU 000	0	2545	5043	2498	5043	4139.44	4363.98
Iveco P/Mover	2003	1AGW988	248103	266544	267205	661	19102	13653.57	16948.88
Nissan UD	2009	000 MU	113179	138231	140201	1970	27022	30370.36	18592.22
Iveco Tipper Converted	2004	MU 00	157625	157806	157849	43	224	22987.6	10017.86
Generator 1-110kva	2011		3096.1	6371	6377	6	3280.9	2232.5	135548
Generator 2-110kva	2011		2328.8	6372	6588.5	216.5	4259.7		
Maintenance Gen			0	250	541.3	291.3	541.3	1881.45	**
Construction Gen			6351.1	10450	14212	3762	7860.9	1226.08	**
Kubota 6kva Gen	2012		0	1548	1642	94	1642		**
Mitsubishi Canter	2011	01 MU	50905	75379	79900	4521	28995	5502.26	8727.7
Mitsubishi Canter	2004	MU 140	131890	154948	157430	2482	25540	5116.26	6447.71
Toyota Prado	2012	MU 0	0	4429	7747	3318	7747	632.73	352.87
Great Wall	2012	MU 167	0	9407	10857	1450	10857	568.2	1257.74
Isuzu Dmax	2009	MU 300	124013	146190	149625	3435	25612	4947.28	4130.1
Toyota Hilux	2011	MU 1018	49735	84974	89000	4026	39265	6310.25	6179.52
Isuzu T/Top	2005	MU 1002	94910	110548	112203	1655	17293	9653.43	4953.37
Toyota Patient Trf	1986	MU 1017	21100	21188	21188	SOLD	88	1519.76	72
Side Tipper	2001	MU 2010	0	22258	23721	23721	23721	3020.31	-
Side Tipper-Evertran	2009	MU 662	46913	63682	65047	1365	18134	9490.27	-
Tri-Axle Low Loader	2008	MU 663	0	3203	3769	566	3769	29477.51	-
45ft Flat Top	1978	1THH060		No meter			0	40.05	-
No. 2 Float	2001	MU 2004	15227	24582	26835	2253	11608	3769.1	-
30000Ltr Water Tank	2005	MU 2024	12582	26029	26131	102	13549	3918.11	-
Dog Fuel Trailer	1993	MU 658		No meter			2603.57		-
Dog Fuel Trailer	1972	MU 2005		No meter			122.08		-
Dolly 1-Red	2001	MU 2003	12511	24567	24567	0	12056	1478.19	-
Dolly 2-Black	2000	MU 2009		0	197	197	197	1928.09	-
New/H Ford Tractor	2006	MU 380	1452	1581	1591.6	10.6	139.6	511.77	453.13
Forklift			11700.1	11810	11837.6	27.6	137.5	244.16	301.11
Caravans								4429.42	-
Various small plant								5325.85	5332.98
JD Ride on mower			136	280	289.2	9.2	153.2		**
Mercedes Patient/Trf	2004		95805	96461	97264	803	1459	264.16	70.84

13.2 Works Report – Works Supervisor

Construction Crew

The Works program on the Beringarra/Pindar road for the new realignment of road plus approaches to grid and creek crossings and gravel sheeting of 3km is near completion (had a day or two of rain). (Refer maps1 & 2)

Works required on this section.

- Realign new road to running surface of 8m and road width of 12m.
- Realign approaches to grid/creeks
- Box out two new small creek crossings to width of 8m plus to depth of .500. Replace with rock and topping of calcrete.
- Widen rest of small creek crossing to 8mts.
- Sheeting of new road alignment about 3km.
- Place in new off shoot drains and contour banks to control water flow.
- Erect signage.
- Rehab all old and new gravel pits plus rip all cleared and turn-around areas.

As of Saturday 15th June there is approx 4 working days of work left to complete.

Crew will return back to site on Monday 17th June (crew came in Thursday 13/6/2013 due to rain)

Work left to complete – one creek crossing, two contour banks, placing of guide posts, rehabbing of pits and turn-around plus general tidy up of road. They will then move camp and equipment to Beringarra-Cue road to commence the next works program - 3km gravel sheeting over stony and rough areas, plus put in place more drains and 3 new bunds. (Refer map 3)

Maintenance Crew.

John and Glen are going along well. On the completion of works on Beringarra/Pindar road from Yuin to Pindar they moved camp up to Murgoo drive-way and graded to 8km north of Cockney Bill. From there they proceeded to Mt Wittenuom and as of Saturday 15th June they had 10km remaining on this road then will go back onto Beringarra/Pindar road starting where they finish 8km north of Cockney Bill and up to Boolardy/Pia boundary. From here they will move camp up to Boolardy-Kalli Road and begin a full grade south /north doing all off roads up to Beringarra. (Refer Road Maintenance Grading program 2013 sheet)

Contract Maintenance Grader.

John (grader operator for THEM contracting) is going along well for a man that is 75 years old.

He commenced maintenance grading from the end of the bitumen on the north side of the settlement on the 13th May and is now 27km past Byro homestead. He had a few days off sick with flu plus an eye appointment in Geraldton but should finish road this Saturday, 22nd June.

I will have full hours, days and cost of works maintenance grading of the 154km Carnarvon/Mullewa road for next meeting.

Plant /Maintenance this Month

- Kenworth – repairs to electrical plus new starter motor, first service on new motor.
- Dozer wear pads – on track front idler
- John Deere grader - new locks – smashed
- Volvo Loader - 2 new front tyres
- Construction Camp - small water pressure pump for shower

Road Counters

Beringarra/Pindar Road

10 km North of Boolardy 6/3/2013 - 3/6/2013 9 cars per day.

MRO Road

2.5km north of top shed 6/3/2013 - 3/6/2013 5.9 cars per day

Put in new counter 300m south of Boolardy homestead turn off 3/6/2013 3 cars per day

Carnarvon/Mullewa Road

100m south of New Forrest/Yallalong intersection 5/8/2012 – 8/5/2013 26 cars per day

New counter on the Carnarvon/Mullewa road north of settlement 15/6/2013.

ROADS GRADED 13th MAY 2013 – 16th JUNE 2013

Name	Length of Road		SLK Graded this month	Heavy-Road Maintenance Repairs Loader--truck	Comments
Beringarra /Pindar	319.80km		98m		McNabb-Pindar Murgoo-Cockney Bill
Erong	63.12km				
Beringarra/Byro	90.89km				
Twin-Peaks/Wooleen	47.65km				
Boolardy/Kalli	57.30km				
Byro/Woodleigh	71.00km				
New Forrest/ Yallalong	36.18km				
M ^c Nabb/Twin-peaks	49.75km				
Yallalong-West	34.46km				
Mileura/Nookawarra	49.08km				
Muggon	38.75km				
Manfred	34.55km				
Beringarra/Mt Gould	34.80km				
Tardie/Yuin	13.20km				
Innouendy	9.30km				
Boolardy Homestead	2.00km				
Yunda Homestead	32.80km				
Meeberrie Woolleen	25.22km				
Mt Wittenoom	37.55km		23km		
Woolleen/Mt Wittenoom	33.85km				
Beringarra Cue	109.82km				
Boolardy Wooleen	19.08km				
Kalli Cue East	21.87km				
Coodardy Noondie	19.92km				
Butchers Track	64.54km				
Butchers Muggon	23.80km				
Murchison Settlement	2.00km				
Pinegrove Yallalong	-----				
Carnarvon-Mullewa	278.63km		118km		Contractor
Woolgorong-South	15.00km				
Errabiddy-Bluff	12km				
Air strip Graded					

Recommendation:

That the Work’s Supervisor’s report be accepted.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor		Seconded: Councillor
That the Work’s Supervisor’s report be accepted.		
Carried/Lost	For:	Against:

14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

14.2 Councillors

15. REPORTS OF COMMITTEES

15.1 Audit Committee – Compliance Audit Return 21st June 2013

The audit committee met earlier today to discuss the Compliance Audit return for 2011. *Their recommendation will be included here to allow council to action the Compliance Audit Return as an item in this meeting.*

Council Decision:		
Moved: Councillor	Seconded: Councillor	
.		
Carried/Lost	For:	Against:

16. FINANCE

16.1 Financial Activity Statements 31 May 2013

File:	2.2
Author:	Dianne Daniels – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 June 2013
Attachments:	Financial Activity Statements for 11 months to 31 May 2013 Balance Sheet Income Statement Detail Income Statement Summary Income Statement by Nature & Type Compare Cost of Roadworks

Matter for Consideration:

Council to consider adopting the monthly financial statements for the period ending 31 May 2013.

Background:

The Local Government (Financial Management) Regulations 1996 Regulation 34 requires that local government report on a monthly basis and prescribes what is required to be reported.

Comment:

Summary of Financial Results to May 31 2013:

The Current Position at 31 May 2013 is a surplus of \$940,504 which is down on YTD Budget by \$125,730 as summarised below:

Opening Funding Surplus variance	0
Add Operating Revenues up	264,387
Add Operating Expenditure down	435,289
Add Funding Balance Adjustment	6,189
Less Capital Revenue down	-1,322,726
Add Capital Expenditure down	492,282
Less Rate Revenue down	-1,151

Refer to Graphs at Note 2 and Notes 9, 12 and 14 in the Monthly Financial Report for comments and explanations on variances. In summary, Operating Revenues up includes a \$90 k claim to Crosslands for the Community Fund (which has been off-set by a \$90 k expense at Admin Reimbursements as the money

will be transferred to the Crosslands Community Fund bank account in Trust once it has been received) and the \$95 k claim to CSIRO for ex-gratia rates and road works contribution. The amount of rates raised on location Murchison 226 (Boolarly Station) since it was taken over by CSIRO is \$17,661.96 and so, once the money is received, we will transfer that amount from the Road Contribution from CSIRO account to reduce that debt on our rate book to nil for that assessment, which will leave \$77,338.04 towards road maintenance.

The main reason for Operating Expenditure being down can be found in Transport – Road Maintenance, Heavy Maintenance, Bunding of Various Old Roads, Grid Maintenance and Rehab Gravel Pits are all down on budget. Also, even though CSIRO has been invoiced for the contribution towards road works, payment has not yet been received and so no extra work has been undertaken on the Beringarra Pindar Road to date.

Capital Revenue is well down as the CLGF 12-13 Individual and Regional Funding applications are still being reviewed by the Department and unless the Regional component is received in June, we won't be in a position to make the Reserve transfer of \$771,875 to the Ballinyoo Bridge Reserve as budgeted.

Refer to Note 9 at pages 18 and 19 for variances to Capital Expenditure.

Final costs have now been processed for the 17.4 km of new formwork/seal and the 10 km of re-seal of the Carnarvon-Mullewa Road, with expenditure over-budget showing as \$202.7 k. This will be reduced in June by \$36.5 k, which I neglected to journal to the Private Works expense account to off-set the revenue from RnR Contracting for plant and labour hire during the sealing program, so leaving \$166.2 or 7.1% over budget. Even though this variation is under the 10% material variance adopted by Council as part of the 2012-13 Budget, we feel it would be prudent to vary the Budget to ensure our Closing Funding position isn't compromised. Refer Item 16.3 for our recommendation.

Greenfields have completed a comparison of costs for upgrading the Carnarvon-Mullewa road to seal standard. (Refer Attachment - Compare Cost of Roadworks). The comparison indicates that the combination of Council Resources for formation and Contractor for seal has given Council a reasonable rate per km to complete the job and is comparable with works completed in this manner by other Shires. The three cost scenarios used in the comparison are;

1. Cost estimate by Greenfield using lowest Hired Plant Rates submitted under tender MU 07-2011. Price includes seal procured directly by shire - \$105,199 per km;
2. Fixed price \$ per km rate submitted under tender MU 01-2012. Seal procured by the Contractor – \$178,819 per km;
3. Actual cost per km for works completed by the Shire. Price includes seal procured directly by the Shire - \$110,214 per km.

Note that the cost of engaging external contractors will be somewhat higher if the cost of external contract supervision by consulting engineer is included.

Rates collection is sitting at 81% collected as against 72% at 30 June 2012. We contacted three Debt Collection Agencies, all WALGA preferred suppliers, during May and after comparing fees the decision was made to use CS Legal Debt Recovery who we believe will give best value for money. We are in the process of transferring debtor details to this firm in order for them to commence the collection process.

Capital costs that impacted the Balance Sheet in May were:

- Reticulation for the Soundproof Wall for Generators
- Improvement to mechanics Isuzu – Oxy/Acetylene Kit
- Low Loader Modifications journalled from R&M expense account to correct Capital account
- Flat bed trailer – 6800 fibreglass water tank
- Delivery and rigging of the new fuel tanks

Statutory Environment:

Local Government Act 1995

Section 6.4—Specifies that a local government is to prepare “such other financial reports” as is prescribed.

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
- (b) Budget estimates to the end of month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) Material variances between the comparable amounts referred to in paragraphs (b) and (c);
- (e) The net current assets at the end of the month to which the statement relates.

Strategic Implications:

Nil.

Policy Implications:

Nil.

Financial Implications:

Reports showing year to date financial performance allow monitoring of actual expenditure, revenue and overall results against budget targets.

Consultation:

UHY Haines Norton

Recommendation:

That Council adopt the financial statements for the period ending 31 May 2013, as attached.

Voting Requirements:

Simple majority.

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

16.2 Accounts Paid during the period since the last list was adopted/endorsed by Council

File:	
Author:	Dianne Daniels Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	18 th June 2013
Attachments:	EFT & Cheque Details for May 2013

Matter for Consideration:

Authorisation of accounts paid during the month of May 2013.

Background:

Accounts paid are required to be submitted each month.

Statutory Environment:

Local Government (Financial Management) Regulations 1996
 Reg 13(1)–Requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

Comment:

Payments made during the month of May as per attached schedule.

Strategic Implications:

None

Policy Implications:

None

Financial Implications:

Payment from Council's Municipal, Roadhouse, Trust, Crosslands Community Fund and Social Club accounts.

Consultation:

None

Recommendation:

That the accounts as per the attached Schedule presented to this meeting totalling \$2,165,521.02 be passed for payment/endorsed by Council.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

16.3 Budget Amendment

File:	2.4
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	17 June 2013
Attachments:	

Matter for Consideration:

Council to consider varying the Budget to cover the amount of \$166,183.56 which, as noted in the Finance Report, is the 7.1% over-budget amount spent to complete 17.4 km of new formwork/seal and to re-seal 10 km south of the Settlement on the Carnarvon-Mullewa Road.

Background:

Council recently finished sealing 17.4 km on the Carnarvon-Mullewa Road with 4m bitumen seal and re-sealed 10 km south of the Settlement with geotextile overlay and bitumen. The original Fixed Price tender MU 01-2012 and the subsequent Hired Plant tender MU 07-2011 proved to be unsuitable and Council resolved to undertake the formwork using its own resources and tendered the bitumen seal/aggregate supply component only of the construction.

The construction crew commenced formwork in July 2012, on schedule for completion just prior to Christmas 2012. However, the sudden resignation of the Leading Hand/Grader Operator and a rain event prior to Christmas delayed the completion of the formwork and added to the cost over-run. Operational decisions taken during sealing, such as increasing the application rate of the bitumen, widening the flood-ways and lengthening the tapers also added to the variance.

Comment:

The comparison completed by Greenfields based on final costs for the job indicate that the combination of Council Resources for formation and Contractor for seal has given Council a reasonable rate per km to complete the job and is comparable with works completed in this manner by other Shires.

However, in order to maintain a balanced budget, we will need to re-direct \$166,183.56 from other projects. As we are well advanced in the 2012-13 financial year, this can be achieved by delaying some projects that we are unlikely to undertake at this stage and including them in the 2013-14 Budget.

Statutory Environment:

Local Government Act 1995

Part 6 – Financial Management

(6.8) Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* *Absolute majority required.*

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.

(2) Where expenditure has been incurred by a local government —

- a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council

Strategic Implications:

N/A

Policy Implications:

N/A

Financial Implications:

In order to maintain a balanced budget, we will need to re-direct \$166,183.56 from other projects. As we are well advanced in the 2012-13 financial year, this can be achieved by delaying some projects that we are unlikely to undertake at this stage and including them in the 2013-14 Budget.

Consultation:

CEO; Works Supervisor

Recommendation:

That Council vary the Budget as per the table below:

Account	Description	Classification	Increase in Cash	Decrease in Cash
C13110	RPG 12-13 206-216 Council Contribution	Capital Expenditure		-166,183.56
E122012	Heavy Maintenance	Expenditure	105,064.10	
E122093	Rehab Gravel Pits	Expenditure	15,669.46	
E122296	Bunding of Various Old Roads	Expenditure	45,450.00	
		Totals	166,183.56	-166,183.56

Voting Requirements:

Absolute Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

16.4 Differential Rates

File:	3.1
Author:	Dianne Daniels – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 June 2013
Attachments:	

Matter for Consideration:

That Ministerial Approval be sought to adopt differential general rates as detailed below for the Shire of Murchison for the 2013-14 Financial Year.

Background:

The proposed differential general rates as detailed below were endorsed by Council at the Ordinary Meeting of 17 May 2013 and advertised in accordance with s6.36 of the Local Government Act 1995 in the Geraldton Guardian newspaper on Wednesday 22 May 2013.

Council Decision:**Moved: Councillor Squires****Seconded: Councillor Whitmarsh**

That Council introduces differential rates and sets minimum rates in the 2013-14 year as per the following table:

RATE TYPE	RATE IN \$ 2012-13	Increase \$ (2.5%)	Rate in \$ 2013- 14	No of Props	Budget Rate Revenue \$
Differential Rate UV					
Pastoral	0.024802	0.000620	0.025422	28	54,500
Mining	0.265600	0.006640	0.272240	5	139,487
Exploration/Prospecting	0.089481	0.002237	0.091718	91	92,966
Minimum Rates					
Pastoral	243	6	249	5	1,245
Mining	366	9	375	0	0
Exploration/Prospecting	366	9	375	33	12,380
Totals					300,577

(The Total is based on information at hand when preparing the report and the number of properties and their values may vary slightly if a new schedule is received from Landgate prior to preparing the Budget.)

Payment of rates charges may be made in a single payment or by four instalments at dates to be set once the budget has been adopted.

An administration fee of \$15 will apply to the instalment option and an 8% penalty interest will apply to late payments.

The ESL Levy and interest will be charged in accordance with instructions from DFES

Carried by Absolute Majority**For: 5****Against: 0****Comment:**

The advertisement contained details of each differential general rate and minimum payment endorsed by Council and invited submissions from electors or ratepayers in respect of the proposed differential general rate or minimum payment and any related matters within 21 days. No submissions have been received and before adopting the differential general rates and associated Minimum Rates, Council is required to seek Ministerial Approval under s6.33 (3) of the Local government Act as the UV Mining Rate is more than twice the lowest differential general rate.

Statutory Environment:

Local Government Act 1995

Division 6 - Rates and Service Charges

Subdivision 2 — Categories of rates and service charges

6.33 – Differential general rates

(3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

6.35 – Minimum Payment

(6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories

(c) to each differential rating category where a differential general rate is imposed

6.36. Local government to give notice of certain rates

(1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Differential rating allows Council to improve the rate base and offers all rate payers the opportunity to make an equitable contribution to the maintenance of infrastructure assets

Consultation:

CEO; UHY Haines Norton

Recommendation:

That Ministerial Approval be sought to adopt differential general rates as detailed below for the Shire of Murchison for the 2013-14 Financial Year:

RATE TYPE	RATE IN \$ 2012-13	Increase \$ (2.5%)	Rate in \$ 2013-14	No of Props	Budget Rate Revenue \$
Differential Rate UV					
Pastoral	0.024802	0.000620	0.025422	28	54,500
Mining	0.265600	0.006640	0.272240	5	139,487
Exploration/Prospecting	0.089481	0.002237	0.091718	91	92,966
Minimum Rates					
Pastoral	243	6	249	5	1,245
Mining	366	9	375	0	0
Exploration/Prospecting	366	9	375	33	12,380
Totals					300,577

(The Total is based on information at hand when preparing the report and the number of properties and their values may vary slightly if a new schedule is received from Landgate prior to preparing the Budget.)

Payment of rates charges may be made in a single payment or by four instalments at dates to be set once the budget has been adopted.

An administration fee of \$15 will apply to the instalment option and an 8% penalty interest will apply to late payments.

The ESL Levy and interest will be charged in accordance with instructions from DFES.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

17. DEVELOPMENT

17.1 Regional Road Group Funding 2014-2015

File:	12.2
Author:	Jenny Goodbourn – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 st June 2013
Attachments:	Nil

Matter for Consideration:

Road project for a funding submission for Regional Road Group Monies for 2014-2015.

Background:

Council has already made a submission to Main Roads for funding for the 2013-2014 financial year. The proposed works are for formwork and gravel sheeting of a section further south on the Carnarvon-Mullewa Road (SLK 221-228). Submission have to be completed in July/August every year so we now need to decide what works we wish to apply for funding for in 2014-2015. The only road which has enough traffic to score highly enough to attract funding is the Carnarvon-Mullewa Road.

Comment:

In the 2014-15 submission we can look at going north of the settlement if we wish. The Works Supervisor is currently working on the road construction programme for 2013-2014 as part of the budget preparation and details will be available for discussion at today’s meeting. Part of the works proposed is to start just north of the Byro turnoff and do some corners and gravel sheet low lying areas working south for up to 10 km’s. In 2014-2015 we could start just north of the Settlement and look at doing full gravel sheeting up to the Butchers Track turn off. This would form the basis of our Regional Road Group submission if Council is happy with the proposal.

Statutory Environment:

Nil

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

These works would form part of the 2014-2015 Annual Budget.

Consultation:

Nil

Recommendation:

That Council approve the 2014-2015 Regional Road Group funding submission being based on gravel sheeting the Carnarvon-Mullewa Road north of the Settlement.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

17.2 Consideration of the Asset Management Policy, Improvement Strategy and Plan

File:	4.39
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 th May 2013
Attachments:	Asset Management Policy, Improvement Strategy & Plan

Matter for Consideration:

Consideration of the Asset Management Policy, Improvement Strategy & Plan

Background:

As part of the Integrated Planning Process council engaged RSM Bird Cameron to prepare our Asset Management Policy, Asset Management Improvement Strategy & Asset Management Plan and other required reports.

Comment:

The Draft Asset Management Policy, Asset Management Improvement Strategy & Asset Management Plan have been developed and are now presented for council’s comments and/or adoption. The plan is being developed in conjunction with the Strategic community Plan, Long Term Financial Plan, Workforce Plan and Corporate Business Plan and forms part of the required Integrated Planning and Reporting Framework introduced by the Department of Local Government.

This framework has to be developed by 30th June 2013 as budget preparations and annual reports have to reflect the new criteria with effect from 1st July 2013.

Statutory Environment:

Integrated Planning and Reporting Standards as set by the Department of Local Government.

Strategic Implications:

The Asset Management Policy, Asset Management Improvement Strategy & Asset Management Plan are an integral part of the Integrated Planning Process which has to be developed by all local governments within WA.

Policy Implications:

Nil

Financial Implications:

Nil

Consultation:

Nil

Recommendation:

That the shire adopts the Asset Management Policy, Asset Management Improvement Strategy & Asset Management Plan.

Voting Requirements:

Absolute Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

17.3 Consideration of the Long Term Financial Plan

File:	9.1
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 th May 2013
Attachments:	Long Term Financial Plan Draft

Matter for Consideration:

Consideration of the Long Term Financial Plan for adoption by Council.

Background:

As part of the Integrated Planning Process council engaged RSM Bird Cameron to prepare our Long Term Financial Plan and other required reports..

Comment:

The Draft Long Term Financial Plan has been developed and is now presented for council’s comments and/or adoption. The plan is being developed in conjunction with the Asset Management Plan, Strategic Community Plan, Workforce Plan and Corporate Business Plan and forms part of the required Integrated Planning and Reporting Framework introduced by the Department of Local Government. This framework has to be developed by 30th June 2013 as budget preparations and annual reports have to reflect the new criteria with effect from 1st July 2013.

Statutory Environment:

Integrated Planning and Reporting Standards as set by the Department of Local Government.

Strategic Implications:

The Long Term Financial Plan is an integral part of the Integrated Planning Process which has to be developed by all local governments within WA.

Policy Implications:

Nil

Financial Implications:

Nil

Consultation:

Nil

Recommendation:

That the shire adopts the Long Term Financial Plan.

Voting Requirements:

Absolute Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

17.4 Consideration of the Workforce Plan

File:	9.1
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 th May 2013
Attachments:	Draft Workforce Plan

Matter for Consideration:

Consideration of the Workforce Plan for adoption by Council.

Background:

As part of the Integrated Planning Process council engaged Carpe Diem to prepare our Workforce Plan. Carpe Diem visited the shire on the 13th and 14th May and had extensive interviews with the CEO and Deputy CEO and carried out a workshop with all the other staff.

Comment:

The Workforce Plan has been developed and is now presented for council’s comments and/or adoption. The plan is being developed in conjunction with the Asset Management Plan, Long Term Financial Plan, Strategic Community Plan and Corporate Business Plan and forms part of the required Integrated Planning and Reporting Framework introduced by the Department of Local Government.

This framework has to be developed by 30th June 2013 as budget preparations and annual reports have to reflect the new criteria with effect from 1st July 2013.

Statutory Environment:

Integrated Planning and Reporting Standards as set by the Department of Local Government.

Strategic Implications:

The Workforce Plan is an integral part of the Integrated Planning Process which has to be developed by all local governments within WA.

Policy Implications:

Nil

Financial Implications:

Nil

Consultation:

Nil

Recommendation:

That the shire adopts the Workforce Plan.

Voting Requirements:

Absolute Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

17.5 Local Town Planning Scheme & Strategy 2013.

File:	10.3
Author:	Jenny Goodbourn – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 st June 2013
Attachments:	Nil

Matter for Consideration:

Selection of supplier to prepare Local Town Planning Scheme and Strategy.

Background:

At the May meeting council resolved to cease using Geraldton Independent Planners and engage a different consultant to prepare a Local Town Planning Scheme and Local Planning Strategy for the Shire of Murchison.

A project brief was developed and advertised on the WALGA preferred supplier equote site.

Comment:

At the close of the advertising period seven quotes were received. They have been analysed and measured against a set of Qualitative Requirements based on;

- 1) Suitability of Proposed Approach and Methodology (40% weighting)
- 2) Organisational Capacity and Specified Personnel (30% weighting)
- 3) Demonstrated Experience of the Organisation (30% weighting)

A spreadsheet of the results is as below:

Company					Net of GST	TOTAL COST	Extras
	Suitability of Proposed Approach and Methodology 40%	Organisational Capacity and Specified Personnel 30%	Demonstrated Experience of the Organisation 30%	Total Score			
Greg Rowe & Associates	30	28	20	78	\$95,000.00	\$104,500.00	
Urbis	30	27	20	77	\$91,000.00	\$100,100.00	
TPG	20	20	15	55	\$109,995.00	\$120,995.00	
GHD	18	24	15	57	\$104,303.00	\$114,733.00	+ printing et
Whelans	18	20	12	50	\$72,772.00	\$80,049.00	
Edge Planning	18	20	12	50	\$89,000.00	\$97,900.00	
Land Insights	16	16	12	44	\$98,885.00	\$108,773.50	\$10,000.00

A brief summary of the dot points from each company is below:-

Greg Rowe & Associates:

Addresses project objectives, Inception meeting, and workshop. Capacity to undertake job - no sub contractors. Shire of Three Springs LPS & TPS. Mingenew Town Expansion. Geraldton Public Open Space Strategy. MWIP strategic planning workshops. Within budget – includes disbursements, travel time and costs

Urbis:

Addresses project objectives. Inception meeting via teleconference. Site visit and community workshop three days. Adequate capacity to accommodate project into work schedule. Shire of Coorow LPS & TPS; Leeman & Greenhead Expansion Strategy; Shire of Wiluna.

TPG:

Addresses project objectives in different format. Inception meeting, community workshop. Capacity to undertake work not actually stated but timetable meets project brief. Morawa Supertown LPS & TPS,

GHD:

Doesn't actually address project objectives. Inception teleconference, then a weeklong visit to shire to undertake workshops. Christmas Island LPS & S; Gingin Structure Plan,

Whelans:

Doesn't actually address project objectives. Wants steering group from shire. Inception teleconference. Does not include community workshop. Halls Creek LPS & TPS

Edge Planning & Property:

Doesn't address all project objectives. Initial visit to site – CEO to be available for duration. Community consultation. Small team but say have capacity. Shire of Donnybrook-Balingup LPS & S; Shire of Brookton & Beverley.

Land Insights:

Doesn't actually address project objectives. Proposes to work with shire project manager who will tour around on visit with them. Maybe not hands on enough for us. Shire of Ravensthorpe LPS, Shire of Busselton LPS

Summary

Based on the most suitable quote to meet our objectives, the scope of work, ability to work with the shire and deliver the project and having relevant previous experience in similar small or remote shires the top two companies are Greg Rowe & Associates and Urbis. Both of these companies are within the budget guidelines. As previously advised there is state funding available to the shire to help with the production of the Scheme and Strategy.

Statutory Environment:

Planning and Development Act 2005

Strategic Implications:

The development of a Local Planning Strategy and Scheme is an integral part of the integrated planning process, giving council direction and control over future development within the shire.

Policy Implications:

Nil

Financial Implications:

Nil.

Consultation:

Alex Petrovski, Senior Planning Officer, Department of Planning

Recommendation:

That the council accept the quote from Greg Rowe & Associates or Urbis (delete as appropriate) for the development of a Local Planning Strategy and Local Plan Scheme for the Shire of Murchison

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

18. ADMINISTRATION

18.1 Eastern Gascoyne Gymkhana Club

File:	11.17
Author:	Jenny Goodbourn – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 st June 2013
Attachments:	EGGC Letter

Matter for Consideration:

Consideration of request for support for the gymkhana to be held on Sunday 6th October, during the Landor races weekend.

Background:

Over the past few years the shire has assisted the Eastern Gascoyne Gymkhana Club by agreeing to print out the programmes for the gymkhana they run on the Sunday of the Landor races weekend. Last year we printed 100 programmes. These were in colour, double sided and on A4 size paper. If this was done under the schedule of fees and charges it would equate to \$60 for the photocopies, with maybe a bit more to cover the time of the administration officer who did the work. Last year we did not get the request until very close to the event and asked them to approach the shire earlier this year to allow time for a decision.

Comment:

I have received a letter asking whether the shire is able to continue its sponsorship again this year by printing the programmes. There will be the same sort of number and cost involved as last year. If we are unable to assist they will have to try and find an alternative sponsor. If we are able to assist then our sponsorship will be acknowledged. In view of the small amount involved I would recommend to council that the sponsorship, by way of printing of the gymkhana programmes, be continued. The Eastern Gascoyne Gymkhana Club is a local club and many members of the Murchison community are involved with the club and/or the Landor Races and traditionally have been for many years.

Statutory Environment:

Assistance to community groups and clubs is well within Councils’ legislative boundaries

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Minimal and can be included under sponsorship provision in the 2013/2014 budget.

Consultation:

Nil

Recommendation:

That Council confirms they will offer sponsorship to the Eastern Gascoyne Gymkhana Club, by way of printing the programmes for the Gymkhana to be held on Sunday 6th October at Landor.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

18.2 Local Government Convention 2013

File:	4.6
Author:	Jenny Goodbourn – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 st June 2013
Attachments:	Convention bookings

Matter for Consideration:

Confirmation of attendance at the 2013 Local Government Convention.

Background:

The Local Government convention is being held on the 8th & 9th of August this year. Attendance has been discussed and councillors and their partners have advised what sessions and events they would like to attend. Under Shire of Murchison Policy it is necessary to discuss attending conference, seminar or training courses prior to attending the event to obtain council approval.

Comment:

At this point Cr's Broad, Foulkes-Taylor, Halleen, Squires and Whitmarsh have indicated their intention to attend the convention as full delegates, as has the CEO. Full details of which individual sessions are being attended are attached for approval.

There are also courses being run pre convention.

Councillor Roles & Responsibilities (\$395) is being held on Monday the 5th August and Cr's Foulkes-Taylor and Whitmarsh would like to attend this course.

Professionally Speaking (\$450) is being held on Wednesday the 7th August and Cr's Halleen and Whitmarsh would like to attend this course.

I think it is a good opportunity as Cr's are already travelling to Perth for the convention to make the most of any development course that are available and would always encourage councillors to undertake training when it is available.

Statutory Environment:

Nil

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

The Local Government Convention is an annual event and a relevant budget provision will need to be included in the 2013/2014 budget preparation.

Consultation:

Nil

Recommendation:

That the attendance at the Local Government Convention for 2013, details as per attached schedule, be approved by council.

That Cr's Foulkes-Taylor and Whitmarsh be granted approval to attend the Councillor Roles & Responsibilities course being held on Monday the 5th August and Cr's Halleen and Whitmarsh be granted approval to attend the Professionally Speaking course being held on Wednesday the 7th August.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

18.3 Conduct of Ordinary Murchison Elections 2013

File:	4.9
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 st June 2013
Attachments:	Nil

Matter for Consideration:

Council to decide the method for conducting this year's election a 'voting in person' or postal election.

Background:

The next ordinary elections are to be held on 19th October 2013. The last elections in 2011 were held as a 'voting in person election' as was the extraordinary election earlier this year. Council can choose which way to hold the elections but the decision has to be made at least 80 days prior to the election, or by the 31st July for the 2013 elections.

Comment:

The Local Government Act 1995 (the Act) provides that an election can be conducted as a postal election or a voting in person election. The Act also requires that a postal election must be conducted by the Electoral Commissioner.

No quote has been obtained for this service (postal voting) from the Electoral Commissioner however the estimated cost is \$6,000 - \$10,000. An in person election will cost more in the vicinity of \$2,000 - \$3,000.

Postal Election – Major Benefits:

- Greater voter participation – voter turnout increases significantly in postal elections.
- Time saving – some election tasks, including the role of Returning Officer are outsourced – thereby reducing the time burden on existing staff.

Postal Election – Major Disadvantages:

- Cost – postal elections are relatively expensive.
- Potential for mistakes to be made due to communication problems between an off site Returning Officer and local election staff.

Should Council resolve to conduct this years election by postal vote the process will be as follows:

1. Council (now) resolves to consider conducting the 2013 ordinary election as a postal election (by the Electoral Commissioner)
2. Staff obtain the agreement, approval and a quote from the Electoral Commissioner
3. At the July 2013 Council meeting Council then appoints and declares the Electoral Commissioner to be responsible for the conduct of the 2013 Ordinary Election and also resolves that the ordinary 2013 election be conducted as a postal election.

Statutory Environment:

The Local Government Act 1995 sections 4.20 and 4.61 apply as shown (in part) below:

4.20. CEO to be returning officer unless other arrangements are made

(1) *Subject to this section the CEO is the returning officer of a local government for each election.*

(2) *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —*

(a) an election; or

(b) all elections held while the appointment of the person subsists.

** Absolute majority required.*

(3) *An appointment under subsection (2) —*

(a) is to specify the term of the person's appointment; and

(b) has no effect if it is made after the 80th day before an election day.

(4) *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

** Absolute majority required.*

4.61. Choice of methods of conducting election

(1) *The election can be conducted as a —*

postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

(2) The local government may decide* to conduct the election as a postal election.

* Absolute majority required.

(3) A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.

(4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.

Strategic Implications:

Nil.

Policy Implications:

Nil

Financial Implications:

An appropriate budget allocation will need to be included in the 2013/2014 budget.

Recommendation:

That Council conduct the 2013 ordinary Murchison council election as a “voting in person election” and confirm the appointment of the CEO as the Returning Officer.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

18.4 Voting Delegates – WALGA 2013 AGM.

File:	4.6
Author:	Jenny Goodbourn – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 st June 2013
Attachments:	WALGA form

Matter for Consideration:

Appointment of 2 voting delegates at the WALGA 2013 AGM being held on Wednesday 7th August.

Background:

The 2013 AGM of WALGA will be held during the Local Government convention on Wednesday 7th August 2013. Pursuant to the WALGA Constitution, all member councils are entitled to be represented by two voting delegates.

Comment:

Cr Broad and Cr Foulkes-Taylor have indicated their wish to attend the WALGA AGM and it would seem sensible that being the shire president and deputy shire president; they be appointed as the two voting delegates for the shire.

Statutory Environment:

Participation in WALGA activities is well within the Local Government legislative boundaries

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Commensurate with attendance at Local Government Week

Consultation:

Nil

Recommendation:

That Councillors Broad and Foulkes-Taylor be appointed Murchison Shire delegates to the WALGA 2013 Annual General Meeting to be held on 7th August 2013.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

18.5 WALGA Focus Group

File:	4.6
Author:	Jenny Goodbourn – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 st June 2013
Attachments:	WALGA focus Group

Matter for Consideration:

Appointment of 2 attendees at a WALGA Focus Group Workshop to be held in Geraldton on the 27th June 2013.

Background:

WALGA have advised that they are conducting a number of focus group to ensure that they are meeting the expectation of their member councils. The groups are being held at various regional centres with one in Geraldton on the 27th June.

Comment:

WALGA have suggested that the attendees be the CEO and Shire President. However it is up to the council to decide who attends. The CEO is available to attend but the Shire President will be in the middle of mustering and not available. Cr Foulkes-Taylor, the Deputy Shire President, has indicated that he would be available and would like to attend. Cr Seaman also offered to attend if no one else was available.

Statutory Environment:

Participation in WALGA activities is well within the Local Government legislative boundaries

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

There is no charge for the focus group

Consultation:

Nil

Recommendation:

That Councillor Foulkes-Taylor and the Chief Executive Officer be the nominated attendees for the WALGA Focus Group to be held in Geraldton on the 27th June 2013.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

18.6 Development Assessment Panels

File:	10.3
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 st June 2013
Attachments:	Murchison DAP

Matter for Consideration:

Council to decide nominations for representatives on the Mid West Development Assessment Panel.

Background:

Back in May 2011 council resolved:

That Council nominates the following Shire of Murchison Councillors to be DAP Members and Deputy Members:

<i>Members;</i>	<i>Councillor Halleen</i>	<i>Councillor Foulkes-Taylor</i>
<i>Deputy Members:</i>	<i>President Broad</i>	<i>Councillor Seaman</i>

In July 2011 fifteen DAP’s came into operation. DAP’s were set up to deal with development applications \$3million and above. Murchison is a member of the Mid West DAP. Appointments were valid until 26th April 2013. A letter was sent in January asking us to consider our representatives and re-nominate for a further two year period. Unfortunately this letter was not received and has now been followed up by the WA Planning Department asking us to nominate representatives as soon as possible.

Comment:

Under the *Planning and Development (Development Assessment Panels) Regulations 2011* each council is requested to nominate four elected members of Council, comprising two local members and two alternative members. Details need to be completed including c.v. or candidate profiles for those members nominated. Members cannot sit on a DAP until they have completed training but this will be provided and costs covered by the WA Planning Department. I have advised the Department that we are taking the matter to the June meeting and they have extended the deadline for our application.

Statutory Environment:

Planning and Development (Development Assessment Panels) Regulations 2011

Strategic Implications:

Nil.

Policy Implications:

DAP’s consider applications that would otherwise be considered by Local Governments. As the threshold value is \$7 million for automatic applications, and \$3 million for optional applications, the most likely applications will be for mining infrastructure.

- The purpose of the group is to periodically inspect the condition of Shire plant (as often as is agreed necessary, but at least annually), suggest, research, investigate and help the Shire administration source new and replacement machinery as well as investigate the most effective ways of disposing of old machinery, and monitor the standard of mechanical work being carried out.

Scope

- The group shall make recommendations regarding plant to the CEO for presentation to Council. These recommendations will be included as background information in relevant council meeting agenda items

Structure

- The chairperson of the group shall be a member of Council, and chosen by a vote of the five PWG members.
- Other councillors are welcome to attend and contribute to meetings and plant inspections, but only the five PWG members can vote on any recommendations.
- The CEO shall keep a brief, written record of meetings, but formal minutes will not be kept.
- PWG and guest councillor travel costs for attending meetings or plant inspections shall be covered by the Shire, but no sitting or attendance fees will be paid .
- All teleconference fees for meetings of the PWG shall be paid by the Shire.
- If individuals within the PWG carry out travel or research on their own, they will do this on a voluntary basis unless full Council has specifically authorised and instructed them to carry out such activities.
- The term of office of the working group will expire on ordinary Election Day of council.

Meetings

- Meetings may be held via teleconference or in person. At least once a year the meetings will be in person to allow an inspection of the shire plant and machinery to be carried out.
- Meetings will be carried out as often as required to give guidance to Council.

Community Advisory Group (CAG) Terms of Reference

Members

- The CAG shall consist of two members of Council; (who are nominated by Council) the CEO; the works supervisor; the gardener and up to three community members.

Purpose

- The aim of the CAG is to engage community consultation on developments within the Murchison Settlement.
- The purpose of the group is to suggest; research; investigate and help the Shire administration implement projects to alter or add to facilities within the Murchison Settlement.

Scope

- The group shall make recommendations regarding development projects to the CEO for presentation to Council. These recommendations will be included as background information in relevant council meeting agenda items

Structure

- The chairperson of the group shall be a member of Council, and chosen by a vote of the CAG members.
- Other councillors or members of the community are welcome to attend and contribute to meetings, but only the actual CAG members can vote on any recommendations.
- The CEO shall keep a brief, written record of meetings, but formal minutes will not be kept.
- CAG and guest councillor travel costs for attending meetings shall be covered by the Shire, but no sitting or attendance fees will be paid.
- All teleconference fees for meetings of the CAG shall be paid by the Shire.
- If individuals within the CAG carry out travel or research on their own, they will do this on a voluntary basis unless full Council has specifically authorised and instructed them to carry out such activities.
- The term of office of the working group will expire on ordinary Election Day of council.

Meetings

- Meetings may be held via teleconference or in person. At least once a year the meetings will be in person to allow an inspection Murchison Settlement to be carried out.
- Meetings will be carried out as often as required to give guidance to Council.

Settlement Building Working Group (SBWG) Terms of Reference

Members

- The SBWG shall consist of two members of Council; (who are nominated by Council) the CEO, and the works supervisor.

Purpose

- The aim of the SBWG is to help Council to make informed decisions regarding shire buildings.
- The purpose of the group is to periodically inspect the condition of Shire buildings (as often as is agreed necessary, but at least annually), suggest, research, investigate and help the Shire administration prioritise repairs and maintenance required to the buildings. Provide input to any proposed alterations/additions or new or replacement buildings.

Scope

- The group shall make recommendations regarding shire buildings to the CEO for presentation to Council. These recommendations will be included as background information in relevant council meeting agenda items.

Structure

- The chairperson of the group shall be a member of Council, and chosen by a vote of the SBWG members.
- Other councillors are welcome to attend and contribute to meetings and building inspections, but only the actual SBWG members can vote on any recommendations.
- The CEO shall keep a brief, written record of meetings, but formal minutes will not be kept.
- SBWG and guest councillor travel costs for attending meetings or building inspections shall be covered by the Shire, but no sitting or attendance fees will be paid .
- All teleconference fees for meetings of the SBWG shall be paid by the Shire.
- If individuals within the SBWG carry out travel or research on their own, they will do this on a voluntary basis unless full Council has specifically authorised and instructed them to carry out such activities.
- The term of office of the working group will expire on ordinary Election Day of council.

Meetings

- Meetings may be held via teleconference or in person. At least once a year the meetings will be in person to allow an inspection of the shire buildings to be carried out.
- Meetings will be carried out as often as required to give guidance to Council.

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Recommendation:

That Council adopt the terms of reference for the Plant Working Group (PWG), the Settlement Building Working Group (SDWG) and the Community Advisory Group (CAG) as above.

Voting Requirements:

Absolute Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

18.8 Works Supervisor’s Contract

File:	4.20
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 st June 2013
Attachments:	Nil

Matter for Consideration:

Council is to consider the CEO’s intention to renew the contract of the works supervisor.

Background:

In June 2010 the CEO engaged Mr. Brian Wundenberg as the works supervisor for a term of three years. The position is a designated senior employee position and is governed by a contract.

Comment:

The CEO has been in negotiation with Mr Wundenberg and is pleased to advise that Mr Wundenberg would like to renew his contract with the Shire of Murchison for a further three years.

Mr Wundenberg is a very competent works supervisor and the CEO intends to employ him on a further three year term contract. Brian has brought a lot of experience and knowledge to the position and being able to maintain a stable work force, especially senior positions, has a major impact on the effectiveness of the shires operations.

Whilst all staff, other than the CEO are appointed by the CEO, under s5.37 of the Local Government Act 1995; *the CEO has to inform council of each proposal to employ or dismiss a senior employee. The council may accept or reject the CEO’s recommendation but if council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.*

Statutory Environment:

S5.37 & 5.39 Local Government Act 1995

Strategic Implications:

Quality senior employees are an integral part of the strategic development of the shire and enable plans to be put into action.

Policy Implications:

Nil

Financial Implications:

Nil – Works supervisors position already included in the budget.

Consultation:

Nil

Recommendation:

That council endorse the CEO’s decision to renew Mr Brian Wundenberg’s contract as Works Supervisor for a further three years.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

18.9 CEO Annual Review Process

File:	4.20
Author:	Jenny Goodbourn- Chief Executive Officer
Interest Declared:	The CEO declares a direct financial interest in this matter
Date:	21 st June 2013
Attachments:	Review Form

Matter for Consideration:

Appointment of a Human Resource Consultant to facilitate the CEO review.

Background:

When the CEO was employed last August it was under a five year contract and the annual review process was set out in the contract:

5.2 Performance Reviews:

5.2.1 The Chief Executive Officer's performance pursuant to this Contract shall be reviewed by the Council annually during the Term and more frequently if the Council or the Chief Executive Officer perceives that there is a need to do so.

5.2.2 The Council shall give the Chief Executive Officer reasonable notice in writing that a performance review is to be conducted to enable the Chief Executive Officer sufficient time to prepare.

5.3 Conduct of Performance Review:

5.3.1 Any performance review will be conducted on behalf of the Council by the nominated persons or person to whom the Council delegates the task. The Council shall use an independent party to facilitate the performance review.

5.3.2 The facilitator of the performance review will be required to act in a fair and reasonable manner at all times in the conduct and analysis of the performance review.

5.3.3 In the event that the Chief Executive Officer has not satisfied any or some of the requirements of the Position Description (Requirements) and/or the KRAs, the facilitator and the Chief Executive Officer must establish a plan with a timetable for the Chief Executive Officer to achieve the relevant Requirements and /or KRAs, such plan to include counseling, advice, assistance and additional reviews as are considered necessary by the facilitator to achieve the Requirements and/or KRAs. The Chief Executive Officer agrees to use her best endeavours to achieve the Requirements and/or KRAs in accordance with the plan.

5.4 Procedure:

Any performance review conducted shall be broadly based on the following Key Areas having regard to the Position Description and the specific indicators agreed to by the parties at the end of each performance review.

5.4.1 Leadership

5.4.2 Councillor Relations

5.4.3 External Relations, including customers and stakeholders

5.4.4 Organisational management

5.4.5 Planning

5.4.6 Financial Management

The first annual review will be due on the 20th August 2013.

Comment:

Two consultants have been approached to provide quotes to council:

Mr Gary Martin, Local Government Consultant and Anne Lake Consultancy, both of which are experienced people in carrying out CEO reviews:

I would be happy to discuss doing a review by way of telephone and internet and only attending meeting as a last resort. If I was not to attend the meeting the process would be;
Have the CEO write a report that reflects on her achievements and problems to date. This then goes out to the Councillors along with a form for the elected members to fill in and send back to me or I ring and speak to each of them individually. I then bring it all together and then speak to the CEO and discuss the outcomes. She then has an opportunity to speak to any of the items that have been brought up. If there is nothing to be concerned about I would then write up a report and the elected members and CEO can discuss outcome behind closed doors. This would be anywhere between \$2,000.00 and \$3,500.00 (plus GST and travelling if required), depending on the work done.

Anne Lake Consultancy

To carry out a CEO Review that basically consists of circulating a survey form, assessing the responses/scores and preparing a report.

As above, that process/form should be agreed to on commencement so that both you and the Council know what you are to be assessed on but I have attached a fairly comprehensive one we could use.

If the survey is positive it is probable that the job can be carried out remotely – perhaps even with individual phone contact if necessary. The problem arises if a few councillors have concerns as that requires some

form of on-site review. Also, the CEO is to be given procedural fairness – the opportunity to provide their response to any negative matter.
 Where there is only one or two councillors with an issue it still may be possible to do remotely on the basis that the majority of the elected members are supportive/positive.
 It is some 900 km from here to Murchison via Geraldton – so 1,800 round trip. So you are looking at something like \$1,500 for travel. I doubt if flying to Geraldton would save anything.
 So two days travel and a day on site plus accommodation – so you are looking at \$3,000 to \$4,000 if necessary to go to site.
 If able to do it remotely, I would estimate \$1,000 to \$1,500.
 Gary Martin Local Government Consultant

The basis of the reviews by both parties is very similar and the main difference in costs is dependant upon whether council are happy for the review to be done off-site via email and telephone or require an actual meeting and visit to Murchison.
 Based on the above figures it would appear Mr Gary Martin is considerably cheaper if council is happy to carry out the review remotely.

Council can of course choose to appoint any consultant they wish to carry out the review process.

Statutory Environment:

S5.38 of the Local Government Act – Annual Review of certain employee’s performances

Strategic Implications:

The review sets the strategic direction to guide the CEO during the coming 12 months and to review the past performance.

Policy Implications:

Nil

Financial Implications:

A provision needs to be included in the 2013/2014 budget for the review process.

Consultation:

Stuart Fraser – DLG
 Bill Atkinson – CEO’s mentor, CEO of Carnamah

Recommendation:

That council employs..... to facilitate the CEO review which is to be carried out in August 2013.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

19. NOTICE OF MOTION

20. CEO ACTIVITY REPORT

Date	Activity
20 th – 24 th May	CEO away.
30 th May	Carried out staff reviews with members of outside crew that were due

4 th June	Meeting with Liam Kelly of Athena Resources
4 th June	Meeting with Laurie Maddren re work on repeaters and spot trackers
4 th June	Meeting with Dai Thomas, carpenter who is doing the shelter over wool wagon, regarding some maintenance work on staff houses
6 th June	Astrofest committee meeting
6 th June	Contract negotiation and review with works supervisor
6 th June	Carried out annual review of Dianne Daniels, DCEO
11 th June	Meeting with works supervisor re 2014/2015 RRG funding and roads programme 2013/2014
13 th June	Interim Audit by RSM Bird Cameron
13 th June	Meeting with Travis Bate of RSM Bird Cameron to review Draft Asset Management Plan

Recommendation:

That the CEO's Activity Report be accepted.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

21. URGENT BUSINESS

22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

23. MEETING CLOSURE