



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 **16th October 2015**, commencing at 10:00 am

TABLE OF CONTENTS

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS3

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE3

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE3

4. PUBLIC QUESTION TIME3

 4.1 Standing Orders3

5. NEXT MEETING.....3

6. APPLICATIONS FOR LEAVE OF ABSENCE.....3

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS3

8. CONFIRMATION OF MINUTES3

 8.1 Ordinary Meeting of Council – 18th September 20153

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION4

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS4

11. ACTION LIST4

12. DISCLOSURE OF INTERESTS6

13. REPORTS OF OFFICERS6

 13.1 Monthly Plant Report – Works Supervisor6

 13.2 Works Report – Works Supervisor8

14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED10

 14.1 Shire President10

 14.2 Councillors10

15. REPORTS OF COMMITTEES10

16. FINANCE10

 16.1 Financial Activity Statements September 201510

 16.2 Accounts Paid During September 201512

17. DEVELOPMENT13

 17.1 Local Planning Scheme & Strategy – Schedule of Modifications Required by Minister 13

18. ADMINISTRATION17

 18.1 Christmas Shutdown Period and Associated Functions17

 18.2 Request for Annual Leave - CEO18

19. NOTICE OF MOTION20

20. CEO ACTIVITY REPORT20

21. URGENT BUSINESS21

22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS21

 22.1 Confidential item pursuant to section 5.23 (2) (a) of the Local Government Act 1995.21

23. MEETING CLOSURE22

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Members

Officers

Others

Apologies

Leave of Absence

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

4.1 Standing Orders

Council Decision:		
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	For:	Against:

5. NEXT MEETING

The next meeting is scheduled for 20 November 2015.

6. APPLICATIONS FOR LEAVE OF ABSENCE

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

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

One Item to be discussed behind closed doors pursuant to s. 5.23 (2) (a) of the Local Government Act – a matter affecting an employee.

8. CONFIRMATION OF MINUTES

8.1 Ordinary Meeting of Council – 18th September 2015

Background:

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

Recommendation:

That the minutes of the Ordinary Meeting of Council held on 18th September 2015 be confirmed as an accurate record of proceedings.

		<p>Community Advisory Group to advise Council on completion</p> <p>At the June 2015 meeting of Council, it was decided:</p> <ol style="list-style-type: none"> 1. <i>accept Fleetwood's quote to supply the curved verandah rooves as per the concept plans for both laundry and accommodation units;</i> 2. <i>accept CAG's recommendation to paint the verandah posts, handrails and fascias in grey to match the grey paint on the body of buildings;</i> 3. <i>landscaping – Accommodation units – run a concrete footpath from the existing footpath on the northern side of the roadhouse, past a retaining wall (to match existing) to be constructed half way down the lawn at the existing units, to the ramp and continue on with the footpath to the northern side of the ramp as far as the steps. Plant some small native shrubs on the roadside of the footpath to separate pedestrian traffic from vehicular traffic. Plant small native shrubs between existing and new accommodation units; protect leach drains from traffic with timber bollards.</i> <p><i>Laundry – spread gravel over leach drains; run concrete path on the western side of the laundry, heading north to clotheslines; plant small native, shallow rooted shrubs between leach drains; protect leach drains from traffic with timber bollards.</i></p>	<p>The verandah rooves have been re-shaped;</p> <p>The works for retaining walls and concreting at motel units and laundry block has been awarded to Yuin Pastoral. The works will be undertaken during the week 12-16 October.</p> <p>Landscaping will be completed in-house shortly after the concreting and retaining wall has been completed.</p>
5	Ballinyoo Bridge Tender	<p>Tender closed Monday 16 February. Bocol was nominated by council as the preferred tenderer at the March 2015 OCM. Bocol awarded contract and to commence 1 August to 1 September, depending on river flows.</p>	<p>Bocol were given possession of site on the 25th August and have commenced construction of the northern bypass road.</p> <p>The old Ballinyoo Bridge has been demolished and the span for preservation was successfully re-located on Saturday 10 October 2015.</p> <p>Bocol will now commence work on the northern approach road and on installing the pilings.</p>
6	Cemetery and Remembrance Walk (walk)	<p>Completion of the cemetery and names for the remembrance walk. Community to be contacted to suggest names for inclusion.</p> <p>Community Advisory Group to advise Council on these projects.</p>	<p>CAG meeting 19/06/2015</p> <p>Need to re-schedule – roads were closed on the 19/06.</p>

7	FOI	Council need to review their Freedom of Information Statement to ensure it is correct regarding the review process	Underway
8	Review of Road Network	Council to conduct a whole of shire road review. Establish roads to be closed/position of roads etc. and work with Landgate and surrounding shires. Full road pick-up has been undertaken by Greenfields and has been finalised – this was mainly to establish correct infrastructure values but will form a good basis from which to start.	Ongoing. Undesignated unsurveyed roads was bought up as a discussion point at the May zone meeting.
9	Development of Draft Drug & Alcohol Policy	CEO to develop a draft Drug & Alcohol Policy to present to council for consideration	The CEO has asked LGIS if they have a pro-forma policy that can be adapted to suit our circumstances. They are currently working in conjunction with WALGA to develop one and it will be available in the short term. The President has forwarded a policy which is a WALGA template. If it is suitable, it refers to a Discipline Policy and a Grievance, Investigations and Resolutions Policy, which we will also need to develop

Recommendation:

That the Action List be accepted.

Voting Requirements:

Simple majority

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

12. DISCLOSURE OF INTERESTS

13. REPORTS OF OFFICERS

13.1 Monthly Plant Report – Works Supervisor

September 2015			Hours					YTD	
Plant Item	Year	Rego	1 July '15	Start	End	Total		Operating Costs	
				Hrs/kms	Hrs/km	Month	YTD	Plant	Fuel
P.01 JD Grader	2011	MU 121	6236	6485	6658	173	422	4698.92	8658.54
P.02 Cat Grader 12H	2005	MU 141	12591	12906	13098	192	507	9417.65	7874.47
P.03 Cat Grader 12M	2008	MU 51	8672	8978	9172	194	500	7616.96	8274.04
P.04 New/H Ford Tractor	2006	MU 380	1831	1866	1867	1	36	196.00	123.78

P.05 Dolly 1-Red	2001	MU 2003	3488	6697	8161	1464	4673	194.66	n/a
P.06 Mitsubishi Canter	2010	01 MU	138805	140622	141022	400	2217	4189.05	1081.40
P.07 Nissan UD	2009	000 MU	189658	190870	190870	0	1212	778.75	934.15
P.08 Dolly 2-Black	2000	MU 2009	27654	27654	27654	0	0	136.50	n/a
P.09 Iveco P/Mover	2003	MU1065	304084	307137	309058	1921	4974	945.00	3242.51
P.10 Iveco Tipper Conv	2004	MU 00	174427	174550	175215	665	788	3792.38	3681.83
P.11 Komatsu Dozer	1997		475	537	618	81	143	5581.00	2911.62
P.13 Tri-Axle L/L Float	2008	MU 663	0	228	3571	3343	3571	423.05	n/a
P.14 No. 2 Float P.14	2001	MU 2004	57198	57198	57198	0	0	86.16	n/a
P.17 Side Tipper	2001	MU 662	10197	12306	13881	1575	3684	248.91	n/a
P.18 Side Tipper	2001	MU2010	65459	69709	71255	1546	5796	590.16	n/a
P.24 30000L W/Tanker	2005	MU 2024	43080	43157	43822	665	742	4013.45	n/a
P.27 Volvo Loader	2006	MU 65	7088	7218	7289	71	201	6657.49	3236.68
P.28 Isuzu Dmax	2009	MU 300	194174	197,580	199,384	1804	5210	644.21	588.00
P.32 Construction Gen			20519	20583	21623	1040	1104	1010.63	1819.68
P.33 Maintenance Gen			6371	7247	7257	10	886	110.25	1250.83
P.34 Generator Perkins		Mechanic	18615	18615	18615	0	0	133.08	0.00
P.35 Generator 1-110kva	2011		19493	20249	20556	307	1063	1258.75	26984.96
P.35 Generator 2-110kva	2011		12221	13045	13546	501	1325		
P.37 Forklift			12268	12283	12300	17	32	0.00	41.65
P.40A Toyota Hilux	2014	MU 1018	26191	29,012	31,001	1989	4810	1095.45	929.36
P.41 Cat 938G Loader	2004	MU 193	4940	5054	5054	0	114	1022.00	1949.55
P.43 Bomag Roller	2012	MU1027	2596	2616	2642	26	46	73.17	623.82
P.48 Dog Fuel Trailer	1979	MU 2026	0		0	0	0	0.00	n/a
P.49 Dog Fuel Trailer	1972	MU 2005	0		0	0	0	0.00	n/a
P.54 Isuzu T/Top	2005	MU 1002	156000	157,023	162,250	5227	6250	913.50	1693.83
P.55 Toyota Prado	2012	MU 0	39649	45075	47719	2644	8070	325.92	1058.55
P.57 Great Wall	2012	MU 167	43094	45001	47158	2157	4064	2484.97	429.60
P.59 45ft Flat Top	1978	MU2044	0	0	0	0	0	718.30	n/a
P.60 Mercedes PTV	2004	MU 1009	100695	101380	101503	123	808	1022.90	92.83
P.61 Kenworth P/Mover	2004	MU 000	50736	55140	56926	1786	6190	2889.09	8066.38
P.62 Heavy Maint Trailer		MU 446	0		0	0	0	0.00	n/a
P.63 RAV4	2013	MU 1011	28547	28680	29799	1119	1252	1158.57	37.78
P.64 Isuzu Construction	2013	MU 140	63361	71194	73121	1927	9760	2090.62	2569.77
P.65 Generator 9KVA	2013	H/ Maint	4350	4433	4433	0	83	0.00	84.91
P.66 Kubota 6kva Gen	2012		6575	6881	7506	625	931	812.63	1434.82
P.67 Roadwest S/Tipper	2013	MU2042	33159	36713	38289	1576	5130	0.00	n/a
P.68 Bomag Padfoot	2013	MU1071	900	945	1057	112	157	273.00	2602.83
P.72 Isuzu Fire Truck	2013	MU1068	754	768	771	3	17	0.00	0.00
P.73 Toyota Fast Attack	2014	MU1069	Milly Milly			0		245.00	0.00
Caravans					0	0	0	730.88	n/a
Ride on Mower P11076			607	624	635	11	28	small	plant

13.2 Works Report – Works Supervisor

Construction Crew

The construction crew completed the 2km section of reforming and calcrete sheeting plus putting in place 4 new cement stabilised flood-ways (within the 2km section) on the Carnarvon-Mullewa Road between Curbur and Mt Narryer on Thursday 8th of this month.

Working their way back to the settlement, just south of these works between Mt Narryer turn off and the storm damage sign on the Carnarvon-Mullewa road, crew spent 2 days repairing 3-4 bad blow outs.

With the work at Curbur and the blow out sections completed crew will now move their camp and equipment/plant to Wooleen to finish off the work on the new alignment section which was started and then had to be stopped due to heavy rain early in the year.

The Wooleen job will take approx 3 weeks to complete and then crew will move down to Bullardoo to start the dust suppression works gravel sheeting 1km in readiness for sealing at a later date.

Maintenance Crew

Crew are moving along quite well with the grading of roads in the south-west section of the shire.

The Carnarvon-Mullewa bitumen section to the Bridge has had a well over due clean-up of grass and small scrub along the edges of the road.

Meeberrie/Wooleen and Wooleen Mt Wittenoorn roads have had a full grade and Errabiddy Bluff road was also graded for the school holidays.

Neil & Glen are now working on the Butchers Track road and should have this completed by Tuesday 13th of this month.

I conducted a road inspection in the south of the shire from Pindar to Boolardy on the Beringarra-Pindar road on Wednesday and it was not too bad in some sections but will still require grading.

With the completion of Butchers Track crew will move their graders and camp over to Murgoo and start on the Beringarra-Pindar road grading between Cockney Bills to Boolardy-Pia boundary first. (this section is very stony and corrugated) From here crew will do the Wooleen/Boolardy road then the Mt

Wittenoorn/Wooleen road from the intersection of Boolardy/Wooleen to Cockney Bill intersection then back onto the Beringarra-Pindar road heading south to the intersection of McNabbs road. (sand section north of McNabbs road Parkers Hill) This section was previously graded when the crew completed the grading program from Double Dip to Pindar but is just starting to corrugate again and will require a grade by the time crew get down to this section from Murgoo.

From here crew will then start a light grade heading north from Boolardy-Pia Boundary to Beringarra grading all roads in the Beringarra area then across to Carnarvon-Mullewa road via Beringarra-Byro road doing all side roads in readiness for the Christmas break traffic.

Staff Leave

Baz back at work 21/09/2015

Brian on leave 28/08/2015 – 28/09/2015

Stuart 06/10/2015

Neil 07-08/10/2015

Works Supervisor General

4 weeks leave - 28th August - 28th September 2015

29th Sept - Meeting with CEO

29th Sept - Pegging floodway's on the Carnarvon-Mullewa road for construction crew

30th Sept - Meeting with CEO

1st Oct - Meeting at Bridge plus looking for gravel

2nd Oct - Obtain gravel sample south of bridge plus finish pegging flood-ways on Carnarvon-Mullewa rd

5th Oct - Repairs to No.1 Genset

5th Oct - Meeting with CEO

7th Oct - Sourcing gravel at Bullardoo

7th Oct - Road inspection

- Carnarvon-Mullewa bridge to south boundary, Settlement to Curbur (will check on rest of road north of settlement to boundary on weekend of 12-13th October.
- Beringarra-Pindar to Boolardy
- Mt Wittenoorn
- Boolardy-Wooleen
- Wooleen-Meeberrie
- Butchers track

8th Oct - Inspected construction crew works north of settlement.

ROADS GRADED 12/09/2015 – 11/10/2015

Name	Length of Road	SLK's Graded this month	Heavy Maintenance	Comments
Beringarra /Pindar	319.80km			
Beringarra /Pindar				
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			
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	64.5km		Full grade
Butchers Muggon	23.80km			
Murchison Settlement	2.00km	2km		Light grade
Coolcalalaya road	36km			
Carnarvon-Mullewa	278.63km	154km		Light grade
Woolgorong-South	15.00km			
Errabiddy-Bluff	12km			
Air strip Graded				

Total this month graded: 220.5km

Recommendation:

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

Voting Requirements:

Simple majority

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

14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

14.2 Councillors

15. REPORTS OF COMMITTEES

16. FINANCE

16.1 Financial Activity Statements September 2015

File:	2.2
Author:	Dianne Daniels - CEO
Interest Declared:	No interest to disclose
Date:	11 th October 2015
Attachments:	Financial Activity Statements for 3 months to 30 September 2015 Accounts Activity Statement of Financial Position Operating Statement by Program Operating Statement by Class General Ledger Trial Balance

Matter for Consideration:

Council to consider adopting the Monthly Financial Statements for September 2015.

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:

The Current Position at 30 September 2015 is a surplus of \$6,906,118 against a YTD budget of \$4,417,105 so up \$2,489,013

Variiances – YTD Budget to YTD Actual

Opening Funding Surplus(Deficit)	0.00
Plus Operating Revenues up	\$84,855.00
Plus Operating Expenditure down	\$1,568,993.00
Plus Funding Balance Adjustment	\$254,620.00
Plus Capital Revenue up	\$301,717.00
Plus Capital Expenditure down	\$305,630.00
Less Reserve Transfers up	(\$26,802.00)
	<u>\$2,489,013</u>

Refer to September Financials for explanation of variances.

The following Term Deposits are currently held:

Beringarra- Cue Road Reserve TD	\$3,291,320.82	@ 2.38%	Maturity 11/12/2015
Crosslands MCF Term Deposit	\$ 352,755.00	@ 2.38%	Maturity 11/12/2015
Ballinyoo Bridge	\$2,509,117.16	@ 2.30%	Maturity 27/10/2015

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
- (e) The net current assets at the end of the month to which the statement relates.

Strategic Implications:

Nil.

Policy Implications:

Nil.

Budget/Financial Implications:

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

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations
- **Economic:**
There are no known significant economic considerations
- **Social:**
There are no known significant considerations

Consultation:

Moore Stephens

Recommendation:

That Council adopt the financial statements for the period ending 30 September 2015 as attached.

Voting Requirements:

Simple majority.

<p>Council Decision: Moved: Councillor</p>	<p>Seconded:</p>
<p>Carried</p>	<p>For: Against:</p>

16.2 Accounts Paid During September 2015

File:	4.37.1
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	11 th October 2015
Attachments:	EFT & Cheque Details for September 2015

Matter for Consideration:

Endorsement of accounts paid during the month of September 2015.

Background:

If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, then the CEO is to prepare a list of accounts paid by the CEO during the month to present to Council.

Comment:

Payments made during the month of September 2015 are attached.

Statutory Environment:

Local Government (Financial Management) Regulations 1996

Regulation 13 states:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Strategic Implications:

None

Policy Implications:

None

Budget/Financial Implications:

Payment from the Municipal and Trust and Reserve Bank Accounts.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations
- **Economic:**
There are no known significant economic considerations
- **Social:**
There are no known significant considerations

Consultation:

Moore Stephens

Recommendation:

That the accounts as per the attached Schedule presented to this meeting totalling \$402,219.96 which includes \$1,938.75 of intra account transfers for the month of September 2015, be endorsed by Council.

Voting Requirements:

Simple majority

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

17. DEVELOPMENT

17.1 Local Planning Scheme & Strategy – Schedule of Modifications Required by Minister

File:	10.3
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	15 th September 2015
Attachments:	Correspondence – Urbis

Matter for Consideration:

This report is presented to Council to provide an information update on the status of the Shire of Murchison Draft Local Planning Scheme and Strategy.

Background:

The Shire of Murchison is required to prepare a Local Planning Scheme under the statutory requirements of the *Planning and Development Act 2005* (the Act). In parallel with the requirement for a local planning scheme is a requirement for a local planning strategy to be prepared in accordance with the requirements set out in the *Town Planning Regulations 1967* (the Regulations).

A broad project plan was presented to Council in September 2013 to formally commence the preparation of a Local Planning Strategy and Local Planning Scheme. Following this, a report was presented to Council on 19 December 2013 providing Council with the opportunity to note the advice of the WAPC and to formally consider the draft Local Planning Scheme and draft Local Planning Strategy. A further report was presented to Council on 20 June 2014 providing an update to Council on the status of the draft Scheme and Strategy and processes moving forward, including a number of updates required to the Scheme and Strategy resulting from further liaison with and review of documentation by the Office of the Environmental Protection Authority, Office of Science and the Department of Planning.

The draft Scheme and Strategy were advertised in accordance with the requirements set out in Section 84 of the *Planning and Development Act 2005* and Section 14 of the *Regulations* for a period of 3 months, closing on 15 December 2014. The advertising procedures included the following:

- display of the Scheme and Strategy at the Shire offices;
- display of the Scheme and Strategy at the WAPC office;
- display of the Scheme and Strategy on the Shire website;
- notice to be published in the Government Gazette;
- notices to be published in a newspaper circulating in the district; and
- notice being sent to all relevant government agencies.

On 20 March 2015 Council resolved to note the submissions received during the advertising period and adopt the new Scheme and Strategy subject to modifications outline in the officer’s report. The modified Scheme and Strategy were forwarded to the WAPC for final approval.

Statutory Procedures for Final Approval of Schemes

The *Planning and Development Act 2005* (the Act) and *Town Planning Regulations 1967* (the Regulations) set out the procedures that apply to the preparation and adoption of planning schemes.

With respect to a Scheme that a local government has submitted to the Minister for final approval; Section 87(2) of the Act allows the Minister “...to require the local government concerned to modify that local

planning scheme ... in such a manner as the Minister specifies before the local planning scheme ... is resubmitted for the Ministers approval...

Section 21(2) of the Regulations require the local government “to comply with any modification required by the Minister” and “forward 3 copies of the Scheme to the Commission for final approval”, within 42 days of being notified that the Minister has required modifications to the Scheme.

Section 22 of the Regulations requires 3 copies of the Scheme to be executed by the local government by the affixing of its seal to the documents and requires these documents to be lodged with the Commission.

After the Minister has granted final approval to the Scheme, a notice is required to be published in the Government Gazette advising of the decision to approve the scheme.

Planning and Development (Local Planning Scheme) Regulations 2014):

As outlined in the report to Council on 20 March 2015, a notable step in Planning Reform Stage 2 in Western Australia was the release of the draft *Planning and Development (Local Planning Scheme) Regulations 2014* for public comment. This previous report summarised the purpose of these new regulations and the implications for the new Scheme. The new regulations are now expected to come into effect on 1 September 2015.

It is anticipated that a basic amendment to Local Planning Scheme 1 will be required in due course to update the scheme to align with the regulations once they are finalised.

Status of Draft Local Planning Scheme and Strategy:

The WAPC considered the Scheme and Strategy adopted by Council and forwarded the documents to the Minister for approval.

The WAPC, in correspondence dated 6 July 2015 (refer Attachment 1) advised that the Minister has determined that prior to granting final approval to the Scheme and Strategy a number of modifications are required to these documents as outlined in the schedule accompanying the WAPC letter of 6 July. In general the modifications being sought are in response to submissions received during the advertising period. The following is a summary of the modifications required:

Local Planning Strategy

Minor rewording primarily being points of clarification, nomenclature corrections and the inclusion of additional explanatory information. The majority of modification are in response to the submission for Commonwealth Department of Industry (Australian Square Kilometre Array (ASKA) Office) and are intended to ensure the importance of the ASKA project is accurately and adequately reflected in the Planning Strategy document.

Local Planning Scheme

Some rewording, primarily being points of clarification raised by the CSIRO to ensure the tourism objectives are not removed from the Scheme; to ensure planning applications for pastoral zoned land outside of the SCA are dealt with differently from land within the SCA; and to ensure planning approval requirements are clearer, referral process retained, radio astronomy remains permitted, the SCA's primacy over all other elements of the scheme is clear.

As outlined in the Statutory Procedures section above, where the Minister requires modifications prior to granting final approval to a Strategy and Scheme, the local government is obliged to modify the documents accordingly and to return them to the Minister for his endorsement.

There are a number of administrative tasks to be undertaken in order to conclude the statutory process of adopting Local Planning Scheme No 1 and the Local Planning Strategy. These tasks include placing advertisements relating to the adoption of the Scheme and Strategy and advising those who made submissions of the adoption of the Scheme as detailed in the recommendation.

Comment:

The above Agenda item was presented to Council in September to endorse the amended Strategy & Scheme but was left to lay on the table until more information was forthcoming on amendment 5.7.3 - for Pastoral land within the Special Control Area – Inner Zone –Australia Radio Quiet Zone WA, an application for planning approval will be required in accordance with clause 6.2.

Advice from Urbis is given below:

Below is a relevant extract from the report to Council in March, ahead of the Minister's decision.

“Special Control Area for the Radio Quiet Zone

A matter that Council will need to give particular consideration to in progressing the Local Planning Scheme and Strategy is the Special Control Area that is proposed to be established for the 70km radio quiet zone. This has been the subject of submissions received during the formal advertising period.

The relevant agencies remain keen to see the special control area for the 70km radius retained as part of a finalised scheme and strategy. Although there remains the potential for impacts on radio astronomy beyond the 70km, such matters are considered to be most appropriately handled through information awareness education programs and other collaborative initiatives, involving the Shire but largely resourced by the relevant agencies.

Within the 70km radius, there remains a desire for planning approval (applications) to be required prior to the commencement of new buildings and/or any change in land use. On a practical level, an application would be required to be:

- 1. Lodged by proponent with the Shire, with an accompanied form, general plans and a description of the proposed development;*
- 2. Referred to the CSIRO for comment and technical review; and*
- 3. Determined by the Shire, with appropriate conditions and advice notes established.*

It is not anticipated that there would be a significant number of applications received by the Shire. There also remains the potential to review the arrangements over time, with a view to ensure that any arrangement is practical in nature, providing a level of protection for radio- astronomy activities and not compromising on-going pastoral activities.

It is important that there is clarity for stakeholders in the wording of the scheme text provisions and on this basis the scheme text has been further reviewed post-advertising and in light of the submissions received. On this basis, the following is proposed:

- that the requirements for approval (and exemptions) in the scheme text are consolidated into only two parts of the scheme (being Part 6 and Part 8) – rather than the current three (deletion of exemption text in Part 5);*
- the updating of the special control area provisions contained in Part 6;*
- the updating of the provisions contained in Section 8, with respect to approval requirements and ‘permitted development’ that is effectively exempted from approval requirements;*
- that radio astronomy activities continue to remain exempt from requiring planning approval; and*
- that mining activities continue to remain exempt from requiring planning approval, by virtue of the provisions contained within the Mining Act 1978.*

A preliminary flowchart has been established to illustrate the above-mentioned potential arrangements. The flowchart is provided as Attachment 4.

Although the potential for the exemption for any planning approval of pastoral related dwellings and other buildings was further explored post-advertising, this was ultimately not seen as practical by the Office of Science due to the potential for new dwellings and outbuildings to still have an impact on radio-astronomy activities depending on the location of the buildings and the manner in which the buildings would be (a) constructed and (b) used over time. On this basis, applications for approval were seen as necessary for any new dwellings and other buildings.

Through on-going dialogue with the relevant radio-astronomy agencies, it has been stressed that the establishment of a special control area and the associated requirements for planning referrals and approvals is only part of the overall arrangement needing to be taken forward for the successful co-existence of pastoral and radio-astronomy activities. Also critical will be matters such as, but not limited to:

- other legislative frameworks, at a State and Federal level in respect of radio licensing;*
- a real on-going demonstrated commitment to establishing partnerships with local stakeholders;*
- various education and awareness initiatives;*

- *establishing a single point of contact for ease of dealing with local enquiries;*
- *establishing some clear project timelines for moving forward; and*
- *establishing some practical arrangements for matters such as road upgrading and maintenance.*

It is hoped that further information in respect of the above-matters will be realised into the future through further dialogue. For now, it is important that the Local Planning Scheme and Strategy continue to move forward toward Ministerial approval and gazettal.”

In terms of the matters at hand, the provisions of the Planning and Development Act 2005 do not contemplate a ministerial decision being made and then later set aside. That is not to say that a suitable path forward can't be established. On initial review, there would appear to be a number of options available including but not limited to:

1. Working through the concerns and questions of the elected member/s – Urbis can assist in this regard if there is a need (potentially in consultation with the Department of Planning and/or Office of Science), ahead of the documents being published in the government gazette; or
2. Taking the matter through Council and seeking authorisation for the documents to be published in the government gazette etc, however passing a separate resolution outlining particular areas of concern and communicating these concerns to Office of Science, as a basis for on-going dialogue;
3. Establishing a path forward where the scheme and strategy is finalised in the short-term and then subsequently amended through a scheme amendment process.

Strategic Implications:

This is a statutory function.

Policy Implications:

A Local Planning Strategy and Scheme is part of the requirements under the Act. There are no direct policy implications for the Shire.

Financial Implications:

Nil

Consultation:

Urbis

Recommendations:

Option 1

Instruct the CEO to invite Urbis to the next convenient Council Meeting to work through Council's concerns regarding the planning requirements within the Special Control Area for the Radio Quiet Zone.

Option 2

That Council:

- (1) Note the advice that the Minister for Planning required modifications to the Strategy and Scheme prior to granting final approval.
- (2) Comply with the modifications required to the Strategy and Scheme by the Minister and endorse the modifications of the documents.
- (3) Endorse the Executing of the documents by the affixing of the Council seal to 3 copies of the documents comprising the Strategy and Scheme and the forwarding of these documents to the Commission for final approval.
- (4) Following endorsement by the Minister of final approval of the scheme, authorise the publishing of a notice in the Government Gazette, advising of the Ministers approval, with the notice being substantially in accordance with Form 6 in Appendix A of the Town Planning Regulations 1967 and a notice in a newspaper circulating in the Scheme area.
- (5) Following endorsement by the Commission of the Local Planning Strategy, authorise the publishing of a notice in a newspaper circulating in the Scheme area, advising of the Commissions endorsement of the Strategy.

- (6) Notify all persons who made a submission on the Scheme that the Scheme has been approved, and

That Council instruct the CEO to communicate Council’s concerns regarding amendment 5.7.3 - for Pastoral land within the Special Control Area – Inner Zone –Australia Radio Quiet Zone WA, an application for planning approval will be required in accordance with clause 6.2. - to the Office of Science and to continue the dialogue with them.

Option 3

That Council:

- (1) Note the advice that the Minister for Planning required modifications to the Strategy and Scheme prior to granting final approval.
- (2) Comply with the modifications required to the Strategy and Scheme by the Minister and endorse the modifications of the documents.
- (3) Endorse the Executing of the documents by the affixing of the Council seal to 3 copies of the documents comprising the Strategy and Scheme and the forwarding of these documents to the Commission for final approval.
- (4) Following endorsement by the Minister of final approval of the scheme, authorise the publishing of a notice in the Government Gazette, advising of the Ministers approval, with the notice being substantially in accordance with Form 6 in Appendix A of the Town Planning Regulations 1967 and a notice in a newspaper circulating in the Scheme area.
- (5) Following endorsement by the Commission of the Local Planning Strategy, authorise the publishing of a notice in a newspaper circulating in the Scheme area, advising of the Commissions endorsement of the Strategy.
- (6) Notify all persons who made a submission on the Scheme that the Scheme has been approved.

Voting Requirements:

Simple majority

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

18. ADMINISTRATION

18.1 Christmas Shutdown Period and Associated Functions

File:	
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 th October 2015
Attachments:	Nil

Matter for Consideration:

Council to consider the annual Christmas shutdown period and date for the staff/councillor Christmas Function.

Background:

In previous years Council has closed the Office during the Christmas/New year period. There has also been a staff/councillor Christmas Function on the Thursday night prior to the start of break.

Comment:

The Chief Executive Officer requests Council approval to take leave for the period commencing 4th January 2016 to 29th January 2016 inclusive (three weeks annual leave; four days executive leave; plus Australia Day Public Holiday). There is no meeting scheduled for January. I have been unable to take executive leave in blocks of one or two days due to the pressures of the position and would appreciate taking the leave in conjunction with annual leave.

The CEO’s Annual leave needs to be approved by council and executive leave by the President, but for clarity, I have included the request for executive leave in this item.

I would prefer to have an email-free holiday and it would therefore be preferable to try and secure a relieving CEO for the period. If council are in agreement I will try to source a suitable person to provide cover.

Statutory Environment:

The Local Government Act 1995 Division 4

5.36. Local government employees

(1) A local government is to employ —

- (a) a person to be the CEO of the local government; and
- (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.

Although there are no Regulations concerning the appointment of a Relieving CEO it would be prudent to ensure the appointment is formalised.

Strategic Implications:

Nil

Sustainability Implications

- **Environmental**
There are no known significant environmental implications
- **Economic**
There are no known significant economic implications.
- **Social**
There are no known significant social considerations.

Policy Implications:

Nil

Financial Implications:

There is enough allowed in the ‘Consultants’ budget to cover this expense for four weeks.

Consultation:

Nil

Recommendation:

That three weeks annual leave and four days executive leave be approved for the Chief Executive Officer for the period commencing 4th January 2016 to 29th January 2016 inclusive.

That subject to the CEO’s leave approval, a relieving CEO is arranged to cover the period of the leave.

Voting Requirements:

Simple Majority

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

19. NOTICE OF MOTION**20. CEO ACTIVITY REPORT**

Date	Activity
18/09/2015	Council Meeting
21/09/2015	Admin Meeting
21/09/2015	Astrofest De-Brief
22/09/2015	Meeting with Dale Chapman and Brian Ging of WALGA Procurement – introduction to E-Quotes; confirmed that as of the 1 October that the threshold for tenders will increase from \$100,000 to \$150,000.
22/09/2015	Phone call – Jordon Reid – LGIS – discussed Oc Health & Safety for the Murchison Region – moving away from Australian Standards to Worksafe Standards. Less onerous and easier to implement with limited resources.
23/09/2015	Site visit to Construction Crew at reform re-sheet just south of Curbur.
23/09/2015	Phone call to Matt Hayes of Local Government Department to confirm that voting in our Ballinyoo Ward is to place a tick against one or two candidates but not three. We need to be able to identify who the elector is voting for. If they tick three in a two seat election, then a determination can't be made.
24/09/2015	Phil Crosby CSIRO dropped in briefly on the way back to Geraldton from MRO. Mentioned the SKA Stakeholder meeting in Perth on 22/10 and extended invite. Purpose of day is to allow stakeholders more time to present their case.
25/09/2015	Spoke with Rod Johnstone from Petro Industrial and Tyrone Dark from Petroleum Technologies re issues with the fuel pumps at the Road House intermittently failing. Electrician for Petroleum Technologies spent a day at the settlement and said that it was undercurrent that was causing the issues. Spoke to Steve Dart of EMC to retrieve data logging information with the view to cross referencing low volts back to pump failure which showed up on the Transhost software report. Investigated possibility of connecting system to UPS to regulate the power supply.
29/09/2015	Meeting with Works Supervisor
30/09/2015	Phone call with Tim Shackleton who has been hired by WA Country Health Service to write a strategy which will pinpoint several key projects in the Midwest that might attract funding. Project will probably look at broader regional solutions eg single electronic record for patients; co-locate St John's with the Regional Hospital; emergency helicopter service.
30/09/2015	Phone call with Dave Whitelaw Rangelands NRM re the Shark Bay Collaboration Workshop, extending invitation. The purpose of the workshop is to take a step back and look at social and environmental drivers in the region. Inviting agencies – DPaW, Carnarvon Shire, Station people, Rangelands NRM. Referred us to Pilbara Corridors project as an example of what collaboration had achieved in the Pilbara.
30/09/2015	Phone call with Rod Johnstone of Petro Industrial re UPS. Asked him to investigate it before we purchased it to make sure that it would work.
30/09/2015	Meeting with Works Supervisor
1/10/2015	Site Meeting Ballinyoo Bridge
1/10/2015	Card Reader at Roadhouse not working – Phoned Russell Johnstone of TFuel Pty Ltd. He put me on to technician to talk me through a fix, but unfortunately the card reader needed replacing. Technician to arrive 2/10/2015. Software had needed to be updated anyway to read chip cards and quote had already been given for this – upgrade included new pin-pad, but there had been some teething problems with the new software and so installation had been delayed.
5/10/2015	Admin Meeting
5/10/2015	Meeting with Works Supervisor
7/10/2015	Phone call with Scott Wyeth – DFES rep. Scott to investigate training – will check with his Super to see what the expectation is. Requested another fast attack for the fire season.
8/10/2015	CEO Mentor Session with Stuart Fraser – Department of Local Government - and Darren Simmons – CEO Irwin.

9/10/2015	CEO Mentor Session continued.
10/10/2015	Site Visit Ballinyoo Bridge – Preserved Span re-located to new home 300 metres north of river on eastern side. To be developed as historical interpretive site. Congratulations to Bocol – very challenging move. Used 350 tonne crane to move span to low loader which then carted it to the new location, with a bit of help from the grader to pull truck and low loader up last stretch of the ramp from river bed. Span weighed in at just over 70 tonne.
12/10/2015	Admin Meeting
12/10/2015	Meeting with Works Supervisor
13/10/2015	Phone call with Greg Schauten from RFDS re lighting at airstrip. Informed him that we now had the hand-held controller to control intensity of lights during evac and that new lights had been ordered to replace those missing. He was appreciative of our cooperation.
14/10/2015	Site Meeting Ballinyoo Bridge

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

Motion to close the meeting to the Public

Recommendation:

That the meeting move behind closed doors to discuss one item.

Voting Requirements:

Simple Majority

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

22.1 Confidential item pursuant to section 5.23 (2) (a) of the Local Government Act 1995.

Motion to open the meeting to the Public

Recommendation:

That the meeting move out from behind closed doors.

Voting Requirements:
Simple Majority

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

23. MEETING CLOSURE