



Western Australia

Minutes of the Ordinary Meeting of the Murchison Shire Council,
held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Friday **20th November 2015**, commencing at 10:00 am

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

CEO opened meeting at 10:50 pm. Apologised for lateness due to Tender assessments taking longer than expected.

2. SWEARING IN OF COUNCILLORS

Councillors E Foulkes-Taylor and R Foulkes-Taylor were sworn in prior to the meeting of the Assessment Panel.

3. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

CEO – Dianne Daniels
 President Mark Halleen
 Cr Rosco Foulkes Taylor
 Cr Simon Broad
 Cr Andrew Whitmarsh
 Cr Miles Williams
 Cr Emma Foulkes-Taylor
 Works Supervisor – Brian Wundenberg

4. ELECTION OF OFFICE BEARERS**4.1 Election of President**

File:	4.1
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	27 th October 2015
Attachments:	N/A

Matter for Consideration:

A President is to be elected from within Council for a two year term of office expiring in October 2017.

Background:

The Local Government Act prescribes that Council is to elect a President as the first matter dealt with at the first meeting of Council after an ordinary elections day.

Comment:

Nominations are to be lodged in writing to the CEO, indicating consent of the nominee, prior to or at the Meeting (Nomination form attached).

Councillors will cast their vote by secret ballot, votes will be counted and the CEO will declare the results. If there is equality of votes between 2 or more candidates, then the meeting is to be adjourned for not more than seven days. Nominations may be withdrawn or further nominations may be made before or when the meeting resumes. If the second round of voting results in a tie, then the CEO is to draw lots in accordance with regulations to determine which candidate is elected.

Statutory Environment:**LGA Schedule 2.3 Division 1****1. Terms used In this Division**

— *office* means the office of councillor mayor or president.

2. When council elects mayor or president

(1) The office is to be filled as the first matter dealt with —

(a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected

(1) The council is to elect a councillor to fill the office.

(2) The election is to be conducted by the CEO in accordance with the procedure prescribed.

(3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.

(3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.

(4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.

(5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.

(6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.

(7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

5. Votes may be cast a second time

(1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.

(2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.

(3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.

(4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

Schedule 4.1 — How to count votes and ascertain the result of an election [s. 4.74]

1. The number of votes given for each candidate is to be ascertained.

2. If the election is to fill the office of mayor or president, the candidate who receives the greater or greatest number of votes is elected.

3. If the election is to fill one office of councillor, the candidate who receives the greater or greatest number of votes is elected.

4. If the election is to fill 2 or more offices of councillor, the candidates elected are —

(a) the candidate who receives the greatest number of votes; and

(b) the candidate who receives the next highest number of votes; and

(c) the candidate who receives the next highest number of votes, and

so on up to the number of offices to be filled.

5. If 2 or more candidates receive the same number of votes so that clause 2, 3 or 4 cannot be applied, the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.

Nominations Received:

Cr Mark Halleen

Result of Election:

As no further nominations were received at the meeting, the CEO declared that Cr Mark Halleen was elected unopposed to the position of President for a two year term to October 2017.

President Halleen made his Declaration of Office.

4.2 Election of Deputy President

File:	4.1
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	27 th October 2015
Attachments:	N/A

Matter for Consideration:

The Deputy President is to be elected from within Council for a two year term of office expiring in October 2017.

Background:

The Local Government Act prescribes that Council is to elect a Deputy President as the next matter dealt with after the election of a President at the first meeting of Council after an ordinary elections day.

Comment:

Nominations are to be lodged in writing to the CEO, indicating consent of the nominee, prior to or at the Meeting (Nomination form attached).

Councillors will cast their vote by secret ballot, votes will be counted and the CEO will declare the results. If there is equality of votes between 2 or more candidates, then the meeting is to be adjourned for not more than seven days. Nominations may be withdrawn or further nominations may be made before or when the meeting resumes. If the second round of voting results in a tie, then the CEO is to draw lots in accordance with regulations to determine which candidate is elected.

Statutory Environment:**Division 2 — Deputy mayors and deputy presidents****6. Terms used**

In this Division —

office means the office of deputy mayor or deputy president.

7. When the council elects the deputy mayor or deputy president

(1) If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —

(a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and

(b) at the first meeting of the council after an extraordinary vacancy occurs in the office.

(2) If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —

(a) as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and

(b) subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.

(3) If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.

8. How deputy mayor or deputy president is elected

(1) The council is to elect a councillor (other than the mayor or president) to fill the office.

(2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.

(3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.

(3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.

(4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.

(5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.

(6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

(7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

9. Votes may be cast a second time

(1) If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.

(2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held

(3) When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.

(4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.

Schedule 4.1 — How to count votes and ascertain the result of an election [s. 4.74]

1. The number of votes given for each candidate is to be ascertained.
2. If the election is to fill the office of mayor or president, the candidate who receives the greater or greatest number of votes is elected.
3. If the election is to fill one office of councillor, the candidate who receives the greater or greatest number of votes is elected.
4. If the election is to fill 2 or more offices of councillor, the candidates elected are —
 - (a) the candidate who receives the greatest number of votes; and
 - (b) the candidate who receives the next highest number of votes; and
 - (c) the candidate who receives the next highest number of votes, and
 so on up to the number of offices to be filled.
5. If 2 or more candidates receive the same number of votes so that clause 2, 3 or 4 cannot be applied, the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.

Nominations Received:

Cr Rosasco Foulkes-Taylor nominated during the meeting.

Result of Election:

The CEO declared that Cr Rosasco Foulkes-Taylor was elected unopposed to the position of Deputy President for a period of two years to October 2017.

Deputy President R Foulkes-Taylor made his Declaration of Office.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6. PUBLIC QUESTION TIME

Mrs Bridget Seaman posed the following questions to Council, after emailing them to the CEO on Wednesday the 18/11/2012.

Question 1

Over the past few years, there have been a few promises made in regard to the timeframe to have the Murgoo/Twin Peaks Boundary Corner on the Beringarra Pindar Road cleared of scrub to increase visibility. Is this still on the Works agenda?

Response:

Council have this year budgeted to replace the 12' grid at the above-mentioned location with a 24' grid. The Request for Quote for Grids Replacement closes on the 25/11/2015 and we envisage that the work will be undertaken between December 2015 and February 2016.

The re-alignment is not in this financial year's works program, but once the grid is replaced, the re-alignment could be seriously considered by Council for the 2016-17 Financial Year works program.

If the re-alignment is endorsed by Council in the 16-17 Budget, 'permission to clear' would need to be sought from the Department of Lands prior to the works commencing. This process can sometimes be quite lengthy and involves native title approvals, but would definitely be granted in time for us to complete the works in the 16-17 Financial Year.

Question 2

What Safety measures has the Shire of Murchison put in place for road users when the "Mixy Project" start carting Ore on the Beringarra Pindar road?

Response:

Council have negotiated an agreement for the use and maintenance of the Beringarra Pindar road with Goldfields Technical Services (GTS). This agreement has been negotiated in good faith to ensure that new business is offered opportunity in the Shire without jeopardising the rights of rate payers and visitors.

The agreement includes the following conditions to ensure the safety and comfort of other road users:

GTS have permission to use the road subject to:

- (a) obtaining all necessary Authorisations required by any Authority;

- (b) *complying at all times with the conditions of any Authorisations;*
- (c) *only using trucks to the following maximum specifications:*
 - (i) *maximum tare weight of truck:- As approved by Main Roads Western Australia*
 - (ii) *maximum load carrying capacity:- As approved by Main Roads Western Australia*
 - (iii) *maximum load weight to be carried:- As approved by Main Roads Western Australia*
- d) *hauling on dayshift only with headlights on;*
- (e) *hauling at a maximum speed of 80 kilometres per hour (there will be three signposted areas for the preservation of the Road and the amenity of the homesteads);*
- (f) *hauling a maximum of ten movements per day, such truck movements to be at least 30 minutes apart between each truck movement or such other timeframe as reasonably determined by the Shire from time to time;*
- (g) *ensuring that all trucks have functional UHF which at all times is tuned to channel 40 during haulage;*
- (h) *hauling for a maximum of seven weeks (excluding road closure time)/30,000 tonne of ore;*

As well as the above obligations, GTS have agreed to maintain the road during the haulage period, using a grader and water cart. GTS will be responsible for traffic management during the maintenance period. The road is to be watered for five days prior to haulage commencing and intervention levels have been established which trigger a 'repair' response by GTS.

6.1 Standing Orders

Council Decision:		
Moved: Councillor Broad	Seconded: Councillor Williams	
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: 6	Against: 0

7. NEXT MEETING

The next meeting is scheduled for Thursday 17 December 2015.

8. APPLICATIONS FOR LEAVE OF ABSENCE

Council Decision:		
Moved: Councillor Broad	Seconded: Councillor Whitmarsh	
That Councillor Williams be granted Leave of Absence for the December meeting.		
Carried	For: 5	Against: 0

9. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

There will be three items to be discussed behind closed doors pursuant to clause 5.23 (2) (c) and (e) of the Local Government Act 1995.

- 22.1 RFT 1.2015/16 Heavy Maintenance Tender
- 22.2 RFX 2.2015/16 WANDRRA AGRN:661 Flood Damage Superintendent Request for Quote
- 22.3 RFX 5.2015/16 Grader Request for Quote

10. CONFIRMATION OF MINUTES**10.1 Ordinary Meeting of Council – 16th October 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 16th October 2015 be confirmed as an accurate record of proceedings.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor R Foulkes-Taylor	Seconded: Councillor Broad	
That the minutes of the Ordinary Meeting of Council held on the 16 th October 2015 be confirmed as an accurate record of proceedings.		
Carried	For: 6	Against: 0

11. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

12. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

13. ACTION LIST

No	Item	Action	Status
1	Establishment of Working Group for Accident Prevention.	Inaugural meeting held 24 th September. Group established.	Working Group disbanded on elections day – to be re-elected OCM 20/11/2015
2	Community Project Officer	Inaugural meeting held 24 th September. Group established.	Office Extension and pro-rata salaries & wages allowed for in 2015-16 budget. Working Group disbanded on elections day – to be re-elected OCM 20/11/2015
3	Lawn Bowls	Evergreen have completed install of bowling rinks. Community Advisory Group to advise Council on completion ie type of shelters; fencing etc At the June 2015 meeting of Council it was decided: <i>1. Erect a high fence between the tennis court and bowling rink, including access gate between, using the same materials as the existing fence (linkmesh);</i> <i>2. Fence around the rink in heritage green colourbond 1.5 m high – to the southern,</i>	Tennis court fencing has arrived; Paving delivered. Colourbond fencing has been delivered; The RFQ for works for fencing, paving and earthworks has closed and has been awarded to Green Earth Concepts.

		<p><i>western and northern sides;</i></p> <p><i>3. Pave around the rink using the same pavers as those used at the sports club;</i></p> <p><i>4. Erect 'Seaside shelters' at either end, in keeping with the shelters erected at the roadhouse and caravan park.</i></p>	<p>They are on-site at the moment and should be finished by the 27/11 or thereabouts.</p> <p>Seaside Shelters' ordered. ETA 7 November – to be erected in-house;</p>
4	Laundry and Accommodation Units	<p>Fleetwood have delivered the accommodation & laundry units; handrails have been fitted; plumbers and electricians on-site this week; TV's and vast reception installed; linen purchased; fridges & kettles purchased. Still need to re-shape verandah rooves; paint verandah posts and handrails; purchase crockery and outdoor settings; complete landscaping.</p> <p>Community Advisory Group to advise Council on completion</p> <p>At the June 2015 meeting of Council, it was decided:</p> <p><i>1. accept Fleetwood's quote to supply the curved verandah rooves as per the concept plans for both laundry and accommodation units;</i></p> <p><i>2. 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></p> <p><i>3. 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> <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 were completed in the week finishing 17 October.</p> <p>Due to lack of space, consideration is being given to constructing a handrail to match existing handrails and growing a creeper over it, or to solar bollards. Solar bollards may be the best option as it eliminates the need to water – currently sourcing prices.</p> <p>Large expanse of gravel near laundry is quite dusty. Considering retic and roll out lawn near laundry. Can be watered from bore near sports club rather than from town supply.</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</p>	<p>Bocol were given possession of site on the 25th August and have commenced construction</p>

		September, depending on river flows.	<p>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>Work on the northern approach road is underway and pilings have been installed. Currently on schedule for completion in early December.</p> <p>Work on the northern and southern bypass roads is complete. Headstock have been installed; will commence installing planks w/e 22/11. Culverts immediately south of the bridge have been installed. Ready to commence work on the culvert at the southern extremity of the works. Completion of Works may be delayed by up to two weeks.</p>
6	Cemetery and Remembrance Walk (walk)	Completion of the cemetery and names for the remembrance walk. Community to be contacted to suggest names for inclusion. Community Advisory Group to advise Council on these projects.	CAG Working Group disbanded on elections day – to be re-elected OCM 20/11/2015
7	FOI	Council need to review their Freedom of Information Statement to ensure it is correct regarding the review process	Complete – ready for inclusion in the 2014-15 Annual Report.
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
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Recommendation:

That the Action List be accepted.

It was queried whether the lawn bowls rinks would be completed by Christmas, with the CEO answering in the affirmative.

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor Williams

Seconded: Councillor E Foulkes-Taylor

That the Action List be accepted.

Carried

For: 6

Against: 0

14. DISCLOSURE OF INTERESTS

Councillor R Foulkes-Taylor declared an interest in Item 22.1 RFT 1.2015/16 Heavy Maintenance Tender as Yuin Pastoral had been mentioned in the tender as an alternative source of machine hire;

Councillor E Foulkes-Taylor declared an interest in Item 22.1 RFT 1.2015/16 Heavy Maintenance Tender as Yuin Pastoral had been mentioned in a tender as an alternative source of machine hire;

President Halleen declared an interest in Item 22.2 RFX 2.2015/16 WANDRRA AGRN:661 Flood Damage Superintendent Request for Quote as Boolardy had been listed as a possibility for accommodation.

15. REPORTS OF OFFICERS**15.1 Monthly Plant Report – Works Supervisor**

October 2015				Hours				YTD	
				Start	End	Total		Operating Costs	
Plant Item	Year	Rego	1 July '15	Hrs/kms	Hrs/km	Month	YTD	Plant	Fuel
P.01 JD Grader	2011	MU 121	6236	6658	6828	170	592	7450.78	12073.79
P.02 Cat Grader 12H	2005	MU 141	12591	13098	13254	156	663	12540.20	9881.51
P.03 Cat Grader 12M	2008	MU 51	8672	9172	9324	152	652	12068.61	10979.52
P.04 New/H Ford Tractor	2006	MU 380	1831	1867	1873	6	42	196.00	123.78
P.05 Dolly 1-Red	2001	MU 2003	3488	8161	11005	2844	7517	194.66	na
P.06 Mitsubishi Canter	2010	01 MU	138805	141022	144152	3130	5347	4378.17	1660.99
P.07 Nissan UD	2009	000 MU	189658	190870	191999	1129	2341	1364.93	1985.78
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	309058	309741	683	5657	1379.00	4397.15
P.10 Iveco Tipper Conv	2004	MU 00	174427	175215	175723	508	1296	4789.88	5997.39
P.11 Komatsu Dozer	1997		475	618	645	27	170	5581.00	3516.11
P.13 Tri-Axle L/L Float	2008	MU 663	0	3571	4143	572	4143	895.19	n/a
P.14 No. 2 Float	2001	MU 2004	57198	57198	57198	0	0	86.16	n/a
P.17 Side Tipper	2001	MU 662	10197	13881	16766	2885	6569	1450.65	n/a
P.18 Side Tipper	2001	MU2010	65459	71255	74290	3035	8831	1927.53	n/a

P.24 30000L W/Tanker	2005	MU 2024	43080	43822	44330	508	1250	4013.45	n/a
P.27 Volvo Loader	2006	MU 65	7088	7289	7340	51	252	7998.06	4127.56
P.28 Isuzu Dmax	2009	MU 300	194174	199,384	200517	1133	6343	644.21	707.99
P.32 Construction Gen			20519	21623	21623	0	1104	1010.63	2176.26
P.33 Maintenance Gen			6371	7257	7333	76	962	110.25	1250.83
P.34 Generator Perkins		Mechanic	18615	18615	18615	0	0	177.92	0.00
P.35 Generator 1-110kva	2011		19493	20556	20816	260	1323	1422.25	34121.17
P.35 Generator 2-110kva	2011		12221	13546	14053	507	1832		
P.37 Forklift			12268	12300	12319	19	51	141.82	41.65
P.40A Toyota Hilux	2014	MU 1018	26191	31,001	34951	3950	8760	1533.85	1285.33
P.41 Cat 938G Loader	2004	MU 193	4940	5054	5076	22	136	1106.76	2516.68
P.43 Bomag Roller	2012	MU1027	2596	2642	2705	63	109	73.17	1716.18
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	162,250	163048	798	7048	1337.80	1941.74
P.55 Toyota Prado	2012	MU 0	39649	47719	51432	3713	11783	507.36	1331.36
P.57 Great Wall	2012	MU 167	43094	47158	49178	2020	6084	2720.61	513.37
P.59 45ft Flat Top	1978	MU2044	0	0	0	0	0	907.26	n/a
P.60 Mercedes PTV	2004	MU 1009	100695	101503	101608	105	913	1120.90	92.83
P.61 Kenworth P/Mover	2004	MU 000	50736	56926	59846	2920	9110	4199.34	11615.20
P.62 Heavy Maint Trailer		MU 446	0		0	0	0		n/a
P.63 RAV4	2013	MU 1011	28547	29799	30011	212	1464	2097.97	37.78
P.64 Isuzu Construction	2013	MU 140	63361	73121	76417	3296	13056	2216.62	3280.67
P.65 Generator 9KVA	2013	H/ Maint	4350	4433	4453	20	103	92.00	84.91
P.66 Kubota 6kva Gen	2012		6575	7506	7873	367	1298	893.03	2137.79
P.67 Roadwest S/Tipper	2013	MU2042	33159	38289	41367	3078	8208	0.00	n/a
P.68 Bomag Padfoot	2013	MU1071	900	1057	1124	67	224	273.00	4133.83
P.72 Isuzu Fire Truck	2013	MU1068	754	771	780	9	26	49.00	0.00
P.73 Toyota Fast Attack	2014	MU1069	at Milly Milly			0	0	245.00	0.00
Caravans					n/a	n/a	n/a	1244.83	n/a
JD Ride on mower P11076			607	635	652	17	45	14.86	small plant

The Works Supervisor explained that both generators had blown fan belts, one straight after the other.

15.2 Works Report – Works Supervisor

Construction Crew

The construction crew are moving along quite well on the 2.4km works on the new road alignment at Wooleen and the 600m section of new alignment/small creek crossing at Wooleen wool shed.

These two sections were commenced earlier in the year but due to rain were put on hold.

The 2km section (at Wooleen) has now had all gravel carted mixed/spread and rolled with just the last final shave to go once all rock has been carted in to the 300m floodway.

With the completion of the floodway works the road will have a final shave then wet and rolled and signs put in place.

The 600m section (new road and creek crossing) at the wool shed is just about completed with just a few loads of gravel to be carted in along with rock for the down side of the crossing before signage can be put in place.

With the completion of the works at Wooleen crew will move plant, equipment and camping gear down to Bullardoo on the Carnarvon-Mullewa road and start the 1.2km of dust suppression work.

Scope of Works at Bullardoo.

- Peg road 600m north and 600m south of Bullardoo homestead drive-way to a width of 10m.
- Shape up sub grade
- Wet roll sub grade

- Cart in base course (gravel)
- Mix base course (with Polycom added)
- Spread to thickness of 200mm (8 inches) roll and shape road with a 3% centre cross fall on straights and 3% cross fall on bends.

The completion of these works will take crew up to the end of year works program.

Maintenance Crew

As of today, 13th of Nov the maintenance crew are completing a light grade on the Beringarra-Pindar road. A slight change in the works program to last month’s report. Crew will now grade as far as the new mine on the Beringarra-Pindar road (approx. 4km north of Yuin). With this new works program the Beringarra-Pindar road has now had the two grades required under the road agreement with CSIRO.

They will grade as far as to the mine and then move back up to the Mt Wittenoom road. From here they will grade from Boolardy-Pia boundary to MRO on the Beringarra-Pindar road.

With the completion of Beringarra-Pindar road crew will then do a light grade on the Boolardy-Kalli road with a patch grade to within 30km of the boundary and then do a light grade to the boundary 22km east of Kalli homestead.

From here crew will move back to the Settlement and start a light grade heading north on the Carnarvon-Mullewa road to the north boundary. If crew have time a light grade is required on the Beringarra-Byro road as far as the Murchison River.

Grids

A Request for Quote has been sent out to the community for the replacement of 5 old 12ft grids to new 24ft grids on the Beringarra-Pindar road.

Staff Leave

- 30/10/2015 - Brian – Appointment with Doctor.
- 05/11/2015 - Brian - sick
- 06/11/2015 - Brian - 3hrs off
- 12/11/2015 – 14/11/2015 – Barry off – carers

Works Supervisor General

- 17th Oct - 5hrs on Dozer at Construction works
- 19th Oct - meeting with CEO
- 20th Oct - 4hrs out at Construction works
- 23rd Oct - 2 hrs loader - clean up/maintenance refuse site
- 26th Oct - road inspection on Beringarra-Pindar road with Mark Halleen (inspection for road agreement GTS)
- 27th Oct- road inspection north run
- 28th Oct – Site inspection of road for Blasting 4km north of Settlement with councillor Whitmarsh on the Carnarvon-Mullewa road
- 30th Oct - RRG meeting Geraldton
- 4th Nov - 5hrs on construction grader
- 9/10th Nov- First aid training
- 12th Nov - 4hrs on construction grader
- 13th Nov - Bridge meeting with CEO

ROADS GRADED 12/10/2015 – 11/11/2015

Name	Length of Road		SLK’s Graded this month	Heavy Maintenance	Comments
Beringarra /Pindar	319.80km		141km		
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 ^o 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			
Booldardy Homestead	2.00km			
Yunda Homestead	32.80km			
Meeberrie Woolleen	25.22km			
Mt Wittenoom	37.55km			
Woolleen/Mt Wittenoom	33.85km			
Beringarra Cue	109.82km			
Booldardy Wooleen	19.08km			
Kalli Cue East	21.87km			
Coodardy Noondie	19.92km			
Butchers Track	64.54km			
Butchers Muggon	23.80km			
Murchison Settlement	2.00km			
Coolcalalaya road	36km			
Carnarvon-Mullewa	278.63km			
Woolgorong-South	15.00km			
Errabiddy-Bluff	12km			
Air strip Graded		Murgoo strip		1 day

Total this month graded: 141km plus Murgoo airstrip

Recommendation:

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

The Works Supervisor noted that the 12M had been in the workshop for a couple of days, so its grading hours were down.

There was a discussion on the drains either side of the approaches at the new Ballinyoo Bridge:

Cr R Foulkes-Taylor thought that they had been gouged too deep and that we should urgently get advice on the drawings and have them re-filled. The Works Supervisor said that there had been talk of rock abutments to slow the flow of water, but that won't stop the scouring issues. Cr Williams noted that once the natural earth had been interfered with, then re-filling was not usually successful unless well compacted.

Cr R Foulkes-Taylor thought rolled and compacted gravel would work and Cr Broad said that the Shire works hard to keep its roads flat and that the drains needed to be re-filled.

Cr Foulkes-Taylor moved the following motion:

That the Shire:

- a) *negotiates with the engineers on the Ballinyoo Bridge construction project to establish if the re-filling/compacting/water binding of drains will compromise the integrity of the bridge structure;*
- b) *negotiates a rate to remedy the situation to the Works Supervisors' satisfaction; and*
- c) *authorises that the works be undertaken.*

Council Decision:

Moved: Councillor R Foulkes-Taylor

Seconded: Councillor E Foulkes-Taylor

That the Shire:

- a) negotiates with the engineers on the Ballinyoo Bridge construction project to establish if the re-filling/compacting/water binding of drains will compromise the integrity of the bridge structure;
- b) negotiates a rate to remedy the situation to the Works Supervisors' satisfaction; and
- c) authorises that the works be undertaken.

Carried

For: 6

Against: 0

There was a discussion regarding a request by the contractor maintaining the Beringarra Pindar Road during the haulage from the Mixy mine, that he be able to extract gravel from a gravel pit in the Shire of Murchison.

The general consensus regarding the gravel was that, during the haulage period, the contractor can extract gravel from a pit as nominated by the Works Supervisor, for repairing blow-outs only; The amount to be extracted is at the Works Supervisors discretion; and any gravel that is taken by the contractor from stock piles previously pushed-up by the Shire needs to be replaced by the contractor.

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor Whitmarsh

Seconded: Councillor R Foulkes-Taylor

That the Works Supervisors' Report be accepted.

Carried

For: 6

Against: 0

16. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

16.1 Shire President

Mid West Regional Road Group 30/10/2015

Mark Halleen was elected Chair and Neil Hebiton was elected Deputy Chair. CEO and Works Supervisor attended. Black Spot funding is hugely underspent, so we need 'shovel ready' projects – Coastal group not spending their money. With flood damage, the Works Supervisor and/or CEO can undertake a preliminary report of flood damage, including photos, so that works can get underway earlier. A formal report can be prepared later.

Cr R Foulkes-Taylor asked what was involved in getting projects 'shovel ready'. The CEO responded that we usually contract a local engineering firm to prepare our RRG submissions. We would need them to prepare a couple of extra reports to have projects ready to go. Cr R Foulkes-Taylor suggested that we budget for it next year.

Meeting with Catherine Belcher at the Geraldton Museum re the Interpretive Centre

Discussion regarding how they can assist – write letters of support; assist with plans around it.

Cue Parliament

President Halleen and Cr Broad attended. There were no changes to Office Bearers. President Halleen opted to leave the report to Cr Broad.

16.2 Councillors

Councillor Broad

There is a State Council Meeting coming up on the 2/12/2015.

Attended Zone Meeting Cue 6/11/2015.

President Halleen, the CEO and CR Broad attended. No changes to hierarchy. Minister Simpson opened the meeting, which was a bit light on for politicians. Vince Catania hasn't been for a couple of meetings.

Several Presentations were given:

WA Heritage Council – two Board Members and an Officer or 2. 1350 places listed on the heritage register in WA and Cue has 1% of them, which creates challenges for Cue.

Department of Mines and Energy – There will be 60 million dollars in the Mine Rehabilitation Fund by the end of 2015. Who is responsible for mine shafts? If you are a mining company and you go broke or let a tenement go, then you are not responsible; new tenement holder would be responsible.

Tim Lane – WALGA Manager Strategy & Reform discussed various issues being investigated inc extension of Road Funding Agreement \$172 million for two years (WALGA put many resources into that) and a submission has been made for CLGF for \$50 million, which he doesn't think they will get.

Cr Broad reported to the meeting, in his role as WALGA Zone Representative:

New WALGA President is Cr Lynne Craigie; A new WALGA Strategic Plan is being developed; The Metropolitan Review of LG Boundaries has been released – no action to date; Rate capping is a matter of particular concern to metropolitan local governments

A motion was moved by Councillor Broad:

That a letter of appreciation be sent from this Zone to Mr Ashley Dowden recognising his contributions to the Mount Magnet Shire, the Murchison Country Zone and as a Zone Delegate on the WALGA Executive and representing the region on the MWDC.

Cr Broad noted that the Cue CEO was moving onto Gascoyne Junction to take up the CEO position there.

Also, the Regional State Council Meeting is to be held in the Murchison next May:

The program for hosting the WALGA Executive Zone Council is as set out hereunder:

Thursday 5th May 2016

*10.00am Arrive Mount Magnet Airport (Buses on hand to convey guests on short trip into town and short tour of the town before arriving at Council Chambers Mount Magnet)
Morning Tea and welcome to the Murchison Country Zone by Zone President Cr Beth Walton
Forum*

12.30pm Lunch

1.30pm Murchison Country Zone meeting

4.30pm Bus to Cue O/nite Accommodation and WALGA Dinner in Cue

Friday 6th May 2016

*7.00am Breakfast and board buses to travel to Meekatharra
Arrive Meekatharra
State Council meeting in Council Chambers
Travel to Meekatharra airport and board plane to Perth*

State Councillors are happy to come to the regions to get a feel for what happens in the bush.

Cr E Foulkes-Taylor asked if it was an opportunity for all Murchison Councillors to attend a State Council Meeting. Cr Broad responded that two Councillors would be invited from each Council to the official dinners, but all are invited to attend forum/meeting.

President Halleen noted that Tim Lane had brought peoples' attention to the new Councillor seminar on the 4/12 in Perth.

Cr Broad then mentioned the item in the Zone agenda regarding re-introducing the Livestock squad. The regular police force don't have the experience to deal with stock theft.

Finally, Mt Magnet brought an agenda item to the table regarding economic development in the region – they are keen to form another group (apart from MEG) to collectively devise some regional initiatives to arrest the economic decline that we have all been suffering.

Councillor E Foulkes-Taylor

Attended Roles and Responsibilities training for Councillors in Mt Magnet. Twelve Councillors had booked, but only seven attended. Very worthwhile.

Councillor Whitmarsh

Nil

Councillor R Foulkes-Taylor

Local Area Emergency Management Meeting 5/11/2015 – report following in Reports of Committees.

Councillor Williams

Nil

Cr E Foulkes-Taylor left the meeting at 12:13 pm

17. REPORTS OF COMMITTEES

17.1 Local Emergency Management Committee Meeting

File:	5.6
Author:	Dianne Daniels - CEO
Interest Declared:	No interest to disclose
Date:	16 th November 2015
Attachments:	17.1.1 Minutes Local Emergency Management Committee Meeting 5/11/2015 17.1.2 Shire of Murchison Local Emergency Management Arrangements 17.1.3 Shire of Murchison Local Recovery Plan

Matter for Consideration:

Council to endorse:

- the Minutes of the Local Emergency Management Committee (LEMC) Meeting of the 5 November 2015;
- the Local Emergency Management Arrangements (Version V01 – 2015) (LEMA); and
- the Local Recovery Plan (LRP)

which were endorsed by the LEMC.

Background:

It is a function of a local government —

- subject to the Emergency Management Act to ensure that effective local emergency management arrangements are prepared and maintained for its district;
- to manage recovery following an emergency affecting the community in its district; and
- to perform other functions given to the local government under the Emergency Management Act.

Comment:

There was a meeting of the LEMC on the 5th November 2015, to:

- review emergency post-incident and post-exercise reports (nil to report)
- review the LEMA and LRP
- undertake a desktop exercise, and
- discuss general business.

The Shire of Murchison's reviewed Draft LEMA and LRP were presented to the meeting and both were endorsed. The LEMA and LRP were prepared in accordance with the Emergency Management Act 2005.

The purpose of the documents is to detail:

- The Shire of Murchison’s policies for emergency management;
- The roles and responsibilities of public authorities and other persons involved in emergency management in the district;
- Procedures for the coordination of emergency management operations and activities;
- A description of emergencies that could occur in the Shire of Murchison;
- Strategies and priorities for emergency management in the Shire of Murchison;
- Other matters about emergency management in the Shire of Murchison prescribed by the regulations; and
- Other matters about emergency management in the Shire of Murchison the local government considers appropriate. [s. 41(2) of the EM Act 2005]

The committee also undertook a Desktop Exercise (“Oasis’) to test the effectiveness of the LEMA and to:

- evaluate Murchison’s Emergency Services response
- Test the triggers that exist within Murchison’s LEMA that will lead to the development of an Incident support Group (ISG) and
- To measure the effectiveness of the LEMA to support an ISG.

Lessons learnt from the desktop exercise were:

- More is gained from practical exercises
- The exercise has given us a mental plan
- The reality is that response agencies (DFES/Police/Ambulance) are three or four hours away and so response will sit with the local government.

Minutes of the meeting are attached, along with a copy of the LEMA and TRP.

Recommendation:

That Council endorse:

- the Minutes of the Local Emergency Management Committee (LEMC) Meeting of the 5 November 2015;
- the Local Emergency Management Arrangements (Version V01 – 2015) (LEMA); and
- the Local Recovery Plan (LRP)

The CEO briefly described the meeting and noted that the Headmaster from PIA was concerned that there wasn’t a representative from the broader PIA community at the meeting. If contact details are forwarded, she will make sure they are invited next meeting.

It was unfortunate that our area rep from DFES could not make the meeting.

Cr E Foulkes-Taylor returned to the meeting at 12:16 pm

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor Williams

Seconded: Councillor R Foulkes-Taylor

That council endorse:

- the Minutes of the Local Emergency Management (LEMC) Meeting of the 5 November 2015;
- the Local Emergency Management Arrangements (Version V01 – 2015) (LEMA); and
- the Local Recovery Plan (LRP)

Carried

For: 6

Against: 0

18. FINANCE

18.1 Financial Activity Statements October 2015

File:	2.2
Author:	Dianne Daniels - CEO
Interest Declared:	No interest to disclose
Date:	17 th October 2015
Attachments:	Financial Activity Statements for 4 months to 31 October 2015 Statement of Financial Position Operating Statement by Nature & Type Operating Statement by Program General Ledger Trial Balance Accounts Activity

Matter for Consideration:

Council to consider adopting the Monthly Financial Statements for October 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 31 October 2015 is a surplus of \$6,372,422 against a YTD budget of \$2,668,126 so up \$3,704,296.

Variances – YTD Budget to YTD Actual

Opening Funding Surplus(Deficit)	0.00
Plus Operating Revenues up	\$279,229
Plus Operating Expenditure down	\$2,121,857
Plus Funding Balance Adjustment	\$342,438
Plus Capital Revenue up	\$301,717
Plus Capital Expenditure down	\$687,051
Less Reserve Transfers up	\$27,996
	<u>\$3,704,296</u>

Refer to October 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	\$ 355,236.00	@ 2.38% Maturity 11/12/2015
Ballinyoo Bridge	\$2,513,860.00	@ 2.00% Maturity 27/11/2015

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
Ed Nind

Recommendation:

That Council adopt the financial statements for the period ending 31 October 2015 as attached.

Cr R Foulkes-Taylor queried if the Lawn Bowls Rink would be finished within budget and the CEO answered in the affirmative. Cr R Foulkes-Taylor also queried the \$125,000 budget amount in the 'Replace Designated Concrete Crossings' as there was more than that in the budget. The CEO responded that it was the YTD budget amount not the full budget

Voting Requirements:

Simple majority.

Council Decision:

Moved: Councillor Broad

Seconded: Cr Williams

That Council adopt the financial statements for the period ending 31 October 2015 as attached.

Carried

For: 6

Against: 0

18.2 Accounts Paid During October 2015

File:	4.37.1
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 th October 2015
Attachments:	EFT & Cheque Details for October 2015

Matter for Consideration:

Endorsement of accounts paid during the month of October 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 October 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
Ed Nind

Recommendation:

That the accounts as per the attached Schedule presented to this meeting totalling \$2,377,006.18 which includes \$1,527,062.82 of intra account transfers for the month of October 2015, be endorsed by Council.

The CEO was asked to check the payment of \$400 for 3 dogs to Reg Seaman. The CEO assumed that there were two payments making up the \$400 - the system only picks up the comments on the first payment. CEO to check and confirm.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor Broad	Seconded: Councillor Whitmarsh	
That the accounts as per the attached Schedule presented to this meeting totalling \$2,377,006.18 which includes \$1,527,062.82 of intra account transfers for the month of October, be endorsed by Council.		
Carried	For: 6	Against: 0

19. DEVELOPMENT

19.1 Amend Wild Dog Bounty Rules

File:	
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	16 th November 2015
Attachments:	N/A

Matter for Consideration:

Council to consider the recommendation of the Wild Dog Control Working Group (WDCWG) that Council pay \$10 per tail for donkeys and camels to a maximum of \$2,000 for the 15-16 financial year.

Background:

The Wild Dog Control Working Group met on the 16th October 2015 and analysed expenditure on dog control:

2014-15 financial year:

32 bounties of \$100 paid	\$ 3,200
Bait meat	\$ 4,824
CRBA	<u>\$ 5,000</u>
TOTAL	\$13,024

2015-16 Budget

Bounty/Bait Meat	\$15,000
CRBA	<u>\$10,000</u>
TOTAL	\$ 25,000

Comment:

The WDCWG are suggesting that we swing \$2,000 away from the Wild Dog Bounty/Wild Dog Bait Meat budget to assist with the control of camels and donkeys by paying \$10 per tail (so payment for 200 donkeys/camel tails).

The process for claims would be the same as for dog scalps, with the required adjustments being made to the claim form.

Statutory Environment:

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.

Strategic Implications:

The Community /Strategic Plan has allowed for the pursuit of funding opportunities for control of noxious weeds and declared animals and continued support for community groups controlling noxious weeds and declared animals.

Policy Implications:

N/A

Budget/Financial Implications:

This is a change in purpose – there will be no net adjustment required to the Vermin Control Budget.

Sustainability Implications:

- **Environmental:**
A reduction in vermin will assist the facilitation of profitable pastoral enterprises.
- **Economic:**
There are no known significant economic considerations
- **Social:**
There are no known significant considerations

Consultation:

Wild Dog Control Working Group

Recommendation:

That the Shire of Murchison pay \$10 per tail for donkey & camel tails, up to a total of \$2,000, with the funds to come from the Vermin Control Budget.

The process for claims would be the same as for dog scalps, with the required adjustments being made to the claim form.

The CEO explained the motion.

Cr Broad spoke strongly for the motion. He had just returned from the Northern Goldfields and they are in plague proportions over there. He wanted to commend the WDCWG for the initiative.

Cr Williams disagreed. He thinks it's a cash grab as there is no trouble getting people to shoot donkeys and camels.

Cr E Foulkes-Taylor would like to hear a little bit more about where the idea came from. A \$10 bounty hardly seems worthwhile. Cr Whitmarsh noted that it had been brought to the table by Reg Seaman. Cr Whitmarsh has people come to Byro who shoot say 16 at a time and so the \$10 would soon add up to a worthwhile amount. Cr E Foulkes-Taylor thought that they would do that anyway just for fun.

Cr R Foulkes-Taylor would support it for a year and then assess how it had gone.

President Halleen noted that the camels on Boolardy were a concern and that steps needed to be taken to eradicate them. He was concerned that sporting clubs would come in and use the bounty quickly, leaving none for the smaller properties. Cr Broad responded that if Council agrees on a budget, then where they are shot is irrelevant.

Cr Williams noted that they are spreading into areas where they haven't been before and Cr Williams finished on the note that sporting groups go out shooting anyway and the bounty is better spent on dogs.

Voting Requirements:

Absolute majority

Council Decision:

Moved: Councillor Broad

Seconded: Councillor Whitmarsh

That the Shire of Murchison pay \$10 per tail for donkey and camel tails, up to a total of \$2,000, with the funds to come from the vermin control budget.

Carried

For: 4

Against: 2

Cr Williams asked for his no vote to be recorded.

Cr E Foulkes-Taylor asked for her no vote to be recorded.

20. ADMINISTRATION

20.1 Terms of Reference for the Audit Committee and Appointment of Audit Committee Members

File:	4.24
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 th November 2015
Attachments:	20.1 Attachment – Audit in Local Government

Matter for Consideration:

Council to consider the Terms of Reference for the Audit Committee, the appointment of members to the Audit Committee and meeting dates for the Audit Committee.

Background:

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Membership of Committees expires on the next ordinary elections day after a person has been appointed as member.

The Act requires that an audit committee is to consist of a minimum of 3 members and in that situation all must be council members. Where a committee consists of more than 3 members then a majority of those members must be council members. Local Governments may decide to appoint a committee involving only elected members or they may appoint one or more persons who are external to the Council. If a Council considers it appropriate, the whole council can be appointed to the audit committee.

Legislation specifies that a local government is required to meet with its auditor at least once in every year and the meeting may be conducted by telephone or video conference. Council should resolve how the meeting will be conducted.

Comment:

The Local Government Ordinary Elections were held on the 17th October 2015 and so current membership of the Shire of Murchison's Audit Committee was discontinued on that day.

To date, the Audit Committee has had no terms of reference and so, as well as appointing new members, Council will need to consider Terms of Reference for the Audit Committee.

Statutory Environment:

LGA Subdivision 2 s 5.8 to s 5.25
LG (Audit) Regulations 1996

Strategic Implications:

The establishment of committees assists the good governance of the Shire.

Policy Implications:

N/A

Budget/Financial Implications:

N/A

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:

N/A

Recommendation:

1. **That the following Terms of Reference be adopted for the Shire of Murchison Audit Committee:**

Objectives of Audit Committees

The primary objective of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

Reports from the Committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The Committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

The Committee is to facilitate:

- the enhancement of the credibility and objectivity of external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management and legislative compliance;
- the provision of an effective means of communication between the external auditor, the CEO and the Council;

Powers of the Audit Committee

The Committee is a formally appointed Committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

Membership

The Committee will consist of (TBA). All Members shall have full voting rights.

The tenure of Member to the Committee is in accordance with Section 5.11 of the Local Government Act 1995.

The CEO and other employees are not members of the Committee.

The CEO or his/her nominee is to be available to attend all meetings to provide advice and guidance to the Committee. Other Council officers may attend meetings as and when required.

The local government shall provide secretarial and administrative support to the Committee.

Meetings

The Committee shall meet at least annually.

Additional meetings shall be convened at the discretion of the presiding person.

Reporting

Reports and recommendations of each Committee meeting shall be presented to the next ordinary meeting of the Council.

Duties and Responsibilities

The duties and responsibilities of the Committee will be-

- (a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.

- (b) Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.
- (c) Develop and recommend to Council –
 - a list of those matters to be audited; and
 - the scope of the audit to be undertaken.
- (d) Recommend to Council the person or persons to be appointed as auditor.
- (e) Develop and recommend to Council a written agreement for the appointment of the Auditor. The agreement is to include –
 - the objectives of the audit;
 - the scope of the audit;
 - a plan of the audit;
 - details of the remuneration and expenses to be paid to the auditor; and
 - the method to be used by the local government to communicate with, and supply information to, the auditor.
- (f) Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions.
- (g) Liaise with the CEO to ensure that the local government does everything in its power to –
 - assist the auditor to conduct the audit and carry out his or her other duties under the *Local Government Act 1995*; and
 - ensure that audits are conducted successfully and expeditiously.
- (h) Examine the reports of the auditor after receiving a report from the CEO on the matter and –
 - determine if any matters raised require action to be taken by the local government; and
 - ensure that appropriate action is taken in respect of those matters.
- (i) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- (j) Review the scope of the audit plan and program and its effectiveness.
- (k) Seek information or obtain expert advice through the CEO on matters of Concern within the scope of the Committee's Terms of Reference following authorisation from the Council.
- (l) Review the annual Compliance Audit Return and report to the Council the results of the review.
- (m) Consider the CEO's biennial reviews of the appropriateness and effectiveness of the local governments systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the committee, and report to the council the results of those reviews.

2. That the following people shall be appointed to the Audit Committee (minimum three members of council):

(TBA)

Cr R Foulkes-Taylor asked if the CEO could be on the Committee. The CEO responded in the negative, saying that the CEO, however, was to be available to offer administrative support

Voting Requirements:

Absolute majority

Council Decision:

Moved: Councillor R Foulkes-Taylor

Seconded: Councillor Williams

1. That the following Terms of Reference be adopted for the Shire of Murchison Audit Committee:

Objectives of Audit Committees

The primary objective of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

Reports from the Committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The Committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

The Committee is to facilitate:

- the enhancement of the credibility and objectivity of external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management and legislative compliance;
- the provision of an effective means of communication between the external auditor, the CEO and the Council;

Powers of the Audit Committee

The Committee is a formally appointed Committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

Membership

The Committee will consist of all of Council. All Members shall have full voting rights.

The tenure of Member to the Committee is in accordance with Section 5.11 of the Local Government Act 1995.

The CEO and other employees are not members of the Committee.

The CEO or his/her nominee is to be available to attend all meetings to provide advice and guidance to the Committee. Other Council officers may attend meetings as and when required.

The local government shall provide secretarial and administrative support to the Committee.

Meetings

The Committee shall meet at least annually.

Additional meetings shall be convened at the discretion of the presiding person.

Reporting

Reports and recommendations of each Committee meeting shall be presented to the next ordinary meeting of the Council.

Duties and Responsibilities

The duties and responsibilities of the Committee will be-

- (a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.
- (b) Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.
- (c) Develop and recommend to Council –
 - a list of those matters to be audited; and
 - the scope of the audit to be undertaken.
- (d) Recommend to Council the person or persons to be appointed as auditor.
- (e) Develop and recommend to Council a written agreement for the appointment of the Auditor. The agreement is to include –
 - the objectives of the audit;
 - the scope of the audit;
 - a plan of the audit;
 - details of the remuneration and expenses to be paid to the auditor; and
 - the method to be used by the local government to communicate with, and supply information to, the auditor.
- (f) Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions.
- (g) Liaise with the CEO to ensure that the local government does everything in its power to –
 - assist the auditor to conduct the audit and carry out his or her other duties under the *Local Government Act 1995*; and
 - ensure that audits are conducted successfully and expeditiously.
- (h) Examine the reports of the auditor after receiving a report from the CEO on the matter and –
 - determine if any matters raised require action to be taken by the local government; and
 - ensure that appropriate action is taken in respect of those matters.

- (i) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- (j) Review the scope of the audit plan and program and its effectiveness.
- (k) Seek information or obtain expert advice through the CEO on matters of Concern within the scope of the Committee’s Terms of Reference following authorisation from the Council.
- (l) Review the annual Compliance Audit Return and report to the Council the results of the review.
- (m) Consider the CEO’s biennial reviews of the appropriateness and effectiveness of the local governments systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the committee, and report to the council the results of those reviews.

2. That the following people shall be appointed to the Audit Committee (minimum three members of council):

All of Council

Carried

For: 6

Against: 0

Cr Broad left the meeting at 12:45 pm.

The order of business was amended to address 20.3 Meeting Dates.

20.2 Election of Committee and Working Group Members

File:	4.70
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	15 th November 2013
Attachments:	20.2 Attachments (1) to (9) – Terms of Reference

Matter for Consideration:

Council to determine the membership of all Committees and Working Groups.

Background:

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Committees and Working Groups are to report to Council and provide appropriate advice and recommendations on matters relevant to their terms of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

At any given time, each Councillor is entitled to be a member of at least one committee and if a Councillor nominates himself or herself to be a member of such a committee or committees, Council is to include that Councillor in the persons appointed to at least one of those committees, as the Council so decides.

If at a meeting of the Council, a local government is to make an appointment to a committee that has or could have a Councillor as a Member and the President informs the local government of his wish to be a member of the committee, the local government is to appoint the President to be a member of the committee.

If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

(a) to be a member of the committee; or

(b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

An absolute majority of Council is required to appoint each member to a committee.

Where a Councillor is appointed as a member of a committee, the Councillor's membership of the committee continues until:

- a. the Councillor no longer holds the office of Councillor;
 - b. the Councillor resigns from membership of the committee.
 - c. the committee is disbanded; or
 - d. the next ordinary elections day,
- whichever occurs first.

The members of each committee are to elect a presiding member from among themselves in accordance with the Act. The members of a committee may elect a deputy presiding member among themselves, but any such election is to be in accordance with the Act.

Comment:

The Local Government Ordinary Elections were held on the 17th October 2015 and so current membership of the Shire of Murchison's Committees and Working Groups was discontinued on that day.

The composition of the Shire of Murchison's Committees and Working Groups as at 16th October (immediately prior to elections day) is shown in the table below:

COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Plant Working Group	Cr Halleen	Cr Foulkes-Taylor	Cr Broad	CEO	Works Supervisor	N/A
Settlement Building Working Group	Cr Whitmarsh	Cr Halleen		CEO DCEO	Works Supervisor	N/A
COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Accident Prevention Working Group				CEO		Natalie Broad Emma Foulkes-Taylor Peta Panting Jo Squires
Community Advisory Group	Cr Whitmarsh			CEO	Works Supervisor Gardener	Sandy McTaggart (Chair) Natalie Broad Jo Squires
Murchison Community Fund Management Committee	Shire President			CEO		Bridget Seaman (Chair) Quentin Fowler
Local Emergency Management Committee	Cr R Foulkes-Taylor			CEO	Works Supervisor	Refer LEMA
Project Officer Working Group	Andrew Whitmarsh			CEO		Emma Foulkes-Taylor Carolyn Halleen Jo Squires
Wild Dog Control Working Group	Cr Whitmarsh			CEO		Sandy McTaggart Reg Seaman
ORGANISATION	DELEGATE	DELEGATE		OBSERVER	OBSERVER	COMMUNITY
Murchison Regional Road Group	Cr Halleen			CEO	Works Supervisor	N/A
WALGA Zone Delegates	Cr Halleen	Cr Broad		CEO		N/A

The Terms of Reference for the Plant Working Group, the Settlement Building Working Group, the Community Advisory Group, the Murchison Community Fund Management Group and the Wild Dog Working Group are attached – refer Attachments 18.2 (1)-(5).

The Accident Prevention Working Group and Project Officer Working Group have met only once and it would appear that there were no Terms of Reference established for them. Suggested Terms of Reference are at Attachment 18.2 (6) and 18.2 (7).

I suggest that we set up two new Working Groups this year – a Settlement Drinking Water Working Group and a Settlement Power Supply Working Group to facilitate the establishment and ongoing maintenance of potable drinking water and to research our best options for an alternative and sustainable power supply. Suggested Terms of Reference for these two Working Groups are at Attachment 18.2 (8) and 18.2 (9).

Statutory Environment:

Local Government Act 1995 Part 5 Division 2 Subdivision 2

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Recommendation:

1. That Council endorse the following Terms of Reference for those Committees/Working Groups that don't have one:

Accident Prevention Working Group – refer Attachment 6

Project Officer Working Group – refer Attachment 7

Settlement Drinking Water Working Group – refer Attachment 8

Settlement Power Supply Working Group – refer Attachment 9

2. That Council elects the following people (TBA) to be members of the various Committees/Working Groups. Members are to be elected having due regard for their particular skills and expertise in the area of interest for which the Committee/Working Group has been formed. Community Positions are to be advertised. If there are more Community applicants than positions, then Council will decide the successful applicant(s) at the December OCM, having due regard for their particular skills and expertise.

COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Plant Working Group	1	1	1	CEO	Works Supervisor	N/A
Settlement Building Working Group	1	1		CEO DCEO	Works Supervisor	N/A
COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Accident Prevention Working Group	1			CEO		To be advertised - 3 positions
Community Advisory Group	1	1		CEO	Works Supervisor Gardener	To be advertised – 3 positions
Murchison Community Fund Management Committee	Shire President			CEO		To be advertised – 2 positions
Local Emergency Management Committee	Shire President or Delegate			CEO	Works Supervisor	Refer LEMA
Settlement Drinking Water Working Group (New)	1	1		CEO	Works Supervisor Health Officer	To be advertised – 1 position
Settlement Power Supply Working Group (New)	1	1	1	CEO	Works Supervisor	To be advertised – 1 position

Wild Dog Control Working Group	1			CEO		To be advertised – 2 positions
ORGANISATION	DELEGATE	DELEGATE		OBSERVER	OBSERVER	COMMUNITY
Murchison Regional Road Group	Cr Halleen			CEO	Works Supervisor	N/A
WALGA Zone Delegates	Cr Halleen	Cr Broad		CEO		N/A

Voting Requirements:

Absolute majority.

Council Decision:**Moved: Councillor E Foulkes-Taylor****Seconded: Councillor Broad****1. That Council endorse the following Terms of Reference for those Committees/Working Groups that don't have one:**

Accident Prevention Working Group – refer Attachment 6

Project Officer Working Group – refer Attachment 7

Settlement Drinking Water Working Group – refer Attachment 8

Settlement Power Supply Working Group – refer Attachment 9

2. That Council elects the following people to be members of the various Committees/Working Groups.

Members are to be elected having due regard for their particular skills and expertise in the area of interest for which the Committee/Working Group has been formed. Community Positions are to be advertised. If there are more Community applicants than positions, then Council will decide the successful applicant(s) at the December OCM, having due regard for their particular skills and expertise.

COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Plant Working Group	Cr Broad	Cr R Foulkes-Taylor	Cr Whitmarsh	CEO	Works Supervisor	N/A
Settlement Building Working Group	Cr Williams	Cr E Foulkes-Taylor		CEO DCEO	Works Supervisor	N/A
COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Accident Prevention Working Group	Cr E Foulkes-Taylor			CEO		To be advertised - 3 positions
Community Advisory Group	President Halleen	Cr Whitmarsh		CEO	Works Supervisor Gardener	To be advertised – 3 positions
Murchison Community Fund Management Committee	Shire President			CEO		To be advertised – 2 positions
Local Emergency Management Committee	President Delegated role to Cr R Foulkes-Taylor			CEO	Works Supervisor	Refer LEMA
Settlement Drinking Water Working Group (New)	Cr R Foulkes-Taylor	Cr Williams		CEO	Works Supervisor Health Officer	To be advertised – 1 position
Settlement Power Supply Working Group (New)	Cr Broad	Cr Williams	Cr Whitmarsh	CEO	Works Supervisor	To be advertised – 1 position
Wild Dog Control Working Group	Cr Whitmarsh			CEO		To be advertised – 2 positions
Project Officer Working Group	President Halleen	Cr E Foulkes-Taylor		CEO	Works Supervisor	To be advertised – 2 positions
ORGANISATION	DELEGATE	DELEGATE		OBSERVER	OBSERVER	COMMUNITY
Murchison Regional Road Group	President Halleen	Cr R Foulkes-Taylor		CEO	Works Supervisor	N/A
WALGA Zone Delegates	Cr Halleen	Cr Broad		CEO		N/A

Carried**For: 6****Against: 0**

20.3 2016 Meeting Dates

File:	
Author:	Dianne Daniels - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 th November 2015
Attachments:	Nil

Matter for Consideration:

Council to consider the meeting dates for Ordinary Council Meetings for 2016.

Background:

Precedent is that Ordinary Council meetings are held on the third Friday in each month. This is with the exception of January when a recess is traditionally observed

Comment:

This would give the following proposed dates for meetings to be held in 2016:-

January – no meeting
 February 19th 2016 - Friday
 March 18th 2016 - Friday
 April 15th 2016 - Thursday
 May 20th 2016 - Friday
 June 17th 2016 - Friday
 July 15th 2016 - Friday
 August 19th 2016 - Friday
 September 16th 2016 - Friday
 October 21st 2016 - Friday
 November 18th 2016 - Friday
 December 16th 2016 - Friday

Note that the crew would not break for Christmas until Thursday 22nd December 2016 and so there would be no need to change the December meeting date to a Thursday for 2016, as has been the practice for the last few years.

Statutory Environment:

Regulation 12(1) of the Local Government (Administration) Regulations 1996 requires that:

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
- (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Consultation:

Nil

Recommendation:

That Council gives local public notice of its scheduled meetings for 2016 as follows:-

**Shire of Murchison
2016 Ordinary Council Meeting Dates**

The following ordinary Council meetings are open to the public commencing at 10am on the dates as shown below. All meetings are held in Council Chambers, Murchison Settlement, WA.

Ordinary Council Meeting Dates 2016 – 10am

January – No meeting	Friday 15th July
Friday 19 th February	Friday 19 th August
Friday 18 th March	Friday 16 th September
Friday 15 th April	Friday 21 st October
Friday 20 th May	Friday 18 th November
Friday 17 th June	Friday 16 th December

Cr E Foulkes-Taylor noted that she has the ICPA conference on the 18th of March and so would need leave of absence.

Voting Requirements:

Simple Majority

Council Decision:

Moved: Councillor Whitmarsh

Seconded: Councillor E Foulkes-Taylor

That Council gives local public notice of its scheduled meetings for 2016 as follows:-

**Shire of Murchison
2016 Ordinary Council Meeting Dates**

The following ordinary Council meetings are open to the public commencing at 10am on the dates as shown below. All meetings are held in Council Chambers, Murchison Settlement, WA.

Ordinary Council Meeting Dates 2016 – 10am

January – No meeting	Friday 15th July
Friday 19 th February	Friday 19 th August
Friday 18 th March	Friday 16 th September
Friday 15 th April	Friday 21 st October
Friday 20 th May	Friday 18 th November
Friday 17 th June	Friday 16 th December

Carried/Lost

For: 5

Against: 0

The meeting adjourned for lunch at 12:50 pm.

The meeting resumed at 1:47 pm.

Cr Broad returned to the meeting at 1:47pm

The order of business reverted to 20.2 Election of Committees and Working Groups

21. NOTICE OF MOTION

21.1 Shire of Murchison Public Question Time Policy

File:	
Author:	Cr Rossco Foulkes-Taylor
Interest Declared:	No interest to disclose
Date:	1/11/2015
Attachments:	21.1.1 Attachment - Public Question Time Policy 21.1.2 Attachment - Public Question Time Procedure

Notice of Motion:

MOTION That the following adjustments be made to the Shire of Murchison Public Question Time Policy:

In the section "Prior to the meeting" point one which reads - "All questions are to be sent to the CEO at least 48 hours prior to a Murchison Shire Council ordinary meeting or prescribed meeting, on the approved form." to be removed, and only " A register will be provided at least 30 minutes prior to the meeting for members of the public to register their names." to remain.

In the section "During the meeting" point one which reads "Questions will be taken in the order of registration." the words "of names" to be added, so it would read "Questions will be taken in order of registration of names."

In the "During the meeting" section I would like Point four section d which reads "that questions the competency of staff or council members" to be removed.

Background:

The current Public question time policy was introduced at the June 19th Ordinary Council Meeting following a period of particularly disruptive and unproductive public question sessions at Council meetings.

I feel the policy has served its purpose in getting things back on track and allowed for a more constructive use of councils time in answering questions where possible and taking others on notice in a respectful and cohesive manner on meeting days.

Comment:

While I accept there is room within the current policy for the presiding member to accept spontaneous questions from members of the public who may be around the Shire on meeting days and wish to raise something, I think most people are somewhat put off from doing this by the first Prior to the meeting point which states 48 hours' notice in writing is required. I suspect most potential questioners don't read further down to notice they are free to request a hearing on the day.

I would like the prohibition of questions regarding the competency of staff or council members removed because if someone has a concern on this subject I feel to be able to raise such issues rather than just bottle up ones feelings creates a stronger and healthier community. Personally I would have no problems with my conduct being called into question (as long as it is done in a rational and sensible manner) and then given a chance to state my response to such a question. Given what I have seen of how the shire crew --both administratively and outside works-- conduct themselves, I would have no problem responding to questions along those lines either.

Point twelve of our policy states that the presiding member has ultimate control over all proceedings during Public Question Time, and I think it is vital this point remains.

I feel the changes requested in my motion will be a step in the right direction towards returning public question time to a constructive section of Council meetings, and reduce the "them and us" feeling restrictive regulations can create

Statutory Environment:

LGA s.5.24 and Local Government (Administration) Regulations 1996

Question time for public, meetings that require prescribed

(Act s. 5.24)

For the purposes of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are —

(a) every special meeting of a council;

(b) every meeting of a committee to which the local government has delegated a power or duty.

6. Question time for public, minimum time for (Act s. 5.24(2))

(1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.

(2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in subregulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Local Government (Administration) Regulations 1996

7. Question time for public, procedure for (Act s. 5.24(2))

(1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) are to be determined —

(a) by the person presiding at the meeting; or

(b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of those members, having regard to the requirements of subregulations (2), (3) and (5).

(2) The time allocated to the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.

(3) Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.

(4) Nothing in subregulation (3) requires —

(a) a council to answer a question that does not relate to a matter affecting the local government; or

(b) a council at a special meeting to answer a question that does not relate to the purpose of the meeting; or

(c) a committee to answer a question that does not relate to a function of the committee.

(5) If, during the time allocated for questions to be raised by members of the public and responded to, a question relating to a matter in which a relevant person has an interest, as referred to in section 5.60, is directed to the relevant person, the relevant person is to —

(a) declare that he or she has an interest in the matter; and

(b) allow another person to respond to the question.

Strategic Implications:

Nil

Policy Implications:

The Motion if adopted will mean changes to the Public Question Time Policy

Financial Implications:

N/A

Consultation:

Nil

Recommendation:

MOTION That the following adjustments be made to the Shire of Murchison Public Question Time Policy:

In the section “Prior to the meeting” point one which reads - “All questions are to be sent to the CEO at least 48 hours prior to a Murchison Shire Council ordinary meeting or prescribed meeting, on the approved form.” to be removed, and only “ A register will be provided at least 30 minutes prior to the meeting for members of the public to register their names.” to remain.

In the section “During the meeting” point one which reads “Questions will be taken in the order of registration.” the words “of names” to be added, so it would read “Questions will be taken in order of registration of names.”

In the “During the meeting” section I would like Point four section d which reads “that questions the competency of staff or council members” to be removed.

Cr R Foulkes-Taylor explained his motion saying that he liked the Council to operate casually so that if a community member happened to be around then they can pop in at public question time.

Cr Williams doesn't think it is an onerous procedure, as it ensures that people get the answer on the day.

Cr Broad spoke in favour of Part A – nothing wrong with taking a question on notice if it can't be answered on the day.

Cr E Foulkes-Taylor was for the motion as it stands.

Cr Whitmarsh was for the motion as it stands.

Cr Williams suggested a compromise, recommending that detailed questions may be sent in prior so there is a better chance of being answered on the day.

Cr Foulkes-Taylor said that should a member of the public hope for an answer on the day, then they would have a better chance if they send it in early

There was a discussion regarding voting ‘en bloc’ or as three motions. Voting was undertaken in three parts.

There was no seconder for Part C of the Motion (In the “During the meeting” section I would like Point four section d which reads “that questions the competency of staff or council members” to be removed) and so it did not go to vote.

The CEO noted that as Council were amending a decision that had already been made at a prior meeting, that voting need to be by Absolute Majority, not Simple Majority as stated in the Agenda.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor Foulkes-Taylor	Seconded: Councillor Broad	
That the following adjustment be made to the Shire of Murchison Public Question Time Policy:		
In the section “Prior to the meeting” point one which reads - “All questions are to be sent to the CEO at least 48 hours prior to a Murchison Shire Council ordinary meeting or prescribed meeting, on the approved form.” to be removed, and only “ A register will be provided at least 30 minutes prior to the meeting for members of the public to register their names.” to remain.		
Carried	For: 5	Against: 1

Council Decision:		
Moved: Councillor Foulkes-Taylor	Seconded: Councillor Williams	
That the following adjustment be made to the Shire of Murchison Public Question Time Policy:		
In the section “During the meeting” point one which reads “Questions will be taken in the order of registration.” the words “of names” to be added, so it would read “Questions will be taken in order of registration of names.”		
Carried	For: 6	Against: 0

22. CEO ACTIVITY REPORT

Date	Activity
16/10/2015	Ordinary Meeting of Council
16/10/2015	Dogging Control Working Group Meeting – refer today’s agenda item.
19/10/2015	Admin Meeting
19/10/2015	Meeting with Works Supervisor
19/10/2015	Phone call from Ian Comben of DFES re the Fire Danger Rating (FDR). There are changes to the regs imminent so that when the FDR is above 82 there will be an automatic Total Fire Ban. No hot works; mining companies can seek a 22c exemption - clear the work area; have fire tender on hand with 400 l water.
22/10/2015	Department of Housing – Warren Camarri – visited Settlement to audit shared housing. Inspected 6 and 12B Kurara. Contract Review Questionnaire completed. Very happy with the maintenance that the Shire are doing on the houses and the garden settings.

22/10/2015	Conference in Perth – Towards SKA1 – purpose of the day – a positive coming together of stakeholders to communicate plans and thinking. Not a problem solving workshop; not a decision making day; not a forum for speculating on what might have been. Report underway.
26/10/2015	Meeting with Works Supervisor
26/10/2015	Admin Meeting
26/10/2015	Phone call from Jonelle Tyson State Emergency Management Secretariat. She called to let me know that she wouldn't be able to attend any Local Emergency Management Meetings from now on. She has been instructed to work strategically at regional level. In order to build capability in the Emergency Management area, Council will need to look to consultants. WALGA offer a program to write Arrangements and have an extensive training programs re legislative responsibilities.
26/10/2015	Admin Meeting
26/10/2015	Auditors on site
27/10/2015	Auditors on site
27/10/2015	Spoke to Erin Fuery of Australian Red Cross to discuss their role in the event of emergency. They work in the area of Preparedness – anticipate what might happen; protect those things you can't replace. Response – find, re-unite. Recovery – recovery advice to local government and community. Support the writing of funding agreements
28/10/2015	Ballinyoo Bridge site meeting – October update emailed to Councillors and funding partners.
29/10/2015	Phone call with John Lane, Coordinator Emergency Management Services, WALGA re how they can support us in our EM endeavours. Fee for Service to prepare all EM Plans and to undertake contract risk management.
29/10/2015	Phone call from Tim Dalwood SES District Manager DFES to discuss upcoming fire season, share contacts.
30/10/2015	Regional Road Group Meeting Geraldton. Mark Halleen elected as Chair Midwest, Neil Hebiton Deputy Chair. Report provided by Mark.
30/10/2015	President Halleen and I met with Catherine Belcher, Regional Manager WA Museum Geraldton, to discuss development of Interpretive Centre. The WA Museum Geraldton have just completed a funding application to undertake major extensions which will include an interpretation of the MRO/ASKAP/SKA. She thinks that it would be beneficial for both Centres to work together, so that visitors to the Murchison Interpretive Centre could direct visitors to the WA Museum Geraldton and vice versa.
2/11/2015	Admin Meeting
2/11/2015	Meeting with Works Supervisor
5/11/2015	Local Emergency Management Committee Meeting and desktop exercise.
6/11/2015	Murchison Zone of WALGA meeting Cue. Minutes emailed to Councillors 9/11/2015.
9/11/2015	Senior First Aid Course – all staff. Five community members booked in unable to attend.
10/11/2015	Senior First Aid Course – all staff. Five community members booked unable to attend.
11/11/2015	Meeting with Dave Wood LGIS. Delivered OSH and Management manual; handed over scheme rebate check of just over \$4,000.
11/11/2015	Phone conference with Claire Patterson, Office of Science, Owen McLean Main Roads Perth and Kim Ingle Main Roads Geraldton, Brian Wundenberg and I. Discussed the preferred route to the SKA (Carnarvon Mullewa Road). I had previously requested clarity about the transport task for SKA in order to be able to ascertain that any sealing works that we may be undertaking heading south of the Ballinyoo Bridge would be fit for the task. Main Roads can't categorically say at this point in time.
11/11/2015	Staff Performance Review
12/11/2015	Staff Performance Review
13/11/2015	Site meeting Ballinyoo Bridge
16/11/2015	Admin meeting
16/11/2015	Staff Performance Review
16/11/2015	Phone conversation with Phil Crosby CSIRO re the power station to be constructed for MRO/ASKAP/SKA. He said that there should soon be clarity around quantity and frequency of traffic movements and that we would have a contact point for road maintenance negotiations. Power station to commence in new year with a 6-8 month build time.

Recommendation:

That the CEO's Activity Report be accepted.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor Whitmarsh	Seconded: Councillor Williams	
That the CEO's Activity Report be accepted.		
Carried	For: 6	Against: 0

23. URGENT BUSINESS

Motion to accept Urgent Business

Council Decision:		
Moved: Councillor R Foulkes-Taylor	Seconded: Councillor Whitmarsh	
That Urgent Business be accepted.		
Carried	For: 6	Against: 0

**23.1 Tender Process – WANDRRA Event –Surface Trough and Associated Flooding
28 Feb–8 Mar 2015**

File:	12.25
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	17/08/2015
Attachments:	N/A

Matter for Consideration:

Council to consider amending the decision made at the August 2015 OCM regarding the process to manage the recently approved WANDRRA funded flood damage restoration works (Surface Trough and Associated Flooding 28 February – 8 March 2015), to reflect a change in circumstances.

Background:

At the August 2015 OCM, council resolved:

Council Decision:		
Moved: Councillor Foulkes-Taylor	Seconded: Councillor Williams	
Council to manage the process of the WANDRRA funded flood damage restoration works to various roads in the Shire according to Option 4, ensuring that tenders are designed to accommodate the capabilities of local businesses:		
Option 4:		
<ol style="list-style-type: none"> 1. Tender Evaluation Panel to set Selection Criteria for the quotes/tenders listed below; 2. Source three quotes from WALGA Preferred Supplier Program for Project Manager - Superintendent 3. WALGA Procurement to call tenders for Site Supervisor; 4. WALGA Procurement to call tenders for three lead contracts. 		
Carried	For: 5	Against: 0

Comment:

Sometime after the August 2015 OCM, the CEO was notified by WALGA Procurement that they would be unable to facilitate the tenders for the Site Supervisor or the three Lead Contractors as had been agreed prior to the meeting, as all of Council had nominated to be on the Tender Assessment Panel. WALGA Procurement felt that it wasn't best practice ie there is no division between the advisory group and the decision making group.

Note, it is not unlawful for all of Council to be on the Tender Assessment Panel.

The process that has evolved in regard to the WANDRRA funded flood damage works is that quotes have been sourced from WALGA Equotes for the Project Manager/Superintendent. Included in the Scope of Works was the job of preparing and calling tenders for the Site Supervisor and three Lead Contractors and the job of facilitating the assessment of the tenders.

It would be prudent for council to formalise this change of direction.

The scenario we have now was covered by Option 3 in the August Agenda Item:

Option 3.

1. Tender Evaluation Panel to set Selection Criteria for the quotes/tenders listed below;
2. Source three quotes from WALGA Preferred Supplier Program for Project Manager/Superintendent (allowable under 5.2 of the Purchasing Policy);
3. Project Manager to call tenders for Site Supervisor, and
4. Project Manager to call tenders for three Lead Contractors

Statutory Environment:

Local Government Act 1995 s.3.57

Local Government (Functions and General) Regulations 1996 – Part 4- tenders for providing goods and services.

Strategic Implications:

N/A

Sustainability Implications

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

Policy Implications:

Shire of Murchison Purchasing Policy.

Shire of Murchison Buy Local Regional Price Preference Policy

Financial Implications:

Flood Damage Works are funded by WANDRRA, except for the trigger point which has been allowed for in the 2015-16 Budget.

Consultation:

Department of Local Government

Recommendation:

That Council amend the decision made at the August 2015 OCM in regard to Item 17.2 Tender Process - WANDRRA Event – Surface Trough and Associated Flooding 28 February – 8 March 2015

from managing the process of restoration works using Option 4

to managing the process of restoration works using Option 3 as shown below:

Council to manage the process of the WANDRRA funded flood damage restoration works to various roads in the Shire according to Option 3, ensuring that tenders are designed to accommodate the capabilities of local businesses:

Option 3.

1. Tender Evaluation Panel to set Selection Criteria for the quotes/tenders listed below;
2. Source three quotes from WALGA Preferred Supplier Program for Project Manager/Superintendent (allowable under 5.2 of the Purchasing Policy);
3. Project Manager to call tenders for Site Supervisor, and
4. Project Manager to call tenders for three Lead Contractors

Voting Requirements:

Absolute majority

Council Decision:
Moved: Councillor Williams **Seconded: Councillor R Foulkes-Taylor**

That Council amend the decision made at the August 2015 OCM in regard to Item 17.2 Tender Process - WANDRRA Event – Surface Trough and Associated Flooding 28 February – 8 March 2015 from managing the process of restoration works using Option 4 to managing the process of restoration works using Option 3 as shown below:

Council to manage the process of the WANDRRA funded flood damage restoration works to various roads in the Shire according to Option 3, ensuring that tenders are designed to accommodate the capabilities of local businesses:

Option 3.

1. Tender Evaluation Panel to set Selection Criteria for the quotes/tenders listed below;
2. Source three quotes from WALGA Preferred Supplier Program for Project Manager/Superintendent (allowable under 5.2 of the Purchasing Policy);
3. Project Manager to call tenders for Site Supervisor, and
4. Project Manager to call tenders for three Lead Contractors

Carried/Lost **For: 6** **Against: 0**

23.2 Donation to Esperance Bushfire Appeal

Cr Broad requested that Council give serious consideration to donating to the Esperance Bushfire through the Lord Mayors Fund.

There was a general discussion regarding what was left in the donations budget and who else would need to be considered during the balance of the year. Council usually donates to the Carnarvon and Meekatharra Schools of the Air and to date an amount of \$700 has been donated from a budget of \$5,000.

Council Decision:
Moved: Councillor Broad **Seconded: Councillor E Foulkes-Taylor**

That Council donate \$3,000 to the Esperance Bushfire Appeal through the Perth Lord Mayors Appeal.

Carried **For: 6** **Against: 0**

23.3 Annual Meeting of Electors

President Halleen asked for feedback on the date for the Annual Meeting of Electors and after some discussion, it was decided to have it on the same day as the Community Christmas Tree.

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

Council endorses that the Annual Meeting of Electors is to be held on Saturday 19th December at 2:00 pm.

Carried **For: 6** **Against: 0**

23.4 Opening of Bowling Green

President Halleen brought up the opening of the Bowling Green – what date and should we have a ceremony?

After some discussion, it was decided to have a small opening after the Annual Meeting of Electors and to ask Vince Catania to attend.

Council Decision:**Moved: Councillor E Foulkes-Taylor****Seconded: Councillor R Foulkes-Taylor**

Council to conduct the opening ceremony for the bowling green on Saturday 19th December, following on from the Annual Meeting of Electors. The CEO is instructed to invite Vince Catania to perform the opening ceremony.

Carried**For: 6****Against: 0**

The meeting adjourned at 2:57 pm for the Plant Committee to have brief meeting.

The meeting reconvened at 3:15 pm.

24. 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 three items.

A fourth item was introduced for discussion pursuant to clause 5.23 (2) (c) and (e) of the Local Government Act 1995.

Voting Requirements:

Simple Majority

Council Decision:**Moved: Councillor Broad****Seconded: Councillor R Foulkes-Taylor**

That the meeting move behind closed doors to discuss four items.

Carried**For: 6****Against: 0****24.1 RFT 1.2015/16 Heavy Maintenance Tender****Council Decision:****Moved: Councillor Broad****Seconded: Councillor Williams**

That the Tender, RFT 1.2015/16 Heavy Maintenance, be awarded to Squires Resources Pty Ltd

Carried**For: 4****Against: 0**

Two councillors had previously declared an interest in this Item

24.2 RFX 2.2015/16 WANDRRA AGRN:661 Flood Damage Superintendent**Council Decision:****Moved: Councillor E Foulkes-Taylor****Seconded: Councillor Williams**

That the Request for Quote, RFX 2.2015/16 Superintendence WANDRRA AGRN:661, be awarded to WML Consultants Pty Ltd.

Carried**For: 5****Against: 0**

One councillor had previously declared an interest in this Item

24.3 RFX 5.2015/16 Grader Tender

Council Decision:

Moved: Councillor R Foulkes-Taylor

Seconded: Councillor Whitmarsh

That the Request for Quote, RFX 5.2015/16 Grader be awarded to Hitachi for the 672G six wheel drive John Deere.

Carried

For: 6

Against: 0

24.4 Three Tonne Truck

Council Decision:

Moved: Councillor Broad

Seconded: Councillor Whitmarsh

That Council purchase an Isuzu NPR 65/45-190 Medium Single Cab 6,500 GVM, from Midwest Toyota, trading the Mitsubishi Canter 01-MU.

Carried

For: 6

Against: 0

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 Whitmarsh

Seconded: Councillor Williams

That the meeting move out from Behind Closed Doors.

Carried

For: 6

Against: 0

25. MEETING CLOSURE

The meeting closed at 3:35 pm.