



Western Australia

Minutes of the Ordinary Meeting of the Murchison Shire Council,
held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Friday **20 May 2016**, commencing at 10.00 am.

TABLE OF CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	3	
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	3	
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3	
4.	PUBLIC QUESTION TIME	3	
4.1	Standing Orders	3	
5.	NEXT MEETING	3	
6.	APPLICATIONS FOR LEAVE OF ABSENCE	3	
7.	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS	4	
8.	CONFIRMATION OF MINUTES.....	4	
8.1	Ordinary Council Meeting – 15 April 2016.....	4	
8.2	Audit Committee Meeting – 15 April 2016	4	
9.	ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....	4	
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	4	
11.	ACTION LIST	5	
12.	DISCLOSURE OF INTERESTS	6	
13.	REPORTS OF OFFICERS.....	6	
13.1	Monthly Plant Report – Works Supervisor.....	6	
13.2	Works Report – Works Supervisor	7	
14.	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED	10	
14.1	Shire President.....	10	
14.2	Councillors.....	11	
15.	REPORTS OF COMMITTEES	12	
15.1	Bridge Opening Committee Meeting.....	12	
16.	FINANCE.....	12	
16.1	Financial Activity Statements April 2016.....	13	
16.2	Accounts Paid during the period since the last list was adopted/endorsed by Council	15	
16.3	Differential Rates	16	
16.4	Elected Member Remuneration for 2016-2017	20	
16.5	Budget Variation Historic Interpretation of Old Bridge Span	22	
17.	DEVELOPMENT	24	
17.1	Wooleen Station Proposed Establishment of Caravan and Camping Ground Facilities	24	
18.	ADMINISTRATION.....	28	
18.1	Review of Delegations.....	28	
18.2	Review of Shire of Murchison Purchasing Policy.....	29	
18.3	Delegate Powers to Bridge Opening Committee	32	
18.4	Request for Donation – Mid West Group of Affiliated Agricultural Societies....	33	
19.	NOTICE OF MOTION.....	34	
20.	CEO ACTIVITY REPORT.....	35	
21.	URGENT BUSINESS	35	
21.1	Urgent Business – RAV Network 7 Access – Preferred Route to MRO.....	36	
21.2	Voting Delegates – WALGA 2016 AGM.	38	
21.3	Local Government Convention and Trade Exhibition 2016	39	
22.	ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS.....	40	
22.1	RFT 7.2015/16 Construction of Concrete Floodway.....	40	
23.	MEETING CLOSURE.....	41	

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President declared the Meeting open at 10.00 am., and welcomed Linda Gray, the newly appointed Deputy Chief Executive Officer, to the Shire of Murchison.

The President also highlighted the sad passing of Mr Richard (Dick) Childs. Mr Childs was the Shire of Murchison's Shire Clerk from 1986 to 1996, and the Chief Executive Officer from 1996 to 2000. He was highly regarded by the community and members of the Council spoke briefly of his contribution to the Murchison.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**Councillors**

*President Mark Halleen
Deputy President Rossco Foulkes-Taylor
Cr Simon Broad
Cr E Foulkes-Taylor
Cr A Whitmarsh
Cr M Williams*

Staff

*Chief Executive Officer – Dianne Daniels
Works Supervisor – Brian Wundenberg
Deputy Chief Executive Officer – Linda Gray (Minute taker)*

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Nil.

4.1 Standing Orders***Council Decision:***

Moved: Councillor Williams

Seconded: Councillor Whitmarsh

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: Nil

5. NEXT MEETING

The next meeting is scheduled for 17 June 2016.

6. APPLICATIONS FOR LEAVE OF ABSENCE***Council Decision:***

Moved: Councillor E Foulkes-Taylor

Seconded: Councillor Broad

That the President may not be available for that date, and if so, requested Leave of Absence for the meeting of the 17 June 2016.

Carried

For: 6

Against: Nil

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

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

22.1 RFT 7.2015/16 Construction of Concrete Floodway

8. CONFIRMATION OF MINUTES**8.1 Ordinary Council Meeting – 15 April 2016****Background:**

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

Recommendation:

That the minutes of the Ordinary Council meeting held on 15 April 2016 be confirmed as an accurate record of proceedings

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor E Foulkes-Taylor

Seconded: Councillor Broad

That the Minutes of the Ordinary Council meeting of 15 April 2016 be confirmed as an accurate record of proceedings.

Carried

For: 6

Against: Nil

8.2 Audit Committee Meeting – 15 April 2016**Background:**

Minutes of the Audit Committee Meeting have previously been circulated to all Councillors.

Recommendation:

That the minutes of the Audit Committee meeting held on 15 April 2016 be confirmed as an accurate record of proceedings

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor R Foulkes-Taylor

Seconded: Councillor Williams

That the Minutes of the Audit Committee meeting of 15 April 2016 be confirmed as an accurate record of proceedings.

Carried

For: 6

Against: Nil

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil.

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

11. ACTION LIST

No	Item	Action	Status
1	Establishment of Working Group for Accident Prevention.	Invitation for teleconference sent to Working Group for 26/05/2015.	New Committee Members elected Nov OCM - Cr Emma Foulkes-Taylor is the new Council Rep along with the CEO. Community Rep Jo Squires – 2 seats vacant, no applicants.
2	Community Project Officer	Still sitting on the table.	Meeting held 11 th March 2016 and recommendations presented to Council at the April OCM – the item was left to lay on the table while Council explored other options.
5	Ballinyoo Bridge Tender	CEO to meet with reps from BG&E and Main Roads on Monday 23 May to finalise variations. Update: Most of the variations are finalised with the exception of two which relate to “time issues” (Time in relation to holdups due to gravel and/or bypass roads) In response to the President’s question about the painting, the meeting was advised that it was only “patch painting”. <i>Action: Review of Contract Variations to be completed</i>	Complete – Certificate of Practical Completion Issued. Waiting on final invoices.
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. Invitation sent to CAG to meet on Friday 3 June. A surveyor will be at the Murchison Settlement shortly to survey the tip, so will plan to have the Cemetery done as well. <i>Action: The work to be completed by surveyor to include Cemetery as well.</i>	Meeting held Thursday 17 th March 2016 at 11am and report presented to Council on 18 th March – no recommendations came out of the meeting.
7	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. As an adjunct to this, the CEO was hoping to do a review of the Internal Hierarchy for this meeting, but it has turned out to be more complicated than first thought. The status (ie a road defined by description; a dedicated road; a gazetted road; a closed road) of roads no longer maintained needs to be identified before the Shire can progress with this. The CEO will start work on this over the next month. A complicating factor is the need to find out the status of the roads closed over the years.	Ongoing. Undesignated unsurveyed roads was bought up as a discussion point at the May zone meeting. Paul Rosair did a presentation to the March OCM, which was discussed at the April OCM.

8	Development of Draft Drug & Alcohol Policy	CEO to develop a draft Drug & Alcohol Policy to present to council for consideration. The intention once the present workload is divided more equitably, to undertake a full review of the Policy Manual and develop a Drug & Alcohol Policy as part of this process.	The CEO has asked LGIS if they have a pro-forma policy that can be adapted to suit our circumstances. They are currently working in conjunction with WALGA to develop one and it will be available in the short term. The President has forwarded a policy which is a WALGA template. If it is suitable, it refers to a Discipline Policy and a Grievance, Investigations and Resolutions Policy, which we will also need to develop.
---	--	---	--

Recommendation:

That the Action List be accepted.

After the tabling of the Action List there was a short discussion in regard to the Ballinyoo Bridge contract variations.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor Williams		Seconded: Councillor E Foulkes-Taylor
That the Action List be accepted.		
Carried	For: 6	Against: Nil

12. DISCLOSURE OF INTERESTS

Mr R Foulkes-Taylor, Mrs E Foulkes-Taylor and Mr A Whitmarsh disclosed a financial interest in Item 22.1 RFT 7.2015/16, being involved in the tender process.

13. REPORTS OF OFFICERS**13.1 Monthly Plant Report – Works Supervisor**

April 2016		Hours						YTD	
Plant Item	Year	Rego	1 July '15	Start Hrs/kms	End Hrs/km	Total Month	YTD	Operating Costs Plant Fuel	
P.01 JD Grader	2011	MU1063	6236	7431	7521	90	1285	14428.61	22309.41
P.02 Cat Grader 12H	2005	MU 141	12591	13816	13929	113	1338	21213.66	17853.57
P.03 Cat Grader 12M	2008	MU 51	8672	0	0	Traded	856	14866.05	14141.34
P.04 New/H Ford Tractor	2006	MU 380	1831	1904	1905	1	74	1283.67	174.33
P.05 Dolly 1-Red	2001	MU 2003	3488	16429	17278	849	13790	705.57	n/a
P.06 Mitsubishi Canter	2010	01 MU	138805	0	0	Traded	9518	19173.52	2512.83
P.07 Nissan UD	2009	000 MU	189658	197473	197793	320	8135	3599.53	5963.77
P.08 Dolly 2-Black	2000	MU 2009	27654	28006	28006	Broken	352	1799.40	n/a
P.09 Iveco P/Mover	2003	MU1065	304084	311515	312963	1448	8879	5303.24	6511.08
P.10 Iveco Tipper Conv	2004	MU 00	174427	176841	176951	110	2524	9496.90	14117.95
P.11 Komatsu Dozer	1997		475	1100	1250	150	775	18697.32	16557.51
P.13 Tri-Axle L/L Float	2008	MU 663	0	9372	9392	20	4849	2542.95	n/a

P.14 No. 2 Float P.14	2001	MU 2004	57198	57198	57198	Broken	992	659.13	n/a
P.17 Side Tipper	2001	MU 662	10197	23450	23450	Broken	13253	7385.53	n/a
P.18 Side Tipper	2001	MU2010	New Clock	4053	7414	3361	7414	5852.45	n/a
P.24 30K W/Tanker Trailer	2005	MU 2024	43080	45800	45910	110	2830	6615.80	n/a
P.27 Volvo Loader	2006	MU 65	7088	7717	7777	60	689	15096.66	9911.85
P.28 Isuzu Dmax	2009	MU 300	194174	204050	206170	2120	11996	2218.94	3863.44
P.32 Construction Gen			20519	22437	22437	0	1918	1191.27	2918.09
P.33 Maintenance Gen			6371	8069	8236	167	1865	955.93	2172.79
P.34 Generator Perkins		Mechanic	New Clock	0	0	0	0	1499.19	95.65
P.35 Generator 1-110kva	2011		19493	22994	23713	719	4220	12845.14	92415.57
P.35 Generator 2-110kva	2011		12221	15773	15800	27	3579		
P.37 Forklift			12268	12380	12396	16	128	250.32	150.43
P.40A Toyota Hilux	2014	MU 1018	26191	51806	54277	2471	28086	3819.64	3184.21
P.41 Cat 938G Loader	2004	MU 193	4940	5216	5279	63	339	2934.75	5284.67
P.43 Bomag Roller	2012	MU1027	2596	2802	2843	41	247	2581.73	3653.30
P.48 Dog Fuel Trailer	1979	MU 2026	0	0	0	0	0	0.00	n/a
P.49 Dog Fuel Trailer	1972	MU 2005	0	0	0	0	0	0.00	n/a
P.54 Isuzu T/Top	2005	MU 1002	156000	169094	169521	427	13521	4242.91	3956.85
P.55 Toyota Prado	2012	MU 0	39649	65848	67576	1728	27927	2132.62	2797.38
P.57 Great Wall	2012	MU 167	43094	52817	53394	577	10300	4705.65	1210.08
P.59 45ft Flat Top	1978	MU2044	0	0	0	0	0	2034.63	n/a
P.60 Mercedes PTV	2004	MU 1009	100695	101842	101939	97	1244	2873.47	152.74
P.61 Kenworth P/Mover	2004	MU 000	50736	68769	71787	3018	21051	11822.40	23353.13
P.63 RAV4	2013	MU 1011	28547	34824	34882	58	6335	2252.30	251.15
P.64 Isuzu Construction	2013	MU 140	63361	88876	91060	2184	27699	15093.22	6950.10
P.65 Generator 9KVA	2013	H/ Maint	4350	5437	5440	3	1090	522.27	2377.38
P.66 Kubota 6kva Gen	2012		6575	9094	9615	521	3040	3479.91	4272.67
P.67 Roadwest S/Tipper	2013	MU2042	33159	47883	50877	2994	17718	2232.08	n/a
P.68 Bomag Padfoot	2013	MU1071	900	1371	1437	66	537	2216.76	8300.84
P.72 Isuzu Fire Truck	2013	MU1068	754	1353	1353	0	599	157.50	278.76
P.73 Toyota Fast Attack	2014	MU1069	at Milly Milly			0	0	245.00	164.27
Caravans				n/a	n/a	n/a	n/a	3351.85	n/a
P11076JD Ride on mower			607	750	777	27	170	3045.16	318.87
P15003 JD 6WD Grader	2012	MU121	0	262	412	150	412	817.83	7147.14
P15006 Isuzu Maint	2015	MU1018	0	6202	9618	3416	9618	4125.78	1927.78

Councillor Williams asked for further information in regard to recourse for the cost of the fuel pumps for the No 2 generator. He was advised that the fuel pump had been sent into Geraldton three times until the problem with the timing was corrected, but the Shire was only charged for one trip. The meeting asked if the graders could be put together on the list as it was easier to follow. This will be done (ignoring the rule re time of purchase).

13.2 Works Report – Works Supervisor

Construction Crew

Crew have completed the 4km section of works on the Carnarvon Mullewa road which consisted of blasting of two crests, reforming and gravel sheeting, replacing two floodway's and the placement of 4 new culverts through the breakaway country 4km north of the Settlement.

Three kilometres of this section and the 1km section at Bullardoo are ear marked to be sealed later in the year (Dec) and will require a final shave and rolling prior to this.

Crew are now working on reforming and gravel sheeting a 6km section on the Carnarvon/Mullewa road from the Butchers Track intersection north to the Mt Narryer/Meeberrie boundary grid.

Maintenance Crew

Since my last report the maintenance crew have completed a full grade - 4 cuts over, 5/6 cuts back + drains and 2 cut batter wipes on the Carnarvon/Mullewa road from the bridge to the south boundary. (Wet weather did put a stop to approx.10km of batter wipes and drains in this section).

Neil & Mark have also completed a full grade of the middle section of the Beringarra/Pindar road (Boolarly to MRO). Two bulldust sections were patched on the Boolardy/Kali road whilst in the area and the approaches to the new grids on the Beringarra/Pindar road were also completed. Crew then moved down to Yuin and started a full grade from the southern boundary north to the double dip crossing. The remainder of the road is under flood damage repairs.

Crew will do a full grade of the McNabb's/Twin-Peaks road and then head back to the settlement and commence grading from the settlement heading north on the Carnarvon/Mullewa road.

Grids

The 5 new grids on the Beringarra/Pindar road have had the approaches completed and are now open to all traffic.

Bunding of Old Roads

Expressions of interest were called for the Bunding of old Roads and the contract was awarded to Quadrio Earthmoving. These works commenced on the 9th of May at Curbur and the Curbur Lake by-pass roads. These two roads were used in the 2010-2011 floods.

Staff Leave

Brian - 4/5/2016 - 6/5/2016, 10/5/2016 - 13/5/2016 - A/L

Brian – 29/4/2016 - RDO

Stuart – 18-19/4/2016 - 2 days off

Works Supervisor General

4 hrs with construction 11/4/2016

6 hrs with construction 12/4/2016

Pegging new road alignment at Boolardy 13/4/2016

1 hr with construction 14/4/2016

3 hrs at council meeting 15/4/2016

4 hrs with construction 20/4/2016

6 hrs on grader with construction 21/4/2016

2 hrs bridge inspection and 2 hrs flood damage repairs inspection on the Coolcalalaya road 22/04/2016

3 hrs with construction 26/4/2016

2 hrs with construction 27/4/2016

5 hrs Boolardy and Murgoo - South boundary new road alignment 28/4/2016

ROADS GRADED 10/04/2016 – 15/05/2016

Name	Length of Road	SLK's Graded this month	Heavy Maintenance	Comments
Beringarra /Pindar	319.80km	80km		Plus all drains/batters
Beringarra /Pindar				
Erong	63.12km			
Beringarra/Byro	90.89km			
Twin-Peaks/Wooleen	47.65km			
Boolarly/Kalli	57.30km	.200		Bull dust holes
Byro/Woodleigh	71.00km			
New Forrest/Yallalong	36.18km			
M ^c Nabb/Twin Peaks	49.75km			
Yallalong-West	34.46km			
Mileura/Nookawarra	49.08km			

Muggon	38.75km			
Manfred	34.55km			
Beringarra/Mt Gould	34.80km			
Tardie/Yuin	13.20km			
Innouendy	9.30km			
Boolardy Homestead	2.00km	2km		
Yunda Homestead	32.80km			
Meeberrie Woolleen	25.22km			
Mt Wittenoom	37.55km			
Woolleen/Mt Wittenoom	33.85km			
Beringarra Cue	109.82km			
Boolardy Wooleen	19.08km			
Kalli Cue East	21.87km			
Coodardy Noondie	19.92km			
Butchers Track	64.54km			
Butchers Muggon	23.80km			
Murchison Settlement	2.00km			
Coolcalalaya road	36km			
Carnarvon-Mullewa	278.63km	40km		Plus drains/batters
Mt Narryer	3km			
Woolgorong-South	15.00km			
Errabiddy Bluff	12km			
Air strip Graded				

Total graded/patch graded this month 122km

Recommendation:

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

Cr Broad queried the price that was being charged by Quadrio for the bunding of old roads. Discussion followed on the pricing and whether it was less than current market price, and if so, how was it possible. There was comment on the advantage to them of having a camp set up in the Shire already and their range of machinery. The Councillors felt that it was a reasonable rate, and that it would also assist in building a positive relationship with the Shire of Murchison.

There was one query to the Works Supervisor in relation to his Works Report, asking when would Quadrio start on the Kalli Road? Advice was provided.

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor Broad

Seconded: Councillor R Foulkes-Taylor

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

Carried

For : 6

Against: Nil

The Council adjourned for Morning Tea at 10.30am and resumed at 11.00am. All Councillors who were present at the adjournment were present at the resumption of the meeting.

14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

The President advised he had attended the WALGA Murchison Country Zone Meeting on the 6th May in company with Councillor Rosasco Foulkes-Taylor. Attendees were advised by Gavin Treasure, CEO, Mid West Development Commission, that the person approved by the Minister to sit on the Mid West Development Commission Board as a local government representative was a councillor from the Shire of Mt. Magnet, Cr Carole Minney.

The President discussed some of the relevant issues considered at the Zone Meeting:

- *The CEO of Yalgoo made a presentation to the meeting regarding the decision by the Fair Work Commission (FWC) regarding an unfair dismissal application against the Shire of Yalgoo. The FWC found that the Shire of Yalgoo was not a trading organisation and accordingly the Shire was not a national system employer. The applications for unfair dismissal were therefore dismissed. The President advised that the Shire of Yalgoo's CEO had researched this matter and advised that 9% or more of the Shire's activities had to be "trading" for it to actually qualify as a national system employer. The President advised that, as a Shire, we needed to be more aware of these issues.*
- *The meeting resolved to invite WALGA State Council and its Executive to attend the May 2017 Zone meeting.*
- *An issue also supported and passed unanimously was the need to re-establish the WA Police Livestock Squad. If this was not possible then Police Officers should receive training.*
- *A payment of \$400 for the Deputy Zone Chairperson was approved. President Halleen in his role as Zone Deputy President contended that it was too much for the Deputy, but it was resolved to set the payment at \$400 and then the Deputy at the time could accept it or not.*
- *It was resolved to appoint a delegate to the Mid West Gascoyne Emergency Management Committee, however this was not followed up with a call for nominations.*
- *There was concern that once the Skymuster satellite NBN is broadly available in Mt Magnet and other towns in the Mid West, that ADSL services will sooner or later be withdrawn and the Mid West will be left with an inferior internet service.*
- *There was a request for minimalisation of FIFO work force to go on the agenda at the next WALGA Board meeting, and to write to all local members of Parliament to pressure government to reduce the amount of FIFO.*
- *The problem of right of entry re gravel pits received very little support and was left to lay on the table.*
- *Minister Tony Simpson advised that Councillor training will not be made compulsory at this point in time, but it's vitally important that elected members undertake at least a basic level of training*
- *There was a strong discussion in regard to the new guidelines regarding "Gifts". Tony Brown, WALGA, is arguing against that for us. The advice is to be sensible about it.*
- *Sylvio Brenzi, CEO, Shire of Yalgoo, thanked everyone for their support in the defence of the Shire of Yalgoo being taken over by the Shire of Dalwallinu.*
- *Various presentations on education from Liz Tuckey, the principal of Mt Magnet District High School. At the moment some 45 out of 130 students are out of the community and so not attending school. Schools in the region are staffed by teachers who are very competent.*
- *OAG (Office of the Attorney General) will be appointing our auditors in the future.*

Two letters were tabled by the President, one a thank you from the Shire of Yalgoo in regard to the change of boundary with the Shire of Dalwallinu, and the other a thank you letter from Goldfields Technical Services in regard to the Mixy Project.

The President attended the Murchison Region Economic Development Workshop at Cue on 26th and 27th April 2016, and said that it was a productive event.

The discussions were about:

- *Communication which is very relevant in regard to CSIRO. The President advised that Ant Schinckel, ASKAP Project Director, will be in Western Australia shortly and will be sending a letter informing us of the changes in regard to the extent of the restrictions. The mobile towers were also mentioned.*
- *Again FIFO was raised, and that in Queensland they no longer have 100% FIFO.*

Sharon Wundenberg entered the room at 11.30, to advise that Frances Jones, Wooleen Station, was waiting in regard to agenda item no. 17.1.

The President asked for feedback from the councillors in regard to moving the agenda item forward to ensure that Frances was not having to wait a considerable length of time until the item was discussed. All the councillors supported that decision.

Sharon left the room at 11.31.

Frances entered the room at 11.32.

The President returned to his report on the Economic Development Workshop.

- *There was a lengthy discussion at the workshop about potable water. The CEO of Shire of Mt Magnet, Warren Olsen, spoke on the matter, and advised that it was impossible to get the five Shires water treatment upgrade done in the same year as Water Corporation did not have the money.*
- *Southern Rangelands & red tape has been condemned as the Rangelands Reform is based on Kimberley and Pilbara.*
- *Community Development - Wiluna has a 5 person team, Mt Magnet has put someone on.*
- *Education was another important subject. The CEO of Shire of Mt Magnet, Warren Olsen, is going to speak to Liz Sudlow. There was talk that the School of the Air might be closed.*
- *There was a suggestion that there should be a joint mental health team, not an indigenous and other one.*
- *All the Shire CEOs agreed to budget \$25,000 each for a Tourism Development Officer to be stationed at Mt Magnet, for consideration by respective Councils.*
- *Councillor Whitmarsh spoke re the power system.*
- *Review of State Agreements and the low rates set years ago.*
- *Push for regulation for the State, with one operator to cover all the routes.*
- *Amendment to the zones regarding the cut off line of the Tropical of Capricorn.*
- *That it was disappointing that pastoralists were not all participating in fencing of the dog proof fence.*
- *The CEO of the Mid West Development Commission, Gavin Treasure, spoke about "regional projects" working together, e.g. the Wiluna/Meekatharra road, and the Meekatharra/Gascoyne Junction road.*

Cr Broad then asked the President to expand on the mention of the mobile phone towers. There was discussion about access from the Yalgoo tower, and that any change to the extent of the limitations due to the ASKAP project would restrict WiFi, electric fencing and the long distant monitoring of watering points as well as a mobile phone tower. The meeting agreed that it was disappointing if CSIRO may expand the area. Cr E Foulkes-Taylor asked what power did they have, and that it has a massive effect on stations' ability to do business. The President advised that when the letter is received from Ant Schinckel, it will explain it. Cr Williams said that it was quite clear that a mobile phone tower is not possible, and it will be disappointing that they may expand the "quiet zone" further.

Cr Broad left the room at 11.45 and returned at 11.47.

Cr Williams said that there was a push to put the ASKAP project outside Australian jurisdiction, and that it would be even more limiting if it became an international project. There was further discussion regarding the new "Gift" policy. Cr Broad produced a statement regarding "Gifts" from the Cue Parliament, which was in jest but still highly pertinent.

14.2 Councillors

Cr E Foulkes-Taylor spoke about the Ballinyoo Bridge Opening Committee Meeting held on Monday 16th May 2016, and gave a brief outline of what needed to be done. The necessity of providing current contact details for the invitees was mentioned.

Cr Whitmarsh advised that besides the Economic Development Workshop, he also attended the local LCDC Meeting. There was a presentation of the new computer program, the Northern Australian Fire Information

(NAFI) which basically advises you of where the hot spots are. There was a brief discussion on projects that have been progressing at Boolardy and on Carey Downs.

Also discussed was the funding available through the Natural Resource Management Program and Royalties for Regions for Community Capability Grants and Community Action Grants. There was a commitment of 24 million dollars from the WA State Government to 2019 to continue the State NRM Program up to \$19.2 (80% from Royalties for Regions) and up to \$4.8 million (20%) from State Consolidated Funds.

Community Capability Grants	2015-2016	2016-2017	2017-2018
Year	\$2,800,000	\$3,000,000	\$3,100,000
	\$2,800,000	\$3,000,000	\$3,100,000
Large project grants (1 application round)			
Small project grants (3 application rounds)			
Round 1	\$100,000		
Round 2		\$100,000	
Round 3			\$100,000
	\$2,900,000	\$3,100,000	\$3,200,000

There was a brief discussion about the National Landcare Program and its funding. It was commented that funding had been allocated from the Landcare program to fund additional "critical areas" under the Reef Plan for the Great Barrier Reef.

There was also further comment from Cr R Foulkes-Taylor about the discussion on potable water at the Zone Meeting, and that the Shire of Mt Magnet provides bottled water.

Cr Broad stated it was a quiet State Council Meeting. He asked if he could say a few words on the passing of Dick Childs; that he was a great mentor, extremely honest and a major contributor to the community. He was also very supportive when the issue of amalgamation was raised.

In relation to the "Gift" provision, discussed at the Zone Meeting, there was an amended recommendation passed at State Council requesting that WALGA urgently seek further clarification.

Cr Broad also advised that the Minister was keen to come to a State Council Meeting. On 17 May there was a Member of Parliament's Breakfast in Perth, at which 27 MPs were going to attend so it was interesting that WALGA obviously has the ear of the politicians.

Cr Broad will be attending an Honours Meeting on Wednesday 25th May, to go through the applications. Approximately 60 people have been nominated this year.

There was some discussion at the State Council in regard to the capping of the pensioner's rebate on rates with an increase from \$550 to \$750.

15. REPORTS OF COMMITTEES

15.1 Bridge Opening Committee Meeting

A meeting of the Bridge Opening Committee was held on Wednesday 11 May 2016. The President gave an overview of the Bridge Opening Committee's decisions in regard to the look of the interpretive span. He also referred to Frances Jones for any further comments.

Mention was made of the end of month response for invitations' addresses. The President asked for the current Invitation List to be sent around to all the Bridge Opening Committee's members. There was some discussion in regard to whom would be opening the bridge as the Minister for Regional Development was unable to attend.

The Order of Business was changed to consider Item 17.1 Wooleen Station Proposed Establishment of Caravan and Camping Ground Facilities.

16. FINANCE

16.1 Financial Activity Statements April 2016

File:	2.2
Author:	Linda Gray – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	Financial Activity Statements for 10 months to 30 April 2016 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 April 2016.

Background:

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

Comment:

The Current Position at 30 April 2016 is a surplus of \$1,329,983 against an YTD budget of (\$90,519) so up \$1,420,502.

Variations – YTD Budget to YTD Actual

Opening Funding Surplus(Deficit)	0
Less Operating Revenues down	(\$5,150,412)
Plus Operating Expenditure down	\$4,943,707
Plus Funding Balance Adjustment	(\$71,962)
Less Capital Revenue down	(\$131,749)
Plus Capital Expenditure down	\$2,072,698
Less Reserve Transfers up	(\$241,780)
	<u>\$1,420,502</u>

The Summary Graphs – Financial Activity Operating Expenditure and Revenue (*Page 4, Monthly Financial Report for the Period Ended 30 April 2016*), show a spike in the Operating Revenue Budget against Operating Revenue Actual which is mirrored to a lesser extent in the Operating Expenses Budget; this is due to the late start with the WANDRRA Flood Damage work. It was anticipated to commence January 2016 but commenced March 2016. Similarly, the Capital Expenses and Capital Revenue reflect a variation in timing but are otherwise on track.

Rates collection is sitting at a high 99% collected against the amended budget, although there are several mining tenements late with their last instalment, totalling \$16,921 outstanding. A reminder will be forwarded.

The following Term Deposits are currently held:

Beringarra- Cue Road Reserve TD	\$3,332,072	@ 2.35% Maturity 11/06/2016
Crosslands MCF Term Deposit	\$ 358,460	@ 2.94% Maturity 25/05/2016
Ballinyoo Bridge	\$1,023,415	@ 2.32% Maturity 27/05/2016

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
Midwest Financial Services

Recommendation:

That Council adopt the financial statements for the period ending 30 April 2016 as attached.

The CEO spoke on behalf of the DCEO, in regard to the figures reported, and advised that reminders would be sent out in regard to the late payment of the last instalment of rates. The CEO read out the variances and commented on each one. There was one change to the variances in regard to Buildings and Improvements, it was an increase in depreciation that caused the variance. Geraldton Toyota advised that there was a 5 to 6 week wait for a new Prado off the production line. There was no difference in the price quoted by the different car dealers, the only difference in dealing with Perth would be the additional cost of \$1300 approximately to take the Rav4 to Perth, and then there was the possibility of the car dealer changing the changeover amount once a physical inspection had been undertaken

On further review of Buildings and Improvements, the President observed that the bitumen seems to be getting less money, the CEO didn't agree with the \$1.2m originally suggested, she had been away on leave at the time. The CEO continued in regard to the variances and advised that the camp kitchen will have to wait till next year as funding had not been confirmed. She advised that she also needed to do a Feasibility Study on the Interpretative Centre.

Cr Broad asked if any further negotiation had occurred in regard to the RAV4 changeover price. It was mentioned that this may not be necessary as, in fact, there has since been some damage to the windscreen and this needed to be advised in regard to the original price quoted.

Flat deck still to be purchased.

Voting Requirements:

Simple majority.

Council Decision:

Moved: Councillor Broad

Seconded: Cr R Foulkes-Taylor

That Council adopt the financial statements for the period ending 31 April 2016 as attached.

Carried

For: 6

Against: Nil

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

File:	4.37.1
Author:	Linda Gray – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	EFT & Cheque Details for April 2016

Matter for Consideration:

Endorsement of accounts paid during the month of April 2016.

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 April 2016 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.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the council to which the list is to be presented
- (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, 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

Mid West Financial Services

Recommendation:

That the accounts as per the attached Schedule presented to this meeting totalling \$2,116,997.88 which includes \$1,141,420.51 of intra account transfers for the month of April 2016, be endorsed by Council.

This was again, led by the CEO due to the D/CEO's new employment with the Shire of Murchison.

Cr E Foulkes-Taylor raised a query in regard to the payment to Bunnings, the details are below:

Type	Date	Chq	Creditor	Description	Payment Amount
EFT	28/04/2016	EFT1031	Bunnings Pty Ltd	Materials as per quote for erecting John Jenson's painting of the Ballinyoo Bridge at the Roadhouse. P O 7767	\$2,270.66

The CEO did not have a definite answer but assumed that several invoices had been paid - Synergy Soft only picks up the first invoice in the description. CEO to investigate.

Discussion followed on the correct procedure in regard to payments to individuals for the dog bounty, as opposed to Station Owners and Managers. The original intention was to make the system easy to be administered, but it was felt that the procedure may need to be re-visited.

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor SB

Seconded: Councillor RFT

That the accounts as per the attached Schedule presented to this meeting totalling \$2,116,997.88 which includes \$1,141,420.51 of intra account transfers for the month of April 2016, be endorsed by Council.

Carried

For: 6

Against Nil

The Order of Business was amended to consider Item 16.4 and 16.5

Order of Business resumed after considering Item 21.3 and Item 16.3 was considered.

16.3 Differential Rates

File:	4.29
Author:	Linda Gray – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	Briefing Paper to Regional WA Local Government Authorities – Rating of Mining and Mineral Exploration Tenements April 2016 Circular No 02-2016 Updated Rating Policies Circular No 10-2016 Ministerial Approval of Differential General Rates and Minimum Payments for 2016-17 Objectives and Reasons for Proposed Differential Rates and Minimum Payments

Matter for Consideration:

Council to consider the continuation of differential rates for the 2016-17 Financial Year, and if agreed, consideration be made to hold the rates at the 2015-16 level or to increase them by the March 2016 CPI rate.

Background:

Historically and currently, the Shire of Murchison has adopted the rating practice of differentiating between lands used for pastoral purposes, mineral exploration or mining, as this was deemed by Council to reflect the higher usage of the Shire of Murchison's infrastructure. Circular No 10-2016 from the Director-General, Department of Local Government and Communities, dated April 2016, advises that "those considerations should be reflected in the council minutes", and in addition, a Briefing Paper issued by the Association of Mining and Exploration Companies entitled Rating of Mining and Mineral Exploration Tenements seeks to highlight to Local Government Authorities the impact that this rating practice has on the mining sector.

Comment:

In the preparation of the 2016-17 Budget an assumption was made in the Long Term Financial Plan that there will be a rates increase of 3% every year. In previous years this was deemed too high, and this year's forecast would be similar in that the National CPI is only 1.3% (*Australian Bureau of Statistics*). As the National CPI calculations are based on the eight capital cities, of which Perth showed a rise of only .8%, it was decided that further investigation needed to be done with a regional focus. The Department of Regional Development's Regional Price Index 2015 showed that the Mid West region's Region Price Indices for 2013 and 2015 showed an increase of only 0.1 (Index No. 102.8 for 2013, and Index No 102.9 for 2015). For these reasons, Council may consider that it is reasonable to hold the rate in the dollar for each category at the 2015-16 level, or alternatively, to reflect the National CPI increase of 1.3%.

If Council decides to continue to rate on a differential basis in 2016-17, then local public notice is required to be given of its intention to do so, giving details of each rate or minimum payment and inviting submissions within 21 days of the notice.

Any submissions received will be considered at the June 2016 Ordinary Council Meeting, before making the final decision regarding the imposition of the rate or minimum payment, with or without modification. This will also allow the Shire of Murchison to assess the impact of any of the decisions that flow through from the 2016-17 State Budget. A recent response to the WA Budget by the mining industry stated that "the increase in the tenement rental charges to collect additional revenue is most disappointing. In addition, as the Valuer General uses the Department of Mines and Petroleum's tenement rental schedule to determine property values it will lead to an increase in land property values for shire rating purposes and higher rates notices from most regional local authorities. This is an unintended double hit for mining and exploration companies which could have been avoided with prior consultation with industry." If this does occur then the Shire of Murchison will receive more rates in the 2016-17 Financial Year anyway.

It will continue this year with the differential rate for mining being more than twice the lowest differential rate and Ministerial approval will be required before the rates can be imposed. In addition, there is a requirement for public consultation and an opportunity for any organisations to make submissions in relation to the differential rate that the Shire intends to impose.

Statutory Environment:

Section 6.33 of the Local Government Act 1995 allows a local government to impose differential general rates according to the purpose for which the land is zoned, the purpose for which the land is held or used, whether or not the land is vacant or any other characteristic as prescribed by the Regulations.

In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential rate which is more than twice the lowest differential rate imposed by it. Section 6.35 (6) of the Local Government Act 1995 allows a local government to impose a minimum rate separately to each differential rating category where a differential general rate is imposed.

Strategic Implications:

Not increasing the rate may impact on strategic outcomes proportionally, however, it may be of value in terms of "goodwill" in acknowledging the current state of the mining and mineral exploration industry.

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:

Nil

Financial Implications:

Adjustment will be made within the annual budget to reflect the approved increase/decrease in rates and any changes in objectives. This is an integral part of the annual budget review process.

Consultation:

N/A

Recommendation:

That Council:

1. Sets the differential rates and minimum rates in the 2016-17 Financial Year as per option 1 or 2 of the appended table, noting the following reasons for setting differential rates:

UV – Pastoral

Pastoral means any land that currently has a pastoral lease granted. This category is rated to reflect the infrastructure maintenance cost to Council and the sectors' reduced viability caused by many years of drought, floods and the wild dog problem. It also recognises the long term commitment of pastoralists to the region, their stewardship of Crown Land, and financial risk carried by them in terms of the impact of regional, national and international markets, weather and State and Federal Government policies.

UV – Mining

Mining means any land for which a mining lease has been granted. The mining sector tends to be transitory by nature and benefits from established Shire services and infrastructure which is maintained in the long term by those rate payers who are established long term in the region.

The purpose of setting the UV - Mining rate at a higher level than the benchmark UV – Pastoral is to ensure that the mining sector's contribution towards the maintenance of that infrastructure is proportionate to the advantage it gains. However, by holding the rates at the 2015-16 level or by only increasing it by 1.3% CPI (Australian Bureau of Statistics) the council recognises the current economic climate.

UV – Exploration/Prospecting

Exploration/Prospecting means any land for which an exploration/prospecting lease has been granted. As with the UV – Mining sector, the UV - Exploration/Prospecting sector tends to be transitory and the category has been rated to reflect that fact that holders use established Shire services and infrastructure but contribute very little or no enterprise to the community.

RATE TYPE	RATE IN \$	2015-16 BUDGETED TOTAL REVENUE	NO OF PROPS	RATEABLE VALUE \$	OPTION 1 2016-17		OPTION 2 2016-17	
					RATE IN \$ Nil INCREASE	REVENUE	RATE IN \$ 1.3% INCREASE	REVENUE*
Differential Rate UV								
Pastoral	0.0270	57,691	23	2,136,691	0.0270	40,425	0.0274	41,008
Mining	0.2895	235,593	9	813,794	0.2895	310,162	0.2933	314,234
Exploration/Prospecting	0.0976	30,328	35	535,065	0.0976	20,528	0.0989	20,780
Minimum Rates								
Pastoral	264	1,322	5	19,253	264	1,056	267	1,068
Mining	399	-	0		399		399	-
Exploration/Prospecting	399	3591	9	15,364	399	1,596	399	1,596
		328,525				371,115		376,022

2. Payment of rates charges may be made in a single payment or by four instalments at dates to be set as part of the budget adoption.

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

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

The CEO explained the procedures required before the Minister's approval could be sought, and that it was important to include valid reasons for differential rating, and for any increase.

The CEO responded to questions in regard to the rates charged by other local government authorities, and the use of minimum rate amounts.

The meeting asked for modification of the paragraph under UV – Pastoral, and a wording change: deleting “and financial risk carried by them in terms of the impact of regional, national and international markets, weather and State and Federal Government policies”. Some discussion followed on the additional cost of vermin rates paid by the pastoral industry but not by the mining industry, and that the rate for 2016-17 was CRBA 5.124 cents in the dollar. There was a comment about the lack of responsibility in regard to biosecurity by the mining industry, for example, in the control of noxious weeds spread by mining equipment.

The meeting, however, acknowledged the economic downturn in the mining industry and selected Option 1.

Voting Requirements:

Absolute Majority

Council Decision:

Moved: Councillor E Foulkes-Taylor

Seconded: Councillor Whitmarsh

1. That the Council support the continuation of the differential rates and minimum rates in the 2016-17 Financial Year as per option 1 of the appended table, noting the following reasons for setting differential rates:

UV – Pastoral

Pastoral means any land that currently has a pastoral lease granted. This category is rated to reflect the infrastructure maintenance cost to Council and the sectors' reduced viability caused by many years of drought, floods and the wild dog problem. It also recognises the long term commitment of pastoralists to the region and their stewardship of Crown Land. The pastoral industry is also required to pay a vermin rate of 5.124 cents in the dollar annually, which the mining/exploration industry is not encumbered with. However, they are a significant biosecurity risk.

UV – Mining

Mining means any land for which a mining lease has been granted. The mining sector tends to be transitory by nature and benefits from established Shire services and infrastructure which is maintained in the long term by those rate payers who are established long term in the region.

The purpose of setting the UV - Mining rate at a higher level than the benchmark UV – Pastoral is to ensure that the mining sector's contribution towards the maintenance of that infrastructure is proportionate to the advantage it gains. However, by holding the rates at the 2015-16 level the council recognises the current economic climate.

UV – Exploration/Prospecting

Exploration/Prospecting means any land for which an exploration/prospecting lease has been granted. As with the UV – Mining sector, the UV - Exploration/Prospecting sector tends to be transitory and the category has been rated to reflect that fact that holders use established Shire services and infrastructure but contribute very little or no enterprise to the community.

RATE TYPE	OPTION 1 2016-17	
	RATE IN \$ - Nil INCREASE	REVENUE
Differential Rate UV		
Pastoral	0.0270	40,425
Mining	0.2895	310,162
Exploration/Prospecting	0.0976	20,528
Minimum Rates		
Pastoral	264	1,056
Mining	399	
Exploration/Prospecting	399	1,596
		371,115

2. Payment of rates charges may be made in a single payment or by four instalments at dates to be set as part of the budget adoption.

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

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

Carried/Lost

For: 6

Against: Nil

Items 16.4 and 16.5 were considered after Item 16.2

16.4 Elected Member Remuneration for 2016-2017

File:	4.3
Author:	Linda Gray – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	SAT Determination Local Government Officers (WA) Interim Award 2011 (Extract only)

Matter for Consideration:

Council to consider adopting Elected Member Remuneration for 2016-2017 as detailed in the table below.

Background:

A council member who attends a council or committee meeting is entitled to be paid a prescribed minimum fee and to be reimbursed for prescribed expenses.

The President, in addition, is entitled to a prescribed annual allowance and the local government may decide to pay the Deputy President an allowance up to 25% of that prescribed for the President.

The Salaries and Allowances Tribunal (SAT) as per Section 7B(2) of the Salaries and Allowances Act 1975, at intervals of not more than 12 months, is required to “inquire into and determine - the amount of fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 (the LG Act) to elected council members for attendance at meetings”. In light of the challenges facing the Western Australian economy, the Tribunal’s Determination in 2015 recommended a nil increase to the remuneration of the fees and allowances provided to elected members. However, in the SAT Determination dated 12 April 2016, the Tribunal has determined a general adjustment of 1.5 per cent to the band ranges to come into effect on 1 July 2016.

Comment:

Under the circumstances and in keeping with rate and payroll increases in the Budget, it may be appropriate to approve a modest increase of 1.3% (rounded up to the nearest \$50) in line with the CPI increase throughout the year to the March quarter 2016.

If council endorses a 1.3% increase this would see:

- Councillors’ attendance fees increase from \$4,050 to \$4,100;
- The Presidents attendance fee rise from \$6,900 to \$6,990;
- The Presidents annual allowance would rise from \$6,900 to \$6,990; and
- The Deputy Presidents annual allowance would increase from \$1,725 to \$1,750.

The total budget allocation for 2016-2017 would need to be \$65,000 for members’ attendance allowance (including loading based on eleven ordinary meetings, two extraordinary and one trip to Perth for four members) and \$8,740 for president and deputy president’s allowance plus travel for all members at \$35,000. The telecommunications allowance was \$1,150 for 2015-2016. A 1.3% increase would see this rise to \$1,165, so an amount of \$7,000 would need to be budgeted for 2016-2017.

Statutory Environment:

Local Government Act 1995: s5.98 to 5.100

NB: s5.99A

A local government may decide that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all council members: –

- (a) the annual allowance determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for that type of expense; or
- (b) where a local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for annual allowances of that type of expense, an allowance of that amount and only reimburse the member for expenses of that type in excess of the amount of the allowance.

Sustainability Implications

- **Environmental**
There are no known significant environmental implications associated with this decision
- **Economic**
There are no known significant economic implications associated with this decision
- **Social**
There are no known significant social considerations associated with this decision

Strategic Implications:

Nil.

Policy Implications:

Nil.

Overall operating costs would increase minimally compared to last year and a provision will be made in the draft budget to cover the revised costs.

Consultation:

Nil

Recommendation

That Council adopt Elected Members Remuneration for the 2016-2017 Financial year as detailed in the schedule below.

- The President is to be paid an Attendance Fee at the base rate of \$6,990, plus an Annual Allowance of \$6,990, plus an Attendance Fee Loading of \$0.96 cents per kilometre travelled;
- The Deputy President is to be paid an Attendance Fee at the base rate of \$4,100 plus an Annual Allowance of \$1,750, plus an Attendance Fee Loading of \$0.96 cents per kilometre travelled;
- All Members are to be paid an Attendance Fee at the base rate of \$4,100, plus an Attendance Fee Loading of \$0.96 cents per kilometre travelled;
- All Elected Members are to be paid a Telecommunications Allowance of \$1,165 per annum and a Travel Allowance based on the *Local Government Officers' (Western Australia) Interim Award 2011*.

ELECTED MEMBERS REMUNERATION

	2015-16		2016-17	
	Range	Adopted	Range	Budget
Annual Attendance Fees for Attending Council and Committee Meetings	\$	\$	\$	\$
Councillor	3,500 - 9,270	4,050 plus	3,553 - 9,410	4,100 plus
Councillor Attendance Fee Loading		0.96 per km travelled		0.96 per km travelled
President	3,500 - 9,270	6,900 plus	3,553 - 9,410	6,990 plus
Presidents attendance Fee Loading		0.96 per kilometre travelled		0.96 per kilometre travelled
Annual Local Government Allowances	\$	\$	\$	\$
President	500 -19,055	6,900	508 -19,864	6,990
Deputy President	25%	1,725	25%	1,750
Other Fees – Elected Members				
Telecommunications Allowance	500 - 3,500	1,165	500 -3,500	1,165
Travel Allowance	99.01/95.54/93.97 per km	99.01/95.54/93.97 per km	99.01/95.54/93.97 per km	99.01/95.54/93.97 per km

Councillor Broad queried the travel allowance listed which is the rate from the Local Government Officers' Interim Award 2011, and asked for a map to show each zone. Each of the rates listed above are listed for use in each particular zone. Any travel entitlement is calculated on the shortest route.

Voting Requirements:

Absolute majority.

Council Decision:

Moved: Councillor Williams

Seconded: Councillor Broad

That the Council adopt Elected Members Remuneration for the 2016-17 Financial Year as detailed below:

	2016-17	
	Range	Adopted
Annual Attendance Fees for Attending Council and Committee Meetings	\$	\$
Councillor	3,553 - 9,410	4,100 plus
Councillor Attendance Fee Loading		0.96 per km travelled
President	3,553 - 9,410	6,990 plus
Presidents attendance Fee Loading		0.96 per kilometre travelled
Annual Local Government Allowances	\$	\$
President	508 -19,864	6,990
Deputy President	25%	1,750
Other Fees – Elected Members		
Telecommunications Allowance	500 -3,500	1,165
Travel Allowance	99.01/95.54/93.97 per km	99.01/95.54/93.97 per km

Carried:

For: 6

Against: Nil

16.5 Budget Variation Historic Interpretation of Old Bridge Span

File:	2.4
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	14 May 2016
Attachments:	N/A

Matter for Consideration:

Council to consider varying the 2015-16 Budget to provide funds in this financial year to commence the works involved with the interpretation of the historic span of the old Ballinyoo Bridge.

Background:

The old Ballinyoo Bridge was replaced in late 2015 with a new concrete bridge, with practical completion for the project being issued by the contractor on the 13th January 2016. Even though the project is essentially complete, there is still some expenditure to incur for both the interpretation of the span of the old bridge that was saved during demolition and for the opening of the new bridge.

A Bridge Opening Committee has been established and has been working steadily towards a 10 September 2016 official opening. The committee has decided to send invitations out soon and so funds will be required to pay for them.

The Committee is also coordinating the interpretation of the old span and have enlisted the support of a conservation architect, Chris Paterson of Palassis Architects. Initial site plans have been drawn up and reviewed and costs for signs have been received.

Comment:

Even though the bulk of the costs will be in the 2016-17 financial year, there may be some expenditure required over the next six weeks to progress both the interpretation and the opening. There is an allocation of \$3,442 left in account 04110 Civic Receptions Expense, which will be enough to cover the invitations for the opening, but there is no provision in the budget for the interpretation of the span.

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 replacement of the Ballinyoo Bridge was a major action listed under the 'Economic' priority in the Strategic Community Plan. An official opening and appropriate interpretation of the historic span are essential components to see the satisfactory completion of the project.

Sustainability Implications

Environmental:

There are no known significant environmental considerations

Economic:

The replacement of the Ballinyoo Bridge is high on the list of priorities in the Strategic Community Plan. The establishment of an historic interpretive site around the saved span will encourage tourist visitation to the area.

Social:

There are no known significant social considerations

Policy Implications:

N/A

Financial Implications:

A Budget variation will be required.

Consultation:

N/A

Recommendation:

That Council authorise the transfer of:

\$5k from 11305 Maintenance – Murchison Sports Club, and

\$20k from 11304 Maintenance Parks & Reserves to a new account 13204 Cap-ex Historic Span Ballinyoo Bridge (Job C14708) in order progress the establishment of the interpretive site for the historic span of the old Ballinyoo Bridge.

The President invited the CEO to speak about this matter. The CEO advised that the Shire may not need funds this year, but that is not definite and she did not want to be in the position that it was not possible to make decisions due to a lack of funding. Things were moving along, and there were some decent plans from Palassis Architect, so the Shire is on the way to progress this work.

Voting Requirements:

Absolute majority

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

That Council authorise the transfer of:

\$5k from 11305 Maintenance – Murchison Sports Club, and

\$20k from 11304 Maintenance Parks & Reserves to a new account 13204 Cap-ex Historic Span Ballinyoo Bridge (Job C14708) in order progress the establishment of the interpretive site for the historic span of the old Ballinyoo Bridge.

Carried:**For: 6****Against: Nil***The meeting adjourned for lunch at 12:51pm**The meeting resumed at 1:56pm and Order of Business was amended to consider Urgent Business 21.0***17. DEVELOPMENT***Item 17.1 was considered after Item 15.1 Bridge Opening Committee Meeting***17.1 Wooleen Station Proposed Establishment of Caravan and Camping Ground Facilities**

File:

Author: Philip Swain – Health/Building Officer

Interest Declared: No interest to disclose

Date: 16 May 2016

Attachments: Wooleen Station Nature Based Camping Management Plan

Matter for Consideration:

The Council is requested to approve the proposal for Wooleen Station to operate caravan and “nature-based park” locations on the pastoral lease, in conjunction with other tourist facilities, in accordance with a recently submitted Management Plan (**Attachment 1**) and subject to conditions.

Background:

On the 17 July 2015 Council resolved the following:

Council agree in principal with the establishment of a ‘nature based park’ on Wooleen. However, a permit will not be considered until a Management Plan, prepared in accordance with the guidelines, has been approved by Council. A permit will then be issued subject to:

1. The development of ‘nature based park’ facilities at two (2) locations on Wooleen Station complying generally with the document produced by the Department of Local Government and Communities and worded ‘Nature-Based Parks, Guidelines for Developers and Local Governments’ and in particular with the following:

(a) The Management Plan, for safety reasons, requiring that all customers check in and check out at the Wooleen Homestead;

(b) The provision of a bore hole privy (toilet) constructed, and maintained, to comply with the Health (Temporary Sanitary Conveniences) Regulations 1997 at two (2) locations;

(c) A compliant fire extinguisher provided in accordance with the requirements of AS 2444-1995 “Portable fire extinguishers — Selection and location”, and being available at each site whenever the same is in use;

(d) The operators providing for a battery powered or similar light in/adjacent to the borehole facilities at each site;

- (e) *Potable water supplies being available at the Wooleen Homestead for customers upon arrival;*
 - (f) *The operators providing shower facilities for 'nature based park customers' at the homestead;*
2. *The applicants obtaining a licence for the provision of campsites at the Wooleen Station Homestead and the nature-based park locations in accordance with the requirements of the Caravan and Camping Ground Act 1995 and the Caravan and Camping Ground Regulations 1997;*
 3. *The applicants demonstrating that the proposed uses are in conformity with the requirements of the current pastoral lease;*
 4. *The applicants obtaining an exemption from the Executive Director of Public Health to provide a potable water supply at the locations.*

At the April 2016 meeting, considering that there were three changes to the original request – 5 caravan sites based park facility; and changes to the privies, Council decided to leave the item lay on the table in order to undertake due diligence.

Previous discussions with the operators had confirmed that they would like to pursue the ongoing provision of two (2) locations for a “nature-based park” on the station and caravan parking facilities at the station homestead as a “caravan park”. The Management Plan includes a third site on the property. This third site will most likely only be utilised by caravans that have built in ensuite ablution facilities however the operators would like to retain the flexibility to make provision for a toilet facility at this location at some time in the future.

The station is located approximately 35 kilometres from the Murchison Caravan Park, a Shire owned facility, which is operated in conjunction with the Murchison Roadhouse and has ten (10) short-term bays.

Comment:

The overall proposal is for five (5) unpowered caravan parking sites located at the homestead and for three (3) nature based park locations elsewhere on the station. The guidelines for nature based parks and advice from the Department of Local Government and Communities is such that nature based parks should not be approved in close proximity to other accommodation facilities such as chalets or cabins. Nature based park locations can however be located in remote locations on the same piece of land.

Council's previous resolution approved the development in principle and compelled that this matter be referred back to Council to approve the Management Plan, which has now been received. The Shire can impose appropriate conditions to ensure rudimentary facilities, plans for fire services, refuse and effluent management and other issues are addressed.

The submitted Management Plan complies generally with the Regulations, subject to exemptions, and the document produced by the Department of Local Government and Communities and worded “Nature-Based Parks, Guidelines for Developers and Local Governments” and in particular the following;

1. The Management Plan, for safety reasons, requires that all customers check in and check out at the Wooleen Homestead;
2. Each site is to have the provision of a bore hole privy (toilet) constructed, and maintained, to comply with the Health (Temporary Sanitary Conveniences) Regulations 1997 **or** the provision of alternative wastewater disposal arrangements in accordance with Regulations, and to the satisfaction of the CEO;
3. The plan makes provision for fire services, however a specific condition relating to the approval is recommended to ensure that a compliant fire extinguisher is provided in accordance with the requirements of AS 2444-1995 “Portable fire extinguishers — Selection and location”, at each site whenever the same is in use;
4. The operators are providing for a solar, battery powered or similar light in/adjacent to the borehole facilities at each site;
5. Water supplies will be available at the Wooleen Homestead for customers upon arrival, however the Shire needs to finalise the Regulatory exemption in relation to this matter which is included in the recommendations;
6. A person cannot be an occupier at a nature based park for more than 28 nights in total in a 3 month period, starting on the first day that the person occupies a site at the facility. The operators are aware of this provision and generally people utilising Wooleen Station for caravanning are short duration tourists that wish to experience the isolation on site for a period of 1-7 days;

7. The regulations outline various roadway requirements however, given the remote locations of the nature based park sites and the small number of the same, the proposed access tracks should be sufficient;
8. Waste services are not to be provided however all waste is to be removed by customers in accordance with the Station's "Commitment to Country" agreement signed by patrons. **Waste disposal facilities are available at the Murchison Settlement;**
9. The predominant use of caravans, campers or campervans with, self-contained ablution facilities, within the tourism industry nowadays, means that many campers will be self-sufficient in this regard when on site. It is however, essential that no chemical waste or sullage water from caravans, campers or campervans be discharged on site and consequently a specific recommendation in this regard has been made. **A disposal site (dump point) for this purpose has been established by the Shire at the Murchison Settlement.**

The five (5) unpowered bays located adjacent to the Wooleen Homestead have previously been licensed by the Shire and must comply with the requirements of the Caravan and Camping Ground Regulations 1997. Furthermore, the Department of Lands is in the process of amending the lease document for Wooleen Station to enable the type of development proposed and has requested that the Shire confirm the type and extent of the approved "nature based park".

Statutory Environment:

The following legislation impacts upon this decision;

Caravan and Camping Ground Act 1995;
 Caravan and Camping Ground Regulations 1997;
 Health Act 1911; and,
 Health (Temporary Sanitary Conveniences) Regulations 1997.

Strategic Implications:

The Shire of Murchison Strategic Community Plan 2012/13 – 2022/23 includes Tourism Strategies to promote and support a sustainable tourism industry in the Shire of Murchison.

Sustainability Implications:

- **Environmental**
 Environmental impacts will exist but will be managed within the development area by the proponents. Wooleen has been a model for sustainable rangeland development.
- **Economic**
 The proposal will support local tourism and business within the Shire
- **Social**
 There are no known significant social considerations that need to be addressed as a result of this decision.

Policy Implications:

Nil

Financial Implications:

The Shire can licence the facilities and establish fees for the same under existing legislation. There are no current fees for this purpose.

Consultation:

Recommendation:

That Council approve the caravan and camping facilities being five (5) unpowered caravan bays and three (3) "nature based park" locations on Wooleen Station subject to:

1. The development of 'nature based park' facilities at the three (3) locations on Wooleen Station complying with the Management Plan and the following:
 - (a) A compliant fire extinguisher provided in accordance with the requirements of AS 2444-1995 "Portable fire extinguishers — Selection and location", and being available at each site whenever the same is in use;

- (b) The operators providing shower facilities for ‘nature based park customers’ at the homestead with the overall number of facilities for the total sites (8) being in accordance with Schedule 7 of the Caravan and Camping Ground Regulations 1997 for caravan parks;
2. The applicants obtaining a licence for the provision of campsites at the Wooleen Station Homestead and the nature-based park locations in accordance with the requirements of the Caravan and Camping Ground Act 1995 and the Caravan and Camping Ground Regulations 1997;
 3. The Shire permitting the alternative arrangements for the provision of potable water subject to the exemption being agreed to by the Executive Director Public Health in accordance with Clause 42 of Schedule 7 of the Caravan and Camping Ground Regulations 1997;
 4. The applicants demonstrating that the proposed uses are in conformity with the requirements of the current pastoral lease prior to the issue of the licence for the facility;
 5. No chemical toilet or sullage water from self-contained vehicle ablution facilities associated with patrons utilising the “nature based park” sites is to be disposed of on site.

The CEO advised that it may have been of assistance to have Phil Swain on the phone, but she would work through the process. The Nature-based Park had been provisionally approved by Council but just needed to have a Management Plan, and this has been received.

Discussion focussed mainly on the third site as it was the one that did not lend itself to a borehole privy. Frances was able to advise that under the Management Plan it would be for use by self-contained caravans only, with an inspection by staff to ensure that the caravans were compliant by individually having a chemical toilet.

It was agreed that the addition of the dump point at Murchison Settlement would be added to the Management Plan. In regard to the licence for the “nature based caravan park”, the CEO advised that now the application was approved by the Shire of Murchison, the next step would be to apply for the licence itself.

The President asked Frances and the meeting for any other comment – Nil response.

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor E Foulkes-Taylor

Seconded: Councillor Broad

That Council approve the caravan and camping facilities being five (5) unpowered caravan bays and three (3) “nature based park” locations on Wooleen Station subject to:

1. The development of ‘nature based park’ facilities at the three (3) locations on Wooleen Station complying with the Management Plan and the following: (a) A compliant fire extinguisher provided in accordance with the requirements of AS 2444-1995 “Portable fire extinguishers — Selection and location”, and being available at each site whenever the same is in use; (b) The operators providing shower facilities for ‘nature based park customers’ at the homestead with the overall number of facilities for the total sites (8) being in accordance with Schedule 7 of the Caravan and Camping Ground Regulations 1997 for caravan parks;
2. The applicants obtaining a licence for the provision of campsites at the Wooleen Station Homestead and the nature-based park locations in accordance with the requirements of the Caravan and Camping Ground Act 1995 and the Caravan and Camping Ground Regulations 1997;
3. The Shire permitting the alternative arrangements for the provision of potable water subject to the exemption being agreed to by the Executive Director Public Health in accordance with Clause 42 of Schedule 7 of the Caravan and Camping Ground Regulations 1997;
4. The applicants demonstrating that the proposed uses are in conformity with the requirements of the current pastoral lease prior to the issue of the licence for the facility;
5. No chemical toilet or sullage water from self-contained vehicle ablution facilities associated with patrons utilising the “nature based park” sites is to be disposed of on site.

Carried

For: 6

Against: Nil

Frances Jones left the meeting at 12:28.

E Foulkes-Taylor left the room at 12:28 and returned at 12:30.

The Order of Business resumed after Item 17.1 and Item 16.1 was considered next.

18. ADMINISTRATION

18.1 Review of Delegations

File:	4.16
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	16/05/2016
Attachments:	Register of Delegations

Matter for Consideration:

Council to consider adopting the revised Register of Delegations.

Background:

Local government can delegate certain authorities to the CEO pursuant to s.5.42 and s. 5.43 of the Local Government Act. The delegations must be in writing and a register of delegations must be kept and reviewed at least once every financial year. The Delegations were last reviewed at the Ordinary Meeting of Council on the 15th May 2015.

If a person is exercising a power or duty which they have been delegated, the Act requires them to keep records relating to the exercise of the power or discharge of the duty. The records are to include:

- (a) how the person exercised the power or discharged the duty; and
- (b) when the person exercised the power or discharged the duty; and
- (c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

Comment:

Each instrument of delegation in the register describes the function being delegated and the relevant statutory reference which is the source of power for the exercise of the function. Also included is a reference to related documents such as policies of Council, which may provide guidance in the exercise of the delegation.

It is a fairly comprehensive list and should cover the day to day administrative operations of the shire.

Statutory Environment:

The Delegations of Authority are made to the Chief Executive Officer pursuant to section 5.42 and 5.43 of the *Local Government Act 1995* (the Act) and to Committees pursuant to section 5.16, 5.17 and 5.18. Where listed, some of these functions are delegated by the Chief Executive Officer to Shire of Murchison employees pursuant to section 5.44 of the Act.

**Absolute Majority*

Strategic Implications:

Objective 4 of the Community Strategic Plan calls for high levels of accountability, compliance with statutory requirements, openness and transparency. Reviewing the Delegations Register on an annual basis ensures that relevant parties are aware of their obligations.

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:

Some Delegations work in accord with the Policy Manual

Financial Implications:

Nil

Consultation:

Nil

Recommendation:

That Council reviews the Register of Delegations and adopts it as presented and attached.

The Meeting closely studied the Register of Delegations, and appreciation was expressed of the work that had been done by the CEO to update the document.

Voting Requirements:

Absolute Majority

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

That Council adopts the reviewed Delegations Register as presented and attached.

Carried:**For: 6****Against: Nil****18.2 Review of Shire of Murchison Purchasing Policy**

File:	4.40
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	Shire of Murchison Purchasing Policy Revision 3 (Draft)

Matter for Consideration:

Council to consider adopting Revision 3 of the Shire of Murchison Purchasing Policy.

Background:

In March 2015, Council adopted the Shire of Murchison Purchasing Policy (Revision 2). The objective of the policy is to provide compliance with the Local Government Act 1995 (LGA) and the Local Government (Functions and General) Regulations 1996 (LGR F&G) and to deliver a best practice approach and procedures to purchasing for the Local Government.

Revision 2 incorporated changes to the LGR F&G since it was first adopted in 2011:

Ethics and Integrity- Purchasing Principles – any information provided to the Local Government by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

Public Tenders –The details of all Tender responses received and opened must be recorded in the Tenders Register.... There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Local Government.

However, the details and total value of consideration for the winning offer must be entered into the Tenders Register at the conclusion of the Tender process and this information is to be made known to all tenderers when the tender has been awarded.

Comment:

Further amendments to the LGR F&G were published in the Government Gazette on 18 September 2015 and took effect on 1 October 2015. The Shire of Murchison Purchasing Policy needs to be updated to reflect those amendments.

The amendments were a result of recommendations made by the Local Government Steering Committee and the Corruption and Crime Commission (CCC), with the aim of improving the purchase and tendering practices of local government. In addition to increasing the tender threshold, the amendments provide for local governments to appoint a panel of pre-qualified suppliers.

A summary of the key amendments are provided below:

AMENDMENTS TO THE LOCAL GOVERNMENT (FUNCTIONS AND GENERAL) REGULATIONS 1996

Tender Threshold

The tender threshold has been increased from \$100,000 to \$150,000.

For the purchase of goods and services under this threshold, the amendments have introduced the requirement for the purchasing policy to include the minimum number of oral and written quotes that must be received. If the contract for goods or services is expected to be more than \$150,000 a public tender process is required.

Amendments have been made to Regulation 11 (2) which relates to circumstances when tenders do not need to be publically invited. This includes when goods or services are obtained through:

- the WA Local Government Association preferred supplier program
- a person registered on the Aboriginal Business Directory WA for contracts worth \$250,000 or less, or
- an Australian Disability Enterprise.

It is also not necessary to invite public submissions if the term of the original contract is being renewed or extended where -

- (i) the original contract was entered into after a public submission period
- (ii) the invitation to tender included the option for a renewal or extension
- (iii) the original contract contained an option to renew or extend, and
- (iv) the supplier's tender included a requirement for such an option.

Anti-avoidance provisions

Reports prepared by the CCC made recommendations that the anti-avoidance provisions be strengthened to ensure that contracts were not split for the purposes of avoiding the tender threshold. Regulation 12 has been amended to clarify this. It is expected that if a local government reasonably believes that the purchase of a good or service from one supplier will exceed the tender threshold of \$150,000 they should publically invite tenders.

No timeframe for the tender threshold has been included in the regulations. However, local governments should consider the importance of testing the market through a public tender process for low value, repetitive contracts. A best practice suggestion is that if the tender threshold is reached within three years, then a public tender is invited for that good or service.

Receiving and opening tenders

Regulation 16 has been amended to require that when tenders are opened there must be at least two employees of the local government present, or one local government employee and at least one person authorised by the Chief Executive Officer. If tenders are received by email, it is suggested that a separate email inbox is created and no tenders are opened until the application period has closed.

Varying a contract

Regulation 21A is a new regulation that provides that a contract cannot be varied once a local government has entered into a contract for the supply of goods or services unless:

- the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract, or
- the variation is a renewal or extension of the original term of the contract (in accordance with regulation 11 (2)U)).

Panels of pre-qualified suppliers

Part 4 Division 3 has been inserted into the regulations to introduce the ability for local governments to create a panel of pre-qualified suppliers. There are some conditions on developing a panel including: the need for a local government to develop a written policy outlining how the panel will operate; how each supplier will be invited to quote; consistent communication with the panel; and, the recording and retention of quotes and purchases from suppliers.

In establishing a panel, persons are to be publicly invited to apply. State-wide public notice is required and it must be open for at least 14 days following the first notice (not including the advertisement's publishing date). There is a range of detailed information that needs to be made available about the proposed panel including: the written policy; details of how the panel will operate; the period for which the panel will be established; and, the number of suppliers the local government intends to appoint to the panel. Once a panel has been established, local governments may enter into a contract (or contracts) with any of the pre-qualified suppliers. However, the contract(s) cannot exceed 12 months and cannot contain an option to renew or extend its term. If it is expected that a contract is to exceed 12 months the particular good or service should be put to tender.

Regulation 13 of the *Local Government (Audit) Regulations 1996* has been amended to require local governments to carry out an audit of compliance for panels of tenders in accordance with section 7.13(1)(i) of the *Local Government Act 1995*.

Statutory Environment:

Local Government Act 1995 s 3.57

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996 Part 4 Provision of Goods & Services
Local Government (Rules of Conduct) Regulations 2007

Strategic Implications:

This Policy sits under Civic Leadership in The Strategic Community Plan – high levels of accountability; compliance with statutory compliance; openness and transparency; provision of good financial management.

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:

Amendment of the Shire of Murchison Purchasing Policy if changes are adopted.

Financial Implications:

Nil

Consultation:

DLGC

Recommendation:

That Council adopt the Shire of Murchison Purchasing Policy (Revision 3) as presented and attached.

The CEO spoke about the amended policy noting that it incorporated changes since 2011, and the considerable changes made recently. For example, the Shire has to notify the unsuccessful tender applicants of the successful applicant and the winning amount and the threshold for calling tenders had risen to contracts in excess of \$150,000.

Consideration needs to be made of purchases under \$1,000 as this is an area the auditors noticed when they were here. The CEO brought this area to the Meeting's notice by reading from the section. Her comment was that she has tried to clarify the tender process so that it is sensible and follows the regulations. There was some concern that the value for the tendering process has now been raised to \$150,000.

There was some discussion about the definition of a building but this was clarified.

The President asked for any further comment, and there was nil response.

Voting Requirements:

Simple Majority

Council Decision

Moved: Councillor Broad

Seconded: Councillor R Foulkes-Taylor

That Council adopt the Shire of Murchison Purchasing Policy (Revision 3) as presented and attached.

Carried:

For: 6

Against: Nil

18.3 Delegate Powers to Bridge Opening Committee

File:	4.16
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	15 May 2016
Attachments:	N/A

Matter for Consideration:

Council to consider delegating to the Bridge Opening Committee any of its powers or duties that are necessary or convenient:

1. for the proper management of the opening of the Ballinyoo Bridge and
2. for the establishment of the interpretive site for the historic span of the old Ballinyoo Bridge.

Background:

A Bridge Opening Committee was formed in December 2015 to facilitate the official opening of the new Ballinyoo Bridge. The Committee has also been considering the historical interpretation of the saved span of the old bridge in readiness for the opening.

The Committee has met three times and is finding that it would function more efficiently if it were delegated executive functions, including purchasing, for the purpose of the official opening of the bridge.

Comment:

Under 5.17 (1) (c) of the Local Government Act 1995, a local government can delegate to a committee any of the local government's powers or duties that are necessary or convenient for the proper management of —

- (i) the local government's property; or
- (ii) an event in which the local government is involved.

Statutory Environment:

Local Government Act 1995

5.16. Delegation of some powers and duties to certain committees

- (1) Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.

* *Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
 - (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.
- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

5.17. Limits on delegation of powers and duties to certain committees

- (1) A local government can delegate —
 - (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
 - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
 - (ii) any other power or duty that is prescribed;
 and
 - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
 - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
 - (i) the local government's property; or
 - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f). (5.9 committees, types of (2) A committee is to comprise – (f) other persons only)

5.18. Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

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:

Nil

Financial Implications:

Nil

Consultation:

Nil

Recommendation:

That Council delegate to the Bridge Opening Committee any of its powers or duties that are necessary or convenient:

1. for the proper management of the opening of the Ballinyoo Bridge and
2. for the establishment of the interpretive site for the historic span of the old Ballinyoo Bridge.

The CEO suggested that a delegation would be more efficient as we have a short timeframe before the opening. A question was asked in regard to the requirements of 5.9.2(f) and the CEO advised that 5.9.2(f) referred to Committees made up of 'other persons only' and as the Bridge Committee had Councillors & Staff, a delegation of powers and duties to it did meet legislative requirements.

Voting Requirements:

Absolute Majority

Council Decision:

Moved: Councillor Broad

Seconded: Councillor R Foulkes-Taylor

That Council delegate to the Bridge Opening Committee any of its powers or duties that are necessary or convenient:

1. for the proper management of the opening of the Ballinyoo Bridge and
2. for the establishment of the interpretive site for the historic span of the old Ballinyoo Bridge.

Carried:

For: 6

Against: Nil

18.4 Request for Donation – Mid West Group of Affiliated Agricultural Societies

File:	4.69
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	N/A
Date:	16 May 2016
Attachments:	Letter of Request for Donation - Midwest Group of Affiliated Agricultural Societies

Matter for Consideration:

Council to consider making a donation to the Mid West Group of Affiliated Agricultural Societies (MWGAAS) to assist them with the cost of presenting the 2016 Mid West District Display at the Perth Royal Show.

Background:

For the last two years, Council supported the MWGAAS with a donation of \$500 in 2014 and \$300 in 2015 towards their display at the Perth Royal Show. 2014 was the first year that the donation was made, as the Shire of Murchison had previously been aligned with another Agricultural Group.

The MWGAAS includes only seven Agricultural societies, however, covers an area from Moora and Dalwallinu in the South, north to Shark Bay Shire and east to Sandstone and Meekatharra.

Comment:

The MWGAAS intend to make this request for donation on an annual basis. The contributions received from the Shire Councils in the Mid West assist the MWGAAS to promote tourism and produce to the largest congregation of people in Western Australia, providing people from outside the district with an insight into what is on offer in our area.

As we have spent our donation budget for 2015-16 and Council has already donated to the MWGAAS in 2015-16, I suggest that the donation be included in the 2016-17 Budget and paid in July 2016.

Statutory Environment:

Assistance to Community Groups and Clubs is well within Council's legislative boundaries.

Sustainability Implications

- **Environmental:**
There are no known significant environmental considerations
- **Economic:**
Promotion of Tourism sits under the Economic wellbeing area in the Community Strategic Plan.
- **Social:**
There are no known significant social considerations

Strategic Implications:

Promotion of Tourism

Policy Implications:

Nil

Financial Implications:

Council generally budgets \$5,000 each financial year towards miscellaneous requests for donations. This request for donation would be the first for the 2016-17 Budget.

Consultation:

N/A

Recommendation:

That Council donate (\$TBA) towards the Mid West Agricultural Group of Affiliated Agricultural Societies to assist with costs to be incurred at the 2016 Perth Royal Show.

After discussion it was decided that \$300 would be donated to the Mid West Agricultural Group of Affiliated Agricultural Societies from the Shire of Murchison, and that these funds would be paid out of the 2016-17 Budget.

Voting Requirements:

Simple Majority

Council Decision:

Moved: Councillor Williams

Seconded: Councillor E Foulkes-Taylor

That Council donate \$300 towards the Mid West Agricultural Group of Affiliated Agricultural Societies to assist with costs to be incurred at the 2016 Perth Royal Show.

Carried:

For: 6

Against: Nil

19. NOTICE OF MOTION

Nil

20. CEO ACTIVITY REPORT

Date	Activity
6/04/2016 – 14/05/2016	Coordinate construction of new DCEO Office
14/04/2016	Meeting with Works Supervisor
15/04/2016	Audit Committee Meeting
15/04/2016	Ordinary Meeting of Council
15/04/2016	Plant Working Group Meeting
18/04/2016	Admin Meeting
18/04/2016	Meeting with Works Supervisor
19/04/2016	Meeting with Tony Chisholm – Flood Damage Works Superintendent
26/04/2016	Interim Audit
26/04/2016	Murchison Economic Development Forum - Cue
27/04/2016	Murchison Economic Development Forum - Cue
28/04/2016	Meeting with Works Supervisor regarding remediation works on the Ballinyoo Bridge
2/05/2016	DCEO, Linda Gray, commenced – training in Perth this week
2/05/2016	Works Supervisor and CEO opened quotes for 8.2015-16 Bunding of Old Roads -
3/05/2016	Works Supervisor and CEO opened tenders for 7.2015-16 Construction of Concrete Floodways – to be assessed at OCM 20/05/2016
5/05/2016	Telephone conference (45 min) with Tully Clayton of Market Creations re proposal to rebrand.
6/05/2016	WALGA Zone Meeting - Cue
9/05/2016	Admin Meeting
10/05/2016	Meeting with Tony Chisholm and Attie Swart re progress of Flood Damage Works
11/05/2016	Bridge Opening Committee Meeting
16/05/2016	Admin Meeting
16/05/2016	Meeting with Works Supervisor

Recommendation:

That the CEO's Activity Report be accepted.

The CEO mentioned that Tony Chisolm was away on leave for six weeks, he is the Flood Damage Works Superintendent for the Flood Damage project, and Attie Swart will be relieving in his place.

Voting Requirements:

Simple Majority

Council Decision:

Moved: Councillor Whitmarsh

Seconded: Councillor Williams

That the CEO's Activity Report be accepted.

Carried

For: 6

Against: Nil

The order of Business was changed to consider Items to be Discussed Behind Closed Doors as Urgent Business had been considered before lunch.

21. URGENT BUSINESS

Brian Wundenberg, Works Supervisor, was present when the meeting recommenced.

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

That Urgent Business be considered

Carried:**For: 6****Against: Nil***R Foulkes-Taylor and E Foulkes-Taylor declared an interest, and left the room at 1.54pm.***21.1 Urgent Business – RAV Network 7 Access – Preferred Route to MRO**

File:	12.1.1
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	18 May 2016
Attachments:	District Map

Matter for Consideration:

Council to consider installing give way signs at narrow grids on the CSIRO preferred route to the Murchison Radio-astronomy Observatory (MRO) and replacing three ageing grids in the short term to render it suitable for RAV Network 7 access.

For clarity, the preferred route to the MRO is:

Carnarvon Mullewa (already RAV Network 9 access to Wooramel River)

Meeberrie-Wooleen Road (7050026) 0 SLK 0.00-28.00

Twin Peaks-Wooleen Road (7050004) SLK 44.34-45.66

Mt Wittenoom-Wooleen Road (7050027) SLK 0.00-13.00

Boolarly-Wooleen Road (7050032) SLK 0.00-19.08

Beringarra-Pindar Road (7050001) SLK 97.09-145.67

Background:

In November 2012, the Beringarra Pindar Road was assessed by Main Roads WA for suitability for RAV Network 9 access. The assessment revealed that several narrow grids needed to be replaced with 8.6 metre grids or line of site increased to 300 metres and several creek crossings needed widening before the road could be deemed suitable.

Since that time, Council has been upgrading 4-5 grids each financial year along the Beringarra Pindar Road, aiming to complete the program in the 2017-18 financial year.

Recently, Main Roads WA Heavy Vehicle Services assessed the preferred route to the MRO for RAV Network 7 access at the request of a contractor working at the MRO. The assessment was undertaken in accordance with 'Standard Restricted Access Vehicle (RAV) Route Assessment Guidelines' and the route was found unsuitable for RAV access as there were ten grids that were too narrow.

A recent development in assessment guidelines gives Council the option of replacing the narrow grids with 8.6 metre grids or, due to low traffic count, installing 'Give Way' controls approaching the narrow grids and the preferred route would then be deemed suitable for RAV Network 7 access. The 'Give Way' controls would need to be installed according to the 'Policy & Guidelines for the Give Way Control Approaching Narrow Roads and One-Lane Bridge'.

Comment:

It would appear to be a straightforward decision to make a start on installing 'Give Way' controls, but the Works Supervisor is concerned that three of the older grids will not sustain constant heavy vehicle use and will need to be replaced in the short term.

The three grids are located at:

1. Meeberrie-Wooleen Road - Meeberrie-Wooleen boundary
2. Mt Wittenoom-Wooleen Road - 200 metres east of Wooleen Woolshed
3. Boolardy-Wooleen Road - Boundary of Wooleen and Pia

So, in order to progress the RAV Network 7 access on the preferred route, Council could decide to install the ten give way signs and budget to replace the three older grids early in the 16-17 financial year, delaying if necessary the replacing of grids on the Beringarra Pindar Road by one year.

Statutory Environment:

2.7. Role of council

- (1)The council —
- (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2)Without limiting subsection (1), the council is to —
- (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

Strategic Implications:

Within the Strategic Community Plan, the maintenance and upgrade of the road network is an important strategy under Economic Development to support the transport requirements associated with the pastoral and mining industries and tourism.

Sustainability Implications

- **Environmental:**
There are no known significant environmental considerations
- **Economic:**
Refer Strategic Implications
- **Social:**
There are no known significant social considerations

Policy Implications:

Nil

Financial Implications:

The 15-16 Budget will allow for the installation of ten 'Give Way' signs – approximately \$2,000 will be required from the Signs budget at 12206. The replacement of the three grids would need to be allowed for in the 16-17 Budget and scheduled early in the new Financial Year – allow approximately \$23,000 per grid accounting for contractor, approaches, signs etc. Alternatively, funds held in reserve for the maintenance of the Beringarra Pindar Road under the CSIRO Shire of Murchison Deed of Agreement for the Maintenance of the Beringarra Pindar Road, may be permitted for use on upgrading the preferred route.

Consultation:

Works Supervisor

Recommendation:

That Council approve the required upgrade to the 'Preferred Route' to the MRO, commencing with the installation of the ten 'Give Way' controls in this financial year, followed up early in the 16-17 financial year with the replacement of the three older grids.

Funding for the signs will come from the 2015-16 Signs budget and

Funding for the grids is to be sought in the first instance from the CSIRO Beringarra-Pindar Road Reserve. If that is not forthcoming, an allowance will be made in the 2016-17 Budget for the three grids.

A recent development in assessment guidelines gives Council the option of replacing the narrow grids with 8.6 metre grids or, due to low traffic count, installing 'Give Way' controls approaching the narrow grids and the preferred route would then be deemed suitable for RAV Network 7 access. The 'Give Way' controls would need to be installed according to the 'Policy & Guidelines for the Give Way Control Approaching Narrow Roads and One-Lane Bridge'.

Awareness of the guidelines in regard to the increased line of sight to 300 metres with Give Way signs to the narrow grids allowing RAV Network 7 access was discussed, with feedback from the Shire Works Supervisor that heavy traffic may damage the older grids, and their replacement would have to be factored in anyway. The impact of the information was analysed in regard to usage of other roads within the Shire, especially with access

by stock road trains. The meeting was also aware that the issue was being tested by Oiltech in regard to access throughout the Shire for fuel delivery, and was keen to wait on the outcome from this application.

The meeting agreed that funding should be sought from the CSIRO Beringarra-Pindar Reserve as a first option, though reiterated that the Shire's business was the maintenance and upgrade of roads for all users.

Voting Requirements:

Absolute Majority

Council Decision:

Moved: Councillor Williams

Seconded: Councillor Broad

That Council approve the required upgrade to the "Preferred Route" to the MRO, commencing with the installation of the ten "Give Way" controls in this financial year, followed up early in the 2016-17 Financial Year with the replacement of the three older grids.

Funding for the signs will come from the 2015-16 Budget and:

Funding for the grids is to be sought in the first instance from the CSIRO Beringarra-Pindar Road Reserve. If that is not forthcoming, an allowance will be made in the 2016-17 Budget for the three grids.

Carried:

For: 4

Against: Nil

*R Foulkes-Taylor and E Foulkes-Taylor returned to the room at 2.28.
Brian Wundenberg left the meeting at 2.30.*

21.2 Voting Delegates – WALGA 2016 AGM.

File:	4.6
Author:	Linda Gray - Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 th May 2016
Attachments:	WALGA 2016 Local Impact Information and Registration

Matter for Consideration:

Appointment of two voting delegates at the WALGA 2016 AGM to be held on Wednesday 3rd August.

Background:

The 2016 AGM of WALGA will be held during the Local Government Convention on Wednesday 3rd August 2016. Pursuant to the WALGA Constitution, all member councils are entitled to be represented by two voting delegates.

Comment:

Interest is sought from Shire of Murchison Councillors who wish to attend the WALGA AGM.

Statutory Environment:

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

Sustainability Implications

- **Environmental**
There are no known significant environmental implications associated with this decision
- **Economic**
There are no known significant economic implications associated with this decision
- **Social**
There are no known significant social considerations associated with this decision

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications

Attendance at Local Government Week is a budgeted item.

Consultation:

Nil

Recommendation:

That Councillors XXX and XXX be appointed Murchison Shire delegates to the WALGA 2016 Annual General Meeting to be held on Wednesday 3rd August 2016 commencing at 1.30 pm.

Councillor R Foulkes-Taylor mentioned that he would like to read the training program and see what was on offer at that time.

Voting Requirements:

Simple Majority

Council Decision:

Moved: Councillor Broad

Seconded: Councillor Williams

That President Halleen and Deputy President Rosco Foulkes-Taylor be appointed the Murchison Shire delegates to the WALGA 2016 Annual General Meeting to be held on Wednesday 3rd August 2016 commencing at 1.30 p.m.

Carried:

For: 6

Against: Nil

21.3 Local Government Convention and Trade Exhibition 2016

File:	4.6
Author:	Linda Gray - Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 th May 2016
Attachments:	Convention bookings (Excel spreadsheet)

Matter for Consideration:

Confirmation of attendance at the 2016 Local Government Convention.

Background:

The Local Government Convention and Trade Exhibition is being held on the 4th and 5th of August this year, with the WALGA AGM and Opening Welcome Reception being held on Wednesday the 3rd August. Under Shire of Murchison Policy it is necessary to discuss attending conference, seminar or training courses prior to attending the event to obtain council approval.

Comment:

Full details of which individual sessions are being attended are attached for approval, along with the cost of car parking and accommodation.

Statutory Environment:

Nil

Sustainability Implications

- **Environmental**
There are no known significant environmental implications associated with this decision
- **Economic**
There are no known significant economic implications associated with this decision
- **Social**
There are no known significant social considerations associated with this decision

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

The Local Government Convention is an annual event and a relevant budget provision will need to be included in the 2016/17 budget preparation.

Consultation:

Nil

Recommendation:

That the attendance at the Local Government Convention for 2016, details as per attached schedule, be approved by council.

Voting Requirements:

Simple Majority

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

That the whole of Council plus the CEO, and partners attend the Convention, and that details of sessions to be attended would be considered at the June Council Meeting, on 17th June 2016.

Carried:**For: 6****Against: Nil**

The Order of Business was resumed and Item 16.3 was considered.

22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**Motion to close the meeting to the Public****Recommendation:**

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

Voting Requirements:

Simple Majority

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

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

Carried:**For: 6****Against: Nil**

*Cr E Foulkes-Taylor, Cr R Foulkes-Taylor, Cr A Whitmarsh declared an interest and left the room at 3.35pm
Linda Gray left the room at 3.35pm*

22.1 RFT 7.2015/16 Construction of Concrete Floodway**Council Decision:****Moved: Councillor****Seconded: Councillor**

That the Tender, RFT 7.2015/16 Construction of Concrete Floodway, be awarded to Yuin Pastoral as the lowest priced tenderer with a relatively high qualitative score.

Carried:**For: 3****Against: Nil**

Cr E Foulkes-Taylor, Cr R Foulkes-Taylor, Cr A Whitmarsh and Linda Gray returned to the room at 3.43pm.

Recommendation:

That the meeting move out from behind closed doors.

Council Decision:		
Moved: Councillor Broad	Seconded: Councillor Whitmarsh	
That the meeting move out of a closed door session.		
Carried:	For: 6	Against: Nil

After all the councillors had returned to the meeting, there was a query as to the process of the 2016-17 Budget. The CEO advised that it was on track and that the reviewed documents would be presented at the July Meeting.

Voting Requirements:

Simple Majority

23. MEETING CLOSURE

The Meeting closed at 3.55 PM.

<p>These minutes were confirmed at the council meeting held on</p> <p>Signed..... Presiding Officer</p>
--