



Western Australia

Minutes of the Ordinary Meeting of the Murchison Shire Council,  
Held in the Council Chambers, Carnarvon Mullewa Road, Murchison,  
On Thursday **27 April 2017**, 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 – 23 March 2017.....	4
8.2	Special Council Meeting – 28 March 2017.....	4
8.3	Special Council Meeting No 1 – 29 March 2017 .....	4
8.4	Special Council Meeting No 2 – 29 March 2017 .....	5
8.5	Special Council Meeting – 12 April 2017 .....	5
9.	ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....	5
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS .....	5
11.	ACTION LIST .....	6
12.	DISCLOSURE OF INTERESTS.....	7
13.	REPORTS OF OFFICERS.....	7
13.3	Rangers' Report .....	7
13.4	Health Officers Report.....	7
14.	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED .....	9
14.1	Shire President.....	9
14.2	Councillors.....	9
15.	REPORTS OF COMMITTEES .....	10
16.	FINANCE.....	10
16.1	Financial Activity Statements March 2017 .....	10
16.2	Accounts Paid March 2017 .....	12
16.3	2016/17 Budget Variation – CEO Recruitment .....	13
16.4	2016/17 Budget Variation – Power and Water.....	14
13.	REPORTS OF OFFICERS - CONTINUED.....	16
13.1	Monthly Plant Report – Works Supervisor .....	16
13.2	Works Report – Works Supervisor 18/03/2017 – 13/04/2017.....	17
17.	DEVELOPMENT .....	19
17.1	Mileura Station – Proposed Boundary Change from Shire of Murchison to Shire of Cue .....	19
17.2	Whole of Life Cost Beringarra Cue Road – Gravel or Bitumen.....	23
22.	ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS.....	25
22.1	Consideration of Proposed Contract Scope for Upgrade of Route to SKA.....	25
16.	FINANCE - CONTINUED .....	26
16.5	Differential Rates .....	26
16.6	Plant Replacement Program .....	32
17.	DEVELOPMENT - CONTINUED.....	33
17.3	Request from DPaW to Reconsider Decision to Close Woolgorong Road.....	33
18.	ADMINISTRATION.....	35
18.1	WALGA AGM 2017 - Call for Motions and Nomination of Two Voting Delegates.....	35
18.2	Nominations to Attend ALGA 2017 National General Assembly .....	37
18.3	Call for Motions - ALGA 2017 National General Assembly.....	38
18.4	Request to leave Vacancy in Office Left by the Resignation of Mark Halleen Unfilled .....	38
19.	NOTICE OF MOTION .....	40
20.	CEO ACTIVITY REPORT .....	40
21.	URGENT BUSINESS .....	41
21.1	URGENT BUSINESS – Results of Extra-ordinary Election 12 April 2017 .....	42
23.	MEETING CLOSURE.....	43

**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The President opened the meeting at 10am

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

*President Rossco Foulkes-Taylor*

*Deputy President Miles Williams*

*Cr Andrew Whitmarsh*

*Cr Emma Foulkes-Taylor*

*CEO – Dianne Daniels*

*DCEO – Peter Dittrich*

*Member of the Public: 1*

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. PUBLIC QUESTION TIME**

Mr M Tierney asked the following questions:

1. When the Beringarra Cue Road was returned to the shire, was an inspection completed; after the 90 day period when the chip seal should have been done was another inspection completed?

*The CEO responded that it was presumed that an inspection was completed prior to hand over. No further work was undertaken in the 90 day period as per the Deed of Settlement.*

2. In the agenda it states 90 days to fix the road.

*The CEO advised that that correctly reflects the original agreement but that the need for repair was waived under the Deed of Settlement, as advised in the agenda.*

3. Of the money received by the shire there is only \$2.8mil in term deposit, where is the rest of the money?

*The CEO responded that the full amount was held in two bank accounts and totaled \$3,765,227 per Note 7 in the March 2017 Financial Statements*

4. The pot holding tenders were \$358,000. Is the \$300,000 budget an annual budget for the road?

*The CEO advised that the tender of \$358,000 was not received by the shire within the tender period and therefore was not considered by the council. The \$300,000 was the budget for 2016/17 and was not a set annual amount.*

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

**Moved: Councillor M Williams**

**Seconded: Councillor E Foulkes-Taylor**

**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: 4**

**Against: 0**

**5. NEXT MEETING**

Thursday 25<sup>th</sup> May 2017

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

One item pursuant to 5.23 (2) (c) – Proposed Contract Scope for Upgrade of Route to SKA.

**8. CONFIRMATION OF MINUTES****8.1 Ordinary Council Meeting – 23 March 2017****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 23 March 2017 be confirmed as an accurate record of proceedings.

**Voting Requirements:**

Simple majority

***Council Decision:***

**Moved: Councillor E Foulkes-Taylor**

**Seconded: Councillor A Whitmarsh**

That the Minutes of the Ordinary Council meeting of 23 March 2017 be confirmed as an accurate record of proceedings.

**Carried:**

**For: 4**

**Against: 0**

**8.2 Special Council Meeting – 28 March 2017****Background:**

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

**Recommendation:**

That the minutes of the Special Council meeting held on 28 March 2017 (to consider 1. CEO Annual Review and 2. To discuss Annual Road Inspection to be undertaken over next two days) be confirmed as an accurate record of proceedings.

**Voting Requirements:**

Simple majority

***Council Decision:***

**Moved: Councillor M Williams**

**Seconded: Councillor A Whitmarsh**

That the Minutes of the Special Council meeting of 28 March 2017 be confirmed as an accurate record of proceedings.

**Carried:**

**For: 4**

**Against: 0**

**8.3 Special Council Meeting No 1 – 29 March 2017****Background:**

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

**Recommendation:**

That the minutes of the Special Council Meeting No 1 held on 29 March 2017 (to elect Office Bearers; to review/adopt Strategic Community Plan and to discuss the Annual Road Inspection) be confirmed as an accurate record of proceedings.

**Voting Requirements:**

Simple majority

**Council Decision:****Moved: Councillor M Williams****Seconded: Councillor A Whitmarsh**

That the Minutes of the Special Council Meeting No 1 of 29 March 2017 be confirmed as an accurate record of proceedings.

**Carried:****For: 4****Against: 0****8.4 Special Council Meeting No 2 – 29 March 2017****Background:**

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

**Recommendation:**

That the minutes of the Special Council Meeting No 2 held on 29 March 2017 (to consider the vacancy left by the resignation of President Halleen) be confirmed as an accurate record of proceedings

**Voting Requirements:**

Simple majority

**Council Decision:****Moved: Councillor M Williams****Seconded: Councillor A Whitmarsh**

That the Minutes of the Special Council Meeting No 2 of 29 March 2017 be confirmed as an accurate record of proceedings.

**Carried:****For: 4****Against: 0****8.5 Special Council Meeting – 12 April 2017****Background:**

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

**Recommendation:**

That the minutes of the Special Council meeting held on 12 April 2017 (to consider 1. the process for the selection of a new CEO; and 2. to appoint Delegates to Murchison Country Zone of WALGA and 3. to nominate representatives from the Delegates to participate in the Murchison Country Zone of WALGA extraordinary elections for Delegate and Deputy Delegate to WALGA State Council) be confirmed as an accurate record of proceedings.

**Voting Requirements:**

Simple majority

**Council Decision:****Moved: Councillor E Foulkes Taylor****Seconded: Councillor A Whitmarsh**

That the Minutes of the Special Council meeting of 12 April 2017 be confirmed as an accurate record of proceedings.

**Carried:****For: 4****Against: 0****9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

Nil

**10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil – Athena Resources had arranged to make a presentation to Council but did not show.

**11. ACTION LIST**

No	Item	Action	Status
1	Community Project Officer	Still sitting on the table. Meeting held 11 <sup>th</sup> 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.	A Community Project Officer still ranks highly in Social Priorities in the recently adopted Strategic Community Plan.
2	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.	HTD surveyed the cemetery and some new sites on the 23 <sup>rd</sup> Feb. Outside crew have carted in rock markers – yet to be placed.
4	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. Undesignated unsurveyed roads were 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. No further action has been taken on this since the last meeting.	Reviewed Road Hierarchy October 2016 as a starting point. We need to follow the following process to close roads: 1. Advertise the proposed closure/s in local newspaper; 2. Allow 35 days for submissions; 3. Resolve at a meeting following the advertising period to close the roads, after considering objections, if any; 4. Submit a formal request to the Minister for Lands; 5. If the Minister approves the request, the road becomes unallocated Crown Land.

**Recommendation:**

That the Action List be accepted.

*Discussion*

The CEO spoke to the list. A decision on the Community Project Officer will be left to the new CEO. The Cemetery has been surveyed and rocks have carted in but not yet placed.

Road closures have not been progressed. A discussion of the effects of a road closure and the change in title followed. The CEO will clarify the change in title with the Department of Lands.

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor M Williams</b>		<b>Seconded: Councillor A Whitmarsh</b>
That the Action List be accepted.		
<b>Carried:</b>	<b>For: 4</b>	<b>Against: 0</b>

**12. DISCLOSURE OF INTERESTS**

Nil

**13. REPORTS OF OFFICERS**

Change in order of business

**13.3 Rangers' Report**

Canine Control – Peter Smith

I attended Murchison Shire on Tuesday 6 and Friday 23 December 2016. Patrols were conducted of Pia Wadjari and Murchison townsite. No new written or verbal complaints were received.

I spoke with Adrian Merry at Pia who stated that a lot of the people have taken their pets with them this year, when they have left the community. He believes it is due to previous history where animals have been left behind and have gone wandering and have been trapped and destroyed. Whilst I was in Pia, two unwanted dogs were handed in for destruction along with one cat and four kittens. Adrian stated that the majority of the community will be returning at the end of January for the new school year.

I also attended Murchison on Tuesday 28 February 2017. I attended at Pia Wadjari and spoke with the Principal and Teachers at the school. They had no complaints and nothing to report. It was mentioned that there was a large number of feral cats hanging around one of the residences. Trapping cages were set in a nearby location. Seven large feral cats were trapped and taken away to be destroyed.

I attended at Murchison settlement where I conducted patrols. No animals were sighted wandering and there was nothing out of the ordinary to report.

A brief meeting was held with the CEO.

**Recommendation:**

That the Rangers' report be accepted.

**Voting Requirements:**

Simple majority

***Council Decision:***

**Moved: Councillor M Williams**

**Seconded: Councillor E Foulkes-Taylor**

That the Rangers' report be accepted.

**Carried:**

**For: 4**

**Against: 0**

**13.4 Health Officers Report****ACTION SHEET**

Council's Environmental Health Officer – Philip Swain

**Date: 19-24 March 2017**

**Next visit proposed: Sept/Oct 2017**

<b>Date</b>	<b>Subject</b>	<b>Action Taken</b>
8/2016 – 20/3/2017	Wooleen Station Caravan Nature Based Park (NBP) Approval	The Department of Health (DoH) issued the exemption regarding water supply for the operation. The operators previously submitted the Caravan Park licence application which was approved by Council in August 2016. The Caravan Park and Nature Based Park Licence has now been issued <b>Action: No further action, pending Licence renewal</b>

20/3/2017	Pia Wadjarri Community Site Visit	<p>I have visited the community to determine whether recent changes to smoke detectors in the housing have been completed. It appears that some houses have had 10 year battery life detectors fitted but some haven't. I also observed a chronic water leak on one property and reported this to the Remote Area Environmental Service Provider (RAESP). I have also confirmed that sampling and reporting processes for the drinking water quality are in place and that the Shire may be able to utilise contractors, in this regard, for future sampling of Murchison Settlement</p> <p><b>Action: Confirm at future visit that all smoke detectors have been installed.</b></p>
20/3/2017	Oasis Roadhouse - Petroleum Licence	<p>I have advised the CEO and the new operators that the emergency system maintenance and operation needs to be managed with respect to the staff changeover.</p> <p><b>Action: CEO to amend records and ensure staff appropriately trained.</b></p>
20/3/2017	Oasis Roadhouse – Food Business Registration	<p>I have reissued the Food Business Licence to the new operators of the Roadhouse and conducted the routine inspection. The new operators have been advised of minor issues that need to be addressed, however the premises is clean and well maintained. I have previously advised that the extraction ductwork in the kitchen may require Shire staff or an external contractor to properly clean the same, as this hasn't been undertaken for at least a couple of years.</p> <p><b>Action: Food business maintenance items to be addressed.</b></p>
21/3/2017	Planning & Building Compliance Issues	<p>The Building Act 2011 and Regulations contain references in the schedules relating to permits, which mean that building permits for construction and demolition are not required in the Shire. The delegations have been amended to amend policy 3.1 regarding Building Control with some amendments to the recommendation submitted to Council last August.</p> <p><b>Action: No further action pending normal policy review</b></p>
21/3/2017	Roadhouse Caravan Park & Motel	<p>The fire services are due for inspection shortly. The motel, caravan park and ablution areas are well maintained</p> <p><b>Action: No further action pending routine fire service inspections.</b></p>
23/3/2017	Refuse Site/s	<p>The survey work to identify specific reserves for “waste disposal” or “municipal purposes” is progressing. Once finalised their inclusion as approved land uses and will require amendment to the Shire Local Planning Scheme. I have inspected the site and the trench, and currently the trench complies with the Regulations (Maximum trench length 30m and weekly-monthly waste cover).</p> <p><b>Action: Awaiting further Lands Department advice on survey work. Works Supervisor to arrange trench maintenance and regular inspections by staff. TPS amendment to be progressed once Reserves have been finalised.</b></p>
24/3/2017	Water Supply Murchison Settlement	<p>The community is maintaining the current non-potable water status and a Council working party has met several times. Staff have continued to improve the network and I have resampled the settlement for bacterial analysis with a modified sampling layout following the recent alterations. The samples were transported to Perth and delivered to the laboratories within 24 hours by myself. The results were generally poor, reinforcing the view that a chlorination system needs to be installed to permanently improve the network distribution. It should be noted that both bores are currently being used to maintain the supply within the Settlement.</p> <p><b>Action: PS to investigate treatment alternatives and report on potable supply requirements once costings/budget have been investigated.</b></p>
24/3/2017	Wooleen Station – Inspection &	<p>I have again taken biological water samples at Wooleen Station from the tank and bore supplies and submitted these for analysis. I have also provided advice to the operators regarding hand treatment of their tank</p>



	Water Sampling	supply for food business use. The main kitchen supply samples were satisfactory. <b>Action: Routine inspection 6 monthly</b>
21/3/2017	Twin Peaks Inspection & Water Sampling	The Station is providing some accommodation to contractors. I inspected the kitchen and there are minor maintenance and operational items outstanding which I have requested be addressed prior to the next inspection. I sampled the station tank and bore water supplies at Twin Peaks Station again. I have provided information to the operators regarding hand dosing as the sampling results were poor. <b>Action: EHO to provide advice on water results and review operation at next inspection.</b>
21/3/2017	Yuin Station Inspection & Water Sampling	The Station has been approved to operate a temporary pop-up café operation during the tourist/wildflower season. I have inspected the kitchen facilities and provided advice on safe food preparation and minimum standards for the August trial. I sampled the station tank and bore water supplies and the results were satisfactory for the tank supply and requiring treatment for the bore supply. I have provided information to the operators regarding hand dosing etc. <b>Action: EHO to review operation with proprietors after the initial trial.</b>
Pending	Controlled Waste Vehicle	As above, I believe the Shire should explore the possibility of having a “Controlled Waste” vehicle on site for pumping out the RV Dump point and septics as required. I have sought licensing and registration information on this from the Department of Environmental Regulation and the Shire may be able to seek exemption form the regulatory requirements. <b>Action: EHO to confirm approval process to establish controlled waste collection and disposal at Murchison Settlement or regulatory exemption for the same.</b>

**Recommendation**

That the Health Officer’s report be accepted.

*Discussion:*

HTD have completed a survey of the tip site and plans will be lodged with Landgate

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor E Foulkes-Taylor</b>		<b>Seconded: Councillor A Whitmarsh</b>
That the Health Officer’s report be accepted.		
<b>Carried:</b>	<b>For: 4</b>	<b>Against: 0</b>

**14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

**14.1 Shire President**

Attended the Special Meetings

**14.2 Councillors**

Councillor M Williams – attended the Special Meetings

Councillor A Whitmarsh – Attended the RBA meeting. Baiting will take place during May 2017.

Councillor E Foulkes-Taylor - The Settlement was well presented for ANZAC Day. Congratulations to the Ryan and the crew for the standard of presentation.

**15. REPORTS OF COMMITTEES**

Nil.

**16. FINANCE****16.1 Financial Activity Statements March 2017**

File:	
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	18 April 2017
Attachments:	Financial Activity Statements to 31 March 2017 Statement of Financial Position Operating Statement by Program Operating Statement by Nature & Type Accounts Activity General Ledger Trial Balance

**Matter for Consideration:**

Council to consider adopting the Monthly Financial Statements for March 2017.

**Background:**

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

**Comment:**

The Current Position at 31 March 2017 is a surplus of \$3,206,059.

**Variations – YTD Budget to YTD****Actual**

Budgeted Closing Funding		<b>795,652</b>
Surplus(Deficit)		
Plus Variance to opening surplus	5,146	
Plus Operating Revenues up	866,704	
Plus Operating Expenditure down	455,627	
Plus Operating Activities Excluded	116,456	
Plus Investing Activities down	2,186,913	
Plus Transfer from reserves up	1,358,794	
Less Transfer to reserves up	( 2,579,233)	
Total Variations		<b>2,410,407</b>
Actuals Closing surplus (Deficit)		<b>3,206,059</b>

Refer to March 2017 Financials for explanation of variances.

The following Term Deposits are currently held as at 31 March 2017:

Beringarra- Cue Road Reserve TD	\$2,874,074	@ 1.755% Maturity 17/04/2017
Crosslands MCF Term Deposit	\$ 368,203	@ 2.000% Maturity 25/05/2017
Ballinyoo Bridge	\$1,978,253	@ 1.890% Maturity 27/05/2017

During the final review of the March 2017 Financial Statements it was noted that there had been a keying error of \$1,000 in relation the budget review of Job C14114 Cap-Ex - Construction as per agreed work programme - all Year. This shows as an Amended Budget Closing Surplus of \$1,000. This error will be corrected in April 2017.

**Statutory Environment:**

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996  
Regulation 34 states:

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

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

### Strategic Implications:

Nil.

### Policy Implications:

Nil.

### Budget/Financial Implications:

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

### Sustainability Implications:

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

### Consultation:

Moore Stephens

### Recommendation:

That Council adopt the financial statements for the period ending 31 March 2017 as attached.

#### Discussion:

*The DCEO spoke to the accounts. Cash flows are on track. There was a keying error in the budget review of \$1,000 relating to Agreed Construction Program. In addition the Roads to Recovery grant had been keyed as operating rather than capital income.*

*In relation to the current budget the DCEO suggested that funds allocated to the Administration Building Project may need to be moved to restricted cash or reserves. The President asked what the difference between two options was. The DCEO advised that a Reserve was the strongest way to protect the funds from reallocation. Restricted cash was used where funds which remain unused in the current budget are carried forward but not in the carried forward surplus. The President stated that he would prefer to see the funds transferred to the Building Reserve.*

*The Interpretative Centre project is to be reviewed to identify if the initial work can be completed this financial year.*

### Voting Requirements:

Simple majority.

#### Council Decision:

Moved: Councillor M Williams

Seconded: Councillor E Foulkes-Taylor

That Council adopt the financial statements for the period ending 31 March 2017 as attached.

Carried:

For: 4

Against: 0

*The CEO left the meeting at 11:45 am and returned at 11:46am*

## **16.2 Accounts Paid March 2017**

File:	4.37.1
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	18 April 2017
Attachments:	EFT & Cheque Details for March 2017

### **Matter for Consideration:**

Endorsement of accounts paid during the month of March 2017.

### **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 March 2017 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

**Recommendation:**

That the accounts as per the attached Schedule presented to this meeting totalling \$888,553.84 which includes \$73,828.26 of intra account transfers for the month of March 2017, be endorsed by Council.

*Discussion:*

*Councillor E Foulkes-Taylor asked why people other than pastoralists were being paid for the destruction of dogs. The CEO advised that the pastoralists were able to direct how the funds were to be paid as identified on the bounty form.*

**Voting Requirements:**

Simple majority

**Council Decision:**

**Moved: Councillor A Whitmarsh**

**Seconded: Councillor M Williams**

That the accounts as per the attached Schedule presented to this meeting totalling \$888,553.84 which includes \$73,828.26 of intra account transfers for the month of March 2017, be endorsed by Council.

**Carried:**

**For: 4**

**Against: 0**

**16.3 2016/17 Budget Variation – CEO Recruitment**

File:	2.4
Author:	Peter Dittrich – Deputy Chief Executive officer
Interest Declared:	Nil
Date:	20 April 2017
Attachments:	Nil

**Matter for Consideration:**

Council to consider a budget amendment to enable the recruitment of a Chief Executive Office.

**Background:**

The 2016/17 Budget allowed for \$15,000 to be allocated to the appointment of staff. Following the recruitment of the DCEO during the year \$11,459.23 of the budgeted amount has been expended, leaving a balance of \$3,540.77 available to be applied to the recruitment of the new CEO.

It is estimated that the recruitment cost of a CEO will be in the order of \$30,000. This includes advertising, employment consultant, relocation, and other associated costs.

**Comment:**

During the financial year 2016/17 a detailed review of the current liability account 1406030 Superannuation Liability was undertaken. It was found that this liability had been carried forward in error, thus understating the carry forward current assets in the Shire's accounts by \$22,547.15. After discussion with the Shire's Auditor it was agreed that this liability should be offset against the current year's superannuation expense account. The excess of funds available in the budget could then be transferred to the Appointment of Staff account.

A review of other areas of expenditure identified that the expenditure in Members' Refreshments & Receptions was well below budget. Council could allocate \$3,912.08 from that account to the Staff Appointment account. The balance of the budget available in Members' Refreshments & Receptions account, after the transfer, would be \$2,889.77.

**In Summary:**

It is requested that Council consider the reallocation of funds in the amount of \$22,547.15 from Account 14200.501 Expenses relating to Public Works Overhead (Superannuation) to Account 14519.521 – Staff Appointment Expenses and the reallocation of funds in the amount of \$3,912.08 from Account 04104.521 – Members Refreshments & Reception Expenses to Account 14519.521 – Staff Appointment Expenses to allow for the costs associated with the recruitment of a Chief Executive Officer.

**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.

**Policy Implications:**

Nil

**Budget/ Financial Implications:**

If the proposal is accepted then a transfer of funds in the amount of \$22,547.15 from Account 14200.501 Expenses relating to Public Works Overhead (Superannuation) to Account 14519.521 – Staff Appointment Expenses and a transfer of funds in the amount of \$3,912.08 from Account 04104.521 – Members Refreshments & Reception Expenses to Account 14519.521 – Staff Appointment Expenses will allow for the costs associated with the recruitment of a Chief Executive Officer.

**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

**Consultation:**

Chief Executive Officer

**Recommendation:**

That council authorise the transfer of funds in the amount of \$22,547.15 from Account 14200.501 Expenses relating to Public Works Overhead (Superannuation) to Account 14519.521 – Staff Appointment Expenses and a transfer of funds in the amount of \$3,912.08 from Account 04104.521 – Members Refreshments & Reception Expenses to Account 14519.521 – Staff Appointment Expenses

**Voting Requirements:**

Absolute Majority

<b>Council Decision:</b>		
<b>Moved: Councillor M Williams</b>	<b>Seconded: Councillor A Whitmarsh</b>	
That council authorise the transfer of funds in the amount of \$22,547.15 from Account 14200.501 Expenses relating to Public Works Overhead (Superannuation) to Account 14519.521 – Staff Appointment Expenses and a transfer of funds in the amount of \$3,912.08 from Account 04104.521 – Members Refreshments & Reception Expenses to Account 14519.521 – Staff Appointment Expenses		
<b>Carried:</b>	<b>For: 4</b>	<b>Against: 0</b>

**16.4 2016/17 Budget Variation – Power and Water**

File:	2.4
Author:	Peter Dittrich – Deputy Chief Executive officer
Interest Declared:	Nil
Date:	21 April 2017
Attachments:	Nil

**Matter for Consideration:**

Council to consider a budget amendment to install a new pump at the settlement windmill bore.

**Background:**

Following the cleaning of the bores in the settlement and reviewing the flow rates, the Works Supervisor and the Shire Gardener reviewed the irrigation schedule for the settlement. Currently a large portion of the settlement is irrigated using the Sports Club bore. This necessitates the Murchison Oasis Roadhouse restricting their irrigation times to between Noon and 8 pm.

**Comment:**

The proposed Windmill bore pump would enable the irrigation schedule to be revised, enabling a more effective use of resources being applied to irrigation.

**In Summary:**

The Works Supervisor's vehicle is to be replaced in the coming financial year. Under the current plant replacement program \$10,000 was allocated for the purchase and fitting of a canopy to the Works Supervisor's vehicle.

It is requested that Council consider the reallocation of funds in the amount of \$10,000 from Account 12303.703 - Cap-Ex - Purchase Minor Plant & Equipment - Plant Purchases GEN to account 13615.703 - Cap-Ex - Purchase Minor Plant to allow for the purchase of a new 7,000l/hr pump and associated installation costs.

**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.

**Policy Implications:**

Nil

**Budget/ Financial Implications:**

If the proposal is accepted then \$10,000 will be transferred from 12303.703 - Cap-Ex - Purchase Minor Plant & Equipment - Plant Purchases GEN to account 13615.703 - Cap-Ex - Purchase Minor Plant.

**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

**Consultation:**

Chief Executive Officer  
Works Supervisor  
Shire Gardener

**Recommendation:**

That council authorise the transfer of \$10,000 from 12303.703 - Cap-Ex - Purchase Minor Plant & Equipment - Plant Purchases GEN to account 13615.703 - Cap-Ex - Purchase Minor Plant.

*Discussion:*

*Councillor Williams expressed concern about the expansion of water use and reticulation. The President suggested that water use be part of the consideration of future plantings.*

**Voting Requirements:**

Absolute Majority

**Council Decision:****Moved: Councillor M Williams****Seconded: Councillor E Foulkes-Taylor**

That council authorise the transfer of \$10,000 from 12303.703 - Cap-Ex - Purchase Minor Plant & Equipment - Plant Purchases GEN to account 13615.703 - Cap-Ex - Purchase Minor Plant.

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

The meeting adjourned at 11 am and resumed at 11:20 am. The Works Supervisor joined the meeting.

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

March 2017		Hours						YTD	
* No Meter				Start	End	Total		Operating Costs	
Plant Item	Year	Rego	1 July '16	Hrs/kms	Hrs/km	Month	YTD	Plant	Fuel
P.01 JD Grader	2011	MU1063	7762	8604	8764	160	1002	8379.37	15849.82
P.02 Cat Grader 12H	2005	MU 141	14167	15097	15240	143	1073	2174.44	13377.15
P15003 JD 6WD Grader	2012	MU121	712	1263	1437	174	725	1230.80	9250.98
P.04 New/H Ford Tractor	2006	MU 380	1912	2052	2073	21	161	1698.05	399.59
P.05 Dolly 1-Red *	2001	MU 2003	1972	12569	12569	0	10597	4960.23	n/a
P.07 Nissan UD	2009	000 MU	202424	213568	215627	2059	13203	4839.91	7626.11
P.08 Dolly 2-Black	2000	MU 2009	1816	9581	9581	0	7765	8862.26	n/a
P.09 Iveco P/Mover	2003	MU1065	315776	329059	331622	2563	15846	1673.16	9820.53
P.10 Iveco W/Truck (hrs)	2004	MU 00	10864	11110	11110	0	246	2897.17	2342.14
P.11 Komatsu Dozer	1997		1481	1876	1961	85	480	11840.21	6985.09
P.13 Tri-Axle L/L Float	2008	MU 663	12902	23804	25794	1990	12892	5068.49	n/a
P.14 No. 2 Float	2001	MU 2004	2391	8859	9654	795	7263	1931.40	n/a
P.17 Side Tipper	2001	MU 662	970	15964	18526	2562	17556	5889.35	n/a
P.18 Side Tipper *	2001	MU2010	15034	21594	2668	0	6675	10047.46	n/a
P.24 30K W/Tanker Trailer	2005	MU 2024	46001	861	861	0	861	16719.95	n/a
P.27 Volvo Loader	2006	MU 65	7942	8439	8555	116	613	2680.64	7095.00
P.28 Isuzu Dmax	2009	MU 300	209207	218584	220000	1416	10793	1942.89	1480.13
P.32 Construction Gen			22437	24374	25056	682	2619	353.57	4038.12
P.33 Maintenance Gen			9098	10548	11117	569	2019	652.87	1738.16
P.34 Generator Perkins		Mechanic	151	677	677	0	526	112.51	1794.43
P.35 Generator 1-110kva	2011		24201	26343	26353	10	2152	21646.94	94433.89
P.35 Generator 2-110kva	2011		16826	20262	20262	0	3436		
P.37 Forklift			12443	12582	12592	10	149	729.17	289.40
P.40A Toyota Hilux	2014	01MU	61055	90453	92600	2147	31545	4659.30	4429.98
P.41 Cat 938G Loader	2004	MU 193	5315	5601	5642	41	327	3190.98	2416.12
P.43 Bomag Roller	2012	MU1027	1496	3334	3415	81	1919	2209.87	3827.49
P.48 Dog Fuel Trailer	1979	MU 2026	0	0	0	0	0	1891.40	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	171821	179690	179690	0	7869	717.07	1908.02
P.55 Toyota Prado	2012	MU1011	71388	89068	93500	4432	22112	3169.10	2523.38
P.57 Great Wall	2012	MU 167	54225	60568	61323	755	7098	2305.29	997.17



P.59 45ft Flat Top	1978	MU2044	0	0	0	0	0	3558.10	n/a
P.60 Mercedes PTV	2004	MU 1009	102020	103460	103488	28	1468	4973.83	248.72
P.61 Kenworth P/Mover	2004	MU 000	76906	94335	96927	2592	20021	10113.11	14581.09
P.63 RAV4 - <b>TRADED 08/16</b>	2013	MU 1011	35031	35800	35800	0	769		67.32
P.64 Isuzu Construction	2013	MU 140	95645	126066	129356	3290	33711	5441.63	7967.64
P.65 Generator 9KVA	2013	H/ Maint	5440	6011	6391	380	951		3057.76
P.66 Kubota 6kva Gen	2012		9948	12348	12348	0	2400	1213.02	2892.83
P.67 Roadwest S/Tipper	2013	MU2042	58719	72737	75351	2614	16632	6467.07	n/a
P.68 Bomag Padfoot	2013	MU1071	1595	1777	1855	78	260	1467.39	2684.72
P.72 Isuzu Fire Truck	2013	MU1068	1353	1856	1858	2	505	0.00	202.37
P.73 Toyota Fast Attack	2014	MU1069	8900	8900	8900	0	0	2196.86	77.72
Caravans				n/a	n/a	n/a	n/a	8027.00	n/a
P11076 JD Ride on mower			795	907	915	8	120	2700.07	249.82
P15006 Isuzu Maint	2015	MU1018	15842	36794	40149	3355	24307	5793.78	4974.34
P16063 Toyota Prado	2016	MU 0	0	16845	20780	3935	20780	4443.60	1726.25
P16076 Kubota Mower	2016		0	107	134	27	27	1511.34	670.77

### **13.2 Works Report – Works Supervisor 18/03/2017 – 13/04/2017**

#### **Construction Crew**

The construction crew have completed the works between Pia and Cockney Bill on the Beringarra-Pindar road. These works involved reforming, gravel sheeting, rock carting and cement stabilising of floodway plus the redressing of old contour banks.

Whilst in the area crew also carted in gravel for grid approaches for this year's grid replacement program. From here crew moved camp and equipment down to Twin Peaks and as of today 12/04/2017 have completed the new alignment around Twin Peaks homestead. This section had not been formed up so the road was boxed out 8m wide and .200mm deep. Most of the material was carted away with some material being used for bunds on the south side of the Sandford River on the Twin Peaks-McNabb's road and the remainder carted to the pit.

Calcrete was carted in and mixed, spread out and then rolled. Signs have been ordered and will be put in place at a later date.

On completion of this work crew then moved camp and equipment back to the settlement to commence the next works program of dressing the road around the settlement in readiness for sealing.

These works will start after the Easter break

Crew break over the Easter – finish work on the 13<sup>th</sup> of April and return back on the 26<sup>th</sup> of April.

#### **Maintenance Crew**

With the opening up of roads after the rains earlier in the year completed the maintenance crew have now done a full grade on the Beringarra-Pindar road from Double Dip to Pindar and Tardie. They then moved north grading the Twin Peaks McNabb's road then moved over to the New Forrest-Yallalong and Coolcalalaya roads. From there crew moved back to Wooleen and as of today 12/04/2017 are doing a full grade on Twin Peaks-Wooleen road.

From here crew will do all roads in the area:

- Wooleen-Mt Wittenoom
- Wooleen-Booldardy
- Beringarra-Pindar (crew will start from double dip and head north to Beringarra doing all side roads)
- Mt Wittenoom
- Booldardy-Kalli
- Kalli East

#### **Staff Leave**

Mark - 1 day off

Brian - 1 day off 21/3/2017

**Work Supervisor - General**

22/03/2017 Construction - 6hrs, Meeting MRD SKA

23/03/2017 Council meeting

24/03/2017 Construction - 4hrs

25/03/2017 Pick-up bus for annual road inspection

26/03/2017 Bus out to Settlement 27-3-2017 construction - 5hrs

28/03/2017 Annual road inspection with council and DECO

29/03/2017 Annual road inspection with council and DCEO

30/03/2017 Bus back to Gero

31/03/2017 Drag tyres on Carnarvon-Mullewa road from Ballinyoo bridge south

05/04/2017 Construction - 3hrs grader

06/04/2017 Construction - 2hrs grader

07/04/2017 Pegging new road alignment Carnarvon-Mullewa road - 3hrs

11/04/2017 Walk over 13km pit - 3hrs.

**ROADS GRADED 18/03/2017 – 13/04/2017**

Name	Length of Road		SLK's Graded this month	Heavy Maintenance	Comments
Beringarra /Pindar	319.80km				Double Dip to Pindar
Erong	63.12km				
Beringarra/Byro	90.89km				
Twin Peaks/Wooleen	47.65km		20km		
Boolardy/Kalli	57.30km				
Byro/Woodleigh	71.00km				
New Forrest/Yallalong	36.18km		36km		
McNabb/Twin Peaks	49.75km		44km		
Yallalong-West	34.46km				
Mileura/Nookawarra	49.08km				
Muggon	38.75km				
Manfred	34.55km				
Beringarra/Mt Gould	34.80km				
Tardie/Yuin	13.20km				
Innouendy	9.30km				
Boolardy Homestead	2.00km				
Yunda Homestead	32.80km				
Meeberrie-Wooleen	25.22km				
Mt Wittenoorn	37.55km				
Wooleen/Mt Wittenoorn	33.85km				
Beringarra Cue	109.82km				
Boolardy Wooleen	19.08km				
Kalli Cue East	21.87km				
Butchers Track	64.54km				
Butchers Muggon	23.80km				
Murchison Settlement	2.00km				
Coolcalalaya Road	36km		36km		
Carnarvon Mullewa	278.63km				
Mt Narryer	3km				
Errabiddy Bluff	12km				
Air strip Graded					

Total this month graded 136km

**Recommendation:**

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

**Discussion:**

The Works Supervisor spoke to his report. He identified that the new generator was to be added to the plant list. The old generator had been returned to the settlement and would be used for parts. In relation to the Works Report, the works south of PIA and the realignment at Twin Peaks have been completed. The Construction Crew are now working in the Settlement. The Erabiddy Bluff Road will need to be included in the 17/18 program.

**Voting Requirements:**

Simple majority

**Council Decision:**

**Moved: Councillor A Whitmarsh**

**Seconded: Councillor E Foulkes-Taylor**

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

**Carried:**

**For: 4**

**Against: 0**

Change in the order of business

**17. DEVELOPMENT****17.1 Mileura Station – Proposed Boundary Change from Shire of Murchison to Shire of Cue**

File:	4.46
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	Nil
Date:	23 April 2017
Attachments:	Tenograph Map of Mileura in relation to Jack Hills Schedule 2.1 provisions about creating, changing the boundaries of, and abolishing districts LGAB processes for district boundary changes LGAB guiding principals Community proposal proforma

**Matter for Consideration:**

Council to consider the proposal from Michael Tierney of Mileura to lodge a request with the Local Government Advisory Board for a boundary change for Mileura Station, moving it from the Shire of Murchison to the Shire of Cue.

**Background:**

Mr Tierney contacted the Department of Local Government and Communities on 20 January 2017 to discuss a potential boundary change for Mileura Station, with the intention of moving from the Shire of Murchison into the Shire of Cue. Julie Craig, Strategy and Research Officer at the Executive Support Branch DLGC, requested Mr Tierney summarise the objective of and reasons for considering a boundary change proposal.

The summary of those reasons given by Mr Tierney are listed below:

- Mileura Station historically uses Cue for everything – livestock is trucked through Cue; food shopping is done in Cue; mail is delivered via Cue; the Tierney's travel to Perth/Geraldton via Cue;
- Cue is 150 km from Mileura homestead and Murchison Settlement is 243 km from the homestead;
- The Tierney's attend the Murchison Settlement once a year only for the Christmas party (for the benefit of the children) and attend two wild dog baiting events each year. They also attend two wild dog baiting events in Cue, as they like to make a contribution towards vermin control;
- Murchison Shire have a bitumen road running through Mileura, the Beringarra Cue Road, which goes to Cue. Both Shires have a Reserve Fund of over \$3.5 million each (which was given to the Shires by the mine owner when mining ceased) to do with the road what they will. Cue are maintaining/resealing their road, but Murchison intend to let the bitumen crumble and return the road to an unsealed dirt scenario. Mr Tierney's concern is that the return of the road to gravel will devalue his property, raise vehicle/tyre maintenance costs, raise transport costs and could lead to a medical emergency if the road is closed for long periods of time during periods of wet weather.

Ms Craig noted in a subsequent email dated 27 January 2017 that it would appear that the proposal to change the boundary would need to be made by local government to the advisory board.

(Under LGA 1995 Schedule 2.1 (2) submissions can be made by the Minister, an affected local government, two local governments jointly or by the affected electors who are at least 250 in number or at least 10% of the total number of affected electors).

Mr Tierney has approached the Cue Shire regarding the proposed boundary change. Cue Chief Executive Officer, Rob Madsen, phoned me on the 9<sup>th</sup> February 2017 to discuss the proposal. Cue would not be averse to supporting a submission, but their support would be contingent on the Shire of Murchison transferring their Beringarra Cue Road Reserve Funds to the Shire of Cue, along with Mileura. Mr Madsen made it clear that the boundary change proposal wasn't a take-over by the Cue Shire, but was instigated by Mr Tierney.

### Comment:

In order for Council to make an informed decision on the boundary change proposal, we need to consider the following four points:

1) The financial cost/gain to the Shire of Murchison. This would be made up of:

a) Loss of Financial Assistance Grant:

The length of sealed road that would be lost is approximately 85 km at more than 4.6m wide.

The cost to Council to preserve the different type of roads is shown in the following table (ref WA LG Grants Commission 2016-17 Asset Preservation Needs for the Shire of Murchison):

Type of Road	Unit	Cost per Unit	Actual Units	Asset Preservation
<b>Local Roads</b>				
Unformed	km	\$171.47	35.17	\$6,030
Formed	km	\$2,377.75	943.25	\$2,242,812
Gravel	km	\$4,152.07	498.24	\$2,068,707
Sealed less than 4.6m wide	Lane km	\$8,114.23	67.21	\$545,369
Sealed more than 4.6m wide	Lane km	\$5,203.20	247.40	\$1,287,255
River crossings	Sq mtr	\$4.08	3010	\$12,278
Cattle grids	Total			\$147,273
Residential Roads				\$3,778
Miscellaneous				\$4,800
<b>Total Local Roads for Grant Purposes</b>				<b>\$6,318,404</b>

The calculation used by the Grants Commission to calculate the Federal Road Grant is:

Council's Asset Preservation needs for Roads (inc Residential & Misc)	\$6,318,404
Total Asset Preservation needs for WA	\$746,414,003
Councils share of road grants <u>6,318,301</u> 746,414,003	0.008464875
Federal roads funds for distribution	\$100,025,652
Councils grant for 2016-17 (100,025,652x.008464875)	\$846,705

If the boundary change was approved and the 85 km sealed section of the Beringarra Cue Road was lost from the Shire of Murchison, Councils' grant would reduce by 170 Lane Km, with a total reduction in our Asset Preservation needs of \$884,544 (170x\$5203.20). If the boundary change had been finalised for the 2016-17 year, then the calculation would look like:

Council's Asset Preservation needs for Roads (inc Residential & Misc)	\$5,433,860
Total Asset Preservation needs for WA	\$746,414,003
Councils share of road grants <u>5,433,860</u> 746,414,003	0.00727995
Federal roads funds for distribution	\$100,025,652
Councils grant for 2016-17 (100,025,652x.00727995)	\$728,182

<b>Grant Reduction</b>	<b>\$118,523</b>
------------------------	------------------

b) Loss of rates:

\$2,756

c) Gains made by no longer having to maintain the Beringarra Cue Road:

The report prepared at Item 17.2 gives average costs to maintain sealed and unsealed roads per km per annum - 8 metre seal costs an average of \$5,559; 4 metre seal costs an average of \$3,349; and unsealed costs an average of \$2,853.

The table below shows three scenarios based on 85 km:

	<b>8 metre seal</b>	<b>4 metre seal</b>	<b>Unsealed</b>
Loss of FAGS Grant	(\$118,523)	(\$118,523)	(\$118,523)
Loss of Rates	(\$ 2,756)	(\$ 2,756)	(\$ 2,756)
Gain	\$ 472,515	\$ 284,665	\$ 242,505
<b>Net \$ Gain per Annum</b>	<b>\$351,236</b>	<b>\$ 163,386</b>	<b>\$ 121,226</b>

This calculation does not take into account the cost of either upgrading the road to a fair sealed condition or returning it to gravel.

***Please note, that no \$ value can be placed on the following two points.***

2) The community loss to the Shire of Murchison, with another family/station leaving the Shire.

As noted by Mr Tierney, the family usually only visit the Murchison Settlement to participate in the Community Christmas Tree and participates in two wild dog baiting events in the Shire each year. So from a community point of view, the loss may not be highly visible, but any loss of population has a negative impact on the vibrancy and long term viability of a community.

3) What impact will a boundary change have on the viability of the Shire of Murchison into the future?

This is a very subjective question and one not easily answered. My concern is that we have lost several properties and their associated rates over the last few years – the two DPAW properties, Woolgorong and Muggon and more recently, Boolardy to CSIRO – and the potential loss of another property will see the Shire lose another four people from the population along with the rates. At what stage in this size and population reduction will the operational unit of the Shire of Murchison be regarded as no longer useful?

We can only leave that open to conjecture.

4) Terms of the Deed of Settlement negotiated with Crosslands Resources Ltd and Purpose of the Beringarra Cue Road Reserve:

a) The Shire of Murchison and Crosslands Resources Ltd were signatories to a Road Train Permit Agreement during Crosslands' iron ore haulage operations from the Jack Hills mine. This RTPA saw Crosslands construct, seal and maintain the Beringarra Cue Road from its intersection with the road into Jack Hills and the Shire of Murchison's boundary with Cue (and further on into Cue). With the drop in iron ore prices after the GFC, ore was no longer hauled from Jack Hills and the mine was eventually placed into care and maintenance. One of the accrued rights and responsibilities from the RTPA, was that Crosslands was to re-seal all of the chip sealed sections of the Beringarra Cue Road within 90 days of termination of the Agreement. Crosslands negotiated a terminating Deed of Settlement with both the Shire of Murchison and the Shire of Cue which saw a settlement payment to both Shires which released and discharged Crosslands' obligations under the RTPA. There were no obligations placed on either Shire in regard to the settlement funds, although both Councils placed the funds in Reserve.

b) The purpose of the Shire of Murchison Beringarra Cue Road Reserve as stated in the Annual Financial Report 2016 is:

*'to be used for the maintenance and repair of the Beringarra-Cue Road. Contribution at the end of the Crosslands Road Train Permit to assist with the eventual conversion of the road back to gravel.'*

**Statutory Environment:**

Local Government Act 1995

Division 1 — Districts and wards

2.1. State divided into districts

(1) The Governor, on the recommendation of the Minister, may make an order —

(a) declaring an area of the State to be a district; or

(b) changing the boundaries of a district; or

(c) abolishing a district; or

(d) as to a combination of any of those matters.

(2) Schedule 2.1 (which deals with creating, changing the boundaries of, and abolishing districts) has effect.

(3) The Minister can only make a recommendation under subsection (1) if the Advisory Board has recommended under Schedule 2.1 that the order in question should be made.

Schedule 2.1 – Provisions about creating, changing the boundaries of, and abolishing districts (attached).

**Strategic Implications:**

Maintenance and upgrade of the road network is a high Economic priority in the Community Strategic Plan. The community is keen to develop the region's economic potential to encourage families and businesses to stay in the area.

**Policy Implications:**

Nil

**Budget/ Financial Implications:**

Net gain between \$351,236 and \$121,226

**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

**Consultation:**

Peter Dittrich, Deputy Chief Executive Officer

Rob Madsen, CEO shire of Cue

Mick Tierney, Mileura Station

**Recommendation:**

The officer is of the opinion that there is more to be considered than the predicted financial gain if Mileura moves to the Cue Shire. I am concerned for the long term viability of the Shire of Murchison with the gradual decline in rateable properties and population - I would like to see Mileura stay with Murchison.

The recommendation is therefore that Council do not endorse or support the Tierney's request for a boundary change for Mileura Station which would see it move from the Shire of Murchison to the Shire of Cue.

*Discussion*

*With the indulgence of Council the President invited Mr Tierney to speak regarding the proposal. Mr Tierney understood why the Shire would want to retain the station. He felt that Mileura was closer to Cue. He was not averse to Murchison and had seriously considered running for Council. However when he realised that the Beringarra Cue road may not be maintained as a sealed road he approached Cue shire. His station would be worth less with a dirt road rather than a sealed road.*

*Councillor E Foulkes-Taylor expressed the idea that several stations were closer to other centres and sighted the example of Yuin station that participated in both the Murchison and Mullewa communities. Further she identified that past residents of Mileura had been active and valued participants in the Murchison Community. In addition she felt that gravel roads were part of living in a remote area.*

*Councillor M Williams stated that boundaries are not usually changed to suite a single entity. Generally they are changed for administrative purposes. He acknowledge the argument raised in relation to community. Further he felt the item should be considered on its merits and that the financial impact of a change in*

*boundary should not form part of council's consideration. Councillors indicated their agreement with the point in relation to financial impact. He further stated that he did not feel that a strong argument for the move had been made and that council would need to consider the long term viability of the Shire of Murchison should one or more stations move to other shires.*

*Councillor A Whitmarsh agreed that losing stations would reduce the viability of the shire.*

*President R Foulkes-Taylor said that whilst an individual's self-interest was not a crime, council needed to consider the matter and make the best decision for all of the Shire of Murchison. He stated that he would like to see the shire continue to be strong and vibrant and therefore would not support the move.*

### **Voting Requirements:**

Simple majority

#### **Council Decision:**

**Moved: Councillor Williams**

**Seconded: Councillor E Foulkes-Taylor**

That Council do not endorse or support the Tierney's request for a boundary change for Mileura Station which would see it move from the Shire of Murchison to the Shire of Cue.

**Carried:**

**For: 4**

**Against: 0**

### **17.2 Whole of Life Cost Beringarra Cue Road – Gravel or Bitumen**

File:	4.62
Author:	Peter Dittrich - Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 April 2017
Attachments:	Whole of Life Cost Estimate Report

#### **Matter for Consideration:**

Council to consider the Whole of Life Cost Estimate Report and the future structure of the Beringarra Cue road surface.

#### **Background:**

At the Ordinary Meeting of Council on the 19<sup>th</sup> August 2016 the decision was made to invite Public Tenders for various bitumen seal, reseal and repair works. At the Ordinary Meeting of Council on the 16<sup>th</sup> December 2016, Council declined to accept any tender for RFT 4.2016-17 Repairs to Bitumen Surface Defects because the tendered prices far exceeded the budget.

During the discussion relating to the CEO's Report at the March 2017 Ordinary Council Meeting a request was made that a whole of life costing be presented to Council as soon as it became available. Greenfield Technical Services was contracted to provide assistance in developing the whole of life costing.

#### **Comment:**

Greenfield Technical Services was commissioned to prepare a report on the whole of life costing of the maintenance of the Beringarra Cue Road. The brief was to prepare the report as if the road was in fair to good condition and present 3 options:

1. The road surface was retained as is;
2. The road surface was retained as is but that only a 4m seal was maintained; and
3. The road surface was a gravel road.

The brief required that the Net Present Value of the 3 options be presented. The assumptions used in the report were developed in consultation with the CEO and Works Supervisor and reflect The Shire's current work practices and costs.

**Summary:**

The Net Present Value of maintaining the Beringarra Cue Road over 30 years is as follows:

	<b>Discounted Maintenance Cost (30 years)</b>
<b>Alternative 1</b> Maintain 85.26 km of 8 m wide bitumen seal and 22.63 km of unsealed road	\$16,255,016
<b>Alternative 2</b> Maintain 85.26 km of 4 m wide bitumen seal (single lane) and 22.63 km of unsealed road	\$10,601,781
<b>Alternative 3</b> Maintain 107.89 km of unsealed road	\$9,234,300

Council will need to consider the cost of reverting the road to a gravel road as against maintaining a 4m bitumen seal as the cost difference between alternative 2 and alternative 3 is in the order of \$1,367,481.

**Statutory Environment:**

Local Government (Financial Management) Regulations 1996

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

Council's decision in relation to the future of the Beringarra Cue Road will need to be taken into account in the preparation of the Strategic Resource Plan and future budgets.

**Consultation:**

Dianne Daniels - CEO

Brian Wundenberg - Works Supervisor

**Recommendation:**

The Officer makes no recommendation on this item as Council's decision may be influenced by the decision made at Item 17.1 Mileura Station – Proposed Boundary Change.

*Discussion:*

*As the officer made no recommendation the President opened the item for discussion.*

*With the indulgence of Council the President invited Mr Tierney to comment on the item. Mr Tierney stated that he had used the road in the rain, having to slow down to 40 km/h and that this would not be possible on a gravel road. He expressed the opinion that Mileura had been forgotten and that the shire did not have the capacity to maintain a gravel road out there. Further, he was of the opinion that the shire had dropped the ball in relation to allowing the mine to construct the road and that given that there had been no maintenance on the road since the mine had left that the road had done pretty well.*

*Councillor M Williams expressed concern about the current state of the road pavement He felt that the costing report did not show all possible options and that some of the assumptions were not valid for example the concept of re-sheeting the whole road every 15 years. Further, the road was originally a gravel road, a matter which did not create a great deal of angst at the time. The shire would need to address the drainage issues. A well-formed gravel road provided a fully functional road.*

*The Works Supervisor explained the need to improve bunding and drainage on the road. In addition, Council would need to take into account the cost of maintaining flood ways depending on its decision.*

*Cr E Foulkes-Taylor asked why the road could not be converted to gravel as various sections failed. She further requested that the cost of converting the road to gravel be identified.*

*The CEO identified previous reports on the quality of the road pavement and highlighted the options discussed in the report. The CEO felt that a mix of road surfaces could lead to problems in the future in regards to weather related road closures.*



President R Foulkes-Taylor expressed frustration at the thought of not being able to retain the good sections of the road. He acknowledged that the Shire still needed to maintain the road irrespective of surface.

### Voting Requirements:

Simple Majority

<b>Motion:</b>		
<b>Moved: Councillor E Foulkes-Taylor</b>	<b>Seconded: Councillor M Williams</b>	
That the road be converted to gravel funded by the associated reserve.		
<b>Carried:</b>	<b>For: 1</b>	<b>Against: 3</b>
<b>Council Decision:</b>		
<b>Moved: Councillor M Williams</b>	<b>Seconded: Councillor A Whitmarsh</b>	
That Council undertake a full review, in a workshop format, of all the options available with all 5 councillors, the CEO, DCEO, Works Supervisor and external advisor as soon as possible.		
<b>Carried:</b>	<b>For: 4</b>	<b>Against: 0</b>

## 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:

- Proposed contract scope for upgrade of SKA route pursuant to LGA 5.23 (2) (c).

### Voting Requirements:

Simple Majority

<b>Council Decision:</b>		
<b>Moved: Councillor E Foulkes-Taylor</b>	<b>Seconded: Councillor A Whitmarsh</b>	
That the meeting move behind closed doors to discuss one item:		
1. Proposed contract scope for upgrade of SKA route pursuant to LGA 5.23 (2) (c).		
<b>Carried:</b>	<b>For: 4</b>	<b>Against: 0</b>

### 22.1 Consideration of Proposed Contract Scope for Upgrade of Route to SKA

<b>Council Decision:</b>		
<b>Moved: Councillor M Williams</b>	<b>Seconded: Councillor A Whitmarsh</b>	
That the Shire advise Main Roads WA that:		
1. For the proposed level of service, the level of re-sheeting is grossly understated/insufficient. The other components of the scope of works appear to be adequate.		
2. As the road owner the Shire will insist on having input and final consent on road design affecting water flow.		
<b>Carried:</b>	<b>For: 4</b>	<b>Against: 0</b>

### Motion to open the meeting to the Public

#### Recommendation:

That the meeting move out from behind closed doors.

**Voting Requirements:**

Simple Majority

**Council Decision:****Moved: Councillor E Foulkes-Taylor****Seconded: Councillor A Whitmarsh**

That the meeting move out from behind closed doors.

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

The Works Supervisor left the meeting at 1:08 pm

The meeting adjourned for lunch at 1:08 pm and resumed at 2:01 pm

**16. FINANCE - CONTINUED****16.5 Differential Rates**

File:	4.29
Author:	Dianne Daniels - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 April 2017
Attachments:	Department of Local Government and Communities – Rating Policy

**Matter for Consideration:**

Council to consider its rating strategy for the 2017-18 Financial Year and the supporting objects and reasons for differential rates.

**Background:**

The quantum of rates payable to a local government is determined by the method of valuation of the land, the valuation of the land and improvements and the rate in the dollar applied to the valuation by the local government.

**Method of Valuation:**

Land is rated according to:

- unimproved value for land use predominately for rural purposes; or
- gross rental value for land used predominately for non-rural purposes.

**Valuation of Land and Improvements**

The Valuer General values the land in accordance with the provisions of the Valuation of Land Act 1978. The local government sets a rate in the dollar which is applied to this valuation to give the rates liability for each property.

**Rate in the Dollar:**

- A local government may impose a single general rate which applies to all of the properties in the unimproved value or gross rental value category; or
- Alternatively the local government can distinguish between land in either category on the basis of its zoning, use or whether or not it is vacant land (or a combination of these factors) and apply a differential rate to each.

**Comment:**

The Shire of Murchison considers the key values of objectivity, fairness, consistency, transparency and administrative efficiency, when setting rates each year.

All land in the Shire of Murchison is rated according to its unimproved value and historically the Shire of Murchison has adopted the rating practice of differentiating between lands used for pastoral purposes, mineral exploration or mining. Council rates all properties used for the same purpose in the same way and aligns its annual rates with the rates strategy in the Corporate Business Plan/Long Term Financial Plan, as long as economic factors align with predictions.

It is important that Council considers rate strategies in neighbouring Shires as part of its deliberations. The table below shows rating information (rate in the \$) for the Shires of Shark Bay, Yalgoo and Cue compared to the Shire of Murchison for the 2016/17 financial year.

Rate Type	Murchison	Shark Bay	Yalgoo	Cue
<b>General Rates</b>				
UV Pastoral	0.02700	0.130428	0.06575168	0.0822
UV Mining	0.289500	0.259757	0.3743025	0.3132
UV Exploration	0.097600	0.249757	0.1988253	0.3132
<b>Minimum Rates</b>				
UV Pastoral	264	835	270	440
UV Mining	399	835	270	440
UV Exploration	399	835	270	440

Council is satisfied that the services and facilities it provides are managed efficiently and effectively and that it is appropriate to rate differentially in order to meet the budget deficiency. As part of its drive to ensure efficiency and transparency within the organisation, Council recently completed its review of the 2016-17 Budget to ensure income and expenditure targets will be met for the 2016/17 year. Also, it recently reviewed the appropriateness and effectiveness of its risk management, internal control and legislative compliance as required under Local Government (Audit) Regulations 1996 and reviews the appropriateness and effectiveness of the financial management systems and procedures of the Shire as per regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996.

The Corporate Business Plan and Long Term Financial Plan specify that there will be a rates increase of 5% every year. In the past two years this has been deemed as too high, but our recommendation this year is that the three categories of differential rates increase by more than CPI in an effort to recoup some of the costs associated with the loss of the motor vehicle licensing and stamp duty concessions previously offered to LGAs in Western Australia. Once these changes come into effect on 1 July 2017, there will no longer be the effective exemptions on vehicle licences for vehicles operated by local governments (or for those operated by the Commonwealth Government, or the Australian Defence Force).

The recommendation is that the Mining and Pastoral rates in the \$ increase by 5% and that the Exploration rate in the \$ increases by 10%, noting that the rate in the \$ for Exploration is currently well below that of surrounding Shires. Council may also need to consider increasing the pastoral rate in the \$ over time in order to attain consistency with surrounding Shires, although the disparity is nowhere near as large as with the Exploration rate in the \$. Mining rates are reasonably placed compared to surrounding Shires.

If Council decides to continue to rate on a differential basis in 2017-18, then the objects and reasons for imposing each differential rate is to be set out by the local government in a publically available document and local public notice is required to be given of its intention to impose differential rates, giving details of each rate or minimum payment and inviting submissions within 21 days of the notice. If there is less than 30 ratepayers in a sector, then each rate payer is to be written to individually, inviting submissions.

Any submissions received will be considered at the May 2017 Ordinary Council Meeting, before making the final decision regarding the imposition of the rate or minimum payment, with or without modification. This year, as in the past, the proposed differential rates for mining and exploration will be more than twice the lowest differential rate (pastoral) and Ministerial approval will be required before the rates can be imposed as part of the 2017-18 budget.

### **Statutory Environment:**

#### Local Government Act 1995

#### 3.18 Performing Executive Functions

3) (c) A local government is to satisfy itself that services and facilities that it provides are managed efficiently and effectively.

#### 6.2 Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt\*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

\* Absolute majority required.

#### 6.33 Differential General Rates

(1) and (2) A local government can 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.

(3) 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.

**6.35 Minimum Payments**

(6) A local government can impose a minimum rate separately to each differential rating category where a differential general rate is imposed.

**6.36 Local government to give notice of certain rates**

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

(2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).

(3) A notice referred to in subsection (1) —

(a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency; and

(b) is to contain —

(i) details of each rate or minimum payment the local government intends to impose; and

(ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and

(iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed; and

(c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.

Local Government (Financial Management) Regulations 1996**5 CEO's duties as to financial management**

2) The CEO is to —

(c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.

**Strategic Implications:**

The Corporate Business Plan 2016-2020 allows for an average 5% rate increase each year. This is based on the estimated budget deficiency and has been set to help fund community services and amenities as outlined in the plan.

**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:**

Proposed differential rates are set to meet the estimated budget deficiency in the 2017/18 financial year.

**Consultation:**

N/A

**Recommendation:**

That Council:

1. adopts (subject to Ministerial approval) the proposed differential rates and minimum rates for the 2017/18 Financial Year as shown in the appended table:

RATE TYPE	2016-17		2017-18			
	RATE IN \$	BUDGETED TOTAL REVENUE	NO OF PROPS	RATEABLE VALUE \$	RATE IN \$	REVENUE
<b>Differential Rate UV</b>						
Pastoral	0.0270	39,369	27	1,469,868	0.02835	41,670.76
Mining	0.2895	317,842	9	1,098,229	0.303975	333,834.16
Exploration/Prospecting	0.0976	20,864	25	253,632	0.107360	27,229.93
<b>Minimum Rates</b>						
Pastoral	264	1,056	4		277	1,108.00
Mining	399	-	0		419	
Exploration/Prospecting	399	1,596	4		419	1,676.00
		<b>380,726</b>				<b>\$405,518.85</b>

2. decides that 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; and
3. decides that an administration fee of \$15 will apply to the instalment option and an 8% penalty interest will apply to late payments; and
4. notes that the ESL Levy and interest will be charged in accordance with instructions from DFES; and
5. adopts the following Objects of and Reasons for Differential Rates:

### **Objects of and Reasons for Proposed Differential Rates and Minimum Payments for the 2017-18 Financial Year**

#### **Overall Objective**

The purpose of levying rates is to meet a local governments' budget deficiency in each financial year in order to deliver services and facilities as detailed in the Strategic Community Plan and Corporate Business Plan.

The Shire of Murchison is in a unique position of being the only shire without a town, therefore having no residential, commercial or industrial rate base to draw upon. It does, however, have an important responsibility for the maintenance of a vast network of inland roads, as well as providing support for travellers and locals through the provision of fuel services, a caravan park, recreational services, power, water and an aerodrome.

Historically, the Shire of Murchison has imposed differential rates on the basis of whether land is used for pastoral purposes, mineral exploration or mining, as it considers that this is more equitable than a flat rate, drawing more revenue from those enterprises that may cause degeneration of infrastructure through higher use.

#### **Reasons**

Council is satisfied that the services and facilities it provides are managed efficiently and effectively and that it is appropriate to rate differentially in order to meet the budget deficiency.

As part of its drive to ensure efficiency and transparency within the organisation, Council recently completed its review of the 2016-17 Budget to ensure income and expenditure targets will be met for the 2016/17 year. Also, it recently reviewed the appropriateness and effectiveness of its risk management, internal control and legislative compliance as required under Local Government (Audit) Regulations 1996 and reviews the appropriateness and effectiveness of the financial management systems and procedures of the Shire as per regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996.

For consistency, Council has ensured that properties that are used for the same purpose are rated in the same way and has considered the rates charged by neighbouring councils in its deliberations. The rate in the \$ for Exploration is currently well below that of surrounding Shires and it is proposed to increase it at a higher rate

this year than the other two differential rating categories. Council may also need to consider increasing the pastoral rate in the \$ over time in order to attain consistency with surrounding Shires.

The Shire of Murchison's reasons for differentially rating according to land use are shown below:

#### UV – Pastoral

Pastoral means any land that currently has a pastoral lease granted. This category is rated to reflect the infrastructure maintenance cost to the Council and the sectors' reduced viability caused by many years of droughts and floods and the devastation caused by the wild dog problem. It also recognises the long term commitment of pastoralists to the region and their stewardship of Crown Land. Further, an annual biosecurity rate is linked to the valuations provided by the Valuer General. This biosecurity rate is payable by the pastoral sector only, even though the mining/exploration sectors pose 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.

#### 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.

#### Discussion

*The CEO spoke to the item and led council through the elements that they needed to consider when considering the imposition of a Differential Rate, including the key values of objectivity, fairness, consistency, transparency and administrative efficiency, when setting rates each year.*

*Cr M Williams felt that the 5% increase for pastoralists was realistic and that the shire remained relatively generous in relation to mining and exploration.*

#### Voting Requirements:

Absolute Majority

#### Council Decision:

Moved: Councillor E Foulkes-Taylor

Seconded: Councillor M Williams

That Council:

- adopts (subject to Ministerial approval) the proposed differential rates and minimum rates for the 2017/18 Financial Year as shown in the appended table:

RATE TYPE	2016-17		2017-18			
	RATE IN \$	BUDGETED TOTAL REVENUE	NO OF PROPS	RATEABLE VALUE \$	RATE IN \$	REVENUE
<b>Differential Rate UV</b>						
Pastoral	0.0270	39,369	27	1,469,868	0.02835	41,670.76
Mining	0.2895	317,842	9	1,098,229	0.303975	333,834.16
Exploration/Prospecting	0.0976	20,864	25	253,632	0.107360	27,229.93
<b>Minimum Rates</b>						
Pastoral	264	1,056	4		277	1,108.00
Mining	399	-	0		419	
Exploration/Prospecting	399	1,596	4		419	1,676.00
		<b>380,726</b>				<b>\$405,518.85</b>

2. decides that 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; and
3. decides that an administration fee of \$15 will apply to the instalment option and an 8% penalty interest will apply to late payments; and
4. notes that the ESL Levy and interest will be charged in accordance with instructions from DFES; and
5. adopts the following Objects of and Reasons for Differential Rates:

### **Objects of and Reasons for Proposed Differential Rates and Minimum Payments for the 2017-18 Financial Year**

#### **Overall Objective**

The purpose of levying rates is to meet a local governments' budget deficiency in each financial year in order to deliver services and facilities as detailed in the Strategic Community Plan and Corporate Business Plan.

The Shire of Murchison is in a unique position of being the only shire without a town, therefore having no residential, commercial or industrial rate base to draw upon. It does, however, have an important responsibility for the maintenance of a vast network of inland roads, as well as providing support for travellers and locals through the provision of fuel services, a caravan park, recreational services, power, water and an aerodrome.

Historically, the Shire of Murchison has imposed differential rates on the basis of whether land is used for pastoral purposes, mineral exploration or mining, as it considers that this is more equitable than a flat rate, drawing more revenue from those enterprises that may cause degeneration of infrastructure through higher use.

#### **Reasons**

Council is satisfied that the services and facilities it provides are managed efficiently and effectively and that it is appropriate to rate differentially in order to meet the budget deficiency.

As part of its drive to ensure efficiency and transparency within the organisation, Council recently completed its review of the 2016-17 Budget to ensure income and expenditure targets will be met for the 2016/17 year. Also, it recently reviewed the appropriateness and effectiveness of its risk management, internal control and legislative compliance as required under Local Government (Audit) Regulations 1996 and reviews the appropriateness and effectiveness of the financial management systems and procedures of the Shire as per regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996.

For consistency, Council has ensured that properties that are used for the same purpose are rated in the same way and has considered the rates charged by neighbouring councils in its deliberations. The rate in the \$ for Exploration is currently well below that of surrounding Shires and it is proposed to increase it at a higher rate this year than the other two differential rating categories. Council may also need to consider increasing the pastoral rate in the \$ over time in order to attain consistency with surrounding Shires.

The Shire of Murchison's reasons for differentially rating according to land use are shown below:

#### **UV – Pastoral**

Pastoral means any land that currently has a pastoral lease granted. This category is rated to reflect the infrastructure maintenance cost to the Council and the sectors' reduced viability caused by many years of droughts and floods and the devastation caused by the wild dog problem. It also recognises the long term commitment of pastoralists to the region and their stewardship of Crown Land. Further, an annual biosecurity rate is linked to the valuations provided by the Valuer General. This biosecurity rate is payable by the pastoral sector only, even though the mining/exploration sectors pose 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.

**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.

**Carried:****For: 4****Against: 0****16.6 Plant Replacement Program**

File:	18.4
Author:	Peter Dittrich - Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 April 2017
Attachments:	Plant Replacement Program (Minor & Major Plant) Minutes of Plant Working Group held on 11 April 2017

**Matter for Consideration:**

Review of the plant replacement programme.

**Background:**

As part of our integrated planning process and the annual review of the Long Term Financial Plan it has been necessary to continue to review our fifteen year plant replacement programme.

**Comment:**

The CEO had previously worked with the Works Supervisor to formulate a proposed Plant Replacement Programme showing projected costs over the next fifteen years. The programme had been based on information on existing plant such as hours on the clock, known maintenance issues and expected length of service. The reviewed Plant Replacement Programme has been forwarded to the Plant Working Group for consideration and a tele-conference was undertaken on 11<sup>th</sup> April 2017. The recommendations resulting from that tele-conference are reflected in the attached Plant Replacement Programme.

The program is split into Major and Minor Plant Purchases and has been extended out to fifteen years (2033/32) to reconcile with the similar time frame of our Long Term Financial Plan.

**Statutory Environment:**

Local Government (Financial Management) Regulations 1996

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Budget/Financial Implications:**

Forward planning for Council's items of plant and light vehicles is an integral part of the annual review of the Strategic Resource Plan and in preparation for the budget.

**Consultation:**

Dianne Daniels - CEO  
Brian Wundenberg - Works Supervisor  
Plant Working Group

**Recommendation:**

That Council adopt the Shire of Murchison Plant Replacement Programme as recommended by the Plant Working Group.

*Discussion:*

*The purchase of the post-hole digger is to be delayed to the 2017/18 financial year.*

*The Purchase of the Works Supervisor vehicle canopy will be delayed, as per item 16.4 of this meeting, and considered in the 2017/18 budget deliberations.*



**Voting Requirements:**

Simple Majority

**Council Decision:****Moved: Councillor A Whitmarsh****Seconded: Councillor E Foulkes-Taylor**

That Council adopt the Shire of Murchison Plant Replacement Programme as recommended by the Plant Working Group.

**Carried:****For: 4****Against: 0****17. DEVELOPMENT - CONTINUED****17.3 Request from DPaW to Reconsider Decision to Close Woolgorong Road**

File:	12.8
Author:	Dianne Daniels
Interest Declared:	Nil
Date:	24 April 2017
Attachments:	Information Brochure on Karara Rangeland Park Mid West Times News Article

**Matter for Consideration:**

Council to consider a request from the Department of Parks and Wildlife (DPaW) to reconsider Council's decision of October 2016 to commence the process to formally close the Woolgorong South Road.

**Background:**

At the October 2016 Ordinary Meeting of Council, as part of its review of the Road Hierarchy at Item 17.1, Council decided to commence the process to formally close the Woolgorong North/South Road, along with other roads in the network that the Shire no longer maintain.

On the 21<sup>st</sup> March 2017, I met with Anthony Desmond and David Pongrazc at the offices of DPaW in Geraldton to discuss access to gravel pits and DPAW's plans for a network of Rangeland Parks throughout the Murchison region.

This comes off the back of the Parks for People Caravan and Camping initiative to improve and expand camping and associated visitor experiences in national parks and conservation reserves throughout Western Australia. It provides for visitor facilities and services including the establishment of affordable camping and caravan accommodation, walk, bike and drive trails, and the creation of interpretation information including mobile and desktop applications for protected areas across the State.

Implemented by the Department of Parks and Wildlife, the initiative is part of the Government's Western Australian Caravan and Camping Action Plan 2013–18, which represents a total investment of \$40.72 million over four years to implement key tourism recommendations of the Caravan and Camping Inquiry. The \$21.05 million initiative consists of \$14.75 million from the Caravan and Camping Action Plan coordinated by Tourism WA and \$6.3 million for improvements to visitor facilities.

The first Rangeland Park in the Murchison greater region is Karara Rangeland Park, where a new park ranger recently took up residence at Thundelarra Homestead. Transforming old stations into conservation parks comes out of the need for more conservation reserves representing rangelands biodiversity, which has coincided with an increased demand from international and interstate visitors for outback tourism. At Karara, rangelands drive-trails and low-key camping opportunities are available, including upgraded accommodation at Thundelarra and Warriedar homesteads.

The plan is to continue this concept at Woolgorong and then Muggon.

**Comment:**

The Shire of Murchison has recently undertaken a full review of its Community Strategic Plan, including extensive community consultation. The upgrade and maintenance of the road network and tourism development were both high priorities that sit under the Economic Objective in the plan – '*To develop the region's economic potential to encourage families and businesses to stay in the area*'.

Further, the Shire is involved on a regional level in a geo-tourism project, with the aim of establishing WA's first major geo-tourism development in the Murchison subregion. On the 12<sup>th</sup> March 2015, Gavin Treasure of the Mid West Development Commission contacted the various CEO's in the Murchison Region to discuss a Regional blueprint priority project for consideration – Murchison Geo-tourism Development.

The Mid West Tourism Development Strategy (2014) concluded that the region's iconic nature based tourist attractions were not developed to their potential and that its visitor appeal was not fully realised. The Strategy identified 'geo-tourism' in the Murchison subregion as a potential 'game changing' tourism initiative, with capacity to help the region realise its potential as a major tourism destination in its own right.

Geo-tourism was also identified as a priority "aspiration" in the State Planning Strategy 2050 to capitalise on the State's unique geo-heritage values.

Regional geo-tourism and DPaW's Parks for People, provide a good synergy and should increase visitor numbers to the Shire of Murchison and surrounds, providing opportunities for business to develop.

So, on the one hand, Council can consider the benefits that DPaWs' Rangeland Parks will bring to the Shire from the point of view of increasing visitor numbers, but on the other hand, there will be a Whole of Life Cost for maintenance if the Woolgorong South Road remains open.

The report prepared by the Deputy CEO at 17.2, indicates that the Whole of Life Cost to maintain an unsealed road is \$2,853 per km per annum. This cost is inclusive of two grades per annum, cleaning of drains, maintenance of road furniture and full re-sheeting every fifteen years. If the road was graded once per annum (winter, double cut) instead of twice, then this cost would be reduced to \$2,549 per km per annum.

The access road into Woolgorong from the Carnarvon Mullewa Road is 12 km long and so the average cost to maintain it to a reasonable standard, including re-sheeting every fifteen years would be \$34,236 for two grades per annum or \$30,588 for one grade per annum.

Since Woolgorong was purchased by DPaW (then called the Department of Environment and Conservation (DEC)), the Shire has received no rates contribution from the property as they are exempt from paying rates. Initially, there was a Memorandum of Understanding between DEC and the Shire, in which DEC agreed to pay an annual amount of money to the Shire (equivalent to lost pastoral rates) in exchange for the ongoing maintenance of the access road to a standard not less than expected for other similar roads within the Shire of Murchison. This was a three year agreement which was not renewed by DEC and so maintenance on the access road, by the Shire, ceased on termination of the Agreement.

If Council were to consider leaving the Woolgorong Road South Road open, then in all fairness to the contribution that other ratepayers make, it would not be unreasonable to make the decision subject to another Memorandum of Understanding, in which DPaW agree to make a contribution, equivalent to pastoral rates, to the maintenance of the road.

The shortfall, which would be in the range of \$27,000 to \$31,000 (approximately) per annum, could be regarded as being a contribution from the Shire towards economic development (tourism) in the region.

### **Statutory Environment:**

The Shire, as the management body of Roads under the *Land Administration Act 1997* (WA)

### **Strategic Implications:**

Tourism is a high priority within the Strategic Community Plan

### **Policy Implications:**

Nil

### **Budget/ Financial Implications:**

The cost to keep the Woolgorong South Road open would be in the vicinity of \$27,000 to \$31,000, subject to a MOU being negotiated with DPaW to contribute to its upkeep at a rate equivalent to pastoral rates.

### **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

**Consultation:**

DPaW

**Recommendation:**

That Council rescind its decision of the 28<sup>th</sup> October 2016, to commence the process to formally close the Woolgorong South Road, subject to agreement from the Department of Parks and Wildlife that they will be a party to a Memorandum of Understanding with the Shire of Murchison to contribute towards the maintenance of the road at a rate equal to that paid by pastoralists within the Shire of Murchison. Said maintenance will be undertaken by the Shire of Murchison to a standard not less than expected for Category E Roads.

*Discussion:*

*The definition of a category E road was explained as well as that of a category D road. Cr M Williams expressed concern that the target market of the Department of Parks and Wildlife may have high expectation of road conditions. Cr E Foulkes-Taylor suggested that a balance be struck between basic maintenance and a user pays scenario.*

*The rate to be used in the MOU is to be the equivalent of the property rate that would otherwise be raised against the land if it were a pastoral lease.*

*After considering the potential traffic volume, which is expected to be greater than an annual average of one vehicle per day it was felt that the road would be better classified as a category D road.*

**Voting Requirements:**

Absolute majority

**Council Decision:****Moved: Councillor E Foulkes-Taylor****Seconded: Councillor A Whitmarsh**

That Council rescind its decision of the 28<sup>th</sup> October 2016, to commence the process to formally close the Woolgorong South Road, subject to agreement from the Department of Parks and Wildlife that they will be a party to a Memorandum of Understanding with the Shire of Murchison to contribute towards the maintenance of the road at a rate equal to property rates paid by pastoralists within the Shire of Murchison. Said maintenance will be undertaken by the Shire of Murchison to a standard not less than expected for Category D Roads.

**Carried:****For: 4****Against: 0****18. ADMINISTRATION****18.1 WALGA AGM 2017 - Call for Motions and Nomination of Two Voting Delegates**

File:	4.6
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	Nil
Date:	22 April 2017
Attachments:	Correspondence from WALGA – Notice of Annual General Meeting 2017 Procedural information for Submission of Motions

**Matter for Consideration:**

Council to:

1. note the correspondence from the WA Local Government Association regarding its Annual General Meeting 2017; and
2. consider submission of motions for inclusion in the Agenda; and
3. nominate 2 Voting Delegates and 2 proxy Voting Delegates to represent the Shire of Murchison at the AGM.

**Background:**

WALGAs' Annual General Meeting is held during the Local Government Convention. It is a critical forum for discussing the issues facing WA Councils and for developing directions forward.

All member Councils are entitled to be represented by two voting delegates.

**Comment:**

This years' AGM will be held at the Perth Convention Centre on Wednesday 2 August 2017, from 1:30 pm to 5:30 pm. Members of WALGA are invited to submit motions for inclusion on the Agenda, by Monday 5 June 2017. Motions proposing alterations or amendments to the Constitution of WALGA must be received by COB Friday, 12 May 2017 in order to satisfy the 60 day constitutional notification requirements.

The attached procedural information gives Members guidance on the formulation of and acceptable criteria for motions.

**Statutory Environment:****LGA 1995 Division 5 – Associations of Local Government**

9.58. Constitution of associations of local government

(1) The Western Australian Local Government Association ("WALGA") is constituted as a body corporate with perpetual succession and a common seal.

(2) Proceedings may be taken by or against WALGA in its corporate name.

(3) WALGA has the objects and functions set out in its constitution.

(4) Subject to subsection (5), WALGA may, at any time, amend its constitution and, whenever it does, it is to forthwith —

(a) give to the Minister; and

(b) lodge with the Commissioner as defined in the Fair Trading Act 2010 section 6, a copy of the amendment to the constitution.

(5) WALGA is not to change the objects for which it is constituted without the approval of the Minister.

(6) Without limiting the generality of subsection (3), WALGA may —

(a) of its own motion, make representations and submissions to the Minister on any matter or thing relating to or affecting its members; and

(b) with the approval of the affected members, arrange contracts of insurance on behalf of all or any of its members for any purpose.

(7) WALGA may do all things necessary or convenient to be done to enable it to achieve its objects and perform its functions.

**Strategic Implications:**

Involvement with local government associations sits under Civic leadership within the Strategic Community Plan – regional collaboration; enhanced consultation.

**Policy Implications:**

Refer Policy 8.1 Councillor Expenses

**Budget/ Financial Implications:**

The WALGA AGM is held during the WALGA Local Government Convention and attendance is free of charge for all member local governments. So, for Voting Delegates already attending the Convention, there will be no further travel or accommodation costs. Travel and accommodation costs may be incurred as per Policy 8.1 Councillor Expenses for Voting Delegates if they aren't already attending the Convention.

**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

**Consultation:**

Nil

**Recommendation:**

That Council:

1. notes the correspondence from the WA Local Government Association regarding its Annual General Meeting 2017; and
2. a) resolves to submit the following motion for inclusion in the WALGA AGM 2017 Agenda:  
(insert motion); or  
b) resolves that no motion will be submitted for inclusion in the WALGA AGM 2017 Agenda; and
3. nominates Cr (TBA) and CR (TBA) as Voting Delegates and Cr (TBA) and Cr (TBA) as proxy Voting Delegates to represent the Shire of Murchison at the AGM.

**Voting Requirements:**

Simple majority

**Council Decision:****Moved: Councillor E Foulkes-Taylor****Seconded: Councillor A Whitmarsh**

That Council:

1. notes the correspondence from the WA Local Government Association regarding its Annual General Meeting 2017; and
2. resolves that no motion will be submitted for inclusion in the WALGA AGM 2017 Agenda; and
3. nominates Cr R Foulkes-Taylor and CR E Foulkes-Taylor as Voting Delegates and Cr M Williams and Cr A Whitmarsh as proxy Voting Delegates to represent the Shire of Murchison at the AGM.

**Carried:****For: 4****Against: 0****18.2 Nominations to Attend ALGA 2017 National General Assembly**

File:	4.31
Author:	Dianne Daniels, Chief Executive Officer
Interest Declared:	Nil.
Date:	22 April 2017
Attachments:	Invitation from ALGA to National General Assembly of Local Government Program Policy 8.1 Councillors Expenses

**Matter for Consideration:**

Council to consider sending a representative to the Australian Local Government Association (ALGA) National General Assembly (NGA) in Canberra from 18-21 June 2017.

**Background:**

ALGA is the national peak advocacy body for local government. Key activities include representation of local government on national bodies and ministerial councils, providing submissions to government and parliamentary inquiries, raising the profile and concerns of local government at the national level and providing forums for local government to guide the development of national local government policies.

Major events convened by ALGA each year include the NGA and the National Local Roads and Transport Congress.

The NGA brings together several hundred delegates from councils across Australia to move and debate resolutions of concern to local government. Speakers generally include prominent local government leaders, national political leaders and leading Australian experts and academics from fields of interest and relevance to local government

**Comment:**

The theme for the 2017 NGA is 'Building Tomorrow's Communities'. Government at all level needs to focus on creating an environment in which people and businesses can innovate and prosper. Local Government in particular is well placed to identify and respond to local needs which are often diverse, complex and changing rapidly in response to evolving domestic and global pressures.

This year, the Prime Minister, the Deputy Prime Minister, the Leader of the Opposition and the Leader of the Australian Greens have been invited to participate. The Minister for Local Government and Territories, Senator the Hon Fiona Nash and the Assistant for Cities and Digital Transformations, the Hon Angus Taylor MP will address the NGA, along with political commentator and journalist, Laura Tingle.

A number of crucial policy motions will be debated at the NGA and as such it is important that all local governments are represented.

### **Statutory Environment:**

s.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:**

A number of crucial policies will be discussed at the NGA and it is important that all local governments are represented.

### **Sustainability Implications**

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

### **Policy Implications:**

Council's Policy 8.1 on Councillor Expenses is relevant to this item.

### **Financial Implications:**

There is \$4,345 left in account 04101 Members Conference Expenses.

### **Consultation:**

N/A

### **Recommendation:**

That a councillor be nominated to attend the 2017 NGA in Canberra from 18-21 June 2017.

### **Voting Requirements:**

Simple majority

### **Item Lapsed – Not Moved**

#### **18.3 Call for Motions - ALGA 2017 National General Assembly**

This item was withdrawn by the officer.

#### **18.4 Request to leave Vacancy in Office Left by the Resignation of Mark Halleen Unfilled**

File:	4.9
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	Nil
Date:	24 April 2017
Attachments:	Correspondence from the Electoral Commission

### **Matter for Consideration:**

Council to note the correspondence from the Electoral Commission approving Councils' request that the vacancy left by the resignation of Mark Halleen remain unfilled until the October 2017 ordinary elections.

**Background:**

At a Special Meeting of Council held on the 29<sup>th</sup> March 2017, Council resolved to make a request to the Electoral Commissioner to allow the vacancy, left by the resignation of Mark Halleen, to remain unfilled until the Ordinary Elections for Council to be held on the 21<sup>st</sup> October 2017.

**Comment:**

The request was sent to the electoral Commissioner on 6 April 2017.

**Statutory Environment:**

## 2.32. How extraordinary vacancies occur in offices elected by electors

The office of a member of a council as an elector mayor or president or as a councillor becomes vacant if the member —

- (a) dies; or
- (b) resigns from the office; or
- (c) does not make the declaration required by section 2.29(1) within 2 months after being declared elected to the office; or
- (d) advises or accepts under section 2.27 that he or she is disqualified, or is declared to be disqualified by the State Administrative Tribunal acting on an application under section 2.27; or
- (da) is disqualified by an order under section 5.113, 5.117 or 5.119 from holding office as a member of a council; or
- (e) becomes the holder of any office or position in the employment of the local government; or
- (f) having been elected to an office of councillor, is elected by the electors to the office of mayor or president of the council.

## 4.17. Cases in which vacant offices can remain unfilled

- (1) If a member's office becomes vacant under section 2.32 on or after the third Saturday in July in the election year in which the term of the office would have ended under the Table to section 2.28, the vacancy is to remain unfilled and the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.
- (2) If a member's office becomes vacant under section 2.32 —
  - (a) after the third Saturday in January in the election year in which the term of the office would have ended under the Table to section 2.28; but
  - (b) before the third Saturday in July in that election year,

the council may, with the approval of the Electoral Commissioner, allow the vacancy to remain unfilled and, in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.
- (3) If a councillor's office becomes vacant under section 2.32 and under subsection (4A) this subsection applies, the council may, with the approval of the Electoral Commissioner, allow\* the vacancy to remain unfilled and, subject to subsection (4), in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.

\* *Absolute majority required.*

## (4A) Subsection (3) applies —

- (a) if —
  - (i) the office is for a district that has no wards; and
  - (ii) at least 80% of the number of offices of member of the council in the district are still filled;

or
- (b) if —
  - (i) the office is for a ward for which there are 5 or more offices of councillor; and
  - (ii) at least 80% of the number of offices of councillor for the ward are still filled.

- (4) If an ordinary or an extraordinary election is to be held in a district then an election to fill any vacancy in the office of councillor in that district that was allowed to remain unfilled under subsection (3) is to be held on the same election day and Division 9 applies to those elections as if they were one election to fill all the offices of councillor for the district or ward that need to be filled.

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Budget/ Financial Implications:**

There is a savings of approximately \$2,000 as no advertising will be required for an extra-ordinary election and there will be a small savings in that we will have only five councillors rather than six until October 2017.

**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

**Consultation:**

Nil

**Recommendation:**

That Council note the correspondence from the Electoral Commission approving Councils' request that the vacancy left by the resignation of Mark Halleen remain unfilled until the October 2017 ordinary elections.

**Voting Requirements:**

Simple majority

**Council Decision:****Moved: Councillor M Williams****Seconded: Councillor A Whitmarsh**

Council notes the correspondence from the Electoral Commission approving Council's request that the vacancy left by the resignation of Mark Halleen remain unfilled until the October 2017 ordinary elections.

**Carried:****For: 4****Against: 0****19. NOTICE OF MOTION**

Nil

**20. CEO ACTIVITY REPORT**

Date	Activity
16/03/2017	Regular Meeting with DCEO
20/03/2017	Admin Meeting
20/03/2017	Regular meeting with Works supervisor
21/03/2017	Regional Road Group Meeting in Geraldton
21/03/2017	Meeting with Steve Petts of GHD and Department of Parks & Wildlife re access to gravel and Rangeland Parks/Woolgorong access road.
22/03/2017	SKA Contractors Meeting
23/03/2017	Tender Assessment RFT 7.2016/17 Construct & Seal Carnarvon Mullewa Road
23/03/2017	Audit Committee Meeting - Compliance Audit Return
23/03/2017	Ordinary Meeting of Council – CEO resigned for family reasons - 3 months' notice given
24/03/2017	Regular meeting DCEO



27/03/2017	MEG Meeting, Cue
28/03/2017	Special Meeting of Council – CEO Review; Annual Road Inspection
29/03/2017	Special Meeting of Council – election of Office Bearers; nominations to SKA Working Group; Strategic Community Plan; discuss Road Inspection
29/03/2017	Special Meeting of Council – consider Vacancy left by resignation of Mark Halleen; consider process for recruitment of new CEO
29/03/2017	Seal repairs at Ballinyoo Bridge as part of defect liability repair works – contractor to return to finish the works as the stripping is worse than first thought - ran out of aggregate.
30/03/2017	Regular meeting DCEO
4/04/2017	Review Plant Replacement program for 2017/18 with DCEO and Works Supervisor
4/04/2017	Assess Heavy Maintenance Quotes with DCEO/WS – awarded to Squires Resources
6/04/2017	Phone conversation with Steve Douglas of the Mid West Development Commission. He is working on our behalf to commence investigations into our Settlement Power requirements.
6/04/2017	Regular Meeting DCEO
10/04/2017	Admin Meeting
10/04/2017	Regular Meeting with Works Supervisor
11/04/2017	Meeting of Plant Replacement Working Group to review Plant Replacement Program for 2017/18
12/04/2017	Special Meeting of Council – re CEO Recruitment
13/04/2017	Regular Meeting DCEO
13/04/2017	Teleconference with Josh Kirk Greenfields re the Whole of Life Costing for the Beringarra Cue Road
13/04/2017	Meeting with Works Supervisor prior to Crew Easter Break and Annual Leave - update on status of projects
20/04/2017	Regular meeting DCEO

**Recommendation:**

That the CEO's Activity Report be accepted.

*Discussion*

*Bocol will return to undertake further repair to the approach to the bridge.*

*The heavy maintenance quotes relates to bunding works.*

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor E Foulkes-Taylor**

**Seconded: Councillor A Whitmarsh**

That the CEO's Activity Report be accepted.

**Carried:**

**For: 4**

**Against: 0**

**21. URGENT BUSINESS**

Motion to accept item 21.1 Results of Extra-ordinary Election 12 April 2017 as urgent business

**Council Decision:**

**Moved: Councillor M Williams**

**Seconded: Councillor E Foulkes-Taylor**

That item 21.1 Results of Extra-ordinary Election 12 April 2017 be accepted as urgent business.

**Carried:**

**For: 4**

**Against: 0**

**21.1 URGENT BUSINESS – Results of Extra-ordinary Election 12 April 2017**

File:	4.9
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	Nil
Date:	27 April 2017
Attachments:	Nil

**Matter for Consideration:**

This report is to brief elected members on the conduct of the in person extra-ordinary election held on 12 April 2017 and to provide an overview of the statistics that relate to the election.

**Background:**

The extra-ordinary election was held to fill a vacancy in the Darlot Ward left by the resignation of Simon Broad in December 2016.

**Comment:**

Election Day was a Wednesday, with polling closing at 6:00 pm. The Deputy CEO, Peter Dittrich and CEO Dianne Daniels remained after polls closed to do the count.

Two councillors observed the counting process and were present for the declaration of results.

**Results and Statistics:**

Ward: Darlot  
Candidate Elected: Quentin Fowler  
Term of Office: Term expires October 2019

Number of Candidates	Total Number eligible votes on the roll	Total valid votes cast	Total informal votes	Total votes cast	Percentage turnout
2	51	13	0	13	25.49%

**Statutory Environment:**

For this election, the CEO acted as Returning Officer. The election was conducted on the basis of electors voting in person. Part 4 of the Local Government Act 1995 and Local Government (Election) Regulations 1997 specify the way local government elections are to be conducted.

**Strategic Implications:**

Not applicable

**Policy Implications:**

Not applicable

**Budget/ Financial Implications:**

Legislation calls for four advertisements to be placed in a newspaper that is distributed throughout the State (West Australian). The cost of each of these advertisements was \$2314.

**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

**Consultation:**

Not applicable

**Recommendation:**

That the CEO's report on the election be accepted.

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor A Whitmarsh</b>	<b>Seconded: Councillor M Williams</b>	
That the CEO's report on the election be accepted.		
<b>Carried:</b>	<b>For: 4</b>	<b>Against: 0</b>

The meeting adjourned at 2:55 pm and resumed at 3:07 pm (advice sought on how to record Item 18.2, for which there were no movers).

**23. MEETING CLOSURE**

*The President declared the meeting closed at 3:09 pm.*

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