



Western Australia

Agenda for the Ordinary Meeting of the Murchison Shire Council,  
To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,  
On Thursday **25 May 2017**, commencing at 10.00 am.

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

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

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

Nil.

**4. PUBLIC QUESTION TIME**

**4.1 Standing Orders**

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

**5. NEXT MEETING**

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

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

Discuss four items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. RFQ 18.2016-17 Low Loader; and 2. RFQ 5.2016-17 Purchase Grader and 3. RFQ Mechanics Truck and 4. Road Agreement – SKA Route

**8. CONFIRMATION OF MINUTES**

**8.1 Ordinary Council Meeting – 27 April 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 27 April 2017 be confirmed as an accurate record of proceedings

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That the Minutes of the Ordinary Council meeting of 27 April 2017 be confirmed as an accurate record of proceedings.		
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

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

**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. <b>No further action has been taken on this.</b>	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. <b>Rock markers have been placed and gravel entry and footpaths laid – still to be compacted.</b>
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. <b>No further action has been taken on this.</b>	Reviewed Road Hierarchy October 2016 as a starting point. We need to follow the following process to close roads: <ol style="list-style-type: none"> <li>1. Advertise the proposed closure/s in local newspaper;</li> <li>2. Allow 35 days for submissions;</li> <li>3. Resolve at a meeting following the advertising period to close the roads, after considering objections, if any;</li> <li>4. Submit a formal request to the Minister for Lands;</li> <li>5. If the Minister approves the request, the road becomes unallocated Crown Land.</li> </ol>

**Recommendation:**

That the Action List be accepted.

**Voting Requirements:**

Simple majority

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

## 12. DISCLOSURE OF INTERESTS

## 13. REPORTS OF OFFICERS

### 13.1 Monthly Plant Report – Works Supervisor

April 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	8764	8902	138	1140	8476.17	20969.02
P.02 Cat Grader 12H	2005	MU 141	14167	15240	15380	140	1213	2174.44	17817.15
P15003 JD 6WD Grader	2012	MU121	712	1437	1507	70	795	1761.54	14481.78
P.04 New/H Ford Tractor	2006	MU 380	1912	2073	2105	32	193	2282.46	554.39
P.05 Dolly 1-Red *	2001	MU 2003	1972	12569	4141	0	10597	5264.30	n/a
P.07 Nissan UD	2009	000 MU	202424	215627	216219	592	13795	4839.91	9564.11
P.08 Dolly 2-Black	2000	MU 2009	1816	9581	13197	3616	11381	8727.48	n/a
P.09 Iveco P/Mover	2003	MU1065	315776	331622	332330	708	16554	1756.95	12549.33
P.10 Iveco W/Truck (hrs)	2004	MU 00	10864	11110	11154	44	290	4139.03	2759.74
P.11 Komatsu Dozer	1997		1481	1961	2122	161	641	13902.92	10138.69
P.13 Tri-Axle L/L Float	2008	MU 663	12902	25794	26449	655	13547	5068.49	n/a
P.14 No. 2 Float	2001	MU 2004	2391	9654	10017	363	7626	1931.40	n/a
P.17 Side Tipper	2001	MU 662	970	18526	19980	1454	19010	6173.72	n/a
P.18 Side Tipper *	2001	MU2010	15034	2668	4125	0	6675	11047.74	n/a
P.24 30K W/Tanker Trailer	2005	MU 2024	46001	861	3673	2812	6485	17500.29	n/a
P.27 Volvo Loader	2006	MU 65	7942	8555	8566	11	624	3797.08	9485.40
P.28 Isuzu Dmax	2009	MU 300	209207	220000	221477	1477	12270	2316.42	1849.73
P.32 Construction Gen			22437	25056	25281	225	2844	362.06	5226.12
P.33 Maintenance Gen			9098	11117	11345	228	2247	798.97	3304.16
P.34 Generator Perkins		Mechanic	151	677	1359	682	1208	193.60	1794.43
P.35 Generator 1-110kva	2011		24201	26353	26460	107	2259	23755.18	94433.89
P.35 Generator 2-110kva	2011	Replaced	16826	20262	20262	0	3436		
P. 17035 New Generator	2016		0	385	1000	615	1000		
P.37 Forklift			12443	12592	12592	0	149	729.17	331.40
P.40A Toyota Hilux	2014	01MU	61055	92600	94875	2275	33820	4659.30	5284.38
P.41 Cat 938G Loader	2004	MU 193	5315	5642	5693	51	378	4694.66	3106.12
P.43 Bomag Roller	2012	MU1027	1496	3415	3429	14	1933	3251.55	4852.29
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	180797	1107	8976	717.07	2370.02
P.55 Toyota Prado	2012	MU1011	71388	93500	95396	1896	24008	3750.12	2889.38
P.57 Great Wall	2012	MU 167	54225	61323	61960	637	7735	2441.16	1202.37
P.59 45ft Flat Top	1978	MU2044	0	0	0	0	0	3921.56	n/a
P.60 Mercedes PTV	2004	MU 1009	102020	103488	103518	30	1498	5043.45	248.72
P.61 Kenworth P/Mover	2004	MU 000	76906	96927	98408	1481	21502	10259.21	19957.09
P.63 RAV4 - <b>TRADED 08/16</b>	2013	MU 1011	35031	35800	35800	0	769	0.00	67.32
P.64 Isuzu Construction	2013	MU 140	95645	129356	130483	1127	34838	5749.08	9148.44
P.65 Generator 9KVA	2013	H/ Maint	5440	6391	6391	0	951	0.00	4370.56

<b>P.66 Kubota 6kva Gen</b>	2012	BURNT	9948	12348	12348	0	2400	1286.54	3371.63
<b>P.67 Roadwest S/Tipper</b>	2013	MU2042	58719	75351	76858	1507	18139	6532.29	n/a
<b>P.68 Bomag Padfoot</b>	2013	MU1071	1595	1855	1909	54	314	1832.65	4560.32
<b>P.72 Isuzu Fire Truck</b>	2013	MU1068	1353	1858	1861	3	508	69.62	202.37
<b>P.73 Toyota Fast Attack</b>	2014	MU1069	8900	8900	8900	0	0	2196.86	77.72
<b>Caravans</b>				n/a	n/a	n/a	n/a	8583.93	n/a
<b>P11076 JD Ride on mower</b>			795	915	927	12	132	2800.77	249.82
<b>P15006 Isuzu Maint</b>	2015	MU1018	15842	40149	41483	1334	25641	8150.00	5966.74
<b>P16063 Toyota Prado</b>	2016	MU 0	0	20780	24413	3633	24413	5670.71	2026.25
<b>P16076 Kubota Mower</b>	2016		0	134	150	16	16	1580.96	670.77

### **13.2 Works Report – Works Supervisor**

#### **Construction Crew**

After a well-earned Easter break the construction crew returned on the 26<sup>th</sup> April to commence works around the settlement in readiness for sealing. This included wetting and extra rolling in the roadhouse fuel bowser area. The main street from the roadhouse to the shire office required raising to control the water flow. (approx. 200 -300mm around the information bay area) The remainder of the road was ripped 150mm deep remixed and spread out to a width of 11 metres. (11 metres was used in this area so that when tourists pull over they are not partly on the bitumen and the gravel which could cause damage to the edges and transfer mud onto the road. Crew did a good job in getting the road ready for sealing which was completed and sealed on May 5<sup>th</sup>.

Once the sealing was finished crew cleaned up around the settlement and then moved up to the next works program (approx. 23km north of the settlement on the Carnarvon Mullewa road) which consists of 8 – 10km of reform in some sections and then a full gravel sheet which will take them up to the end of June.

A local contractor (Walladar) has been awarded the carting of gravel to assist in completing the above works program prior to the end of the financial year.

#### **Maintenance Crew**

As with the construction crew above the maintenance crew, Neil Combes (Leading Hand) and Mark Jones (grader operator) returned to work after the Easter break on the 26<sup>th</sup> April and continued with maintenance grading of the Wooleen Twin Peaks road and then moved onto the Meeberrie Wooleen road.

On 4<sup>th</sup> May Mark spent a day working around the settlement with his grader and Broons roller attachment which was of great assistance to the construction crew in preparing the roads in readiness for sealing. Neil continued working on the Meeberrie Wooleen road.

Crew have completed a grade on the Meeberrie-Wooleen, Wooleen-Mt Wittenoorn, Boolardy-Wooleen and are now as of 18<sup>th</sup> May grading the Mt Wittenoorn road. With the completion of this road crew will then grade from approx 5km north of Pia on the Beringarra Pindar road heading south to Mt Wittenoorn intersection as this area requires extra attention before heading south to the intersection of McNabb's and Twin Peaks.

#### **Heavy Maintenance**

The heavy maintenance works program for this year (16/17 budget) is on the Wooleen -Mt Wittenoorn road from the intersection of Boolardy-Wooleen to the intersection of Mt Wittenoorn Beringarra-Pindar and was awarded to local contractor Squires Resources. Work commenced on Tuesday 16<sup>th</sup> May which consisted of building bunds and the first part of the contour banks. The remainder of the contour banks will be completed by the shire. The section mentioned above was washed out in the last lot of flood damage in January/February 2017. These new bunds will help to prevent further damage from heavy rains. If budget allows some new bunds will also go on a section just south of Murgoo woolshed on the Beringarra Pindar road.

#### **Staff Leave**

All road works crew had accumulated time to have 10 days off from Easter Friday 14<sup>th</sup> April and returned to work after Anzac day public holiday on the 26<sup>th</sup> April.

Ryan Prow (gardener) remained in the settlement over the Easter period.

Brian - 2 days off 12/05/2017 and 17/05/2017

**Work Supervisor - General**

27/04/2017 9hrs Grader – Settlement  
 28/04/2017 7hrs Grader – Settlement  
 29/04/2017 8hrs Grader – Settlement  
 01/05/017 9hrs Grader – Settlement  
 02/05/2017 8hrs Grader - Settlement  
 03/05/2017 8hrs Grader – Settlement  
 04/05/2017 7hrs Grader – Settlement  
 05/05/2017 Sealing roads in Settlement  
 10/05/017 10hrs dragging tyres on Carnarvon Mullewa road from settlement north to Byro and back.

**ROADS GRADED 26/04/2017 – 19/05/2017**

Name	Length of Road	SLK's Graded this month	Heavy Maintenance	Comments
Beringarra /Pindar	319.80km			
Erong	63.12km			
Beringarra/Byro	90.89km			
Twin Peaks/Wooleen	47.65km	20km		
Booldardy/Kalli	57.30km			
Byro/Woodleigh	71.00km			
New Forrest/Yallalong	36.18km			
M <sup>c</sup> Nabb/Twin Peaks	49.75km			
Yallalong-West	34.46km			
Mileura/Nookawarra	49.08km			
Muggon	38.75km			
Manfred	34.55km			
Beringarra/Mt Gould	34.80km			
Tardie/Yuin	13.20km			
Innouendy	9.30km			
Booldardy Homestead	2.00km			
Yunda Homestead	32.80km			
Meeberrie-Wooleen	25.22km	25km		Cut over twice
Mt Wittenoorn	37.55km	12km		Cut over twice
Wooleen/Mt Wittenoorn	33.85km	33.8km		Cut over twice
Beringarra Cue	109.82km			
Booldardy Wooleen	19.08km	19km		Cut over twice
Kalli Cue East	21.87km			
Butchers Track	64.54km			
Butchers Muggon	23.80km			
Murchison Settlement	2.00km			
Coolcalalaya Road	36km			
Carnarvon Mullewa	278.63km			
Mt Narryer	3km			
Errabiddy Bluff	12km			
Air strip Graded				

Total this month graded 109km

**Recommendation:**

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

**Voting Requirements:**

Simple majority

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

**14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

**14.1 Shire President**

Councillor Emma F-T and myself attended the Murchison Country Zone meeting on the 4<sup>th</sup> May. This includes delegates from the Shires of Meekatharra, Cue, Magnet, Sandstone, Yalgoo and us. First stop was the Magnet chambers – the state council was conducting one of their regional meetings so all zone reps from right around WA were present.

All six of our local shires were allowed approx 10 to 15min to give a presentation regarding our individual councils.

Some common themes from other shires included – bad crime rates, youth unemployment, various power and water issues, health services (both positive and negative reports), flood damage claims and the frustration about the lack of a betterment component to prevent future damage, an appreciation for state council attending, struggling to attract enough candidates to fill the voluntary role of councillors and an overall sense of reasonable financial strength.

My presentation included:

an appreciation for the work State Councillors do and the substantial amount of time and energy most members put in,

details about our local industries (pastoral, small scale mining, small scale tourism, various local contracting, and the SKA project, ),

our shires pretty good financial health,

the unfortunate steady population decline and how we hope with some new people buying back into the region this will hopefully stabilise and maybe even turn around a bit,

the recent resignation of two long serving Councillors Simon and Mark,

How unfortunately the SKA project seems to take up an awful lot of staff and councillors time without much real positive contribution back to the local community

Some current significant issues including the SKA road access agreement and how we are working through trying to make a well informed decision with the whole district in mind regarding the future of the Beringarra – Cue road surface.

The completion and opening of the Ballinyoo Bridge after about a 40 year build up.

An increasing awareness within Council that a small shire like ours should probably start putting some reserves aside for the ongoing maintenance that the bitumen R-for-R funding has allowed us to lay down will likely require.

We then moved to a zone meeting at Cue.

We had presentations from politicians, Water Corp, health, and education reps to mention a few.

A lot of the people attending really latched on to my comments about the SKA and while some were familiar that it is currently pretty demanding on our council, others were very surprised.

I did an interview on the ABC on this subject, and although the radio bloke was dying for me to really get stuck into CSIRO hopefully I handled it ok by just saying at the moment they are quite tough going and as a shire and community we look forward to more rewarding times ahead.

**14.2 Councillors**

**15. REPORTS OF COMMITTEES**

**16. FINANCE**



**16.1 Financial Activity Statements April 2017**

File:	
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	22 May 2017
Attachments:	Financial Activity Statements to 30 April 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 April 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 30 April 2017 is a surplus of \$3,105,960.

**Variations – YTD Budget to YTD**

**Actual**

Budgeted Closing Funding		
Surplus(Deficit)		<b>191,327</b>

Less Variance to Opening Surplus	(16)
Less Operating Revenues down	(41,890)
Plus Operating Expenditure down	615,658
Plus Operating Activities Excluded	116,339
Plus Investing Activities down	3,013,200
Plus Transfer from reserves up	1,173,493
Less Transfer to reserves up	(1,962,150)

Total Variations	<b>2,914,633</b>
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Actuals Closing surplus (Deficit)	<b>3,105,960</b>
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Refer to April 2017 Financials for explanation of variances.

The following Term Deposits are currently held as at 30 April 2017:

Beringarra- Cue Road Reserve TD	\$3,732,271	@ 1.75% Maturity 18/06/2017
Crosslands MCF Term Deposit	\$ 368,203	@ 2.00% Maturity 25/05/2017
Ballinyoo Bridge	\$1,980,773	@ 1.50% Maturity 27/05/2017

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

**Strategic Implications:**

Nil.

**Policy Implications:**

Nil.

**Budget/Financial Implications:**

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

**Sustainability Implications:**

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

**Consultation:**

Moore Stephens

**Recommendation:**

That Council adopt the financial statements for the period ending 30 April 2017 as attached.

**Voting Requirements:**

Simple majority.

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

**16.2 Accounts Paid April 2017**

File:	4.37.1
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	22 May 2017
Attachments:	EFT & Cheque Details for April 2017

**Matter for Consideration:**

Endorsement of accounts paid during the month of April 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 April 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 \$318,332.89 which includes \$1,000.00 of intra account transfers for the month of April 2017, be endorsed by Council.

**Voting Requirements:**

Simple majority

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

**16.3 Establishment of New Building Reserve**

File:	2.9
Author:	Peter Dittrich - Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 <sup>th</sup> May 2017
Attachments:	Nil

**Matter for Consideration:**

Council to consider the establishment of a Building Reserve funded by unspent budgeted funds.

**Background:**

In the 2016-17 Shire Budget provision was made for the extension of the Administration Building – C14218 Cap-Ex – Extend Administration Building – Own source Funds and for the initial work relating to an Interpretive Centre – C14220 – Cap-Ex – Development Plans for Interpretive Centre – Own Source Funding in the amounts of \$250,000 and \$50,000 respectively.

**Comment:**

The project to undertake the extension of the Administrative Centre and the development plans for the Interpretive Centre has not yet commenced. These projects are unlikely to commence in the current financial year. It is suggested that these funds be transferred to a new reserve which will be used for the future development of buildings and facilities within the Murchison Settlement.

The Shire currently has a Building Reserve to be used for the construction of a **new** administration centre. The wording does not allow the funds in the reserve to be used for the extension of the administration building nor for the development of any other building. The purpose of the reserve is able to be amended following a period of public notice or at the time that council adopts its budget.

Council is not able to designate the funds for the two aforementioned projects as restricted Cash as there is no associated liability with the funds. Council is however able to leave the funds in general funds to form part of the carried forward surplus in the 2017-18 Budget and then allocate those funds as needed across all aspects of the budget.

The shire is currently reviewing its Strategic Resource Plans including its Workforce Plan and Business Plan. The transfer of the funds to the proposed reserve would quarantine the funds whilst Council finalises its plans and establishes its priorities.

**Statutory Environment:**

Local Government Act 1995

**6.11. Reserve accounts**

- (1) *Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (2) *Subject to subsection (3), before a local government —*
  - (a) *changes\* the purpose of a reserve account; or*
  - (b) *uses\* the money in a reserve account for another purpose,*

*it must give one month's local public notice of the proposed change of purpose or proposed use.*

*\* Absolute majority required.*
- (3) *A local government is not required to give local public notice under subsection (2) —*
  - (a) *where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or*
  - (b) *in such other circumstances as are prescribed.*
- (4) *A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.*
- (5) *Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.*

**Sustainability Implications:**□ **Environmental**

There are no known significant environmental implications associated with this decision

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

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

A budget amendment would be required to allow the transfer of funds.

**Consultation:**

Nil

**Recommendation:**

- 1) That a new reserve be established – Murchison Settlement Buildings and Facilities (MSBF). The MSBF be used for the future development of buildings and facilities and all associated work including feasibility studies.
- 2) That the funds allocated to C14218 Cap-Ex – Extend Administration Building – Own source Funds and for the initial work relating to an Interpretive Centre – C14220 – Cap-Ex – Development Plans for Interpretive Centre – Own Source Funding in the 2016-17 Budget (\$250,000 and \$50,000 respectively) be transferred to the MSBF reserve before 30 June 2017.

**Voting Requirements:**

Absolute Majority

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

**17. DEVELOPMENT**

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

File:	4.62
Author:	Dianne Daniels - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 May 2017
Attachments:	Whole of Life Cost Estimate Report Dated 15 May 2017 Revision 1

**Matter for Consideration:**

Council to consider the Whole of Life Cost Estimate Report dated 15 May 2017 Revision 1 for the Beringarra Cue Road and the future structure of the road surface.

**Background:**

At the Ordinary Meeting of Council on the 19<sup>th</sup> August 2016 a decision was made to invite Public Tenders for various bitumen seal, reseal and repair works, including bitumen repair work on the Beringarra Cue Road. 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 (Beringarra Cue Road) because the tendered prices far exceeded the budget.

During the discussion relating to the CEO’s Activity Report at the March 2017 Ordinary Council Meeting, regarding the inspection of the Beringarra Cue Road, 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. 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 report was presented to the April 2017 meeting. There were concerns that perhaps some of the assumptions didn't actually reflect the Shire's current work practices and so the decision was made *'that Council undertake a full review, in workshop format, of all the options available with all 5 councillors, the CEO, DCEO, Works Supervisor and external advisor as soon as possible'*.

The workshop was undertaken on the 11 May 2017. The original report was revised based on discussions during the workshop (Revision 1).

**Comment:**

The first revision of the original report is presented today and is summarised below:

Cost to Upgrade:

The report assumes that the road is at an acceptable standard at Year 0. Section 7.0 of the report provides an estimate of the cost to upgrade the road to achieve this Year 0 starting point. Those costs are summarised below:

Options	Estimated Cost to Upgrade Road to Desired Year 0 Condition				Total Cost
	Crack Sealing	Re-Sealing	Stabiliser	Drainage	
8m seal + existing unsealed	\$400,000	\$5,006,647	N/A	\$500,000	\$5,906,647
4m seal + existing unsealed	\$300,000	\$3,167,212	N/A	\$500,000	\$3,967,212
Full length unsealed	N/A	N/A	\$2,307,460	\$750,000	\$3,057,460

**Report Table 3 Page 10 – Summary of estimated upgrade costs**

NB: The costs for crack sealing and drainage are nominal costs only. Further engineering work is required to accurately estimate these costs. Drainage costs are higher for the full length unsealed road due to the additional drainage required to allow for erosion and silting. The upgrade estimate is for the 85.26 km of bitumen road and does not include the 22.63 km of unsealed road

Cost to Maintain over 30 Years:

From this Year 0 starting point, several assumptions were made in regard to the shire's current work practices (refer page 3 of the report) and economic and technical assumptions were made (refer section 5.0 on pages 4 and 5 of the report), to arrive at 30 year maintenance costs for the three alternatives, as summarised in the table below:

Options	Discounted Maintenance Cost (30 years)	Annual Maintenance Cost Range (30 years)	Average Maintenance Cost per Kilometre
<b>Alternative 1</b> Maintain 85.26 km of 8 m wide bitumen seal and 22.63 km of unsealed road	\$13,777,791	\$182,380 - \$6,131,649	\$4,257
<b>Alternative 2</b> Maintain 85.26 km of 4 m wide bitumen seal (single lane) and 22.63 km of unsealed road	\$8,447,102	\$154,807 - \$3,174,719	\$2,610
<b>Alternative 3</b> Maintain 107.89 km of unsealed road	\$3,002,532	\$84,146 – \$194,553	\$928

**Report Table 2 Page 8 – Maintenance Costs**

For Alternatives 1 and 2, the significant cost item is the pre-seal/re-seal of the 8m sealed road every 15 years (spread over a three year program). Alternative 3 is standard practice for the majority of lesser used rural and remote roads throughout Western Australia. This alternative provides a 6-8m wide unsealed road for the total length, which will provide a good level of serviceability in dry conditions, but as with other gravel roads in the Shire, it may be closed for a period of time after significant rainfall to minimise potential damage

to the road. The major maintenance cost associated with this Alternative is the yearly re-sheeting program commencing in year 10.

The analysis suggests that maintaining a full length unsealed road is approximately 65% cheaper over 30 years than maintaining a 4m sealed road with unsealed sections and 78% cheaper than maintaining an 8m sealed road with unsealed sections. The percentage difference is lower in the first 10 years, prior to the costly re-sealing/re-sheeting activities being introduced (refer graphs pages 8 and 9 of the report).

Total Upgrade and Maintenance Costs over 30 Years

A final consideration is to combine the total Upgrade and Maintenance costs for comparison purposes, as shown in the table below (note: the Upgrade cost estimate is for the 85.26 km of bitumen road and does not include the 22.63 km of unsealed road; Maintenance cost estimate includes the 22.63 km of unsealed road):

Options	Total Upgrade Cost	Total Maintenance Cost	Total Cost (Upgrade and Maintenance)	Total Cost per kilometre
Alternative 1	\$5,906,647	\$13,777,791	\$19,684,438	\$182,449
Alternative 2	\$3,967,212	\$8,447,102	\$12,414,313	\$115,065
Alternative 3	\$3,057,460	\$3,002,532	\$6,059,991	\$56,168

**Report Table 4 Page 11 – Total combined upgrade and maintenance costs**

A discussion on the risks and general considerations is delivered on Page 12 of the report and includes, for the sealed options, transition from sealed to unsealed surfaces can present hazards; closure of unsealed sections of road may prevent access to sealed sections during or following rain events; user expectation is higher on a sealed road than on an unsealed road and so pavement and seal defects may present serious hazards. For the unsealed section the road may need to be closed during or following rain events; there is a lower speed environment; and reduced skid resistance.

The report recommends that whichever alternative is selected, consideration should be given to maintaining a minimum seal length of 1 km; a reliable method of conversion from seal to gravel should be used to provide a stable and consistent formed surface; advisory signage to be installed at all transition points between seal and gravel; the issue of liability should be considered carefully as an incident associated with pavement failure on a bitumen road may be significantly greater than if the incident occurred on a formed gravel road.

In summary, the report has provided a compelling argument from a financial point of view to turn the sealed section of the Beringarra Cue Road back to gravel at an estimated cost of \$3.1 million. Council is currently holding \$3.8 million in the Beringarra Cue Road Reserve for the purpose of converting the road to gravel. The Greenfield report did recommend that further consideration needs to be given to the extent of the drainage upgrade works required and this may end up being an extra cost.

The Reserve, at \$3.8 million, does not cover either a 8m or 4m re-seal to bring the road to Year 0 condition and even if it did, it would be hard to justify the 30 year maintenance costs of \$13.7 million for an 8 metre seal or \$8.4 million for a 4 metre seal, compared with gravel at \$3 million.

There is some support for turning it back to gravel over time and trying to keep the better sections of seal for as long as possible. In its consideration of this option, Council need to be aware that WANDRRA funds will not be granted for any damage caused to the sealed sections of the Beringarra Cue Road caused by flooding, because of the manner in which it was constructed. The potential costs can't be estimated and so the option poses a significant risk. They also need to consider that the costs of conversion will be greater as time passes, as there will be multiple lots of mobe/de-mobe and plant costs will increase over time. Also, the risks presented by changing driving surfaces are increased along with the associated liability and the gravel sections will cause the road to be closed during extended rain events, so that the bitumen sections can't be accessed.

When the whole of life cost of the three options is considered, along with the risks and weighted against the amount that Council hold in Reserve, then I don't see that there is any option but to turn the Beringarra Cue Road from seal to gravel in the short term.

**Statutory Environment:**

LGA 1.3 (3)

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

6.11. Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

(2) Subject to subsection (3), before a local government —

(a) changes\* the purpose of a reserve account; or

(b) uses\* the money in a reserve account for another purpose,

it must give one month’s local public notice of the proposed change of purpose or proposed use.

\* Absolute majority required.

**Strategic Implications:**

Maintenance and Upgrade of the Road Network is a key strategy to achieve economic outcomes in the Strategic Community Plan.

**Policy Implications:**

Nil

**Financial Implications:**

Council is holding \$3.8 million in the Beringarra Cue Road Reserve. The purpose of the Reserve is ‘to be used for the maintenance and repair of 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’.

**Sustainability Implications:**

□ **Environmental**

If a decision is made to convert the road back to gravel, there is enough money in reserve to construct a good quality unsealed road, complete with floodways as required and to construct well-designed drains and bunds that will contribute to the future health of the surrounding country.

□ **Economic**

If a decision to convert the road to gravel is made, then there may be an adverse economic impact on one, perhaps two, businesses to the north of the Shire.

□ **Social**

If a decision to convert the road to gravel is made, then there may be an adverse social impact on one, perhaps two, families to the north of the Shire.

**Consultation:**

Josh Kirk - Greenfields Technical Services

Peter Dittrich - DCEO

Brian Wundenberg - Works Supervisor

**Recommendation:**

That the 85.26 km sealed section of the Beringarra Cue Road be converted, as soon as possible, to a good quality, 6-8 metre wide unsealed road, to be constructed in accordance with sound design principles; and

That drains and bunds be constructed along that 85.26 km section of the Beringarra Cue Road, in accordance with sound design principals and designed in consultation with Council’s Works Supervisor, with the view to minimising damage associated with water flows, both to the road and surrounding country.

**Voting Requirements:**

Simple Majority

<b>Motion:</b>		
<b>Moved: Councillor</b>		<b>Seconded: Councillor</b>
<b>Carried:</b>	<b>For:</b>	<b>Against:</b>



**17.2 Supply of Two Plant Operators for Three Years**

File:	4.53
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	18 <sup>th</sup> May 2016
Attachments:	N/A

**Matter for Consideration:**

Council to consider:

1. calling a Public Tender for the Supply of Two Plant Operators from 24<sup>th</sup> June 2017 up to and including 30<sup>th</sup> June 2020 with two by one year renewal options; and
2. establishing a Tender Evaluation Panel to assess the tender referenced at no 1; and
3. the Assessment Criteria for the tender referenced at no. 1.

**Background:**

Council has in the past made use of contract plant operators. It is estimated that in the 2017-18 the value of the work undertaken by contract plant operators will exceed \$150,000. There is currently provision on the 2016-17 budget for contractors. Council will need to make provision, in its budget, for the use of contract plant operators in the 2017-18 financial year in line with its current practice.

**Comment:**

The Local government Act 1995 and the Local Government (Functions and General) Regulations 1996 state that Tenders are to be publicly invited if the consideration under a contract is expected to be more than \$150,000 and prior to publicly inviting tenders, the local government must establish in writing the criteria for determining which tender should be accepted.

Further, prior to calling for public tenders, the Shire of Murchison Purchasing Policy requires that Council establish an Evaluation Panel.

**Statutory Environment:**

*Local Government Act 1995*

**3.57. Tenders for providing goods or services**

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

*Local Government (Functions and General) Regulations 1996  
Division 2 – Tenders for Providing Goods and Services (s.3.57)*

**11. When tenders have to be publicly invited**

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if —*
  - (a) *the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or*
  - (b) *the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or*
  - [(ba) *deleted*]
  - (c) *within the last 6 months —*
    - (i) *the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or*

- (ii) *the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;*
- or
- (d) *the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or*
  - (e) *the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or*
- (ea) *the goods or services are to be supplied —*
    - (i) *in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and*
    - (ii) *by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;*
- or
- (f) *the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*
  - (g) *the goods to be supplied under the contract are —*
    - (i) *petrol or oil; or*
    - (ii) *any other liquid, or any gas, used for internal combustion engines;*
- or
- (h) *the following apply —*
    - (i) *the goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA published by the Small Business Development Corporation established under the Small Business Development Corporation Act 1983; and*
    - (ii) *the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and*
    - (iii) *the local government is satisfied that the contract represents value for money;*
- or
- (i) *the goods or services are to be supplied by an Australian Disability Enterprise; or*
  - (j) *the contract is a renewal or extension of the term of a contract (the original contract) where —*
    - (i) *the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and*
    - (ii) *the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and*
    - (iii) *the original contract contains an option to renew or extend its term; and*
    - (iv) *the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;*
- or
- (k) *the goods or services are to be supplied by a pre-qualified supplier under Division 3.*

*[Regulation 11 amended in Gazette 29 Apr 1997 p. 2145; 26 Jun 1998 p. 3447; 25 Feb 2000 p. 970-1; 29 Jun 2001 p. 3130; 31 Mar 2005 p. 1054-5; 2 Feb 2007 p. 245-6; 18 Sep 2015 p. 3804-6.]*

12. *Anti-avoidance provision for r. 11(1)*

- (1) *This regulation applies if a local government intends to enter into 2 or more contracts (the contracts) in circumstances such that the desire to avoid the requirements of regulation 11(1) is a significant reason for not dealing with the matter in a single contract.*
- (2) *If this regulation applies, tenders are to be publicly invited according to the requirements of this Division before the local government enters into any of the contracts regardless of the consideration.*

*[Regulation 12 inserted in Gazette 18 Sep 2015 p. 3806.]*

13. *Requirements when local government invites tenders though not required to do so*

*If a local government, although not required by this Division to invite tenders before entering into a contract for another person to supply goods or services, decides to invite tenders, the tenders are to be publicly invited according to the requirements of this Division.*

*[Regulation 13 amended in Gazette 2 Feb 2007 p. 245-6.]*

14. *Publicly inviting tenders, requirements for*

- (1) *When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, Statewide public notice of the invitation is to be given.*
- (2) *If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving Statewide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.*

(2a) *If a local government —*

- (a) *is required to invite a tender; or*
- (b) *not being required to invite a tender, decides to invite a tender,*

*the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.*

**Strategic Implications:**

N/A

**Policy Implications:**

The Shire of Murchison Purchasing Policy and Buy Local – Regional Price Preference Policy refer.

**Financial Implications:**

There is provision in the current budget for the employment of contractors. This will need to be included as a budget item in the 2017-18 financial year and future years.

**Consultation:**

N/A

**Recommendation (3 points):**

- 1. That Council invites Public Tenders for the supply of Two Plant Operators for the period 24<sup>th</sup> June 2017 to 30<sup>th</sup> June 2020 with two by one year renewal options:
- 2. That Council establish a Tender Evaluation Panel (minimum 3 members) to assess the tenders as per 1. above, consisting of the following members: (TBA)

3. That Council includes the following assessment criteria and weightings in the tender for the supply of Two Plant Operators as described in 1. above:

**COMPLIANCE CRITERIA**

Tenders will be assessed for compliance with the requirements of the conditions of Tender and any Contract Requirements, including responses shown in the Tender Schedules. Compliant tenders will proceed for further assessments as follows:

**Comparative Price Assessment**

The comparative price for each tender will be calculated by applying applicable regional price preference imposts.

**Qualitative Assessments**

The tender is called under the local government (Functions & General) Regulations 1996. The prime consideration in the evaluation of received tenders is to establish the tender that clearly demonstrates an understanding of the tasks required under the tender and in the Shire’s opinion represents the best value for money.

The Qualitative Assessment component of the assessment process is designed to take into account those aspects of the Tender that do not readily translate into absolute dollar values, but do however have socio-economic benefits in accordance with the table below.

The criteria on which tenders will be assessed, the maximum weighted score for each criteria and the scoring methodology is as follows:

Description of Qualitative Criteria	Weighting	Score
Organisation Capabilities - Demonstrated recent experience providing service of a similar size or scope - Quality and standard of work - Timeliness of work - Demonstrated capacity and flexibility to service Shire requirements	TBA	0-5
Skills and past experience of key personnel - Demonstrated ability - Accreditations	TBA	0-5
Ability to accommodate crew as per Shire’s current practice or the provision of own suitable accommodation.	TBA	0-5
Workplace Safety & Environmental Management Procedures - Safety Management Plan in place - Environmental Management Plan in place	TBA	0-5

**Value for Money Assessment**

The Principal reserves the right to take into consideration any feature of a tender that provides a benefit to the Shire of Murchison and the community. Any additional features will be evaluated in accordance with the value-for-money assessment process outlined below:

In formulating the recommendation for any acceptance of any Tender, value for money will be assessed by:

- a) Identifying the lowest Competitive Price Tender (this tender then becomes the Benchmark for the value-for money assessment);
- b) If the next highest priced Comparative Price Tender has a higher Qualitative Assessment Score than the benchmark, identifying the additional benefits (if any) offered and assessing if the additional benefit is worth the additional price;
- c) Repeating Step b) with the remaining tenders;
- d) Determining which of the remaining Tenders, if any, offers the best value-for-money.

**Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.**

**Voting Requirements:**

Simple majority

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

**17.3 Call for Tenders for Flood Damage Works AGRN 743 Flooding in WA Jan/Feb 2017**

File:	4.53
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 <sup>th</sup> May 2016
Attachments:	N/A

**Matter for Consideration:**

Council to consider:

1. calling Public Tenders for Flood Damage Works AGRN 743 Flooding in WA Jan/Feb 2017; and
2. establishing a Tender Evaluation Panel to assess the above-referenced Tender; and
3. establishing the Assessment Criteria for the above-referenced Tender.

**Background:**

In January and February 2017, widespread flooding impacted on vast areas of WA, from the Kimberley through the Mid West and Goldfields-Esperance. The event was proclaimed an eligible disaster under the WA Natural Disaster Relief and Recovery Arrangements (WANDRRA) and so funding was made available to provide immediate emergency assistance and to repair or replace essential public assets. WANDRRA is jointly funded by the State and Commonwealth Governments and administered by the Office of Emergency Management and Main Roads WA.

In late February 2017, the Shire of Murchison posted a Request for Quote on WALGA E-Quotes for a consultant to undertake the flood damage audit and to lodge an estimate of the repair/replacement costs with Main Roads. The work was awarded to Greenfields Technical Services and the ensuing report was lodged with Main Roads on the 20/04/2017, after a full on-site inspection had been undertaken by Greenfield, Main Roads and the Shire’s Works Supervisor.

On the 18<sup>th</sup> May 2017, we received notification from the Office of Emergency and Main Roads that our full claim for \$6,406,693.51 had been approved and that we can now get underway with flood damage works.

The previous round of flood damage, WANDRRA AGRN661 March 2015, which cost \$7.7 million, was completed in August 2016. It was managed by:

1. Superintendent – Request for Quotes posted on WALGA E-Quotes  
 Scope of Works:
  - 1) Assist Council with preparation and evaluation of tenders for Site Supervisor and Contractors as required
  - 2) Provision of Superintendence Services
    - a) Administration of the Contract in accordance with Main Roads/Department of Premier and Cabinet requirements
    - b) Process claims for reimbursement on behalf of the Principal to Main Roads
    - c) Provision of directions to the Site Supervisor/Contractors
    - d) Approval of Contractors payment claims
    - e) Attendance at regular on-site progress meetings with Contractor and Principal
    - f) Progress reporting, including reconciliation of costs to claims
  - 3) Technical support as required by Site Supervisor/Contractors
2. Superintendents Site Supervisors – Request for Tender facilitated by Superintendent  
 Objectives of Position(s):

- 1) To provide effective supervision for the completion of reinstatement works to flood damaged roads to their pre-event standard in compliance with this specification and the conditions stipulated under the Shire's WANDRRA funding agreement
  - 2) To ensure that the completion of reinstatement works is undertaken in a safe, cost effective and efficient manner in order to achieve an acceptable standard of performance in accordance with industry standards and standards required by this specification
  - 3) To maintain regular and effective communication between Contractor, Superintendent, Superintendents Representatives and the Principal to ensure compliant delivery of the services required under the contract and compliance with the conditions stipulated under the Shire's WANDRRA funding agreement
3. Plant & Labour Hire for Flood Damage Repairs – Request for Tender facilitated by Superintendent  
This was a Schedule of Rates tender broken down into General items (with separate entries for each of the Works Parcels if there is more than one) and then a listing of plant items which are required to be hired under this contract. The General items include lump sum amounts for such items as mobilisation and demobilisation to and from Murchison Settlement and between roads, camp, accommodation and messing costs, insurances, compliance with legislation and preparation of traffic management plans. The plant hire items are generic for all 3 Works Parcels and note that some items are indicated as provisional only. Specified plant items include roadworks plant as well as ancillary equipment and items including float (for mobilisation between work sections), water supply pumps, standpipes and generators and traffic control devices.

The above process worked well for the Shire. Works were carried out efficiently and completed on time and budget.

The Local government Act 1995 and the Local Government (Functions and General) Regulations 1996 state that Tenders are to be publicly invited if the consideration under a contract is expected to be more than \$150,000 and prior to publicly inviting tenders, the local government must establish in writing the criteria for determining which tender should be accepted.

Further, prior to calling for public tenders, the Shire of Murchison Purchasing Policy requires that Council establish an Evaluation Panel.

### **Comment:**

As the process for the management of the restoration works following the March 2015 flood damage was very efficient, I suggest that we follow that process again for this current round of Flood Damage. There will be at least two parcels of work, possibly more.

As the works are wide-spread, the Superintendent may see the need to contract two Supervisors to keep the works moving along efficiently and to ensure a regular flow of records back to the Superintendent's office for processing. This efficient flow of paperwork is vitally important to ensure that the Shire can maintain a healthy cash flow throughout the works.

During the last round of flood damage, Council made a formal decision to transfer up to \$3 million from the Cue Beringarra Road Reserve as a short term measure to ensure that contractors could be paid while we waited for WANDRRA funds to start to flow. The flow of WANDRRA funds took three months to start, but once they had started, claim payments were made efficiently. Depending on the decision made today regarding the future of the Beringarra Cue Road, this Reserve may not be available to draw down on.

An option to manage the cash flow during the flood damage works will be brought to Council as part of the 2017/18 budget and may include a taking out a short term loan or establishing a revolving line of credit for the duration of the works.

### **Statutory Environment:**

#### Local Government Act 1995

3.57. Tenders for providing goods or services

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

- (2) Regulations may make provision about tenders.

#### Local Government (Functions and General) Regulations 1996

Division 2 – Tenders for Providing Goods and Services (s.3.57)

11. When tenders have to be publicly invited

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
- (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or
  - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or
  - [(ba) deleted]
  - (c) within the last 6 months —
    - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or
    - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer; or
  - (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or
  - (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or
  - (ea) the goods or services are to be supplied —
    - (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
    - (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;
- or
- (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or
  - (g) the goods to be supplied under the contract are —
    - (i) petrol or oil; or
    - (ii) any other liquid, or any gas, used for internal combustion engines;
- or
- (h) the following apply —
    - (i) the goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA published by the Small Business Development Corporation established under the Small Business Development Corporation Act 1983; and
    - (ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and
    - (iii) the local government is satisfied that the contract represents value for money;
- or
- (i) the goods or services are to be supplied by an Australian Disability Enterprise; or
  - (j) the contract is a renewal or extension of the term of a contract (the original contract) where —
    - (i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and

- (ii) the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and
  - (iii) the original contract contains an option to renew or extend its term; and
  - (iv) the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised; or
  - (k) the goods or services are to be supplied by a pre-qualified supplier under Division 3.
12. *Anti-avoidance provision for r. 11(1)*
- (1) *This regulation applies if a local government intends to enter into 2 or more contracts (the contracts) in circumstances such that the desire to avoid the requirements of regulation 11(1) is a significant reason for not dealing with the matter in a single contract.*
  - (2) *If this regulation applies, tenders are to be publicly invited according to the requirements of this Division before the local government enters into any of the contracts regardless of the consideration.*
- [Regulation 12 inserted in Gazette 18 Sep 2015 p. 3806.]*
13. *Requirements when local government invites tenders though not required to do so*
- If a local government, although not required by this Division to invite tenders before entering into a contract for another person to supply goods or services, decides to invite tenders, the tenders are to be publicly invited according to the requirements of this Division.*
- [Regulation 13 amended in Gazette 2 Feb 2007 p. 245-6.]*
14. *Publicly inviting tenders, requirements for*
- (1) *When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, State-wide public notice of the invitation is to be given.*
  - (2) *If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving State-wide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.*
- (2a) *If a local government —*
- (a) *is required to invite a tender; or*
  - (b) *not being required to invite a tender, decides to invite a tender,*
- the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.*

### **Strategic Implications:**

Objective 4 of the Strategic Community Plans calls for the provision of good governance to the Murchison Shire through....high levels of accountability.....compliance with statutory requirements.

### **Policy Implications:**

The Shire of Murchison Purchasing Policy and Buy Local – Regional Price Preference Policy refer.

### **Financial Implications:**

Flood damage expenditure of \$6,406,693.51 will need to be budgeted for in the 2017/18 budget along with WANDRRA funding of \$6,253,693.51. The shortfall of \$153,400 is Council's contribution to the works.

### **Consultation:**

Main Roads Geraldton  
Works Supervisor  
Deputy Chief Executive Officer



**Recommendation (4 points):**

1. That Council invites two Public Tenders for the:
  - a) Supply of Site Supervision Services for Road Flood Damage Repairs (WANDRRA AGRN 743); and
  - b) Supply of Plant & Operators for Road Flood Damage Repairs (WANDRRA AGRN 743)
2. That Council establish a (or two) Tender Evaluation Panel(s) (minimum 3 members) to assess the above-referenced tenders:
  - a) The Tender Evaluation Panel for the evaluation of the Tender for the Supply of Site Supervision Services for Road Flood Damage Repairs (WANDRRA AGRN 743) is made up of (TBA); and
  - b) The Tender Evaluation Panel for the evaluation of the Tender for the Supply of Plant & Operators for Road Flood Damage Repairs (WANDRRA AGRN 743) is made up of (TBA)
3. That Council includes the following assessment criteria and weightings in the Tender for the Supply of Site Supervision Services for Road Flood Damage Repairs (WANDRRA AGRN 743):

**COMPLIANCE CRITERIA**

Tenders will be assessed for compliance with the requirements of the conditions of Tender and any Contract Requirements, including responses shown in the Tender Schedules. Compliant tenders will proceed for further assessments as follows:

**Comparative Price Assessment**

The comparative price for each tender will be calculated by applying applicable regional price preference imposts.

**Qualitative Assessments**

The tender is called under the local government (Functions & General) Regulations 1996. The prime consideration in the evaluation of received tenders is to establish the tender that clearly demonstrates an understanding of the tasks required under the tender and in the Shire’s opinion represents the best value for money.

The Qualitative Assessment component of the assessment process is designed to take into account those aspects of the Tender that do not readily translate into absolute dollar values, but do however have socio-economic benefits in accordance with the table below.

The criteria on which tenders will be assessed, the maximum weighted score for each criteria and the scoring methodology is as follows:

<p><b>A. Demonstrated Roadworks Experience</b></p> <p>Tenderers must address the following information in an attachment and label it “<b>Demonstrated Roadworks Experience</b>”:</p> <ul style="list-style-type: none"> <li>- With reference to capacity of organisation as well as nominated Supervisors.</li> <li>- Particular rural and remote roadworks experience including previous examples. Complete the pro-forma at Schedule 2 and include with the “Demonstrated Roadworks Experience” attachment.</li> <li>- Demonstrated understanding of unsealed road construction and maintenance techniques and industry standards.</li> <li>- Demonstrated understanding of resourcing and productivity for delivery of cost effective works within budget.</li> <li>- Demonstrated capacity to peg to levels.</li> </ul>	<p><b>Weighting</b></p> <p><b>&lt; 30% &gt;</b></p> <p><b>Tick if attached</b></p> <p><input type="checkbox"/></p> <hr/> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
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-	<input type="checkbox"/>
- Ability to provide a minimum of two Supervisors with backup resources to be nominated.	<input type="checkbox"/>
- Ability to provide a Supervisory service on a stand-alone basis with capacity to include a demonstrated understanding of safety provisions when working alone in remote areas including reference to fully equipped 4WD personal transport, transportable accommodation, fuel, meals and supplies provisions. <i>Complete the pro-forma at Schedule 5 and include with the "Stand-alone capacity and ability to provide more than one Supervisor" attachment.</i>	<input type="checkbox"/>
- Demonstrated capacity of organisation to resource the work i.e. current workload vs forecast workload including this contract. <i>Complete the pro-forma at Schedule 6 and include with the "Stand-alone capacity and ability to provide more than one Supervisor" attachment</i>	<input type="checkbox"/>
- Demonstrated capacity to provide remote coms (phone, internet) to facilitate transfer of claims related records to Superintendent. <i>Complete as part of Pro-forma at Schedule 5.</i>	<input type="checkbox"/>

**Value for Money Assessment**

The Principal reserves the right to take into consideration any feature of a tender that provides a benefit to the Shire of Murchison and the community. Any additional features will be evaluated in accordance with the value-for-money assessment process outlined below:

In formulating the recommendation for any acceptance of any Tender, value for money will be assessed by:

- e) Identifying the lowest Comparative Price Tender (this tender then becomes the Benchmark for the value-for money assessment);
- f) If the next highest priced Comparative Price Tender has a higher Qualitative Assessment Score than the benchmark, identifying the additional benefits (if any) offered and assessing if the additional benefit is worth the additional price;
- g) Repeating Step b) with the remaining tenders;
- h) Determining which of the remaining Tenders, if any, offers the best value-for-money.

***Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.***

- 4. That Council includes the following assessment criteria and weightings in the Tender for the Supply of Plant & Operators for Road Flood Damage Repairs (WANDRRA AGRN 743):

**COMPLIANCE CRITERIA**

Tenders will be assessed for compliance with the requirements of the conditions of Tender and any Contract Requirements, including responses shown in the Tender Schedules. Compliant tenders will proceed for further assessments as follows:

**Comparative Price Assessment**

The comparative price for each tender will be calculated by applying applicable regional price preference imposts.

**Qualitative Assessments**

The tender is called under the local government (Functions & General) Regulations 1996. The prime consideration in the evaluation of received tenders is to establish the tender that clearly demonstrates an understanding of the tasks required under the tender and in the Shire’s opinion represents the best value for money.

The Qualitative Assessment component of the assessment process is designed to take into account those aspects of the Tender that do not readily translate into absolute dollar values, but do however have socio-economic benefits in accordance with the table below.

The criteria on which tenders will be assessed, the maximum weighted score for each criteria and the scoring methodology is as follows:

<p><b>A. Organisational Experience and Capacity</b></p> <p>Tenderers must address the following information in an attachment and label it <b>“Organisational Experience and Capacity”</b>:</p> <ul style="list-style-type: none"> <li>- Details of similar work previously undertaken including reference to dates, value of works and time taken to complete and evidence of having achieved outcomes.</li> <li>- Reference sheet or list of relevant previously completed projects.</li> <li>- Provide referees who can substantiate previous experience and demonstrated capability of the organisation.</li> <li>- Demonstrated capacity of organisation to resource the work i.e. current workload vs forecast workload including this contract.</li> <li>- A project schedule / timeline identifying resources and timeframes to be allocated to each road nominated within the Damage Repair Listing (refer Attachment C)</li> </ul>	<p><b>Weighting</b></p> <p><b>&lt; 30% &gt;</b></p> <p><b>Tick if attached</b></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p><b>B. Road Construction Experience in Rural and Remote Areas</b></p> <p>Tenderers must address the following information in an attachment and label it <b>“Road Construction Experience in Rural and Remote Areas”</b>:</p> <ul style="list-style-type: none"> <li>- Nominate specific examples in previous projects reference sheet.</li> <li>- Include reference to previous experience operating mobile camps.</li> <li>- Provide details of Organisations Occupational, Health and Safety record and systems with particular relevance to works in rural and remote areas</li> </ul>	<p><b>Weighting</b></p> <p><b>&lt; 25% &gt;</b></p> <p><b>Tick if attached</b></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p><b>c. Key Personnel Experience and Overall Capacity</b></p> <p>Tenderers must address the following information in an attachment and label it <b>“Key Personnel Experience and Overall Capacity”</b>:</p> <ul style="list-style-type: none"> <li>- Provide details of past experience of key staff including Supervisory, Administrative and operators of key items of plant (e.g. grader, dozer, field mechanic).</li> <li>- Provide CV’s or as a minimum, employment history (including reference to projects worked on and roles undertaken), years of experience and qualifications or relevant memberships for key personnel.</li> <li>- Provide referees who can substantiate previous experience and demonstrated</li> </ul>	<p><b>Weighting</b></p> <p><b>&lt; 25% &gt;</b></p> <p><b>Tick if attached</b></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>



**17.4 Proposed Road Works Program 2017/18**

File:	12.9
Author:	Dianne Daniels
Interest Declared:	Nil
Date:	22 May 2017
Attachments:	Proposed Road Works Program 2017/18

**Matter for Consideration:**

Council to consider the Road Works Program 2017/18 and prioritise the jobs listed.

**Background:**

Each year, councillors and senior staff undertake a two day road trip to inspect the roads in the Shire, with half being inspected one year and the other half the next. This inspection helps Council and the Administration establish priorities for the following financial year's road works program

The annual road inspection was undertaken on the 28<sup>th</sup> and 29<sup>th</sup> March, with the team travelling the roads to the South of the Shire this year.

**Comment:**

The Works Supervisor maintains a list of capital road works required. Each year, tasks that have been completed are removed and any new ones picked up from the annual road inspection are added. There are too many tasks on the list to complete in any one year, so the Works Supervisor has prioritised the jobs that he feels are the most important to complete in the 2017-18 financial year, drawing from the pool of unfinished jobs from prior years inspections as well as from jobs arising from this year's inspection. He has prioritised them taking into account the logistics of moving camp.

**Statutory Environment:**

Involvement with asset management planning is well within the scope of Local Government executive functions.

**Strategic Implications:**

Development and maintenance of an efficient road network is a core function of the Shire and features strongly in the Community Strategic Plan.

**Sustainability Implications:**

- Environmental:**  
A well-built road network with efficient drainage helps to disperse water flows efficiently during rain events, helping to prevent erosion and land degradation.
- Economic:**  
An efficient road network within the shire supports the pastoral, tourism, science and mining industries by providing vehicle access around the Shire and into adjoining areas of the Mid West and Gascoyne Regions.
- Social:**  
There are no known significant social considerations

**Policy Implications:**

N/A

**Financial Implications:**

The prioritised Road Works Program will be allowed for in the 2017/18 budget.

**Consultation:**

Works Supervisor  
Councillors/DCEO – Annual Road Inspection

**Recommendation:**

That Council endorse the Road Works Program 2017/18 as prioritised by the Works Supervisor in the Attachment.

**Voting Requirements:**

Simple Majority

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

**18. ADMINISTRATION**

**18.1 Ward Review**

File:	4.9
Author:	Dianne Daniels
Interest Declared:	Nil
Date:	17 May 2017
Attachments:	Correspondence from DLGC re the Discontinuance of Ward Systems Extract from WA Government Gazette 28 April 2017

**Matter for Consideration:**

Council to note that the Governor has made an order, on the recommendation of the Minister for Local Government, to abolish the Shire of Murchison’s current ward structure; and for the number of offices of councillor to remain unchanged at six; and that the change will be implemented at the 2017 local government elections.

**Background:**

At the August 2016 meeting, Council resolved to undertake a ward and representation review to address current imbalances in councillor/elector ratios and endorsed a discussion paper prepared by the CEO for distribution to the community.

An advertisement was placed in the Geraldton Guardian on Tuesday 30 August 2016, inviting public comment on the ward review and a notice was posted on the Shire of Murchison Website, along with the discussion paper and several optional ward structures on the same day.

No comments were received from members of the public in relation to the review and so, at the ordinary Meeting of Council on 21 October 2016, Council made a decision to remove wards from its election system altogether, based on the relevant factors considered in the Discussion Paper – ie Community of Interest, Physical and Topographic Features; Demographic Trends; Economic Features; and Ratio of Councillors to Electors.

Following from that decision, on the 18 December 2017, the CEO sent a submission to the Local Government Advisory Board, requesting that the ward system for the Shire of Murchison be abolished.

**Comment:**

On the 28 April 2017, the CEO received correspondence from the Department of Local Government and Communities, advising that the Governor has made an order to abolish the Shire of Murchison’s current ward structure and for the number of offices of councillor to remain unchanged at six.

This change will be implemented at the October 2017 local government elections and note to this effect was published in the Government Gazette on 28 April 2017.

**Statutory Environment:**

Local Government Act 1995  
S2.2(1), s2.3(3) and/or s2.18(3)

**Strategic Implications:**

- Civic Leadership - to provide Good Governance to the Murchison Shire through:
  - compliance with statutory requirements;
  - openness and transparency and enhanced consultation and public participation;

**Policy Implications:**

Nil





There are no known significant economic implications associated with this decision

□ **Social**

There are no known significant social considerations associated with this decision

**Strategic Implications:**

To develop, coordinate, provide and support services and facilities which enhance the quality of community life in the Shire is a Social Objective within the Strategic Community Plan.

**Policy Implications:**

Nil

**Financial Implications:**

\$5,500 has been budgeted for Donations this financial year and to date \$2,000 has been donated.

**Consultation:**

Nil

**Recommendation:**

That Council donate \$700 to the Eastern Gascoyne Race Club to help cover the ongoing running costs of staging the Landor Races.

**Voting Requirements:**

Simple Majority

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

**18.3 Request for Donation – Mid West Group of Affiliated Agricultural Societies**

File:	4.69
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	N/A
Date:	18 May 2017
Attachments:	Letter of Request for Donation - Midwest Group of Affiliated Agricultural Societies

**Matter for Consideration:**

Council to consider making a donation to the Mid West Group of Affiliated Agricultural Societies (MWGAAS) to assist them with the cost of presenting the 2017 Mid West District Display at the Perth Royal Show.

**Background:**

Council has supported MWGAAS with a donation of \$500 in 2014, \$300 in 2015 and a pledge of \$300 in 2016 (paid 2017) towards their display at the Perth Royal Show. 2014 was the first year that the donation was made, as the Shire of Murchison had previously been aligned with another Agricultural Group.

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

**Comment:**

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

**Statutory Environment:**

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

**Sustainability Implications**

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

**Strategic Implications:**

Promotion of Tourism

**Policy Implications:**

Nil

**Financial Implications:**

\$5,500 has been budgeted for Donations this financial year and to date \$2,000 has been donated, plus possibly another \$700, depending on the outcome of the request for donation at Item 18.2.

**Consultation:**

N/A

**Recommendation:**

That Council donate \$300 towards the Mid West Agricultural Group of Affiliated Agricultural Societies to assist with costs to be incurred at the 2017 Perth Royal show.

**Voting Requirements:**

Simple Majority

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

**18.4 Local Government Convention and Trade Exhibition 2017**

File:	4.6
Author:	Peter Dittrich - Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 <sup>th</sup> May 2017
Attachments:	Convention Program and WALGA accommodation list

**Matter for Consideration:**

Confirmation of attendance at the 2017 Local Government Convention.

**Background:**

The Local Government Convention and Trade Exhibition is being held on the 3<sup>rd</sup> and 4<sup>th</sup> of August this year, with the WALGA AGM and Opening Welcome Reception being held on Wednesday the 2<sup>nd</sup> August. Under Shire of Murchison Policy it is necessary to discuss attending conference, seminar or training courses prior to attending the event to obtain council approval.

**Comment:**

Full details of which individual sessions have previously been circulated to all Councillors. Councillors are requested to nominate their attendance and identify the sessions they wish to attend. Some sessions have a limited number of place available and Councillors will be requested to indicate a second preference when registering for those sessions.

WALGA has a supply of multi entry parking vouchers for the PCEC for purchase at \$39 per day. WALGA has negotiated room rates at various hotels as per the attached. In the past Councillors have been accommodated at the Parmelia Hilton due to its proximity to the PCEC.

**Statutory Environment:**

Nil

**Sustainability Implications:**

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

**Strategic Implications:**

- **Civic Leadership**  
Regional Collaboration  
The attendance at the WA Local Government Conference affords the attendees the opportunity to develop and enhance their relationship with neighbouring shires and State Government departments enhancing the ability to work collaboratively. In addition, it affords the opportunity to discuss Local Government best practice and future developments that impact on the Shire of Murchison.

**Policy Implications:**

Nil

**Financial Implications:**

The Local Government Convention is an annual event and a relevant budget provision will need to be included in the 2017/18 budget preparation.

**Consultation:**

Nil

**Recommendation:**

- 1) That the following Councillors will be attending the Local Government Convention for 2017:  
Crs TBA
- 2) That Councillors and the CEO be accommodated at Parmelia Hilton for the duration of their attendance as per the attached Local Government Week 2017 spreadsheet.
- 3) That the Councillors and the CEO will nominate their attendance for the sessions as per the attached Local Government Week 2017 spreadsheet.
- 4) That the total cost of the attendance at the Local Government Week 2017 Convention be provided for in the 2017-18 Budget.

**Voting Requirements:**

Simple Majority

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

**18.5 Election to Working Group to Fill Vacancies left by Retiring Councillors**

File:	4.70
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	22 May 2017
Attachments:	Terms of Reference

**Matter for Consideration:**

Council to consider replacements for Simon Broad and Mark Halleen on various Working Groups.

**Background:**

In the past five months we have had two councillors, Simon Broad and Mark Halleen, vacate their positions on Council, which has left vacancies on several Working Groups.

**Comment:**

The composition of the Shire of Murchison's Committees and Working Groups is shown in the table below, with replacements required shown in red.

COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Plant Working Group	Cr Broad	Cr R Foulkes-Taylor	Cr Whitmarsh	CEO	Works Supervisor	N/A
Settlement Building Working Group	Cr Williams	Cr E Foulkes-Taylor		CEO DCEO	Works Supervisor	N/A
COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Accident Prevention Working Group	Cr E Foulkes-Taylor			CEO		Mrs Jo Squires - 2 positions vacant
Community Advisory Group	President Halleen	Cr Whitmarsh		CEO	Works Supervisor Gardener	Nat Broad Paul Lukitsch Jo Squires
Murchison Community Fund Management Group	Shire President			CEO		Quentin Fowler Sandy McTaggart
Local Emergency Management Committee	President Delegated role to Cr R Foulkes-Taylor			CEO	Works Supervisor	Refer LEMA
Settlement Building Working Group		Cr Williams	Cr E Foulkes-Taylor	CEO DCEO	Works Supervisor	
Settlement Drinking Water Working Group (New)	Cr R Foulkes-Taylor	Cr Williams	Cr Broad	CEO	Works Supervisor Health Officer	1 position vacant
Settlement Power Supply Working Group (New)	Cr Broad	Cr Williams	Cr Whitmarsh	CEO	Works Supervisor	Paul Squires
Wild Dog Control Working Group	Cr Whitmarsh			CEO		Sandy McTaggart Reg Seaman
Project Officer Working Group	President Halleen	Cr E Foulkes-Taylor		CEO	Works Supervisor	Paul Squires Frances Jones
ORGANISATION	DELEGATE	DELEGATE		OBSERVER	OBSERVER	COMMUNITY
Murchison Regional Road Group	Cr Halleen			CEO	Works Supervisor	N/A
WALGA Zone Delegates	President R Foulkes-Taylor	Cr Williams		CEO		N/A

The Terms of Reference for the Plant Working Group, the Community Advisory Group, the Murchison Community Fund Management Group, the Settlement Drinking Water Working Group, the Settlement Power Supply Working Group and the Project Officer Working Group are attached – refer Attachments 18.2 (1)-(5).

**Statutory Environment:**

Local Government Act 1995 Part 5 Division 2 Subdivision 2

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

Nil



Effect: - To result in:

- a) the orderly and effective conduct of meetings;
- b) greater community understanding of the meeting process;
- c) better decision making by the Shire; and
- d) better outcomes from decisions made.

S3.16 of the Act outlines the process to be followed in reviewing a local law.

**Division 2 — Legislative functions of local governments**  
**Subdivision 1 — Local laws made under this Act**

**3.16. Periodic review of local laws**

- (1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*
- (2) *The local government is to give Statewide public notice stating that —*
  - (a) *the local government proposes to review the local law; and*
  - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
  - (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
- (2a) *A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.*
- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine\* whether or not it considers that the local law should be repealed or amended.*

*\* Absolute majority required.*

*[Section 3.16 amended by No. 64 of 1998 s. 7; No. 49 of 2004 s. 24.]*

At the end of the notice period the CEO is required to prepare a report to Council for its consideration in accordance with S 3.16 (3) and S 3.16 (4) as above.

**Statutory Environment:**

Local Government Act 1995 S 3.16

**Sustainability Implications:**

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

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

The current budget contains provision for advertising.

**Consultation:**

Nil

**Recommendation:**

That Council authorise the CEO to give state wide public notice of the review of Standing Orders Local Law 2001

**Voting Requirements:**

Simple Majority

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

**19. NOTICE OF MOTION**

**20. CEO ACTIVITY REPORT**

<b>Date</b>	<b>Activity</b>
25/04/2017	Anzac Day
27/04/2017	Ordinary Meeting of Council
1/05/2017	Regular Admin meeting
1/05/2017	Regular meeting with Works Supervisor
4/05/2017	Regular meeting with DCEO
5/05/2017	Fulton Hogan completed the Settlement Sealing program
8/05/2017	Regular Admin meeting
8/05/2017	Regular meeting with Works Supervisor
8/05/2017	Interim Audit
8/5/2017	Interim Audit
10/05/2017	Phone conference with Rebecca Greenaway (Main Roads)/Works Supervisor/DCEO - re design of crossings for SKA route
11/05/2017	Seal repairs Ballinyoo Bridge
11/05/2017	Workshop re Whole of Life Cost Beringarra Cue Road - Council/CEO/WS/DCEO/Greenfields
11/05/2017	Special Council Meeting to consider budget variation
12/05/2017	Regular meeting DCEO
15/05/2017	Conducted staff performance review
15/05/2017	Regular Admin meeting
17/05/2017	Phone conversation with Craig Hansen WALGA – in regard to WANDRRA flood damage works, there has been a Road Panel established on E-quotes; Engineering Consultancy will be up and running by 1 June.
19/05/2017	Executive Leave
19/05/2017	Regular Admin meeting
19/05/2017	Regular meeting with Works Supervisor
20/05/2017	Capital Works planning meeting – CEO/DCEO/WS

**Recommendation:**

That the CEO's Activity Report be accepted.

**Voting Requirements:**

Simple Majority

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

**21. URGENT BUSINESS**

The closing date for submissions on Council's Differential Rating proposal for 2017/18 is Wednesday 24<sup>th</sup> May 2017 at 4:00 pm. It is the CEO's intention to request Council to accept an item of urgent business to review submissions received, if any. Depending on the outcome of that review, Council may then decide to seek Ministerial approval for its Differential Rating proposal.

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That Urgent Business be accepted.		
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</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 four items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. RFQ 18.2016-17 Low Loader; and 2. RFQ 5.2016-17 Purchase Grader and 3. RFQ Mechanics Truck and 4. Road Agreement - SKA Route

**Voting Requirements:**

Simple Majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That the meeting move behind closed doors to discuss four items.		
<b>Carried/Lost:</b>	<b>For:</b>	<b>Against:</b>

**22.1 RFQ 15.2016-17 Grader**

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

**22.2 RFQ 18.2016-17 Low Loader**

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



**22.3 RFQ 20.2016-17 Mechanics Truck**

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

**22.4 Road Agreement – SKA Route**

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

**Motion to open the meeting to the Public**

**Recommendation:**

That the meeting move out from behind closed doors.

**Voting Requirements:**

Simple Majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That the meeting move out from Behind Closed Doors.		
<b>Carried/lost:</b>	<b>For:</b>	<b>Against:</b>

**23. MEETING CLOSURE**