



Western Australia

Minutes of Ordinary Meeting of the Murchison Shire Council,  
Held in the Council Chambers, Carnarvon Mullewa Road, Murchison,  
On Thursday **22 June 2017**, commencing at 10.00 am.

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

*The President opened the meeting at 10:00 am*

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

President Rossco Foulkes-Taylor  
 Deputy President Miles Williams  
 Cr Andrew Whitmarsh  
 Cr Emma Foulkes-Taylor  
 Cr Quinten Fowler

CEO – Dianne Daniels  
 DCEO – Peter Dittrich  
 WS – Brian Wundenberg

Members of the Public: One

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

Nil.

**4. PUBLIC QUESTION TIME**

**4.1 Standing Orders**

***Council Decision:***

**Moved: Councillor A Whitmarsh**

**Seconded: Councillor M Williams**

**That the following Local Law-Standing Orders 2001 be stood down:**

- 8.2 Limitation on the number of speeches
- 8.3 Duration of speeches

**Carried:**

**For: 5**

**Against: 0**

**5. NEXT MEETING**

27<sup>th</sup> July 2017

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

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

Discuss two items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. RFQ Mechanics Truck and 2. Road Agreement – SKA Route

**8. CONFIRMATION OF MINUTES**

**8.1 Ordinary Council Meeting - 25 May 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 25 May 2017 be confirmed as an accurate record of proceedings

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor E Foulkes-Taylor</b>	<b>Seconded: Councillor A Whitmarsh</b>	
That the Minutes of the Ordinary Council meeting of 25 May 2017 be confirmed as an accurate record of proceedings.		
<b>Carried</b>	<b>For: 5</b>	<b>Against: 0</b>

**8.2 Special Council Meeting - 11 May 2017**

Item withdrawn by CEO as minutes were confirmed at the Ordinary Council Meeting 25 May 2017

**8.3 Special Council Meeting - 25 May 2017**

**Background:**

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

**Recommendation:**

That the minutes of the Special Council Meeting held on 25 May 2017 be confirmed as an accurate record of proceedings.

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor Q Fowler</b>	<b>Seconded: Councillor A Whitmarsh</b>	
That the Minutes of the Special Council Meeting of 25 May 2017 be confirmed as an accurate record of proceedings.		
<b>Carried</b>	<b>For: 5</b>	<b>Against: 0</b>

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

Nil

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

Nil

**11. ACTION LIST**

No	Item	Action	Status
1	Community Project Officer	Still sitting on the table. Meeting held 11 <sup>th</sup> March 2016 and recommendations presented to Council at the April OCM – the item was left to lay on the table while Council explored other options.	A Community Project Officer still ranks highly in Social Priorities in the recently adopted Strategic Community Plan. <b>No further action has been taken on this.</b>
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	HTD surveyed the cemetery and some new sites on the 23 <sup>rd</sup> Feb. Rock markers have been placed and gravel entry and footpaths laid – still to be compacted. <b>Footpaths have been</b>

		Cemetery done as well.	bordered with white rocks and have been compacted this month.  We now need to budget for an honour board out the front and also a rock memorial wall to the left inside of the entry gate, near the native garden. Rock memorial wall to be built out of Muggon slate to match the one built by Errol Tilbrook
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.	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> <p>No further action has been taken on this.</p>

**Recommendation:**

That the Action List be accepted.

*Discussion:*

The CEO discussed the survey of plots for the cemetery. Plots are able to be reserved on payment of the required fee. The CEO then discussed the Review of the Road Network, further advice will be sought on the effect of road closures.

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor M Williams</b>		<b>Seconded: Councillor A Whitmarsh</b>
That the Action List be accepted.		
<b>Carried</b>	<b>For: 5</b>	<b>Against: 0</b>

**12. DISCLOSURE OF INTERESTS**

Cr E Foulkes-Taylor declared an Impartiality Interest in Item 18.2 as President of the Murchison Museum.

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

May 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	8902	9088	186	1326	9798.09	24528.22
P.02 Cat Grader 12H	2005	MU 141	14167	15380	15577	197	1410	2411.19	20424.75
P15003 JD 6WD Grader	2012	MU121	712	1507	1667	160	955	2296.26	17667.78
P.04 New/H Ford Tractor	2006	MU 380	1912	2105	2136	31	224	2738.86	647.99
P.05 Dolly 1-Red *	2001	MU 2003	1972	4141	7019	2878	10597	5264.30	n/a
P.07 Nissan UD	2009	000 MU	202424	216219	217056	837	14632	4912.96	9984.11
P.08 Dolly 2-Black	2000	MU 2009	1816	13197	15805	2608	13989	8727.48	n/a
P.09 Iveco P/Mover	2003	MU1065	315776	332330	332980	650	17204	4324.41	12549.33
P.10 Iveco W/Truck (hrs)	2004	MU 00	10864	11154	11302	148	438	4422.07	5206.54
P.11 Komatsu Dozer	1997		1481	2122	2179	57	698	22212.99	13325.89
P.13 Tri-Axle L/L Float	2008	MU 663	12902	26449	27374	925	14472	5793.75	n/a
P.14 No. 2 Float	2001	MU 2004	2391	10017	10017	0	7626	2252.25	n/a
P.17 Side Tipper	2001	MU 662	970	19980	22858	2878	21888	6494.69	n/a
P.18 Side Tipper	2001	MU2010	15034	4125	6998	2873	6998	11047.74	n/a
P.24 30K W/Tanker Trailer	2005	MU 2024	46001	3673	6021	2348	8369	17792.49	n/a
P.27 Volvo Loader	2006	MU 65	7942	8566	8673	107	6021	7076.25	11151.00
P.28 Isuzu Dmax	2009	MU 300	209207	221477	223096	1619	13889	2316.42	2005.73
P.32 Construction Gen			22437	25281	25281	0	2844	362.06	5226.12
P.33 Maintenance Gen			9098	11345	11798	453	2700	798.97	4438.16
P.34 Generator Perkins		Mechanic	151	1359	1359	0	1208	486.25	2622.43
P.35 Generator 1-110kva	2011		24201	26460	26523	63	2322	26325.96	26325.96
P.35 Generator 2-110kva	2011	Replaced	16826	20262	20262	0	3436		
P. 17035 New Generator	2016		0	1000	1685	685	1685		
P.37 Forklift			12443	12592	12592	0	149	729.17	389.00
P.40A Toyota Hilux	2014	01MU	61055	94875	98938	4063	37883	4659.30	5935.00
P.41 Cat 938G Loader	2004	MU 193	5315	5693	5805	112	490	4694.66	5071.72
P.43 Bomag Roller	2012	MU1027	1496	3429	3467	38	1971	3251.55	5835.09
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	180797	180797	0	8976	717.07	2478.02
P.55 Toyota Prado	2012	MU1011	71388	95396	98917	3521	27529	3714.12	3445.75
P.57 Great Wall	2012	MU 167	54225	61960	62403	443	8178	2636.51	1275.57
P.59 45ft Flat Top *	1978	MU2044	0	0	0	0	0	4106.27	n/a
P.60 Mercedes PTV	2004	MU 1009	102020	103518	103589	71	1569	5217.49	261.92
P.61 Kenworth P/Mover	2004	MU 000	76906	98408	101421	3013	24515	10365.71	24292.69
P.63 RAV4 - TRADED 08/16	2013	MU 1011	35031	35800	35800	0	769	0.00	67.32
P.64 Isuzu Construction	2013	MU 140	95645	130483	132984	2501	37339	6801.69	9840.84
P.65 Generator 9KVA *	2013	H/ Maint	5440	6391	6391	0	951	365.26	4720.96
P.66 Kubota 6kva Gen	2012	BURNT	9948	12348	12348	0	2400	1323.90	3501.23
P.67 Roadwest S/Tipper	2013	MU2042	58719	76858	79797	2939	21078	6532.29	n/a

<b>P.68 Bomag Padfoot</b>	2013	MU1071	1595	1909	1974	65	379	2338.41	5256.32
<b>P.72 Isuzu Fire Truck</b>	2013	MU1068	1353	1861	1916	55	563	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	8827.82	n/a
<b>P11076 JD Ride on mower</b>			795	927	933	6	138	2832.61	249.82
<b>P15006 Isuzu Maint</b>	2015	MU1018	15842	41483	44325	2842	28483	8685.65	6375.94
<b>P16063 Toyota Prado</b>	2016	MU 0	0	24413	26974	2561	26974	6103.78	2567.53
<b>P16076 Kuboto Mower</b>	2016		0	150	161	11	11	1650.58	730.77

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

#### **Construction Crew**

The RRG works program of reforming and sheeting approx. 10km of the Carnarvon-Mullewa road approx. 23km north of the settlement is going along fine.

The first 3.5km of this section was re-sheeted with calcrete (also sheeted in 2011 but in heavy rain water still sits on the road at various places). A further two low spots approx. 2km before the storm damage sign has also been re-sheeted with calcrete.

Gravel carting is just about completed with only 700m left to cart by Friday the 16<sup>th</sup> June 2017.

Local contractor Walladar has put in a big effort helping the shire complete these works before the end of the financial year. "Thank you Greydon and your team".

This section of works (RRG program) will be completed by the end of June 2017.

The crew will then move up to the next works program on the Carnarvon-Mullewa Road reforming and gravel sheeting 4.3km.

In this section there is 3.1km of rocky/sandy material, 1km of yellow sand material, 5 floodway's, and one 600mm culvert that needs to have a 1.2m extension on each end to take it out to a 10m running surface. All floodway's will be boxed out and replaced with cement stabilised gravel to a depth of 200mm and out to a width of 10m.

#### **Maintenance Crew**

Since my last report crew have completed a full grade of the Mt Wittenoorn road and then started to grade from approx. 5km South of Pia on the Beringarra-Pindar road south to the intersection of McNabb-Twin Peak's road.

Crew will then move camp (presently camped at Murgoo) up to the Boolardy/Kalli intersection. From here they will complete a grade to the section 5km south of Pia on the Beringarra-Pindar road.

On Thursday 15<sup>th</sup> of June crew will move their graders down to the 13km pit on the Carnarvon-Mullewa road and start to grade from the southern boundary to the Ballinyoo Bridge in readiness for the 2017 Polocrosse weekend on the 8<sup>th</sup> and 9<sup>th</sup> of July.

Crew will also do a patch maintenance grade on Butchers Track (just starting to get a bit rough in places and some sections where flood damage occurred) plus a patch grade on the Carnarvon-Mullewa road from approx. 30km north (from the end of the construction crew works) of the settlement to the shire's northern boundary.

With the completion of the Carnarvon-Mullewa road crew will then move onto the Beringarra-Byro road again doing a patch grade (creek crossings and bad washout sections) on their way back to the Boolardy/Kalli area. They will then do a full grade on Boolardy-Kalli and Kalli west road then work their way north on the Beringarra-Pindar road.

#### **Heavy Maintenance**

Local contractor Squires Resources was awarded the Heavy Maintenance works program for this year.

This year's works was ear marked to continue on the Beringarra-Pindar road from the boundary grid of Murgoo and Boolardy heading north through the Pia and Boolardy station section. Due to the heavy rains in January and February around the Murgoo woolshed on the Beringarra-Pindar road (this section has washed out 4 times in the last 3 years) and a section on the Mt Wittenoorn-Wooleen road around the boundary grid of Wooleen/Pia, the Wooleen/Murgoo section has had to have gravel carted onto the road and spread out by the contractor with only the contour section to be completed with the shire's dozer to go.

#### **Bunding Old Roads**

Bunding of Old Roads this year was awarded to Quadrio Earthmoving from Geraldton.

This year's work is in the north of the shire bunding the old Yalbra road that runs through Byro and Innouendy plus part of a very old main road on Innouendy.

These works will finish at the end of June 2017

### Grids

Local contractor Yuin Station was awarded the Grid Replacement contract. Works this year consisted of replacing 3 old 12ft narrow grids with new 24ft grids on the Beringarra-Pindar road.

Grids replaced this year:

1 just south of Murgoo

1 north of Cockney Bills

1 Boolardy/Murgoo Boundary grid

### Staff Leave

Brian – 26/05/2017 RDO, 15th, 16th June in Perth for my arm

Jarrold – 7th 8th June

Ryan - 8th June

Stuart - 12th June

### Work Supervisor General

19/05/2017 3hrs hired dozer - Construction

20/05/2017 3hrs water cart - Heavy Maintenance.

22/05/2017 5hrs hired dozer - Construction

22/05/2017 3 hrs - Construction

23/05/2017 7hrs on grader - Construction

24/05/2017 5hrs on grader - Construction

25/05/2017 Council meeting

29/05/2017 5hrs - Heavy Maintenance

6,7,8/06/2017 16hrs - Bunds

12/06/2017 6 hrs - Bunds

13/06/2017 6hrs - Heavy Maintenance

### ROADS GRADED MAY - JUNE 2017

Name	Length of Road	SLK's Graded this month	Heavy Maintenance	Comments
Beringarra-Pindar	319.80km	100km		Some sections cut over twice
Erong	63.12km			
Beringarra-Byro	90.89km			
Twin Peaks-Wooleen	47.65km			
Boolardy/Kalli	57.30km			
Byro-Woodleigh	71.00km			
New Forrest-Yallalong	36.18km			
M <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			
Boolardy Homestead	2.00km			
Yunda Homestead	32.80km			
Meeberrie-Wooleen	25.22km			
Mt Wittencoom	37.55km			
Wooleen-Mt Wittencoom	33.85km			
Beringarra Cue	109.82km			
Boolardy Wooleen	19.08km			



Kalli Cue East	21.87km				
Butchers Track	64.54km				
Butchers Muggon	23.80km				
Murchison Settlement	2.00km				
Coolcalalaya Road	36km				
Carnarvon Mullewa	278.63km				
Mt Narryer	3km				
Errabiddy Bluff	12km				
Air strip Graded					

Total this month graded 100km

**Recommendation:**

That the Works Supervisor’s report be accepted.

*Discussion:*

*The Works Supervisor (WS) discussed the Plant report and advised that readings had not been taken for plant items 14, 37, and 54.*

*The WS then discussed the Works Report and advised that the next job would be north of Curbur. The current RRG work should be completed by 30 June 2017.*

*Cr Fowler complimented the standard of the current RRG works.*

*The CEO is to identify the status of Manfred Road and advise if it is in the closed category of the Council’s road hierarchy.*

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor M Williams</b>	<b>Seconded: Councillor Q Fowler</b>	
That the Work’s Supervisor’s report be accepted.		
<b>Carried</b>	<b>For: 5</b>	<b>Against: 0</b>

**14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

**14.1 Shire President**

The President has been in contact with the current DCEO in relation to the recruitment of a new DCEO.

**14.2 Councillors**

Nil

**15. REPORTS OF COMMITTEES**

Nil

**16. FINANCE**

**16.1 Financial Activity Statements May 2017**

File:	
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	13 June 2017
Attachments:	Financial Activity Statements to 31 May 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 May 2017.

**Background:**

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

**Comment:**

The Current Position at 31 May 2017 is a surplus of \$3,524,657.

**Variances – YTD Budget to YTD****Actual**

Budgeted Closing Funding		
Surplus(Deficit)		<b>370,712</b>

Less Variance to Opening Surplus	(16)
Less Operating Revenues down	(12,451)
Plus Operating Expenditure down	740,120
Plus Operating Activities Excluded	8,615
Plus Investing Activities down	3,174,789
Plus Transfer from reserves up	1,930,842
Less Transfer to reserves up	(2,687,954)
Total Variances	<u>3,153,945</u>

Actuals Closing surplus (Deficit)	<u><u>3,524,657</u></u>
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Refer to May 2017 Financials for explanation of variances.

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

Beringarra Cue Road Reserve Term Deposit	\$3,732,270.80	@ 1.75% Maturity 18/06/2017
Crosslands MCF Term Deposit	\$ 369,998.92	@ 2.00% Maturity 25/08/2017
Ballinyoo Bridge Term Deposit	\$1,983,215.39	@ 1.50% Maturity 27/06/2017

**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 31 May 2017 as attached.

*Discussion:*

*The DCEO discussed the current financial position and highlighted the reasons for the current surplus arising from capital works not yet completed. The DCEO advised that the Federal Assistance Grants had been paid early and the impact of the early receipt of these funds would be disclosed in the annual report.*

**Voting Requirements:**

Simple majority.

<b>Council Decision:</b>		
<b>Moved: Councillor A Whitmarsh</b>	<b>Seconded: Q Fowler</b>	
That Council adopt the financial statements for the period ending 31 May 2017 as attached.		
<b>Carried</b>	<b>For: 5</b>	<b>Against: 0</b>

**16.2 Accounts Paid May 2017**

File:	4.37.1
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	13 <sup>th</sup> June 2017
Attachments:	EFT & Cheque Details for May 2017

**Matter for Consideration:**

Endorsement of accounts paid during the month of May 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 May 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 \$1,346,851.61 which includes \$1,053,722.00 of intra account transfers for the month of May 2017, be endorsed by Council.

**Voting Requirements:**

Simple majority

**Council Decision:**

**Moved: Councillor E Foulkes-Taylor**

**Seconded: Councillor A Whitmarsh**

That the accounts as per the attached Schedule presented to this meeting totalling \$1,346,851.61 which includes \$1,053,722.00 of intra account transfers for the month of May 2017, be endorsed by Council.

**Carried**

**For: 5**

**Against: 0**

**16.3 Amend Elected Member Remuneration for 2016-2017**

File:	4.3
Author:	Dianne Daniels - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 June 2017
Attachments:	SAT Determination April 2016 Local Government Officers (WA) Interim Award 2011 (Extract only)

**Matter for Consideration:**

Council to consider:

1. Rescinding the decision made at the May 2016 OCM in regard to Elected Member Remuneration for 2016-2017; and
2. Adopting the amended version of Elected Members Remuneration for 2016-17, as shown in the 'Recommendation'.

**Background:**

At the May 2016 OCM, Council made the following decision:

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

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

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

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

Following that decision, allowance was made in the 2016-17 Budget for Elected Members Remuneration as follows:

04100	Members travelling Expenses paid	\$35,000
04103	Presidents Allowance Paid	\$ 7,000
04107	Deputy Presidents Allowance Paid	\$ 1,748
04108	Members Communication	\$ 7,000
04109	Members Sitting Fees Paid	\$65,000

**Comment:**

It was recently brought to my attention that my interpretation of LGA s 5.99 (b) (see below in Statutory Environment), which saw a loading added to the member Attendance Fee to arrive at 'a fee within the range for annual fees', may have been misguided.

In order to confirm this one way or another, advice was sought from WALGA and then followed up with legal advice, which established that once Council has set 'a fee within the range for annual fees' for attending meetings, that fee applies to all members, irrespective of how much time and effort individual members put into attending such meetings – there is no provision in the LGA to set different fees for individual council members to compensate them for this.

In order to rectify this situation prior to the end of the financial year, I suggest that the Councillor and President Attendance Fee be amended as shown in the 'Recommendation' below (highlighted in yellow). There will be no change to the President's and Deputy President's Allowance or to the Telecommunications or Travel Allowance.

It also needs to be noted that the range for Annual Attendance Fees for the President is \$3,553 - \$19,341 not \$3,553 to \$9,410 as stated in the adopted version of the table.

If Council decide to rescind the original EM Remuneration and adopt the amended version, then the required reconciling adjustments will be made to the March Quarter payments, which have been held back while the issue was investigated.

**Statutory Environment:**

Local Government Act 1995: s5.98 to 5.99A

**5.99. Annual fee for council members in lieu of fees for attending meetings**

A local government may decide\* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

- (a) the annual fee determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B; or
- (b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.

**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.

**Budget implications**

Provision has been made in the 2016/17 budget to cover Members Remuneration. The Members Sitting Fees Paid budget will need to be increased slightly, but there is enough underspend within the sub-accounts in Governance – Members of Council to cover the increase.

**Consultation:**

WALGA  
Civic Legal

**Recommendation;**

That Council:

1. Rescind the decision made at the May 2016 OCM in regard to Elected Member Remuneration for 2016-2017; and
2. Adopt the amended version of Elected Members Remuneration for 2016-17 as shown in the table below:

**ELECTED MEMBERS REMUNERATION**

	2016-17	
	Range	Proposed
<b>Annual Attendance Fees for Attending Council and Committee Meetings</b>	\$	\$
Councillor	3,553 - 9,410	9,200
President	3,553 – 19,341	12,090
<b>Annual Local Government Allowances</b>	\$	\$
President	508 -19,864	6,990
Deputy President	25%	1,750
<b>Other Fees – Elected Members</b>		
Telecommunications Allowance	500 -3,500	1,165
Travel Allowance	99.01/95.54/93.97 per km	99.01/95.54/93.97 per km

*Discussion:*

*Cr M Williams discussed whether an annual fee was paid or a meeting attendance fee. The CEO advised that it was an annual fee.*

**Voting Requirements:**

Absolute majority

**Council Decision:**

**Moved: Councillor A Whitmarsh**

**Seconded: Councillor E Foulkes-Taylor**

That council:

1. Rescind the decision made at the May 2016 OCM in regard to Elected Member Remuneration for 2016-2017; and
2. Adopt the amended version of Elected Members Remuneration for 2016-17 as shown in the table below:

**ELECTED MEMBERS REMUNERATION**

	2016-17	
	Range	Proposed
<b>Annual Attendance Fees for Attending Council and Committee Meetings</b>	\$	\$
Councillor	3,553 - 9,410	9,200
President	3,553 – 19,341	12,090
<b>Annual Local Government Allowances</b>	\$	\$
President	508 -19,864	6,990
Deputy President	25%	1,750
<b>Other Fees – Elected Members</b>		
Telecommunications Allowance	500 -3,500	1,165
Travel Allowance	99.01/95.54/93.97 per km	99.01/95.54/93.97 per km

**Carried:**

**For: 5**

**Against: 0**

**16.4 Budget Variation – Construction Caravan**

File:	2.9
Author:	Peter Dittrich - Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	13 <sup>th</sup> June 2017
Attachments:	Nil

**Matter for Consideration:**

Council to consider the transfer of budgeted funds from Job C14114 Cap-Ex - Construction as per agreed work programme - all Year to account 1123020 Cap-Ex - Purchase Major Plant & Equipment - Road Plant Purchases GEN.

**Background:**

The Shire has reviewed its staffing structure. Two positions that had previously been contracted have been added to the works crew. The two positions are required for the continued safe and effective operation of the construction crew. To accommodate the crew members the construction crew will require one additional construction caravan.

**Comment:**

The Works Supervisor has researched the market and has been unable to identify a suitable second hand caravan. The estimated cost of a new caravan is \$90,000.

At the Special Council Meeting of 11 May 2017 Council resolved to swap the 2016-17 and 2017-18 Regional Road Group funded works. The additional funding received has been applied to the payment of contractors and the operation of the shire's construction crew.

As at the end of May 2017 the Job C14114 Construction as per Agreed Works Program was underspent by \$166,195. These funds are able to be applied to the purchase of a new construction caravan.

Should the reallocated funds not be expended by the end of the financial year, the purchase of the caravan will be form part of the 2017-18 Budget as a carried forward item.

**Statutory Environment:**

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution\*; or
- (c) is authorised in advance by the mayor or president in an emergency.

\* *Absolute majority required.*

**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 is a reallocation of funds that would allow the purchase of a new item of plant.



**Consultation:**

Nil

**Recommendation:**

- 1) That the budget be amended to transfer an allocation of \$90,000 from Job C14114 Cap-Ex - Construction as per Agreed Works Program to account 1123130 Cap-Ex - Purchase Major Plant - New Works Caravan GEN to fund the purchase of a construction caravan

**Voting Requirements:**

Absolute Majority

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

That the budget be amended to transfer an allocation of \$90,000 from Job C14114 Cap-Ex - Construction as per Agreed Works Program to account 1123130 Cap-Ex - Purchase Major Plant - New Works Caravan GEN to fund the purchase of a construction caravan.

**Carried:****For: 5****Against: 0****17. DEVELOPMENT****18. ADMINISTRATION****18.1 Review of Delegations**

File:	4.16
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	16 June 2017
Attachments:	Register of Delegations

**Matter for Consideration:**

Council to consider adopting the revised Register of Delegations.

**Background:**

Local government can delegate certain authorities to the CEO pursuant to s.5.42 and s. 5.43 of the Local Government Act. The delegations must be in writing and a register of delegations must be kept and reviewed at least once every financial year. The last full review of the Delegations Register was undertaken at the Ordinary Meeting of Council on the 20<sup>th</sup> May 2016.

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

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

**Comment:**

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

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

**Statutory Environment:**

The Delegations of Authority are made to the Chief Executive Officer pursuant to section 5.42 and 5.43 of the *Local Government Act 1995* (the Act) and to Committees pursuant to section 5.16, 5.17 and 5.18.

Where listed, some of these functions are delegated by the Chief Executive Officer to Shire of Murchison employees pursuant to section 5.44 of the Act.

*\*Absolute Majority*

### **Strategic Implications:**

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

### **Sustainability Implications**

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

### **Policy Implications:**

Some Delegations work in accord with the Policy Manual

### **Financial Implications:**

Nil

### **Consultation:**

Nil

### **Recommendation:**

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

#### *Discussion:*

*The delegations need to be reviewed annually. In relation to Delegation 4 if Council had a policy nominating suitable people then the CEO could appoint an Acting CEO from the list. Item 5 has been removed as it is a function of the CEO in the Act.*

### **Voting Requirements:**

Absolute Majority

#### **Council Decision:**

**Moved: Councillor Quentin Fowler**

**Seconded: Councillor A Whitmarsh**

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

**Carried**

**For: 5**

**Against: 0**

### **18.2 Donation – Murchison Museum**

File:	4.69
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	13 June 2017
Attachments:	Nil

Cr E Foulkes-Taylor declared an Impartiality Interest as President of the Murchison Museum.

### **Matter for Consideration:**

Consideration of the donation of 17 Ballinyoo Bridge Opening commemorative boards and the associated branding iron to the Murchison Museum.

### **Background:**

The Ballinyoo Bridge Opening Committee arranged for additional boards to be made to commemorate the bridge opening. The boards were distributed as an acknowledgement of the contribution made by volunteers to the successful opening of the bridge. There are 17 commemorative boards remaining.

**Comment:**

The commemorative boards and branding iron are held in storage in the Administration Office.

During informal discussions it was suggested that the commemorative boards be donated to the Murchison Museum for retention or sale. It was also suggested that the branding iron be donated to the Murchison Museum for their retention and use.

**Statutory Environment:**

Assistance to community groups and clubs is well within Councils' legislative boundaries

**Sustainability Implications:**

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

**Strategic Implications:**

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:**

The value of the donation is \$1,262.40. There will be no effect on the shire's current year surplus position.

**Consultation:**

Nil

**Recommendation:**

That Council donate the remaining 17 commemorative boards to the Murchison Museum for retention or sale and Council donate associated branding iron to the Murchison Museum for their retention and use.

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor Quentin Fowler**

**Seconded: Councillor Miles Williams**

That Council donate the remaining 17 commemorative boards to the Murchison Museum for retention or sale and Council donate associated branding iron to the Murchison Museum for their retention and use.

**Carried**

**For: 5**

**Against: 0**

**18.3 Proposed Stock Grids Policy**

File:	4.40
Author:	Dianne Daniels
Interest Declared:	Nil
Date:	19 June 2017
Attachments:	Cattle Grid Policy Shire of Wyndham/East Kimberley

**Matter for Consideration:**

Council to consider adopting a policy on the maintenance and retention of stock grids.

**Background:**

Historically, the Shire of Murchison has repaired or replaced existing stock grids as required to ensure safety for road users.

**Comment:**

To ensure that Council funds are expended in a responsible manner, I suggest that grids that are in need of repair or replacement but are not bordered by stock-proof fences, should be removed rather than repaired or replaced, after consultation with the lessee/landowner.

This removal would be undertaken in accordance with the proposed Stock Grid Policy, below.

In the event that a lessee/landowner requests that a grid be reinstated, then Council may wish to consider a contribution from the lessee/landowner. Please refer to the Shire of Wyndham/East Kimberley Policy attached as an example.

**Statutory Environment:**

Local Government Act 1995 Section 3.1  
Main Roads Act 1930 Section 24

**Strategic Implications:**

The Shire of Murchison's Strategic Community Plan calls for Asset Management that meets the required level of service in the most cost effective manner for present and future residents.

**Policy Implications:**

Inclusion of new policy 2.1.3 Stock Grids in the Policy Manual.

**Budget/ Financial Implications:**

This policy should ensure that funds allowed for grids maintenance each financial year is spent in the most cost effective manner possible.

**Sustainability Implications:**

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

**Consultation:**

Shire of Upper Gascoyne  
Shire of Wyndham/East Kimberley

**Recommendation:**

That Council adopts the following policy and includes it in the Shire of Murchison Policy Manual:

*Discussion*

*Extended discussion on policy it was noted word Council change to CEO.*

*Boundary grids will not be removed but they are to be maintained. And Council reserves the right to request a financial contribution from the applicant should they request a grid in a new location*

**2.1.3 Stock Grids**

Introduction	Stock grids take the place of gates on public roads in the care and control of the Murchison Shire Council. They provide an effective barrier to stock without impeding wheeled vehicles, as the animals are reluctant to walk on the grates. Cattle Grids may present a safety risk to road users if not properly constructed or maintained.
Objective	This policy provides guidelines for the retention of grids on Council roads.
Statutory Context	Local Government Act 1995 Section 3.1 Main Roads Act 1930 Section 24
Formal Record	12.10
History	Proposed

Policy Statement:

1. Where a pastoral fence adjoining a stock grid is not stock proof and has remained in a poor state of repair (or has been removed) for a period of 12 months or more, Council may commence the process to remove the grid;
2. The process is that the CEO will notify the lessee/landowner of Council’s intention to remove the grid, allowing the lessee/landowner 30 days to respond. If the lessee/landowner objects, then the objection is to be referred to Council at the meeting immediately following receipt of the objection;
3. After consideration of the objection, if council decides that the grid is to be removed, then it can be removed by suitable contractors or by the Shire crew as soon as practical;
4. If a grid has been removed and the lessee/landowner later wishes to have a new grid installed, then the new grid should be at least 7.4 metres wide and should only be installed once fences have been fully rebuilt or a new fence constructed (*Author comment – Council may wish to consider a contribution from the lessee/landowner*);
5. This policy does not prevent agreement with any lessee/landowner to remove a grid at any time where advice has been received from the lessee/landowner in writing that the grid is no longer required.

*Discussion:*

*The policy was discussed. Councillors stated that boundary grids were to be maintained. Council identified changes to the wording in the policy and moved the amended policy.*

**Voting Requirements:**

Simple majority

**Council Decision:**

**Moved: Councillor M Williams**

**Seconded: Councillor E Foulkes-Taylor**

That Council adopts the following policy and includes it in the Shire of Murchison Policy Manual:

2.1.3 Stock Grids

**Introduction** Stock grids take the place of gates on public roads in the care and control of the Murchison Shire Council. They provide an effective barrier to stock without impeding wheeled vehicles, as the animals are reluctant to walk on the grates. Cattle Grids may present a safety risk to road users if not properly constructed or maintained.

**Objective** This policy provides guidelines for the retention of grids on Council roads.

**Statutory Context** Local Government Act 1995 Section 3.1  
Main Roads Act 1930 Section 24

**Formal Record** 12.10

**History** Proposed

**Policy Statement:**

1. Where a pastoral fence adjoining a stock grid is not stock proof and has remained in a poor state of repair (or has been removed) for a period of 12 months or more, the CEO may commence the process to remove the grid;
2. The process is that the CEO will notify the lessee/landowner of Council’s intention to remove the grid, allowing the lessee/landowner 30 days to respond. If the lessee/landowner objects, then the objection is to be referred to Council at the meeting immediately following receipt of the objection;
3. After consideration of the objection, if council decides that the grid is to be removed, then it can be removed by suitable contractors or by the Shire crew as soon as practical;
4. If a grid has been removed and the lessee/landowner later wishes to have a new grid installed, then the new grid should be at least 7.4 metres wide and should only be installed once fences have been fully rebuilt or a new fence constructed
5. This policy does not prevent agreement with any lessee/landowner to remove a grid at any time where advice has been received from the lessee/landowner in writing that the grid is no longer required. Council reserves the right to request a financial contribution from the applicant should they request a grid in a new location.
6. Boundary grids will be maintained.

**Carried**

**For: 5**

**Against: 0**

**18.4 Call for Community Members for Working Group**

File:	4.70
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 June 2017
Attachments:	Nil

**Matter for Consideration:**

Council to note that:

1. Community positions for the Community Advisory Group, Murchison Community Fund Management Committee and the Settlement Drinking Water Working Group were advertised as directed by Council at the May 2017 OCM; and
2. No nominations were received.

**Background:**

At the May 2017 OCM, Council made the following decision:

<b>Council Decision:</b>	
<b>Moved: Councillor Q Fowler</b>	<b>Seconded: Councillor M Williams</b>
That Council elects the following people to fill the vacancies that have arisen and to be members of the various Working Groups:	
Plant Working Group -	Cr M Williams
Community Advisory Group –	Cr R Foulkes-Taylor
Settlement Drinking Water –	Cr Q Fowler
Settlement Power Supply –	Cr R Foulkes-Taylor
Project Officer Working Group –	Cr A Whitmarsh
Murchison Regional Road Group –	Cr R Foulkes-Taylor (Delegate) Cr M Williams (Deputy)
Community Positions are to be advertised and nominations be brought back to the Shire Council Meeting for final decision. If there are more Community applicants than positions, then Council will decide the successful applicant(s) at the June 2017 OCM, having due regard for their particular skills and expertise.	
<b>Carried:</b>	<b>For: 5</b> <span style="float: right;"><b>Against: 0</b></span>

**Comment:**

An email was sent to the Community on Tuesday 13<sup>th</sup> June asking for nominations for community members on the Community Advisory Group, Murchison Community Fund Management Committee and the Settlement Drinking Water Working Group, with nominations closing at 12 noon on Monday 19 June 2017.

No nominations were received.

**Statutory Environment:**

Local Government Act 1995 Part 5 Division 2 Subdivision 2

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Recommendation:**

That Council notes that community positions for the Community Advisory Group, Murchison Community Fund Management Committee and the Settlement Drinking Water Working Group were advertised as directed by Council at the May 2017 OCM and no nominations were received.

**Discussion:**

The remaining Councillors were happy for Councillors Whitmarsh, Foulkes-Taylor and Fowler to remain in Chambers and vote.

**Voting Requirements:**

Absolute majority.

**Council Decision:**

**Moved: Councillor M Williams**

**Seconded: Councillor A Whitmarsh**

1. That council notes that community positions for the Community Advisory Group, Murchison Community Fund Management Committee and the Settlement Drinking Water Working Group were advertised as directed by Council at the May 2017 OCM and no nominations were received.
2. That Council accept the late nominations of Tom Foulkes-Taylor & Shelly Fowler and appoint them to Working Groups as follows:

Tom Foulkes –Taylor - Settlement Drinking Water  
Shelley Fowler – Community Advisory Group

**Carried:**

**For: 5**

**Against: 0**

**18.5 Shearers & Pastoral Workers Social Club – Video “The Truck Days”**

File:	13.10
Author:	Dianne Daniels - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 June 2017
Attachments:	Correspondence

**Matter for Consideration:**

1. Council to note:
  - a) the correspondence from the Shearers and Pastoralist Workers Social Club; and
  - b) that ten complimentary copies of the “Truck Days” on DVD and a thumb drive have been received;
 and
2. Council to decide how they would like the ten copies of the complimentary DVD’s to be distributed.

**Background:**

In December 2016 Mr Darryl Grey (representing the Shearers & Pastoral Workers Social Club) met with the Chief Executive Officer to discuss an application for funding for the production of a video recording the memoirs and oral history of the shearing era in WA between 1900 and 1960.

At the February 2017 OCM, The Shire of Murchison Council decided to sponsor The Shearers & Pastoral Workers Social Club for the production of the video entitled ‘Shearers – The Truck Days’ in the amount of \$2,000, which was paid from the Tourism and Area Promotion budget.

**Comment:**

The video has since been professionally produced and is entitled “The Truck Days”. The Shearers and Pastoral Workers Social Club has written to the Shire (correspondence attached) thanking them for the generous contribution and has also sent ten complimentary copies of the DVD, along with a copy of the production on a thumb drive.

**Statutory Environment:**

Nil

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Budget/Financial Implications:**

Nil

**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:**

The Shearers &amp; Pastoral Workers Social Club

**Recommendation:**

1. Council to note:
  - a) the correspondence from the Shearers and Pastoralist Workers Social Club; and
  - b) that ten complimentary copies of “The Truck Days’ on DVD and a thumb drive have been received; and
2. That the ten copies of the complimentary DVD’s to be distributed (TBA)

**Voting Requirements:**

Simple majority

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

1. Council to note:
  - c) the correspondence from the Shearers and Pastoralist Workers Social Club; and
  - d) that ten complimentary copies of “The Truck Days’ on DVD and a thumb drive have been received; and
2. That the ten copies of the complimentary DVD’s to be distributed to the library, Roadhouse and Museum for loan to the public.

**Carried:****For: 5****Against: 0****19. NOTICE OF MOTION Nil****20. CEO ACTIVITY REPORT**

Date	Activity
24/05/2017	Inspect RRG funded works with Works supervisor and DCEO
24/05/2017	Plant Working Group Meeting
25/05/2017	Ordinary Meeting of Council
25/05/2017	DCEO Peter Dittrich appointed to CEO position as of 24 June 2017.
25/05/2017	Phone conversation with John Wheelock of DFES re Community Emergency Services Manager opportunity – made appointment to meet with him and DCEO.
25/05/2017	Phone conversation with Steven Petts of GHD. GHD are managing our clearing permit for the 13 km gravel pit which is required for the construct and seal south of the Ballinyoo Bridge. Shielded back trapdoor spiders have been found in the pit and have to be re-located prior to clearing. Invertebrate specialist needs to be present.
29/05/2017	Regular Admin meeting
29/05/2017	Regular meeting with Works Supervisor
30/05/2017	Regular meeting with DCEO
2/06/2017	CEO Annual Leave Day
5/06/2017	Public Holiday
6/06/2017	CEO/DCEO to Toolbox meeting. Let crew know it was my last meeting and that Peter Dittrich had been appointed to CEO position after I finish on the 23/06/2017.



6/06/2017	Regular Admin meeting
6/06/2017	LEMC meeting scheduled for 10:00 am, but did not have a quorum.
6/06/2017	Regular meeting Works Supervisor – DCEO joined the meeting.
8/06/2017	Regular meeting DCEO
8/06/2017	Met with John Wheelock of DFES and DCEO re CESM opportunity.
8/06/2017	Integrated Planning Workshop with Russell Barnes and Tamara Olsen of Moore Stephens and DCEO and CEO to get Long Term Financial Plan, Asset Management Plan and Corporate Business Plan for 2017/18 underway.
12/06/2017	Regular Admin meeting
12/06/2017	Regular meeting with Works Supervisor
14/06/2017	Inspected RRG funded works with Works Supervisor
16/06/2017	Phone conversation with David Taft of Yamatji Marlpa. Federal Court ruling due to be handed down in relation to the land rights claim over this area in September. The court likes to give the ruling on country and it looks like a gathering of about 500 people may meet out here somewhere, not too far from the Settlement. David rang to find out what size planes can land on our strip.
19/06/2017	Regular Admin meeting
19/06/2017	Regular meeting with Works Supervisor

**Recommendation:**

That the CEO's Activity Report be accepted.

*Discussion*

CEO Activity Report was discussed CEO asked to provide more details regarding Federal Court Visit

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor E Foulkes-Taylor**

**Seconded: Councillor A Whitmarsh**

That the CEO's Activity Report be accepted.

**Carried**

**For: 5**

**Against: 0**

**21. URGENT BUSINESS****21.1 Tender Assessment Panel for Flood Damage Works AGRN 743 Flooding in WA Jan/Feb 2017**

File:	4.53
Author:	Peter Dittrich – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 June 2017
Attachments:	N/A

**Matter for Consideration:**

Council to consider establishing a Tender Evaluation Panel to assess the Tender for Flood Damage Works AGRN 743 Flooding in WA Jan/Feb 2017.

**Background:**

At the Ordinary Council Meeting held on 25<sup>th</sup> May 2017 Council resolved (17.3):

1. That a request for quote be placed on E-Quotes for Superintendents Services; and
2. 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);

Council also set the assessment criteria and weightings to be used in the Tender for the Supply of Site Supervision Services for Road Flood Damage Repairs (WANDRRA AGRN 743) evaluation.

However, item three of the officer's recommendation to establish the Tender Evaluation Panel was passed without the members of the panel being nominated.

### **Comment:**

As Mentioned in the background Council has determined "*in writing the criteria for deciding which tender should be accepted*". In order to comply with the Shire of Murchison's Purchasing Policy, prior to calling for public tenders Council needs to establish an Evaluation Panel to consider the tenders in light of the determined criteria.

### **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)

#### 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:**

Chief Executive Officer

Works Supervisor

Deputy Chief Executive Officer

### **Recommendation:**

1. That Council establish a (or two) Tender Evaluation Panel(s) (minimum 3 members) to assess the Tender for Flood Damage Works AGRN 743 Flooding in WA Jan/Feb 2017:

- 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)
- c) That Council have input into structure of Flood Damage Works and provision of site supervision.

### *Discussion:*

*Held on the Tender Assessment panel precedent that whole Council goes on the panel. That Works Supervisor and CEO be on panel.*

**Voting Requirements:**

Simple majority

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

1. That Council establish a (or two) Tender Evaluation Panel(s) (minimum 3 members) to assess the Tender for Flood Damage Works AGRN 743 Flooding in WA Jan/Feb 2017:
  - 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)
  - c) That Council have input into structure of Flood Damage works and provision of site supervision.

**Carried****For: 5****Against: 0****22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

Discuss two items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. RFQ Mechanics Truck and 2. Road Agreement – SKA Route

**Motion to close the meeting to the Public****Recommendation:**

That the meeting move behind closed doors to discuss two items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. RFQ Mechanics Truck and 2. Road Agreement – SKA Route.

**Voting Requirements:**

Simple Majority

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

That the meeting move behind closed doors to discuss two items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. RFQ Mechanics Truck and 2. Road Agreement – SKA Route.

**Carried****For: 5****Against: 5****22.1 RFQ 20.2016-17 Mechanics Truck****Council Decision:****Moved: Councillor A Whitmarsh****Seconded: Councillor Q Fowler**

1. That Council rescind their decision at Item 22.3 OCM May 25 2017: “that Council authorise the purchase of the Hino 300 Series 920 from WA Hino as per their quote Q15913 including the increase in warranty to 5 year/250,000 km as quoted and authorise the trade-in of Isuzu P054 as part of that transaction”, because WA Hino had not included the specifications in their quote as requested by the Works Supervisor; and

2. Council authorise the purchase of the Fuso Canter 918 from Purcher International as per their quote dated 7 June 2017 and authorise the trade-in of Isuzu P054 as part of that transaction.

**Carried****For: 5****Against: 0****22.2 Road Agreement – SKA Route**

**Council Decision:**  
**Moved: Councillor Q Fowler** **Seconded: Councillor E Foulkes-Taylor**

The CEO seek legal advice on the document prior to returning it to Main Roads for their comments.

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

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

**Recommendation:**  
That the meeting move out from behind closed doors.

**Voting Requirements:**  
Simple Majority

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

That the meeting move out from Behind Closed Doors.

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

**23. MEETING CLOSURE**

*The President declared the meeting closed at 4:16 pm.*

These minutes were confirmed at the council meeting held on .....

Signed..... Presiding Officer