



Western Australia

Agenda for the Ordinary Meeting of the Murchison Shire Council,
To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Tuesday 25 September 2018, commencing at 12 Noon.

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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

Council Decision:

Moved: Councillor

Seconded: Councillor

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:

Against:

5. NEXT MEETING

25TH October 2018

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Discuss six items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. Deed of Covenant for the Construction, Operation, Use and Maintenance of the SKAO Access Roads Project, 2. Confidential Item - Tender 2.2016-17 Airstrip Reseal and Marking, 3. Confidential Item – Change of Supervisors – Flood Works, 4. Confidential Item – MRO Contribution to Road Maintenance Agreement, 5. Confidential Item - Tender 5.2016-17 Provision of Site Supervision Services for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel, and 6. Confidential Item - Tender 6.2016-17 Supply of Plant & Operators for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel

8. CONFIRMATION OF MINUTES

8.1 Ordinary Council Meeting – 23 August 2018

Background:

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

Recommendation:

That the minutes of the Ordinary Council meeting held on 23 August 2018 be confirmed as an accurate record of proceedings

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
That the Minutes of the Ordinary Council meeting of 23 August 2018 be confirmed as an accurate record of proceedings.		
Carried/Lost	For:	Against:

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 th March 2016 and recommendations presented to Council at the April OCM – the item was left to lay on the table while Council explored other options.	Meeting of working group set for 27 th September 2018.
2	Cemetery and Remembrance 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.	Meeting of working group set for 27 September 2018 to discuss Niche Wall and garden plan for settlement.
3	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. 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.	Working with Travis Dedman of Landgate to identify dedicated/gazetted roads.

Recommendation:

That the Action List be accepted.

Voting Requirements:

Simple majority

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

12. DISCLOSURE OF INTERESTS

13. REPORTS OF OFFICERS

13.1 Monthly Plant Report – Acting Works Supervisor

Key	Plant Description	Year	Rego	Total Costs	Recovery	Plant Hours YTD
P001	John Deere 770G	2011	MU1063	10382.17	19075	272.5
P004	Ford New Holland Tractor	2006	MU380	375.17	0	0
P005	Dolly MU 2003	2001	MU2003	491.27	0	0
P007	UD Nissan Prime MOVER	2009	000MU	12138.53	2767.5	61.5
P008	Dolly MU 2009	2000	MU2009	554.78	1820	182
P009	Iveco Prime Mover	2003	MU1065	3986.65	12622.5	280.5
P010	Iveco Tipper 2004	2004	MU00	2780.03	0	0
P011	Komatsu D85A Bulldozer	1997		15950.15	21636.5	198.5
P013	Low Loader Float	2008	MU663	2165.23	1860	31
P014	Low Loader Float	201	MU2004	3098.51	0	0
P017	Trailer Evertrans side tipper	2001	MU662	1190.22	2850	150
P018	Trailer Side Tipper Roadwest	2001	MU2010	1127.29	3230	170
P024	Water Tanker Trailer	2005	MU2024	3718.44	4873.5	256.5
P027	Volvo L110E Loader	2006	MU65	9947.89	4907.5	75.5
P028	LV Isuzu D Max 4x4	2009	MU300	1013.83	0	0
P032	Genset Construction			4072.06	0	0
P033	Genset Maintenance			2904.65	0	0
P034	Genset Perkins On Mechanics Truck			409.09	0	0
P035	Genset Power House	2011		26252.04	26252.04	0
P037	Forklift			183.12	0	0
P041	Loader CAT 938 G11	2004	MU193	10980.29	292.5	4.5
P043	BOMAG Roller (Rubber tyred)	2012	MU1027	3790.6	3080	77
P048	HP Flat Trailer - Constr Generator	1979	MU2026	271.62	0	0
P049	Howard Porter Fuel Trailer	1972	MU2005	209.79	0	0
P052	Various Small Plant			2531.32	2531.32	0
P055	Toyota Prado 3.0l T/D 5door wagon	2012	MU1011	2178.01	2178.01	0
P057	Great Wall 2012 Gardener's Ute	2012	MU167	1253.88	0	0
P059	Trailer 45ft Flat top	1978	MU2044	1896.88	475	25
P060	Patient Transfer - Mercedes Sprinter	2004	MU1009	732.66	732.66	0
P061	Kenworth T604 Prime Mover	2004	MU000	21306.68	7245	161
P064	Isuzu FRR500 5 Tonne Truck	2013	MU140	6955.58	7410	95
P065	Generator 9 KVA Kubota	2013		624.37	0	0
P067	Trailer Side Tide Tipper Roadwest	2013	MU2042	2125.53	3230	170
P068	2013 BOMAG Padfood Roller	2013	MU1071	7093.53	5400	135
P069	Elross Caravan 20			1521.65	0	0
P070	Elross Caravan 20			1521.65	0	0
P072	2013 Isuzu Fire T	2013	MU1068	4636.65	4636.65	0
P073	2014 Toyota Fire - Fast Attack	2014	MU1069	4124.7	4124.7	0
P074	Elross Caravan L/	2016		1624.8	120	4
P077	Kubota U25-3 Mini Excavator	2018		402.77	800	16
P080	Fuso Canter (NEW)	2017	MU120	2216.57	3003	38.5
P081	John Deere 670G MOTOR Grader	2017	MU105	11818.03	18690	267
P082	Isuzu/Dmax Sx Single cab - WS	2017	01MU	5052.08	885	59
P085	Remote area caravan	2017		2532.58	0	0
P086	Maxitans Tandem Axle Dolly	2012	1NTW068	0	895	89.5
P088	Triaxle Flat Top Trailer			2212.51	0	0
P15003	Grader John Deere 672G	2012	MU121	11472.86	19915	284.5
P15006	Truck Isuzu NPR	2015	MU1018	3839.68	4173	53.5
P16063	2016 Toyota Prado	2016	MU0	2906.79	0	0
P16075	Kubota Tractor B2	2016		407.02	164.5	11.75
	TOTAL			220982.2	191875.88	3169.25

13.2 Works Report – Acting Works Supervisor

Construction

Have finished on the wreath flower job apart from some signage. They have started on the next section about 7km north of the Tallering homestead. Yuin Pastoral completed the concrete slabs, the culverts are in place and covered by the time council receives this report the job should be nearing completion. It has been a rather eventful month, with a resignation and a major mechanical breakdown resulting in a new engine for the 5 tonne Isuzu truck. This has caused a minimal loss of time. We will be getting a dozer from Lenane Holdings to push up our remaining gravel requirements as our dozer operator is now on the road

train. We will be welcoming Ivor Dumbris back after extended leave, he will then go onto the road train and Glen Pinnegar onto the water cart for the foreseeable future.

Maintenance

Have graded from the north boundary on the Carnarvon / Mullewa Road to the start of the bitumen north of the settlement. Butchers Track has been completed. They are now busy cleaning up the batters and drains along the bitumen heading south. I would like to draw to council’s attention that on the flood damage roads we are only grading the running surface. This is so we have as little impact as possible on the flood damage works and avoid duplication of works.

Recommendation:

That the Acting Work’s Supervisor’s report be accepted.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor		Seconded: Councillor
That the Acting Work’s Supervisor’s report be accepted.		
Carried/Lost	For:	Against:

14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

I represented the Shire at the MRO Open Day which ran from about 9:30am to 2pm on Friday 14 September 2018.

Along with nearly all the Shire staff and some of their families there were also crew from Mileura, Tardie, Murgoo, Curbur and the Roadhouse – total of around 30 to 35 including kids.

CSIRO made quite an effort to look after and inform those that went along with morning smoko and lunch being provided.

We had a guided tour of the large radio wave receiving dishes, various parts inside the control building, the MWA site and the power station.

There were plenty of CSIRO staff around that did a good job in answering any questions that arose.

14.2 Councillors

15. REPORTS OF COMMITTEES

16. FINANCE

16.1 Financial Activity Statements to 31 July 2018

File:	
Author:	Rose Jones – Deputy Chief Executive Officer Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 September 2018
Attachments:	Financial Activity Statements to 31 July 2018 Statement of Financial Position Operating Statement by Program Operating Statement by Nature & Type Accounts Activity General Ledger Trial Balance

Matter for Consideration:

Council is to consider adopting the Monthly Financial Statements for July 2018.

Background:

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

Comment:

The Current Position at 31 July 2018 is a surplus of \$3,328,424

	Budgeted closing surplus YTD	\$3,273,067
Plus	Variance to Operating Surplus	-37,495
Less	Operating revenue down	-1,437,119
Plus	Operating Expenditure down	1,123,390
Less	Operating activity excluded	-10,027
Plus	Investing activities down	466,094
Plus	New Debentures up	0
Less	Transfers from reserve down	0
Less	Repayment of Debentures up	0
Plus	Transfers to reserves down	49,486
	Total Variances	55,347
	Actual Surplus as at 30 July 2018	\$3,328,424

The following Term Deposits are currently held as at 31 July 2018:

Muni

Term Deposit 531423	\$500,000.00	2.52%	Maturity 29/09/2018
Term Deposit 531431	\$1,000,000.00	2.84%	Maturity 29/10/2018
Term Deposit 529817	\$500,000.00	2.77%	Maturity 06/09/2018

Trust

Crosslands MCF Term Deposit	\$378,082.10	2.38%	Maturity 25/08/2018
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Reserve

Term Deposit 531458	\$750,000.00	2.84%	Maturity 29/10/2018
Term Deposit 531466	\$1,000,000.00	2.84%	Maturity 29/10/2018
Beringarra Cue Road Reserve Term Deposit	\$3,524,570.63	1.98%	Maturity 18/07/2018

Statutory Environment:

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

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

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

Strategic Implications:

Nil.

Policy Implications:

Nil.

Budget/Financial Implications:

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

Sustainability Implications:

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

Consultation:

Moore Stephens

Recommendation:

That Council adopt the financial statements for the period ending 31 July 2018 as attached.

Voting Requirements:

Simple majority.

Council Decision:		
Moved: Councillor	Seconded:	
Carried/Lost	For:	Against:

16.2 Financial Activity Statements 31 August 2018

File:	
Author:	Rose Jones – Deputy Chief Executive Officer Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 September 2018
Attachments:	Financial Activity Statements to 31 August 2018 Statement of Financial Position Operating Statement by Program Operating Statement by Nature & Type Accounts Activity General Ledger Trial Balance

Matter for Consideration:

Council is to consider adopting the Monthly Financial Statements for August 2018.

Background:

The Local Government (Financial Management) Regulations 1996. Regulation 34 require that local government reports monthly and prescribes what is required to be reported.

Comment:

The Current Position at 31 August 2018 is a surplus of \$4,267,451

	Budgeted closing surplus YTD	2,732,454
Plus	Variance to Operating Surplus	-37,495
Less	Operating revenue down	-1,984,794
	Operating Expenditure down	2,522,285
Less	Operating activity excluded	-20,377
Plus	Investing activities down	1,116,606
Plus	New Debentures up	0
Less	Transfers from reserve down	0
Less	Repayment of Debentures up	0
Plus	Transfers to reserves down	-61,768
	Total Variances	1,534,997
	Actual Surplus as at 31 August 2018	\$4,267,451

The following Term Deposits are held as at 31 August 2018:

Muni

Term Deposit 531423	\$500,000.00	2.52%	Maturity 29/09/2018
Term Deposit 531431	\$1,000,000.00	2.84%	Maturity 29/10/2018
Term Deposit 529817	\$500,000.00	2.77%	Maturity 06/09/2018
Term Deposit 249753	\$500,000.00	1.91%	Maturity 30/09/2018

Trust

Crosslands MCF Term Deposit	\$378,082.10	2.38%	Maturity 25/08/2018
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Reserve

Term Deposit 531458	\$750,000.00	2.84%	Maturity 29/10/2018
Term Deposit 531466	\$1,000,000.00	2.84%	Maturity 29/10/2018
Term Deposit – Beringarra-Cue Rd	\$2,530,497.70	2.71%	Maturity 18/11/2018
Term Deposit 218770	\$1,000,000.00	1.91%	Maturity 21/09/2018

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 August 2018 as attached.

Voting Requirements:

Simple majority.

Council Decision:		
Moved: Councillor	Seconded:	
Carried/Lost	For:	Against:

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

File:	4.37.1
Author:	Rose Jones – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 September 2018
Attachments:	EFT & Cheque Details for August 2018

Matter for Consideration:

Endorsement of accounts paid during the month of August 2018.

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:

A list of payments made during the month of August 2018 is 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) enough 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 for the Month of August, as per the attached Schedule presented to this meeting including \$523,989.13 from Municipal Account \$3,000.30 from Trust Account and \$32.00 from Oasis Roadhouse totalling \$527,481.43 be endorsed by Council.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

16.4 2018-19 Budget Variation – Murchison Fire Shed

File:	2.4
Author:	Rose Jones – Deputy Chief Executive Officer
Interest Declared:	Nil
Date:	19 September 2018
Attachments:	DFES – Local Government Grant Scheme 2018-19

Matter for Consideration:

Council is to consider a budget amendment to provide for the construction of a Fire Shed within the Murchison Settlement.

Background:

DFES has considered the 2018-19 application from the Shire of Murchison for Capital Grant Funds for a Fire Shed and Light Tanker and has advised that the grant for the Fire Shed has been approved in the amount of \$53,950.

Comment:

As this advice was received after the draft budget was compiled it is now submitted for inclusion in Council’s 2018-19 budget as an amendment. The net affect on the proposed surplus is nil as both income and expenditure will be \$53,950.

The accounts affected are:

Capital Expenditure	GL05103	Buildings – Fire Prevention
Operating revenue	GL05121	Grant revenue – Fire Prevention

Statutory Environment:

6.8. Expenditure from municipal fund not included in annual budget

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

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

* *Absolute majority required.*

Policy Implications:

Nil

Budget/ Financial Implications:

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

Consultation:

Chief Executive Officer
Rick Ryan - DFES

Recommendation:

That council endorse the inclusion of the Murchison Fire Shed as an amendment to the 2018-19 Annual Budget.

Voting Requirements:

Absolute Majority

Council Decision:		
Moved:		Seconded:
Carried/Lost	For:	Against:

17. DEVELOPMENT

17.1 SKA Route – Main Roads Drawings

File:	12.8
Author:	Peter Dittrich - CEO
Interest Declared:	No interest to disclose
Date:	18 September 2018
Attachments:	Revised Drawings

Matter for Consideration:

Council to consider the SKA Road 100% drawings for Stage 1 of the project relating to the Roderick River Crossing on the Boolardy/Kalli Rd and the Murchison River crossing on the Twin Peaks /Wooleen Rd.

Background:

Main Roads is undertaking an upgrade of the roads that will be used during the construction of the SKA project. At the July 2018 Ordinary Meeting of Council, Council did not endorse the Road 100% drawings for Stage 1 of the project relating to the Roderick River Crossing on the Boolardy/Kalli Rd and the Murchison River crossing on the Twin Peaks /Wooleen Rd and lay the item on the table subject to a site inspection.

Comment:

The President and the Acting Works Supervisor attended a site meeting with Mr Peter Swaan, of Main Roads, on August 2018. Following that meeting Main Roads amended the proposed drawings and they are now put before Council for consideration.

Main Roads has advised the following in relation to the drawings:

Boolardy Kalli Road Roderick River Realignment - Drawing 201714-1569

- note to be included 'Backfill existing drain / levee to match existing ground approx. 300m', this is for the drain /levee to the north of the existing road prior to the existing main Roderick River channel;
- note and depiction of a new levee on the left hand side of the realignment, opposite the existing levee on the right hand side, starting perpendicular to the new road and curving back to the west at the same design level of 341.70 AHD for approximately 80m;
- change the number of culverts in the Roderick River channel to 3x1200x600 RCBC.

Beringarra Pindar Road Boolardy Creek Realignment - Drawing 201714-1575

- at Chainage 131716 Install 2x450dia RCP

Twin Peaks Wooleen Road Murchison River Realignment - 201714-1577 & 201714-1578

- amend the vertical profile from chainage 250 to 450 to lower this section by 250mm at chainage 340 to closer match the existing ground level;
- note on Drawing 201714-1577 for the existing road 'Existing Road to Remain' to be expanded to say ' Existing Road to Remain, Backfill Existing Table Drains';
- new notes be added on Drawing 201714-1578 'Backfill Existing Table Drains';
- Culvert at Cha 656 to be amended to 2x450dia RCP;
- Culvert at Cha 760 to be amended to 3x450dia RCP.

Boolardy Kalli Road Realignment - Drawings 201714-1581 & 201714-1582

- position of alignment to be moved to closer match the existing across the two clay pans as per the 'red lines' on the drawings removing need for clearing and placing the road back onto a previous alignment that is already cleared and needs a raised formation with balancing culverts to pass over the existing claypans.

Recommendation:

That Council:

Advise Main Roads that the Council accept the drawings:

- Boolardy Kalli Road Roderick River Realignment - Drawing 201714-1569
- Beringarra Pindar Road Boolardy Creek Realignment - Drawing 201714-1575
- Twin Peaks Wooleen Road Murchison River Realignment - 201714-1577 & 201714-1578
- Boolardy Kalli Road Realignment - Drawings 201714-1581 & 201714-1582

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

17.2 Information Item - Community/SKA Meeting

File:	12.8
Author:	Peter Dittrich - CEO
Interest Declared:	No interest to disclose
Date:	18 September 2018
Attachments:	Notes of Meeting

Matter for Consideration:

Council to receive the notes of the Community/SKA Meeting held on 22 August 2018

Background:

Community members of the Shire of Murchison met with representatives of the CSIRO and SKA Project at the Murchison Settlement on 22 August 2018.

Comment:

The meeting took the format of a community forum which was facilitated by President R Foulkes-Taylor. There are no formal minutes of the forum however the CEO, DCEO, and Cr. E Foulkes-Taylor did take some notes to record the key elements. The notes were compiled into the attached document to facilitate future discussion.

The notes are presented to Council as an information item.

Recommendation:

That Council receive the notes from the Community/SKA Meeting of 22 August 2018

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

18. ADMINISTRATION

18.1 Review of Standing Orders Local Law 2001

File:	4.28
Author:	Peter Dittrich - Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 th September 2018
Attachments:	Local Law Review and making Flowchart Gazette 22/08/2002 Shire of Murchison – Standing Orders Local Law 2001

Matter for Consideration:

Council to initiate the process of the review of the shire Of Murchison’s local law in accordance with S3.16. of the Local Government Act 1995 (the Act).

In May 2017 the review process was initiated. More than twelve months has elapsed since the start of the process and therefore the review process has lapsed and needs to be restarted.

Background:

The Shire of Murchison is required to undertake a review of its local law every eight years. The Shire currently has a single local law - Standing Orders Local Law 2001 which was gazetted on 22nd August 2002. The Shires records indicate that this law was reviewed in March 2009.

Comment:

The intended purpose and effect of this local law is as follows:

Purpose: - Is to provide the rules for the conduct of meetings of the Council, Committees and electors.

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

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried:	For: 5	Against: 0

18.2 Elected Member Training

File:	4.11
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 th September 2018
Attachments:	Nil

Matter for Consideration:

Council to consider the request by Cr E Foulkes-Taylor to attend the Company Directors Course run by the Australian Institute of Company Directors (AICD) and a budget amendment relating to course fees.

Background:

A request to attend training has been received from Cr E Foulkes-Taylor as shown below:

Dear Peter,

*I am very interested in taking the Australian Institute of Company Director's **Company Directors Course** to enhance and broaden my skills and capacity as a shire councillor.*

After speaking with a number of councillors at the Local Government Convention this year I am persuaded that this course is more broadly beneficial for professional development as a councillor than the WALGA Local Government Diploma. Also, the course is delivered intensively over 5 days which I think would be more cost effective in terms of travel and accommodation than the occasional LG training days.

Upon completion participants will:

- *Clearly understand the duties and responsibilities of directors and their fiduciary duties and compliance roles*
- *Introduce and apply frameworks for board decision making*
- *Consider issues in contemporary directorship*
- *Outline sound practices in governance and risk management*
- *Identify the board's contribution to organisational performance and strategy development and execution*
- *Develop financial literacy to assess the financial health of an organisation*
- *Introduce and apply tools for use in the boardroom to increase effectiveness*

Participants of the Company Directors Course also receive 2 e-learning courses called 'The Director Mindset' and 'Interpreting Financial Statements'.

I am happy to cover my own travel, food and accommodation for the duration of the course and contribute to the cost of the course should the council see fit.

Course available dates for Perth- Monday 12th-Friday 16th November (4 places left)

Thank you for considering this proposal

<https://aicd.companydirectors.com.au/education/course-calendar/wa/ev139871-company-directors-course>

Regards

Emma

Cr. E Foulkes-Taylor

Comment:

The five day course offered by AICD focuses on Governance and the role of a Director/Councillor. Council is responsible for the overseeing the good governance of the Shire and the stewardship of scarce public resources. The course is intended to enhance Councillor knowledge in relation to their role and the compliance issues of the Council. The course covers the following areas:

- Contemporary corporate governance
- How best to arrive at decisions to achieve improved performance
- Key responsibilities of Councillors
- Legal and compliance issues including contracts, intellectual property and trade practices
- Role in developing a culture appropriate for the risk tolerance of the organization.
- The role in developing and executing strategy
- Financial literacy
- Role in driving organizational performance
- Consideration of good practices of effective boards
- A case study to link all of the above elements together.

In addition two eLearning modules are offered, namely:

- Interpreting Financial Statements; and
- The Director Mindset

WALGA encourages the professional development of Councillors and the increased professionalism of Council. As part of the review of the Local Government Act the Department of Local Government, Sport, and Cultural Industries will introduce a requirement for Councillor training and ongoing professional development.

The cost associated with the attendance by Cr E Foulkes-Taylor at this course are minimised in the Cr E Foulkes-Taylor has undertaken to pay her own travel, accommodation, and meal costs as her personal contribution to the training.

At the time of developing the 2018/19 Annual Budget a conservative approach was taken in estimating the Federal Assistance Grant that would be received by the Shire. The actual amount allocated to the Shire has now been confirmed and is approximately \$90,000 more than expected. This is reduced by a reduction in the carry forward surplus of approximately \$40,000 following the completion of the annual accounts. The remaining fund will be reallocated during the year and at the Budget Review. It is suggested that Council allocate part of these funds to the investment in Councillor training. In this instance that the amount of \$10,699 be allocated to Councillor training.

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 attendance at the training course.

Consultation:

Nil

Recommendation:

- 1) That Cr E Foulkes-Taylor be allowed to attend the Australian Institute of Company Director’s Company Directors Course.
- 2) That the budget be amended allocate an additional \$10,699 to Councillor Conferences *

Voting Requirements:

Simple Majority

*Absolute Majority

Council Decision:		
Moved:	Seconded: Councillor	
Carried:	For:	Against:

18.3 Christmas Office Closure

File:	4.20
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 September 2018
Attachments:	N/A

Matter for Consideration:

Council to consider the annual Christmas shutdown period.

Background:

In previous years Council has closed the Office during the Christmas/New year period.

Comment:

Most of the outside crew will be on break from close of business Thursday the 21st December 2018. It is proposed that the administration office will be closed from close of business Thursday the 21st December 2018 until Monday the 7th January 2019.

Statutory Environment:

Nil

Strategic Implications:

Nil

Sustainability Implications

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

Policy Implications:

Nil

Financial Implications:

Nil

Consultation:

Acting Works Supervisor
DCEO

Recommendation:

That the arrangements made by the CEO regarding the annual shutdown period be endorsed.

Voting Requirements:

Simple Majority

Council Decision:	
Moved: Councillor	Seconded: Councillor
Carried	For: Against:

18.4 Amend Policy 5.5.1 Operation of Bank Account

File:	2.7
Author:	Peter Dittrich -Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 September 2018
Attachments:	Nil

Matter for Consideration:

Council to consider updating Policy 5.5.1 Operation of Bank Accounts

Background:

The current Policy in regard to the operation of bank accounts is:

Policy Statement

5.5.1 Operation of Bank Accounts

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.

Comment:

The CEO suggests that the policy be updated to enable the efficient management of Term Deposits.

Suggested Policy:

5.5.1 Operation of Bank Accounts

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts (except Term Deposits held at the same bank that holds the Shire's Municipal Funds) are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.
- d) The CEO and DCEO may manage the Shire's investments by way of Term Deposit held at the same bank that holds the Shire's Municipal Funds. This includes the opening and closing of term deposit accounts.

Statutory Environment:

Local Government (Financial Management) Regulations 1996
Payments, procedures for making etc.

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
 - (a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
 - (b) petty cash systems.
- (2) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (3) Payments made by a local government —
 - (a) subject to subregulation (4), are not to be made in cash; and
 - (b) are to be made in a manner which allows identification of —
 - (i) the method of payment; and
 - (ii) the authority for the payment; and
 - (iii) the identity of the person who authorised the payment.
- (4) Nothing in subregulation (3)(a) prevents a local government from making payments in cash from a petty cash system.

Strategic Implications:

None

Policy Implications:

Proposed amendment of Policy 5.5.1

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:

Nil

Recommendation:

That Council amends Policy 5.5.1 Operation of Bank Account

from:

5.5.1 Operation of Bank Accounts

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.

to:

5.5.1 Operation of Bank Accounts

- a) Two signatories, authorised with the bank, are to sign off on all payments, whether the payment is electronic or by cheque;
- b) The exception to this is payments made with the CEO Credit Card. Credit Card payments are to be accompanied by supporting source documentation, details are to be revealed in the monthly payment list to Council and the President is to sign off on the reconciliation each month;
- c) Changes to bank accounts (except Term Deposits held at the same bank that holds the Shire’s Municipal Fuds) are to be authorised by the Chief Executive Officer and the President. For example, opening or closing bank accounts; adding new signatories; changing the number of signatories on a bank account.
- d) The CEO and DCEO may manage the Shire’s investments by way of Term Deposit held at the same bank that holds the Shire’s Municipal Fuds. This includes the opening and closing of term deposit accounts.

Voting Requirements:

Absolute majority

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

18.5 Authorisation to Apply Common Seal

File:	4.53
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 September 2018
Attachments:	General Conditions of Contract – Them Earthmoving

Matter for Consideration:

Consideration of the application to the Common Seal to the General Conditions of Contract – Them Earthmoving, the General Conditions of Contract – Robbro WA and the General Conditions of Contract – Squires Resources.

Background:

Following the awarding of the tenders in relation to the Supply of Plant & Operators for Road Flood Damage Repairs (WANDRRA AGRN 781) the Shire is entering into contracts with Them Earthmoving, Robbro WA, and Squires Resources. These contracts are based on the WALGA General Conditions of Contract.

Comment:

Section 9.49A (1) of the Act states that a document is duly executed by a local government when signed by specified persons and the common seal applied when authorised by the local government.

Delegation 3 of the Shires Delegations Register provides permission for the Common Seal to be affixed to relevant legal documents and requires the initial document to be approved by council prior to affixing the seal.

It is requested that Council authorise the Common Seal to be affixed to the General Conditions of Contract – Them Earthmoving, to the General Conditions of Contract – Robbro WA, and to the General Conditions of Contract – Squires Resources, the terms of which are substantially similar to that of the first mentioned contract.

Statutory Environment:

Local Government Act 1995 - Part 9 Miscellaneous provisions Division 3 Documents s. 9.49A.

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Consultation:

Nil

Recommendation:

That Council authorise the Common Seal to be affixed to the following three documents in relation to Tender 8.2017/18 Supply of Plant & Operators for Road Flood Damage Repairs (WANDRRA AGRN 781):

1. General Conditions of Contract – Them Earthmoving
2. General Conditions of Contract – Robbro WA
3. General Conditions of Contract – Squires Resources

Voting Requirements:

Absolute Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost:	For:	Against:

19. NOTICE OF MOTION

20. CEO ACTIVITY REPORT

Date	Activity
23.08.2018	Discussions with Auditor re Accrued income and Impaired Assets
27.08.2018	Murchison Executive Group Meeting
29.08.2018	Discussion with G King – CSIRO re clearing permits and contractors
31.08.2018	Telephone call and email David Edelman - Senior Policy Officer - Land, Approvals and Native Title Unit,- Department of the Premier & Cabinet – request for information on heritage survey costs.
03.09.2018	Follow up of community meeting with MWDC
03.09.2018	Discussion of settlement water options with Stephen Greeve of Water Corporation
03.09.2018	G King – CSIRO Open day
04.09.2018	Meeting with T Clynych – CEO – Local Law Review
04.09.2018	Damien Barden Maintenance Manager – Sun City Plumbing – discuss possible savings using shared mobilisation.
05.09.2018	Tender review report
06.09.2018	Progress replacement tourist map with Landgate
07.09.2018	Meeting with WALGA to discuss tender requirements
10.09.2018	Liaise with CESM re LEMA meeting
11.09.2018	Discuss Shire involvement in CSIRO open day with various parties

Recommendation:

That the CEO's Activity Report be accepted.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost	For:	Against:

21. URGENT BUSINESS

22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Discuss six items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. Deed of Covenant for the Construction, Operation, Use and Maintenance of the SKAO Access Roads Project, 2. Confidential Item - Tender 2.2016-17 Airstrip Reseal and Marking, 3. Confidential Item – Change of Supervisors – Flood Works, 4. Confidential Item – MRO Contribution to Road Maintenance Agreement, 5. Confidential Item - Tender 5.2016-17 Provision of Site Supervision Services for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel, and 6. Confidential Item - Tender 6.2016-17 Supply of Plant & Operators for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel

Motion to close the meeting to the Public

Recommendation:

That the meeting move behind closed doors to discuss six items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. Deed of Covenant for the Construction, Operation, Use and Maintenance of the SKAO Access Roads Project, 2. Confidential Item - Tender 2.2016-17 Airstrip Reseal and Marking, 3. Confidential Item – Change of Supervisors – Flood Works, 4. Confidential Item – MRO Contribution to Road Maintenance Agreement, 5. Confidential Item - Tender 5.2016-17 Provision of Site Supervision Services for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel, and 6. Confidential Item - Tender 6.2016-17 Supply of Plant & Operators for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost:	For:	Against:

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	Seconded: Councillor	
Carried/Lost:	For:	Against:

22.1 Deed of Covenant for the Construction, Operation, Use and Maintenance of the SKAO Access Roads Project

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost:	For:	Against:

22.2 Confidential Item - Tender 2.2016-17 Airstrip Reseal and Marking

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost:	For:	Against:

22.3 Confidential Item – Change of Supervisors – Flood Works

Council Decision:		
Moved: Councillor	Seconded: Councillor	
Carried/Lost:	For:	Against:

22.4 Confidential Item – MRO Contribution to Road Maintenance Agreement

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

22.5 Confidential Item - Tender 5.2016-17 Provision of Site Supervision Services for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel

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

22.6 Confidential Item - Tender 6.2016-17 Supply of Plant & Operators for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel

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

23. MEETING CLOSURE