



Western Australia

Minutes of the Ordinary Meeting of the Murchison Shire Council,
held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Thursday 27th June 2019, commencing at 12 Noon.

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President declared the meeting open at 12 noon

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Cr R Foulkes-Taylor – President
 Cr E Foulkes-Taylor
 Cr G Mead
 Cr Q Fowler
 Cr P Squires

Leave of Absence: Cr A Whitmarsh

Staff:
 Eddie Piper – Acting CEO
 Rose Jones - DCEO
 William Herold – Works Supervisor

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME**4.1 Standing Orders*****Council Decision:***

Moved: Councillor G Mead

Seconded: Councillor Q Fowler

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

Thursday, 25 July 2019

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Item 22.1 Murchison Oasis Roadhouse Sub-lease

8. CONFIRMATION OF MINUTES**8.1 Ordinary Council Meeting – 23 May 2019****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 May 2019 be confirmed as an accurate record of proceedings.

Voting Requirements:

Simple majority

Council Decision:**Moved: Councillor E Foulkes-Taylor****Seconded: Councillor G Mead**

That the Minutes of the Ordinary Council meeting of 23 May 2019 be confirmed as an accurate record of proceedings.

Carried**For:****5****Against: 0****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	Working Group held a telephone conference to discuss funding.	Awaiting release of grant funding. Grant applications close Sept 2019.
2	Cemetery and Remembrance Walk	Community Advisory Group inspected niche wall area and marked layout.	Wall design sketched. Awaiting quote.
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 Paul Dean of Landgate. Landgate report has been received.

Recommendation:

That the Action List be accepted.

Voting Requirements:

Simple majority

Council Decision:**Moved: Councillor Q Fowler****Seconded: Councillor P Squires**

That the Action List be accepted.

Carried**For:****5****Against: 0****12. DISCLOSURE OF INTERESTS**

Cr P Squires and Cr G Mead declared a Financial Interest in Item 18.3

13. REPORTS OF OFFICERS

13.1 Monthly Plant Report – Works Supervisor

Plant	Plant Description	Year	Rego	Total Costs	Total Recovered	Plant Hours YTD	Plant Hours May
P001	JD 770G Grader	2011	MU1063	56,251.91	92,155.00	1316.5	235
P004	Ford New Holland Tractor	2006	MU 380	1,677.47	-	0	0
P005	Dolly	2001	MU 2003	5,232.63	-	0	0
P007	UD Nissan Prime Mover Truck	2009	000 MU	33,762.08	33,840.00	752	113
P008	Dolly	2000	MU 2009	4,281.98	7,485.00	748.5	155.5
P009	Iveco Prime Mover	2003	MU1065	12,162.58	26,640.00	592	0
P010	Iveco Tipper 2004	2004	MU 00	3,804.20	-	0	0
Plant	Plant Description	Year	Rego	Total Costs	Total Recovered	Plant Hours YTD	Plant Hours May
P011	Komatsu D85A BullDozer	1997	0	65,612.41	21,636.50	198.5	0
P013	Low Loader Float	2008	MU 663	13,282.40	7,590.00	126.5	6.5
P014	Low Loader Float	2001	MU 2004	11,159.01	-	0	0
P017	Trailer - Evertrans Side Tipper	2001	MU 662	9,964.53	12,910.50	679.5	83
P018	Trailer - Side Tipping Roadwest	2001	MU2010	12,526.74	13,708.50	721.5	115
P024	Water Tanker Trailer	2005	MU 2024	19,959.98	23,740.50	1249.5	167
P027	Volvo L110E Loader	2006	MU 65	40,876.49	29,412.50	452.5	114
P028	LV Isuzu D-Max 4x4	2009	MU 300	10,474.45	705.00	47	22.5
P032	Genset - Construction	0	0	13,926.51	-	0	0
P033	Genset - Maintenance 13 KVA	0	0	9,879.42	-	0	0
P034	Genset Perkins On Mechanic Truck	0	0	4,630.67	-	0	0
P035	Genset Power House	2011	0	161,998.13	161,998.13	0	0
P041	Loader CAT 938 GII	2004	MU 193	22,403.98	9,067.50	139.5	17
P043	BOMAG Roller (Rubber)	2012	MU1027	16,549.33	18,080.00	452	132.5
P048	Howard Porter Flat Trailer - Construction Gen	1979	MU 2026	1,845.02	-	0	0
P049	Howard Porter Fuel Trailer	1972	MU 2005	1,109.14	-	0	0
P055	Toyota Prado 3.0l T/D 5 door Wgn	2012	MU1011	12,112.63	12,112.63	10	0
P057	Great Wall 2012 Gardeners Ute	2012	MU 167	3,650.81	-	0	0
P059	Trailer - 45ft Flat top	1978	MU2044	3,787.70	627.00	33	0
P060	Patient Transfer- Mercedes Sprinter	2004	MU 1009	3,200.04	3,200.04	0	0
P061	Kenworth T604 Prime Mover	2004	MU 000	95,081.57	43,065.00	957	230.5
P064	Isuzu FRR500 5-Tonne Truck	2013	MU 140	61,820.76	18,213.00	233.5	50.5
P065	Generator 9 KVA Kuboto Machine	2013	0	6,171.03	-	0	0
P067	Trailer - Side Tipper Roadwest	2013	MU2042	12,540.50	14,316.50	753.5	115
P068	BOMAG Padfoot Roller BW211PD-4 - Yellow	2013	MU1071	27,296.31	25,660.00	641.5	160.5
P072	Isuzu Fire Truck	2013	MU1068	14,676.74	14,676.74	0	0
P073	Toyota Fire - Fast Attack	2014	MU1069	12,188.90	12,188.90	0	0
P076	Dolly	0	0	14,487.86	705.00	70.5	0
P077	Kubota U25-3 Mini Excavator & Attachments	0	0	7,298.09	5,175.00	103.5	4
P080	Fuso Canter	2017	MU120	10,115.93	10,218.00	131	0
P081	John Deere 670G Motor Grader	2017	MU105	57,670.88	100,345.00	1433.5	321.5

P082	Isuzu/Dmax Sx - Works Supervisors Vehicle	2017	01 MU	19,679.21	7,080.00	472	100.5
P086	Maxitrans Tandem axle Dolly	2012	1TNW068	751.97	5,910.00	591	83
P090	Plant trailer GH1055	0	0	331.41	-	0	0
P15003	Grader John Deere 672G	2012	MU121	54,205.07	92,680.00	1324	352.5
P15006	Truck - Isuzu NPR 65/45	2015	MU1018	18,583.23	25,428.00	326	141
P16075	Kubota Tractor B2301 HD with mower deck	2016	0	3,305.84	2,474.50	176.75	34.75

13.2 Works Report – Works Supervisor

Construction Crew

The construction crew have completed work on the 5 floodways on the Carnarvon-Mullewa Rd between SLK 116 and SLK 128. They have made a start on the re-sheet job on the Beringarra-Pindar Road just north of the McNabb intersection SLK 223.0 to SLK 227.5. They will be pulling in the built up sand from the sides and will then gravel sheet over the top of the sand. This should prevent the sand blowing onto the running surface during the hot and dry summer months.

Maintenance Crew

The maintenance crew have been pulled off the Beringarra-Byro Rd and are headed to the south boundary on the Carnarvon-Mullewa Rd. On their way past the depot the rollers will be hooked on and hopefully when a start is made they will be grading and rolling damp material.

Flood Damage

A handover of the flood damage work was done on 17, 18 and 19 June 2019. Once again, the work has been of a consistently high standard. The pickup for Flood 6 (April 2019) will be starting shortly. This will be done by the current supervisors, Greenfields Technical Services and myself.

Seal Fail South of Ballinyoo Bridge

Negotiations are still ongoing between the Shire and the superintendent.

Plant Matters

The new Cat 950GC loader should be delivered in early July.

The new prime mover has been ordered: however, the delivery date is unknown at present.

Discussion followed around the recovery of plant costs such as those for the Admin Prado, P055 being fully allocated to Admin vehicles.

Councillors discussed the Lake Nerramine Road and excluded it from the works to be identified for WANDDRA funding as a result of rain in April 2019.

Cr Squires commended the prompt mobilisation of graders and rollers to maintenance following recent rains. It was noted that negotiations were taking place to rectify seal failure south of Ballinyoo Bridge.

Recommendation:

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

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor Q Fowler

Seconded: Councillor E Foulkes-Taylor

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

Carried

For:

5

Against: 0

14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

Nil

Meeting adjourned at 12.26

Meeting reconvened at 12.30

14.2 Councillors

Cr G Mead reported his attendance at a CRBA Meeting to discuss the budget for wild dog control program. He reported that David Blood has been replaced by Christie Brennan.

15. REPORTS OF COMMITTEES

Nil

William Herold left the meeting at 12.35pm

16. FINANCE**16.1 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:	Nil
Date:	19 June 2019
Attachments:	List of payments made in May 2019

Matter for Consideration:

Endorsement of accounts paid during the month of May 2019.

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 May 2019 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

Councillor E Foulkes-Taylor sought clarification of details concerning payments to Neil Combe (should read 2 dogs) and EFT 3995 to Oil Tech did not list a second delivery of 17,400 litres of diesel included in the payment.

Recommendation:

That the accounts for the month of May 2019, as per the attached Schedules presented to this meeting including \$2,084,367.07 from Municipal Account, repayments of \$1,572,510.97 to WA Treasury in respect of the short term advance, \$55.43 from Oasis Roadhouse and \$645.55 from Trust totalling \$3,657,579.02 be endorsed by Council.

Voting Requirements:

Simple majority

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

That the accounts for the month of May 2019, as per the attached Schedules presented to this meeting including \$2,084,367.07 from Municipal Account, repayments of \$1,572,510.97 to WA Treasury in respect of the short term advance, \$55.43 from Oasis Roadhouse and \$645.55 from Trust totalling \$3,657,579.02 be endorsed by Council.

Carried**For:****5****Against: 0****16.2 Financial Activity Statements to 31 May 2019**

File:	4.37
Author:	Rose Jones – Deputy Chief Executive Officer
Interest Declared:	Nil
Date:	19 June 2019
Attachments:	Financial Activity Statements to 31 May 2019 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 the period to May 2019.

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 May is a surplus of \$2,664,944

	Budgeted closing surplus YTD	\$6,537,0620
Less	Variance to Opening Funding Surplus	0
Less	Operating revenue down	-535,433
Plus	Operating Expenditure up	-904,624
Less	Operating activity excluded	-196,857
Plus	Investing activities down	854,322
Plus	New Debentures up	9,864,112
Less	Transfers from reserve down	-896,855
Less	Repayment of Debentures up	-12,056,783
Plus	Transfers to reserves down	0
	Total Variances	-3,872,118
	Actual Surplus as at 31 May 2019	\$2,664,944

The following Term Deposits are held as at 31 May 2019:

Muni

Term Deposit 529817	\$500,000.00	2.50%	Maturity 08/06/2019
Term Deposit 531423	\$500,000.00	2.22%	Maturity 28/06/2019
Term Deposit 531431	\$1,000,000.00	2.17%	Maturity 08/07/2019

Trust

Crosslands MCF Term Deposit	\$377,335.68	2.23%	Maturity 25/08/2019
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Reserve

Term Deposit 531458	\$750,000.00	2.19%	Maturity 28/11/2019
Term Deposit 531466	\$1,000,000.00	2.01%	Maturity 29/07/2019
Beringarra Cue Road Reserve Term Deposit 468161	\$3,501,476.26	2.14%	Maturity 21/07/2019

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 2019 as attached.

Voting Requirements:

Simple majority.

Council Decision:			
Moved: Councillor Q Fowler		Seconded: Councillor G Mead	
That Council adopt the financial statements for the period ending 31 May 2019 as attached.			
Carried		For: 5	Against: 0

Meeting adjourned at 12.52pm

Meeting reconvened at 1.52 pm

16.3 Differential Rates 2019-20

File:	4.29
Author:	Rose Jones – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	11 June 2019
Attachments:	Submission from McMahon Mining Title Services Pty Ltd

Matter for Consideration:

Council is required to obtain the approval of the Minister for Local Government, Sport and Cultural Industries for its proposal to levy differential rates for 2019-20 prior to the adoption of the proposed rate and the Annual Budget.

Background:

At its Ordinary Council Meeting of 24th April, Council resolved to advertise the proposed differential rates and the Objects and Reasons for differential rating as per the following resolution:
That Council:

1. seeks Ministerial approval for the proposed differential rates and minimum rates for the 2019-20 Financial Year as shown in the following table:

RATE TYPE	2018-19	2019-20

	RATE IN \$	BUDGETED TOTAL REVENUE	NO OF PROPS	RATEABLE VALUE \$	RATE IN \$	REVENUE
Differential Rate UV						
Pastoral	0.0312	45,541	23	1,459,657	0.03295	48,096
Mining	0.2940	344,584	11	1,295,782	0.2940	380,960
Exploration/Prospecting	0.07675	22,701	20	333,973	0.08015	26,768
Minimum Rates						
Pastoral	291	1,746	6	13,263	320	1,920
Mining	440		0	0	450	0
Exploration/Prospecting	440	5,720	14	37,330	450	6,300
		420,292		2,978,079		\$464,044

2. endorses the giving of local public notice of the proposed differential rates for 2019-20 to be advertised for a period of 21 days 6.35(6)(c).
3. decides that payment of rates charges may be made in a single payment or by four instalments at dates to be set as part of the budget adoption; and
4. decides that an administration fee of \$15 will apply to the instalment option and an 8% penalty interest will apply to late payments; and
5. notes that the ESL Levy and interest will be charged in accordance with instructions from DFES; and
6. adopts the following Objects of and Reasons for Differential Rates:

Objects of and Reasons for Proposed Differential Rates and Minimum Payments for the 2019-20 Financial Year

Overall Objective

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

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

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

Reasons

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

As part of its drive to ensure efficiency and transparency within the organisation, Council recently completed its review of the 2018-19 budget to ensure income and expenditure targets will be met for the 2018-19 year. Also, it recently reviewed the appropriateness and effectiveness of its risk management, internal control and legislative compliance as required under Local Government (Audit) Regulations 1996 and reviews the appropriateness and effectiveness of the financial management systems and procedures of the Shire as per regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996.

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

It should be noted that the proportion of total rates paid by each sector has not varied significantly from 2018-19.

Rating category	Budget 2018-19	% of total	Budget 2019-20	% of total
Pastoral UV	50,426	11.3	50,016	10.8
Mining UV	342,077	82.0	380,960	82.1
Exploration	28,020	6.8	33,068	7.1
Total rates budget	420,523	100	464,044	100

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

UV – Pastoral

Pastoral UV applies to any land that currently has a pastoral lease granted. While recognising reduced viability caused by many years of droughts and floods and the devastation caused by the wild dog problem this category is rated to reflect the infrastructure maintenance cost to the Council as well as increased operational costs to address issues such as vermin control, fire mitigation and enhanced accessibility to pastoral properties. It also recognises the long term commitment of pastoralists to the region and their stewardship of Crown Land. Further, an annual biosecurity rate is linked to the valuations provided by the Valuer General. This biosecurity rate is payable by the pastoral sector only, even though the mining/exploration sectors pose a significant biosecurity risk.

UV – Mining

Mining UV applies to land for which a mining lease has been granted. The mining sector tends to be transitory in nature and benefits from established Shire services and infrastructure which is maintained in the long term by those rate payers who are established long term in the region. The purpose of setting the UV - Mining rate at a higher level than the benchmark UV – Pastoral is to ensure that the mining sector's contribution towards the maintenance of that infrastructure is proportionate to the advantage it gains.

UV – Exploration/Prospecting

Exploration/Prospecting UV applies to land for which an exploration/prospecting lease has been granted. As with the UV – Mining sector, the UV - Exploration/Prospecting sector tends to be transitory and the category has been rated to reflect that exploration lease holders are significant beneficiaries of established Shire services and infrastructure and is also in recognition of the future benefits that accrue to exploration lease holders though they contribute very little or no enterprise to the community.

Council Decision:

Moved: Councillor A Whitmarsh

Seconded: Councillor Q Fowler

Carried by Absolute Majority

For: 6

Against: 0

Comment:

In accordance with the resolution, Council advertised its intention to levy differential rates in the West Australian newspaper of 1st May 2019. The advertisement included detail of each rate and minimum rate endorsed by Council and invited ratepayers and electors to lodge submissions in relation to the 2019-20 differential rates no later than 22nd May 2019.

Letters were written to individual ratepayers for UV Pastoral and UV Exploration categories as each of these categories comprised less than 30 ratepayers. Included with the correspondence was a copy of the Rating Policy issued by the Department of Local Government and Communities as well as the Shire of Murchison's Objects and Reasons underpinning its differential rating strategy. The closing date for submissions in response to the letter was 14th June 2019.

One submission has been received and is attached. This submission seeks to ensure that Council is aware of a 1.5% increase in rent levied by state government in relation to exploration licenses and also notes the increase in minimum rates although this has been kept to a low 2.2% for exploration and mining categories. Council is required to consider this submission before it seeks the approval of the Minister for the proposed differential rate because this year, as in the past, the proposed differential rates for mining and exploration will be more than twice the lowest differential rate (pastoral).

Statutory Environment:

Local Government Act 1995

6.33 Differential General Rates

(1) and (2) A local government can impose differential general rates according to the purpose for which the land is zoned, the purpose for which the land is held or used, whether or not the land is vacant or any other characteristic as prescribed by the Regulations.

(3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential rate which is more than twice the lowest differential rate imposed by it.

6.35 Minimum Payments

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

6.36 Local government to give notice of certain rates

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

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

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

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

(b) is to contain —

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

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

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

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

Strategic 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 social considerations

Policy Implications:

Nil

Financial Implications:

Proposed differential rates are set to meet the estimated budget deficiency in the 2019-20 financial year.

Consultation:

N/A

Recommendation:

That Council, after considering the submission received, seeks Ministerial approval for the proposed differential rates and minimum rates for the 2019-20 Financial Year as shown in the following table and supported by the Objects and Reasons endorsed at the April Ordinary meeting.

RATE TYPE	2018-19		2019-20			
	RATE IN \$	BUDGETED TOTAL REVENUE	NO OF PROPS	RATEABLE VALUE \$	RATE IN \$	REVENUE
Differential Rate UV						
Pastoral	0.0312	45,541	23	1,459,657	0.03295	48,096
Mining	0.29400	344,584	9	1,295,782	0.2940	380,960
Exploration/Prospecting	0.07675	22,701	20	295,775	0.08015	26,768
Minimum Rates						
Pastoral	291	1,746	6	13,263	320	1,920
Mining	440	-	0	0	450	0
Exploration/Prospecting	440	5,720	14	37,330	450	6,300
		420,292		2,978,079		\$464,044

Discussion followed regarding the revised UV valuations for mining tenements and the option to consider a reduction in the rate in the dollar for mining UV that would result in a marginally higher rate revenue for that category. The overall rates raised would be similar to that originally considered at the April meeting.

Council also discussed the additional costs being incurred to conduct Heritage and Environmental surveys

Voting Requirements:

Absolute Majority

Council Decision:

Moved: Councillor R Foulkes-Taylor

Seconded: Councillor G Mead

That Council, after considering the submission received, seeks Ministerial approval for the proposed differential rates and minimum rates for the 2019-20 Financial Year as shown in the following table and supported by the Objects and Reasons endorsed at the April Ordinary meeting.

RATE TYPE	2018-19		2019-20			
	RATE IN \$	BUDGETED TOTAL REVENUE	NO OF PROPS	RATEABLE VALUE \$	RATE IN \$	REVENUE
Differential Rate UV						
Pastoral	0.0312	45,541	23	1,459,657	0.03295	48,096
Mining	0.29400	344,584	11	1,375,054	0.2794	384,190
Exploration/Prospecting	0.07675	22,701	25	321,413	0.08015	25,761
Minimum Rates						
Pastoral	291	1,746	6	13,263	320	1,920
Mining	440	-	0	0	450	0
Exploration/Prospecting	440	5,720	9	37,212	450	4,050
		420,292		3,206,599		\$464,017

Carried**For:****4****Against: 1****Reason for amendment to Resolution**

The rate in the dollar for Mining UV was reduced to compensate for the increase in UV land valuations.

17. DEVELOPMENT

Nil

18. ADMINISTRATION**18.1 Conduct of 2019 Local Government Election**

File:	4.9
Author:	Eddie Piper – Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	4 June 2019
Attachments:	Nil

Matter for Consideration:

Council is to consider the 2019 Local Government Election in relation to the conduct of the election and the position of Returning Officer for the Shire of Murchison:

Background:

The Local Government Act 1995 (the Act) section 4.20 reads as follows:

4.20 CEO to be the returning Officer unless other arrangement made.

(1) subject to this section the CEO is the returning officer of a local government for each election

Comment:

The local government election is to be held on 19th October 2019 and Council has the option of appointing the CEO as returning officer or the Electoral Commissioner for the conduct of the election , or appoint a person other than the CEO as returning officer (4.20 (2))

The author believes the CEO of the Shire of Murchison is capable of conducting the 2019 election and under the Act (section 4.20 (1)) seeks confirmation that the CEO shall be the returning officer for the 2019 local government election for the Shire of Murchison.

Statutory Environment:

The Local Government Act 1995 section 4.20 is applicable and reads in part as follows:

4.20 CEO to be returning officer unless other arrangements

(1) Subject to this section the CEO is the returning officer of a local government for each election

(2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint * a person other than the CEO to be the returning officer of the local government for –

(a) an election; or

(b) all elections held while the appointment of the person subsists

*Absolute majority required

(3) An appointment under subsection (2) –

(a) is to specify the term of the person's appointment; and

(b) has no effect if it is made after the 80th day before an election day

(4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare * the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

- Absolute majority required

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:

The 2019-20 Shire budget will contain an allowance for an election should one be necessary

Consultation:

Nil

Recommendation:

That Council confirm that the Chief Executive Officer of the Shire of Murchison will conduct the 2019 Shire of Murchison Election to be held on 19th October 2019 in the capacity of Returning Officer.

Voting Requirements:

Simple Majority

Council Decision:**Moved: Councillor G Mead****Seconded: Councillor Q Fowler**

That Council confirm that the Chief Executive Officer of the Shire of Murchison will conduct the 2019 Shire of Murchison Election to be held on 19th October 2019 in the capacity of Returning Officer

Carried**For:****5****Against: 0****18.2 Insurance Coverage and Premiums for 2019-20**

File:	2.11
Author:	Eddie Piper – Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	10 June 2019
Attachments:	Advice of Coverage and Premium for all Insurance

Matter for Consideration:

Council to consider the coverage and cost of insurance (full coverage) offered by the Local Government Insurance Scheme (LGIS) for the financial year ending 30 June 2020.

Background:

The Shire of Murchison has always had its insurance coverage with LGIS. The Shire has received the 2019-20 insurance proposal from LGIS. The proposal outlines the insurance policy, the coverage and the premium for the year and a comparison with the previous year (2018-19). The complete proposal is a 90 page document and is available on request to the Acting CEO. A copy will be tabled at the meeting.

Comment:

There are 2 different categories of the Shire's insurance coverage.

The first is the LGISWA Scheme membership which covers the self insurance conducted by LGIS with the various members benefiting from the “profits” generated by the self insurance factor.

The second is the non-scheme cover – LGISIB which is essentially buying insurance coverage on the open market. LGIS co-ordinates the seeking of prices and members benefit by the bulk purchase of insurance.

The premium cost for the first category (LGISWA Scheme Membership) for 2019-20 is \$134,558.28 as compared to the 2018-19 cost of \$129,210.10. Both amounts include GST. The increase for 2019-20 is \$5,348.18 or 4.1%. This increase appears reasonable when one considers the exposure Shires have to large claims.

The premium cost for the non scheme cover (LGISIB) for 2019-20 is \$53,778.04 (including GST) and when compared to the 2018-19 cost (\$51,271.96) there is an increase of \$2,506.08 or 4.8%. When analysing the 2019-20 premium the increase is essentially due to additional coverage requested by the Shire, in particular Marine Cargo (increase \$605) and Salary Continuance (\$1,188.55).

Discussions took place on 13 June 2019 regarding the insuring of Elected Members private vehicles whilst they were using the vehicle on Council business such as travelling to meetings, conferences, WALGA meetings, etc. The LGIS representative, Mr Leo Pezzotta advised that this would be no problem. However, Elected Members would have to list any vehicle they may use. That is to say if there are 3 vehicles available a nominated vehicle must be used or all vehicles need to be insured. If one assumes there were 9 vehicles involved at an insurable value of \$350,000 then the Motor Vehicle premium would increase by approximately \$3,000.

Another discussion was on Social Engineering (crime) and an additional \$75,000 coverage would cost \$500. The additional \$75,000 would lift the cover to \$150,000 which is the maximum the underwriters would accept.

The Local Government Act 1995 requires any purchase over \$149,999 is to have tenders called. However, because the shire utilises a mutual arrangement with many other local governments which is the self insurance scheme, there are no comparable providers capable of offering the same product and therefore is not bound by the tender provisions.

Statutory Environment:

Nil

Strategic Implications:

Nil

Sustainability Implications

- **Environmental**
There are no known significant environmental implications.
- **Economic**
A minimal increase of \$8,510.69 (4.7%) mainly caused by Shire requirements.
- **Social**
There are no known significant social considerations.

Policy Implications:

Nil

Financial Implications:

The 2019-20 Shire budget will contain an allowance for all the Shire’s insurance.

Consultation:

Nil

Recommendation:

That Council, in relation to insurance coverage and premium costs for the 2019-20 financial year;

- 1) Recognize that the provisions of the Local Government Act 1995 and its Tender Regulations have been met in that there are no other providers of insurance capable of meeting the specifications
- 2) Authorise the Acting Chief Executive Officer to sign on behalf of the Shire of Murchison the acceptance of the terms and conditions outlined in the Local Government Insurance Scheme proposal pricing details as follows:
 - a) Scheme Membership \$134,558.28 (inc GST)
 - b) Non-Scheme Cover \$53,778.04 (inc GST)
 - c) Include the cost of insuring Elected Members vehicles when used on Council business
 - d) Include the addition to the Crime coverage to \$150,000 at a cost of \$505.18.

Voting Requirements:

Simple Majority

Council Decision:

Moved: Councillor Q Fowler

Seconded: Councillor G Mead

That Council, in relation to insurance coverage and premium costs for the 2019-20 financial year;

- 1) Recognize that the provisions of the Local Government Act 1995 and its Tender Regulations have been met in that there are no other providers of insurance capable of meeting the specifications
- 2) Authorise the Acting Chief Executive Officer to sign on behalf of the Shire of Murchison the acceptance of the terms and conditions outlined in the Local Government Insurance Scheme proposal pricing details as follows:
 - a) Scheme Membership \$134,558.28 (inc GST)
 - b) Non-Scheme Cover \$53,778.04 (inc GST)
 - c) Include the cost of insuring Elected Members vehicles when used on Council business, up to a maximum of two vehicles per member
 - d) Include the addition to the Crime coverage to \$150,000 at a cost of \$505.18.

Carried

For:

5

Against: 0

Crs Squires and Mead left the meeting at 2.15pm

18.3 Tenders for Prequalified Supplier Panel for Roads

File:	4.53
Author:	Eddie Piper – Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	11 June 2019
Attachments:	Evaluation Report by Panel

Matter for Consideration:

Council to consider the Evaluation Report submitted by the Shire Panel.

Background:

The Shire of Murchison (Shire) determined that it would establish an Evaluation Panel to consider tenders lodged by various organisations for the provision of plant and equipment utilised for road making and renovation. This panel is established under the Local Government Act 1995 Functions and General Regulations (Part 4, Division 3 Regs 24AA to 24 AJ). Tenders were called via an advertisement in the West Australian Newspaper on 23rd February 2019 closing 27 March 2019.

Comment:

The Panel met on several occasions, the last being prior to the Council meeting of 27 June 2019. The recommendations of the Panel are included in the final report (attached).

Statutory Environment:

The evaluation Panel was established under the Local Government Act 1995 Functions and General Regulations (regulation 24AA to 24AJ).

Strategic Implications:

Nil

Sustainability Implications

- **Environmental**
There are no known significant environmental implications.
- **Economic**
This procurement method should guarantee the Shire the best value for money available.
- **Social**
There are no known significant social considerations.

Policy Implications:

Nil

Financial Implications:

The 2019-20 Shire budget will reflect the contract prices..

Consultation:

Nil

Recommendation:

That Council ,

- a) receive and adopt the recommendations of the Prequalified Supplier Panel for Roads Evaluation Panel which has considered tenders submitted for the provision of plant and equipment for road making and renovation and advise the following tenderers of their successful tender:
1. Evary
 2. Lacy Bros
 3. Lenane Holdings
 4. Quadrio Earthmoving
 5. Red Dust
 6. Rowe Contractors
 7. Squires' Resources

The above being subject to the Acting Chief Executive Officer and the Works Manager being satisfied with the reference check and financial standing report being conducted by WALGA and in the event of an unsatisfactory finding on either or both reports authorise the Acting CEO to remove that / those company or companies referred to from the accepted Panel.

b) the term of the Prequalified Supplier Panel for Roads being a three (3) year term commencing 1 July 2019.

Voting Requirements:

Simple Majority

Council Decision:

Moved: Councillor E Foulkes-Taylor

Seconded: Councillor Q Fowler

That Council ,

a) receive and adopt the recommendations of the Prequalified Supplier Panel for Roads Evaluation Panel which has considered tenders submitted for the provision of plant and equipment for road making and renovation and advise the following tenderers of their successful tender:

- 1. Evary**
- 2. Lacy Bros**
- 3. Lenane Holdings**

4. **Quadrio Earthmoving**
5. **Red Dust**
6. **Rowe Contractors**
7. **Squires' Resources**

The above being subject to the Acting Chief Executive Officer and the Works Manager being satisfied with the reference check and financial standing report being conducted by WALGA and in the event of an unsatisfactory finding on either or both reports authorise the Acting CEO to remove that / those company or companies referred to from the accepted Panel.

b) the term of the Prequalified Supplier Panel for Roads being a three (3) year term commencing 1 July 2019.

Carried	For:	3	Against: 0
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Crs Squires and Mead returned to the meeting at 2.18pm

18.4 Exemption from Purchasing Policy Flood Event 6 Pick-up

File:	4.53
Author:	Eddie Piper – Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 June 2019
Attachments:	Nil

Matter for Consideration:

Council to formally ratify an on-line decision to exempt the calling of quotes for the pick-up of damage that occurred during the April 2019 flood event (Flood Event 6).

Background:

The Acting CEO contacted all Elected Members on 18 June 2019 seeking their approval to appoint Greenfields directly as they were in the area undertaking work on Flood Event 5. This being the case it would be a far less expensive option. The works are claimable against the grant. The ACEO requested all responses to be lodged by 10.00am on Wednesday 19 June 2019. A non-response would be taken as an affirmative response. It is estimated that the cost would be less than \$15,000.

Comment:

The Acting CEO received 5 affirmative responses and 0 rejections. There was 1 non-response which was taken as positive to the request.

Statutory Environment:

Nil

Strategic Implications:

Nil

Sustainability Implications

- **Environmental**
There are no known significant environmental implications.
- **Economic**
The recommendation is a saving against normal
- **Social**
There are no known significant social considerations.

Policy Implications:

Purchasing Policy

Financial Implications:

Savings on the expected cost

Consultation:

Nil

Recommendation:

That Council confirm the on- line decision to exempt the calling of quotations for the formal pick-up of road damage in relation to Flood Event 6.

Voting Requirements:

Absolute Majority

Council Decision:**Moved: Councillor P Squires****Seconded: Councillor G Mead**

That Council confirm the on- line decision to exempt the calling of quotations for the formal pick-up of road damage in relation to Flood Event 6.

Carried**For: 5****Against: 0****19. NOTICE OF MOTION**

Nil

20. ACTING CEO ACTIVITY REPORT

Date	Activity
30.05.2019	Acting CEO Eddie PIPER commenced duty
31.05.2019	CEO Peter Dittrich left the Murchison Settlement
11.06.2019	Final discussion with Alison Maggs re Roads Panel
11.06.2019	Final discussions with Leo Pezzotta re insurance coverage
07.06.2019	Spoke with MRWA – Flood event not yet declared
12.06.2019	Engaged Ina Edwardson as Casual Finance Officer – 8 July till end September
17.06.2019	Flood Event 6 (April 2019) declared
19.06.2019	Order given to Greenfields to undertake formal pick-up of flood damage

Recommendation:

That the Acting CEO's Activity Report be accepted.

Voting Requirements:

Simple Majority

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

That the Acting CEO's Activity Report be accepted.

Carried**For: 5****Against: 0****21. URGENT BUSINESS**

Nil

Resolution to close meeting to the public to consider item 22.1 Murchison Oasis Roadhouse Sub-lease

Council Decision:			
Moved: Councillor P Squires	Seconded: Councillor E Foulkes-Taylor		
That the meeting go behind closed doors			
Carried	For:	5	Against: 0

22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

22.1 Murchison Oasis Roadhouse Sub-lease – Consideration of revocation and allow the taking up of option

The CEO reported that five elected members supported the consideration of the revocation motion

Council Decision:			
Moved: Councillor P Squires	Seconded: Councillor G Mead		
That consideration be given to the revocation of the Motion – item 22.1 of April Ordinary meeting			
Carried	For:	5	Against: 0

Council Decision:			
Moved: Councillor P Squires	Seconded: Councillor G Mead		
That Council			
1 Revoke its decision taken at the council meeting held on 24th April 2019 (item 22.1) which reads as follows: “that council note that the CEO is to offer a sub-lease to Peter and Nicole Mahony as a two (2) year sub-lease with an option for a further two (2) years on the terms as per the previous sub-lease.”			
2 Allow Peter and Nicole Mahony to exercise their option included in the existing sub-lease of the Murchison Oasis Roadhouse under the same terms and conditions as the sub-lease includes save for the inclusion of clauses:			
(a) allowing them to close the Roadhouse on Christmas Day and Boxing Day provided one (1) month notice in writing and prominently displayed is given to patrons and they arrange for a person to be on call for fuel sales, and			
(b) endorsing Council’s support for Wifi to be provided to Customers and the general public in the vicinity of the Roadhouse at all times			
Carried	For:	5	Against: 0

Council Decision:			
Moved: Councillor P Squires	Seconded: Councillor E Foulkes-Taylor		
That the meeting come out from behind closed doors			
Carried	For:	5	Against: 0

23. MEETING CLOSURE

The meeting closed at 2.38pm