



murchisonshire

Ancient land under brilliant skies

Agenda for the Ordinary Meeting of the

Murchison Shire Council

To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
on Thursday **26 October 2023**, commencing at 10.00am.

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ATTACHMENTS

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Note that the Chief Executive Officer will open the open and chair the meeting until the successful conclusion of item 3.1 of the agenda, (Election of President).

Chief Executive Officer declared the meeting open at

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Note R Foulkes-Taylor, A Whitmarsh and Q Fowler as incoming councillors are required to complete the Form 7 under the Local Government (Constitution) Regulations as well as this declaration being verbally undertaken before an Authorised Person pursuant as outlined in Schedule 2 of the Oaths, Affidavits and Statutory Declarations Act 2005 prior to taking Office.

Present

Councillors

Cr R Foulkes-Taylor
Cr A Whitmarsh
Cr E Foulkes-Taylor
Cr Q Fowler
Cr G Mead
Cr M Fowler

Staff

Bill Boehm – CEO
William Herold – Works Manager
Travis Bate (RSM) – Financial Accountant

3 ELECTION OF OFFICE BEARERS

3.1 Election of President

File: 4.1
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 18 October 2023
Attachments: 3.1.1 LGA Schedule 2.3 - Division 1 - President Elections
Note President Nomination Form sent out to councillors with Agenda

Matter for Consideration:

A President is to be elected from within Council for a two-year term of office expiring in October 2025.

Background

The Local Government Act prescribes that Council is to elect a President as the first matter dealt with at the first meeting of Council after an ordinary election's day.

Comment

Nominations are to be lodged in writing to the CEO, indicating consent of the nominee, prior to or at the Meeting. *(President Nomination Form sent out to councillors with Agenda).*

Councillors will cast their vote by secret ballot, votes will be counted, and the CEO will declare the results. If there is equality of votes between 2 or more candidates, then the meeting is to be adjourned for not more than seven days. Nominations may be withdrawn, or further nominations may be made before or when the meeting

resumes. If the second round of voting results in a tie, then the CEO is to draw lots in accordance with regulations to determine which candidate is elected.

Statutory Environment:

LGA Schedule 2.3 Division 1. Copy is attached.

Nominations Received

Result of Election

Declaration of Office

The successful councillor will be required to complete the Form 7 under the Local Government (Constitution) Regulations as well as this declaration being verbally undertaken before an Authorised Person pursuant as outlined in Schedule 2 of the Oaths, Affidavits and Statutory Declarations Act 2005 prior to taking Office.

3.2 Election of Deputy President

File: 4.1
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date 18 October 2023
Attachments: 3.1.2 LGA Schedule 2.3 - Division 2 – Deputy President Elections
Note Deputy President Nomination Form sent out to councillors with Agenda

Matter for Consideration:

The Deputy President is to be elected from within Council for a two-year term of office expiring in October 2023.

Background

The Local Government Act prescribes that Council is to elect a Deputy President as the next matter dealt with after the election of a President at the first meeting of Council after an ordinary elections day.

Comment

Nominations are to be lodged in writing to the CEO, indicating consent of the nominee, prior to or at the Meeting (*Deputy President Nomination Form sent out to councillors with Agenda*).

Councillors will cast their vote by secret ballot, votes will be counted and the CEO will declare the results. If there is equality of votes between 2 or more candidates, then the meeting is to be adjourned for not more than seven days. Nominations may be withdrawn or further nominations may be made before or when the meeting resumes. If the second round of voting results in a tie, then the CEO is to draw lots in accordance with regulations to determine which candidate is elected.

Statutory Environment:

LGA Schedule 2.3 Division 2. Copy is attached.

Nominations Received

Result of Election

Declaration of Office

The successful councillor will be required to complete the Form 7 under the Local Government (Constitution) Regulations as well as this declaration being verbally undertaken before an Authorised Person pursuant as outlined in Schedule 2 of the Oaths, Affidavits and Statutory Declarations Act 2005 prior to taking Office.

4 CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting – 28 September 2023

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 28 September 2023 be confirmed as an accurate record of proceedings.

Voting Requirements:

Simple Majority

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

5 DISCLOSURE OF INTERESTS

6 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7 STANDING ORDERS

Matter for Consideration

It has been customary practice in the interests of a productive meeting in relation to the Conduct of Members during debates for the Council suspend Standing Orders 8.2 (Limitation on Number of speeches) and 8.3 (Duration of Speeches) under Local Law 2001. To facilitate this, the following recommended resolution is required.

Recommendation

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

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

Voting Requirements

Simple Majority

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

8 PUBLIC QUESTION TIME

9 NEXT MEETING

Thursday 23 November 2023

10 APPLICATIONS FOR LEAVE OF ABSENCE

11 URGENT BUSINESS

12 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

18.1.1 Account Listings Paid since the last list was presented to Council.

13 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

14 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

15 ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

15.1 Shire President

15.2 Councillors

16 REPORTS OF COMMITTEES

Nil

17 WORKS

17.1 Works Report

File: 12.42
Author: William Herold – Works Manager
Interest Declared: No interest to disclose
Date: 19 October 2023
Attachments: Nil

Construction Crew

The construction crew continue to progress steadily with the section adjacent to the Billabalong airstrip. There is a considerable amount of calcrete to remove from the pavement and cart away which is unfortunately time consuming in spite of it being a short turn around to the old pit. The lead on the gravel is also getting longer and will continue to do so for some time. Commencing on Monday 30 October I will be busy with Heritage matters which I hope will give us access to material closer to our work sites going forward once the necessary clearing permits have been obtained.

Maintenance

Unfortunately, one of our stand-in operators has moved on which has slowed progress up somewhat. The remaining grader will continue with the planned program of moving south along the Carnarvon-Mullewa Rd and picking up the Byro-Woodleigh Rd, Muggon Rd and Butchers Track. By the time council meets I anticipate this machine will be on the Muggon Rd. before moving over to the Beringarra-Pindar Rd. to catch up with some of the SKA route maintenance. In the meantime, this maintenance will be picked up by contractors doing upgrade works along this route.

Stabilising and Sealing

Due to the short time available between now and December and after discussions with the CEO we propose to move this to the New Year. In doing so we will also have a greater length of road to complete, saving on at least one mobe/de-mobe as well as avoiding the pre-Christmas rush and risk of breakdowns not being able to be repaired. The RFQ's closed at 2.00pm on Monday 16.10.2023 and are under consideration. An update will be provided to Council at the meeting on 26.10 2023.

SKA Route Upgrade Works

Both Walladar and Squires Resources continue to progress with these works which will be a vast improvement to the troublesome sections of the route. There will also be a considerable amount of maintenance work being done by both for the foreseeable future.

Recommendation

That Council resolve that the Works Report be noted.

Voting Requirements

Simple Majority

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

18 FINANCE

18.1 Accounts Paid since the last list was presented to Council

File: 4.37.1
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 19 October 2023
Attachments: 18.1.1 EFT & Cheque Details for September 2023 (Elected Members Only)

Matter for Consideration

The *Local Government (Financial Management) Regulations 1996 Regulation 13* requires that 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 for each month and present this to the next ordinary meeting of the Council after the list has been prepared and have this list recorded in the minutes of the meeting.

A list of payments presented in accordance with *Regulation 13* of the *Local Government (Financial Management) Regulations 1996* made since the last report to Council is attached.

Strategic Implications

None

Policy Implications

None

Budget/Financial Implications

Nil

Consultation

Nil

Recommendation

- 1 That that pursuant to LGA s5.23(2)(b) & (e) of the *Local Government Act 1995* that attachment 18.1.1 EFT & Cheque Details for September 2023 be discussed behind closed doors
- 2 That Council receive and note attachment 18.1.1 EFT & Cheque Details for September 2023 and that the accounts since the last report to Council, as provided to Councillors be recorded in the minutes as being presented to Council.

Voting Requirements

Simple Majority

1 Item to be Discussed behind closed doors

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

The meeting was moved to behind closed doors at

3 Motion to open the meeting to the public

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

The meeting was moved out of closed doors at

2 Decisions Disclosed from the Closed Section of Meeting associated with Attachment Item 17.1.1

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

18.2 Financial Activity Statements 30 September 2023

File: 2.6
Author: Travis Bate (RSM) – Financial Accountant
Interest Declared: No interest to disclose
Date: 20 October 2023
Attachments: 18.2.1 Monthly Management Financial Report September 2023

Matter for Consideration

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

Comment

These statements are being presented to meet a statutory obligation to have each month's end and report presented within the following two months.

Budget/Financial Implications:

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

Consultation

RSM Australia

Recommendation

That Council note the financial statements as presented for the period ending 30 September 2023 as attached.

Voting Requirements

Simple Majority

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

19 DEVELOPMENT

19.1 Murchison Placemaking

File:	10.6
Author:	Bill Boehm – Chief Executive Officer
Interest Declared:	No interest to disclose
Date	20 October 2023
Attachments:	19.1.1 DLGSC Placemaking Presentation 19.1.2 Main Flyer – Placemaking Education Course Menu for WA Local Govts 19.1.3 Town Team Convergence Conference Program

Matter for Consideration

A placemaking approach to development of the Shire and Training Opportunities available to assist.

Background

On 5 October 2023 I attend Local Government Placemaking Presentation via TEAMS organised by the Department of Local Government, Sport and Cultural Industries (DLGSC). The following day I followed up various aspects with Department Officer's.

From what was presented and discussed DLGSC are endeavouring to building the capacity of all WA local governments to be placemakers, helping to create stronger communities and better places.

Placemaking is a collaborative process that encourages local governments and external stakeholders including residents, businesses, community groups and government agencies to work together to make spaces more comfortable, accessible, active and attractive.

Most importantly, through the collaborative nature of placemaking, it enables the community to feel connected to the space and want to be there. This results in improved safety, improved physical and mental health, increased visitations to the area and local businesses, and the community having sense of ownership over the space.

DLGSC has engaged Town Team Movement to deliver free placemaking training for the whole local government sector in WA. This involves 22,000 employees and 1200+ elected members.

Attached is an outline a webinar the program that I recently attended online plus details of training provided.

Comment

From discussions with Department Officers, it seems that this initiative is strongly supported by the Minister for Local Government as well at department head and at senior director level. This shows in the commitment to provide training for the sector for a 12-month period.

This approach is enlightening and one that fits neatly into the redevelopment of the Murchison Settlement but is not just confined to the Settlement but indeed has application for the broader Shire. It's an opportunity not to be missed and one that I, like the DLGSC see is essential.

It is for this reason that I am attending the Town Convergence Conference in Joondalup on 27 and 28 October 2023 (copy of program attached) and why our Senior Works Finance and Admin Officer is also attending (*Note our Works Manager was unable to attend owing to work commitments locally*). It also why I intend having this online placemaking training undertaken by staff and the term placemaking is included in draft Terms of Reference for the Settlement Redevelopment Working Group and Museum Working Group, which is addressed in Agenda Item 20.1

For this approach to be successful all need to play a part. Councillor leadership is essential. The training offered should ideally be taken up. Unlike mandatory local government training, which could be viewed much like chewing chaff, this should have a more positive feel with broader application. There may also be application to other community members. The recommendation below picks up on this aspect.

Consultation

DLGSC

Recommendation

That Council note the Chief Executive Officers Murchison Placemaking Report including the recommendation for elected members to undertake Placemaking Training as offered by the Department of Local Government, Sport and Cultural Industries.

Voting Requirements

Simple Majority

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

20 ADMINISTRATION

20.1 Committees Working Groups & Outside Organisations Operation

File:	14.24
Author:	Bill Boehm – Chief Executive Officer
Interest Declared:	No interest to disclose
Date	20 October 2023
Attachments:	20.1.1 Policy 1.3 Committees and Working Groups 20.1.2 Membership of Current Committees, Working Groups and Other Organisations 20.1.3 Terms of Reference for each Committee 20.1.4 Terms of Reference for each Current Working Group 20.1.5 Draft Terms of Reference for the Settlement Redevelopment Working Group and Museum Working Group.

Matter for Consideration

Pursuant to the *Local Government Act 1995* Council is to determine the membership of all Committees following the day of Ordinary Elections (21 October 2023).

It has also been past practice that the opportunity is taken for the renewal of membership for those groups that have been established as Working Groups that provide advice to the CEO and to appoint delegates of other organisations that Council is involved in.

At this time, it would also be prudent to also review the current Terms of Reference for each Working Group or Committee.

Policy 1.3 Committees and Working Groups, which outlines current requirements, rationale and practice is attached. A copy of the Membership of current Committees, Working Groups and Other Organisations is attached as is the existing Terms of Reference for each current Committee / Working Group as applicable.

Committees

A local government may establish committees of 3 or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Committees are to report to Council and provide appropriate advice and recommendations on matters relevant to their terms of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

At any given time, each Councillor is entitled to be a member of at least one committee and if a Councillor nominates himself or herself to be a member of such a committee or committees, Council is to include that Councillor in the persons appointed to at least one of those committees, as the Council so decides.

If at a meeting of the Council, a local government is to make an appointment to a committee that has or could have a Councillor as a Member and the President informs the local government of his wish to be a member of the committee, the local government is to appoint the President to be a member of the committee.

If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

- (a) to be a member of the committee; or
- (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

An absolute majority of Council is required to appoint each member to a committee.

Where a Councillor is appointed as a member of a committee, the Councillor's membership of the committee continues until:

- (a) the Councillor no longer holds the office of Councillor.
- (b) the Councillor resigns from membership of the committee.
- (c) the committee is disbanded; or
- (d) the next ordinary elections day,

whichever occurs first.

The members of each committee are to elect a presiding member from among themselves in accordance with the Act. The members of a committee may elect a deputy presiding member among themselves, but any such election is to be in accordance with the Act.

At the current time Council has one such committee being the Murchison Community Fund Management Committee. Its main purpose is to manage written applications of request for financial assistance from community members and community groups.

Working Groups

Working Groups are essentially established to make recommendations to the CEO for presentation to Council. As such that are not formal committees under the *Local Government Act 1995*.

Members are to be appointed having due regard for their particular skills and expertise in the area of interest for which the Working Group has been formed. Community Positions have historically been advertised. If there are more Community applicants than positions, then Council will decide the successful applicant(s), usually at the December Ordinary Council Meeting, having due regard for their particular skills and expertise.

I have reviewed the allocation of staff members and made minor suggested changes from the previous list as per the recommendation below.

Delegates

Delegate positions are those that Council is required to appoint as representatives on other organisations.

Comments

From my perspective the current operation of Committees and Working Groups has worked well even if the meeting frequency may be less than desirable, a situation brought about more by lack of time and human resources than any lack of intent.

At the October 2019 Council Meeting the Community Development Working Group and Economic Development Working Group was disbanded with these functions incorporated into the Settlement Redevelopment Working Group which was formed in 2020 to oversee work on the Murchison Settlement Masterplan.

In the ordinary course of events the terms of Reference for each Committee and Group should also be reviewed. The terms of Reference of the Settlement Redevelopment Working Group has thus far not been formally undertaken so this should also be done. A draft is attached for consideration.

During 2023 there has been some informal discussion and elected member level about the need to have a more formal process to oversee operations of the Museum by a new separate Working Group. Options for appointment are included in the recommendation below. Draft Terms of Reference is also attached for consideration.

Apart from matters as listed above no changes are proposed for other Working Groups, although the need to have a separate Information Bay Working Group who has yet to meet may be questioned given recent suggestions from Cr G Mead which feeds into a broader tourism signage project.

Over the past few years former Shire President R Foulkes Taylor has been Council's delegate on the Murchison Regional Road Group and is the current chair and as a consequence was subsequently appointed by that group to be a proxy representative on the Mid-West Regional Road Group. As CEO I have also been appointed to the Technical Reference Group. Understanding and contributing on these Forums is essential especially given our strong roads-based focus. One committed councillor representative is advantageous.

Statutory Environment

Local Government Act 1995

LGA Subdivision 2 - Committees and their meetings. s5.8 to s5.25

Strategic Implications

These groups support the overall implementation of the Shire of Murchison Community Strategic Plan as per the Shire of Murchison Vision Statement, *Working together to preserve the unique character of the Shire, supporting diverse and sustainable lifestyle and economic opportunities.*

Policy Implications

Nil

Financial Implications

Nil

Recommendation

- 1 That Council adopt the Terms of Reference for the Settlement Redevelopment Working Group and Museum Working Group
- 2 That for each Committee, Working Group and Organisation as listed, that Council endorses the listing of staff and community positions and appointments for member positions and if required makes minor changes to the Respective Terms of Reference to reflect any positional changes.

Note that Council will need to determine from its ranks the relevant member appointments as part of a final resolution,

Committee	Member	Member	Member	CEO	Staff	Community
Audit Committee	1	1	1	N/A	N/A	N/A
Murchison Community Fund Management Committee	Shire President			CEO	N/A	2 Positions
Local Emergency Management Committee	Shire President or Delegate			CEO	Works Manager	Refer LEMA

Working Group	Member	Member	Member	CEO	Staff	Community
Plant Working Group	1	1	1	CEO	Works Manager	N/A
Settlement Drinking Water Working Group	1	1		CEO	Works Manager Health Officer	1 Position
Settlement Power Supply Working Group	1	1	1	CEO	Works Manager	1 Position
Wild Dog Control Working Group	1			CEO		2 Positions

Working Group	Member	Member	Member	CEO	Staff	Community
Settlement Redevelopment Working Group	1	1		CEO	Works Manager Community Development Officer	3 Positions
Museum Working Group	1	1		CEO	Works Manager, Senior Works Finance Admin Officer, Community Development Officer	2 Positions
Information Bay Working Group	1	1		CEO	Works Manager, Senior Works Finance & Admin Officer. Community Development Officer	2 Positions
Accident Prevention Working Group	The Accident Prevention Group has been discontinued for now but if circumstances change this this group could be resurrected.					

Organisation	Delegate	Delegate	Proxy	Observer	Observer	Community
Murchison Regional Road Group	1		1	CEO	Works Manager	N/A
WALGA Zone Delegates	1	1		CEO		N/A
Murchison GEO Region	1				Community Development Officer	N/A

Voting Requirements

Council Committees

Absolute Majority.

Working Groups and Delegates

Simple Majority

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

21 CEO ACTIVITY REPORT

File:

Author: Bill Boehm – Chief Executive Officer

Interest Declared: No interest to disclose

Date: 20 October 2023

Attachments: Nil

General

The following update of activities is provided.

Date	Activity
26.09.2023	Finalise 2024 Roads to Recovery Own Source & WALGA Road Expenses Return. WA Grants Commission Asset Preservation Model Costs Return. Attend Wooleen Official Opening new reception, cafe, and art studio.
27.09.2023	Evacuation Centre Information. Audit Entrance Meeting on Teams
28.09.2023	Council Meeting and Minutes. Meeting with Travis Bate and Bertus Lochner (RSM)
29.09.2023	TOIL
2.10.2023	TOIL Council Minutes & Follow up.
3.10.2023	TOIL. Emails Admin. Remote Electrical Vehicle Meeting via Teams
4.10.2023	Travel to Geraldton & Return equivalent. Attend MRWA Regional Road Technical Working Group Meeting in Geraldton
5.10.2023	End of Year reconciliation issues for Audit. Meetings with Works Manager & Senior Works Finance & Admin Officer. Attend Local Government Placemaking presentation via TEAMS.
6.10.2023	Rates follow up work. Follow up Local Government Placemaking outcomes from previous days webinar
7.10.2023	Rates and Audit follow up work.
8.10.2023	Roadhouse Work.
9.10.2023	Meeting with Will. Audit follow up work. Roads to Recovery Quarterly Report
10.10.2023	General Administration work. Meeting with Senior Works Finance & Admin Officer. Roads to Recovery Work
11.10.2023	Meeting with Works Manager. Telephone discussion with Lyn Fogg WALGA. Administration & Roads follow up work
12.10.2023	Meetings with Works Manager & Senior Works Finance & Admin Officer. Brief Follow up Rate Actions. Touch base separately with Shire President and Cr E Foulkes-Taylor.
13.10.2023	Touch base with Shire President. Fuel Review Work. Rates Follow Up Work. Telephone discussions with Josh Cruze Greenfields
14.10.2023 to 15.10.2023	General Administration Work
16.10.2023	Meeting with Works Manager. Fuel Review Work. Road RFQ work. General Administration.
17.10.2023	Rates follow up work. Teams' presentation on Point-of-Sale system for Roadhouse. Fuel Review Work. General Administration.
18.10.2023	Teams' presentation on Point-of-Sale system for Roadhouse. Attend MRWA Murchison Sub-Group Meeting via Teams. General Administration.
19.10.2023	Agenda Preparation and Community Development Work. Infrastructure Development Fund Application Discussions with Department. Brief touch base with Shire President. Audit follow up work
20.10.2023	Agenda Preparation and Community Development Work.
21.10.2023 to 22.10.2023	Agenda Preparation General Administration Work
23.10.2023	General Administration Work

Recommendation

That Council note the CEO's Activity Report.

Voting Requirements

Simple Majority

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

22 OTHER ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

23 MEETING CLOSURE

The Shire President closed the meeting at.