



Western Australia

MURCHISON SHIRE COUNCIL MAY 2008

UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
Ordinary Council Meeting of Council was held,
In the Council Chambers, Shire Administration Building,
Murchison Settlement
9.35am, Friday, 16th May 2008.

Dirk Sellenger
CHIEF EXECUTIVE OFFICER

UNCONFIRMED MINUTES of the Ordinary Meeting of the Murchison Shire Council held on Friday 16th May 2008.

SHIRE OF MURCHISON

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Murchison for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Murchison disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Murchison warns that anyone who has any application or request with the Shire of Murchison must obtain and should rely on

WRITTEN CONFIRMATION

of the outcome of the application or request of the decision made by the Shire of Murchison.

Dirk Sellenger
Chief Executive Officer

**SHIRE OF MUCHISON
COUNCIL MEETING AGENDA
9.35am Friday, 16th May 2008**

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1. **Declaration of Opening / Announcement of Visitors**
The President declared the meeting open at 9.35am welcoming councillors and staff present.
2. **Swearing in of new councillor elected unopposed at 4.00pm on Tuesday 7th May 2008.**

Cr Paul Squires was sworn in as a councillor.

3. **Record of Attendances / Apologies / Leave of Absence/ Next Meeting**

3.1 Attendances

President	Cr SA Broad
Deputy President	Cr MW Halleen
Councillors	Cr P Squires Cr PM Walsh Cr D Pollock Cr W Mcl Mitchell
Staff	
Chief Executive Officer	DJ Sellenger

3.2 Apologies

Cr Foulkes-Taylor was granted a Leave of Absence at the April 2008 Ordinary Council meeting.

3.3 Leave of Absence

Cr Mitchell requested Leave of Absence from the June Ordinary Council meeting due other commitments.

COUNCIL DECISION

**Moved Cr Halleen seconded Cr Walsh
That Cr Mitchell be granted Leave of Absence from the June Ordinary
Council meeting to be held on 20th June 2008.**

**CARRIED
Record of Vote 6-0**

3.4 Next Meeting Date

The next scheduled ordinary meeting date is Friday 20th June 2008. Council resolved to hold the meeting on this day.

Council is reminded that a special meeting of council has been called on 29th May 2008, commencing at 10.00am to interview applicants for the position of Chief Executive Officer.

4. **Public Question Time** – (Section 5.24 of the Local Government Act)

5. **Petitions / Deputations / Presentations** Nil

6. **Confirmation of Minutes**

OFFICERS RECOMMENDATION / COUNCIL DECISION

**Moved Cr Walsh Seconded Cr Pollock
That the Minutes of the Ordinary Meeting of Council held on Friday 18th April 2008, be confirmed as a true and correct record of proceedings.**

**CARRIED
Record of Vote 6-0**

7. **Announcements by the President**

Cr Broad

Advised Cr Broad and the CEO met with Mr Steve Burgess at the Department of Planning and infrastructure whilst in Perth recently for first stage of CEO interviews. The main topic of conversation during the meeting was the proposed Bilung Bush Retreat which council has recently called public submissions for.

Cr Broad attended the April Midwest Development Commission Meeting and spoke of changes on the board including the resignation of long term members, Ken Pepper and Tony Brooker. Ms Robyn Parsons (Irwin Shire President) was the new Chair.

Cr Broad advised the Maintenance Graders have completed the grade of the North of the Shire and was concerned regarding a windrow left by one of the Graders on the Carnarvon Mullewa Road. The CEO advised that he would raise the matter with the Works Foreman.

8. **Items for Discussion without Notice**

Cr Walsh

Cr Walsh provided Council with an update on works carried out by Crossland Resources on the Mileura Airstrip and that recent compaction tests failed once again which was concerning.

Cr Walsh advised that Mileura Cattle Company were still have a dispute with Crossland Resources regarding fencing of the Beringarra Cue road and that signage and Grid wings on the recently installed grid was still not installed. The CEO advised that he would raise the matter with Crossland Resources.

The CEO left the Council chambers at 10.14am

The CEO returned to the chambers at 10.15am

Cr Walsh advised that he was going to attend the Meekatharra Shire council meeting tomorrow to speak about the unwillingness of the Meekatharra Shire to grade and maintain roads entering the Murchison Shire from Meekatharra (Mt Gould Road and Juldal Mileura Road)

Cr Pollock

Advised that the new realignment on the Twin Peaks Wooleen Road had no signage on the new and old roads and that this could be confusing for road users not familiar with the road. The CEO advised that he would arrange for signage to be erected.

Cr Squires

Thanked councillors and the CEO for welcoming him to Council.

UNCONFIRMED MINUTES of the Ordinary Meeting of the Murchison Shire Council held on Friday 16th May 2008.

Advised that he would be putting a submission to council in the future regarding improvements to the McNabbs Road near the Twin Peaks Homestead which he had spoken to the CEO about several times in the past 18 months.

Cr Mitchell

Spoke of various issues currently before WALGA, including the SSS report which was also spoken about in detail at the Cue Parliament meeting.

The Annual Roads and Transport forum was held in Perth last week and was attended by approximately 260 delegates from around the State. Cr Mitchell advised that the CEO, Dirk Sellenger presented a case study on the Beringarra Cue road process on behalf of the Murchison Shire and this was well received by delegates.

Cr Mitchell advised that Financial Assistance Grants (FAG) had increased for Local Government in 2008/09 from \$2.3 to \$2.5 billion.

New accommodation at WALGA was discussed and Cr Mitchell advised that treasury had approved the loan for the building however they were still awaiting Minister for Planning and Infrastructure Alannah McTiernan to sign off on the lease of the land.

Advised that a lot of NRM funding ceases or expires on 30th June 2008 and that an auditor will soon be appointed to carry out thorough inspection of each of the projects to ensure funding was spent in an appropriate manner and as intended. Any people not doing the right thing will seriously jeopardise future funding for all.

Cr Halleen

Provided Council with a thorough update regarding outcomes from the Cue Parliament meeting attended last week by Cr Halleen, Cr Walsh and the CEO.

Cr Halleen that the ZCA were arranging a trapping school and poison education program at Boolardy Station on 4th June for pastoralist from throughout the region and all were encouraged to attend.

Provided an update with regards to the Boolardy Station ownership issues with regards to SKA project and DOIR and the CSIRO.

9. **Declarations** Nil

10. **Agenda Items**

10.1 Works

- 0708.120 Plant Report – May 2008
- 0708.121 Fuel Tank Supply
- 0708.122 Murgoo Station – Roadworks Request
- 0708.123 Tender 10.0708 – Motor Grader
- 0708.124 Tender 9.0708 – Grids & Sign Contract

10.2 Finance

- 0708.125 Monthly Financial Update – May 2008
- 0708.126 Creditors for Payment – May 2008
- 0708.127 2008/09 Rating Information
- 0708.128 2008/09 Fees & Charges
- 0708.129 Annual Budget Review
- 0708.130 Elected Members Allowances & Fees

10.3 Administration

0708.131	Dampier Bunbury Natural Gas Pipeline – Road Implications
0708.132	Annual Performance Review – Chief Executive Officer
0708.133	Public Interest Disclosure Officer Appointment
0708.134	Code of Conduct – Review
0708.135	CEO Annual Leave Request
0708.136	Supplier Payment Dispute
0708.137	Local Government Week 31 July 2008
0708.138	Chief Executive Officer Report May 2008

11. New Business of an Urgent Nature

12. Meeting Closure

ITEM NUMBER: 0708.120
SUBJECT: Plant Report Update to May 2008
FILE REFERENCE: N/A
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To advise and update council on the usage and status of various council owned machinery.

Background Nil

Comments/Options/Discussions

To be read in conjunction with the plant report on the following page.

Grader MU 121 (2003)

Leaking Transmission line.

Grader MU 141 (2005)

Needs flashing lights replaced.

IVECO Prime Mover

Brake junction box to be replaced.

Komatsu Bulldozer

Repaired and Returned.

Holden Rodeo

New vehicle delivered.

Nissan

New Tyres on the rear fitted.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

Council has made an allowance of \$200,000 in the 2007/2008 Budget (A/C E144030) to 15th April 2008; \$202,264.00 has been expensed from this account.

Voting Requirements Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Mitchell Seconded Cr Walsh

That the plant information report for May 2008 be received.

That Council note to over expenditure on this account by \$2,264.00

CARRIED
Record of Vote 6-0

**SHIRE OF MURCHISON
MONTHLY PLANT USAGE AND STATUS REPORT**

15th April 2008

PLANT ITEM	Year	Normal Operator	Rego	HRS / KMS	HRS / KMS	TOTAL	YTD Service/ Repairs Cost	Total Ownership Since Jan 2004
				13 th March	15 th April			
Graders / Heavy Plant								
Cat Grader 12H	2005	Glenn Pinnegar	MU 141	3,030	3,210	180	\$5,420.25	\$23,409.98
Cat Grader 12H	2003	Neil Combe	MU 121	7,848	8,014	166	\$9,358.91	\$77,306.03
Cat Grader 12H	2000	Colin Mellan	MU 51	10,590	10,696	106	\$12,078.16	\$97,873.53
Volvo L110 Loader	2006	Paul Smart	MU 65	968	1,039	71	\$124.01	\$4,015.68
Komatsu Dozer	1997	Neville Hobbs	N/A	N/A	6,100	6110	\$33,834.82	\$161,505.15
Cat Vibrating Roller	2005	Paul Smart	MU 177	1,988.50	2,026	4	\$4,376.64	\$14,808.00
Trucks								
IVECO Powerstar Prime Mover	2003	Paul Smart	MU 000	138,631	140,463	1,832	\$7,602.55	\$41,162.25
Ford Louisville Prime Mover	1989	Neville Hobbs	000 MU	670,164	671,424	1,260	\$12,150.46	\$82,910.54
IVECO Powerstar Tipper	2004	Glenn Pinnegar	MU 00	70,447	72,885	2,438	\$18,033.13	\$45,266.77
Generators								
Generator 2 - 100KVA	2005	N/A	N/A	9,799	10,409	610		
Generator 1 - 83KVA	2005	N/A	N/A	17,318	17,318	0		
Generator - 13KVA Construct	2005	N/A	N/A	7,996	7,996	0		
Light Vehicles								
Toyota Landcruiser	2005	Colin Mellan	01 MU	61,248	63,366	2,118	\$1,920.13	\$8,733.90
Mitsubishi Canter	2004	Paul Smart	MU 140	119251	121,302	2,051	\$1,664.47	\$9,878.12
Nissan Patrol	2005	Dirk Sellenger	MU 0	35221	39,412	4,191	\$1,068.09	\$8,164.29
Toyota Hilux	2001	Neville Hobbs	MU 166	110,854	114,824	3,970	\$2,572.49	\$10,116.98
Mazda Bravo	2006	G. Garraway	MU 300	36,466	36,466	0	\$1,117.51	\$1,182.51
Toyota Patient Transfer Vehicle	1986	Dirk Sellenger	MU1017	16,526	17,116	0	\$896.19	\$2,530.55

UNCONFIRMED MINUTES of the Ordinary Meeting of the Murchison Shire Council held on Friday 16th May 2008.

**SHIRE OF MURCHISON
MONTHLY PLANT USAGE AND STATUS REPORT**

15th April 2008

PLANT ITEM	Year	Normal Operator	Rego	HRS / KMS	HRS / KMS	TOTAL	YTD Service/ Repairs Cost	Total Ownership Since Jan 2004
				15th March 2008	15 th April 2008			
Large Trailers and Tankers								
Side Tipping Trailer	2001	N/A	MU2010	N/A	N/A	N/A	\$5,343.10	\$14,824.64
Side Tipping Trailer SS	1993	N/A	MU2032	N/A	N/A	N/A	\$210.00	\$1,980.32
Side Tipping Trailer SS	1989	N/A	MU2033	N/A	N/A	N/A	\$ -	\$1,855.32
Dual Axle Low Loader	1975	N/A	MU698	N/A	N/A	N/A	\$933.64	\$3,880.28
Tri Axle Low Loader	2001	N/A	MU2004	N/A	N/A	N/A	\$8,237.00	\$26,674.77
30,000lt Water Tanker	2005	N/A	MU2024	35,836	36,092	256	\$13,516.47	\$19,443.23
Pig Fuel Tanker (construction)	1993	N/A	MU 658	N/A	N/A	N/A	\$ -	\$ -
Dog Fuel Tanker (maintenance)	1972	N/A	MU2005	N/A	N/A	N/A	\$ -	\$ -
Dolly's								
Dolly 1	2001	N/A	MU2003	N/A	N/A	N/A	\$526.70	\$6,240.02
Dolly 2	2000	N/A	MU2009	N/A	N/A	N/A	\$3,886.36	\$5,046.43
Dolly 3	1983	N/A	MU2031	N/A	N/A	N/A	\$ -	\$ -
Other								
New Holland Tractor	2006	G. Garraway	MU 380	200	266	66	\$806.95	\$1,429.38


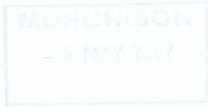

ITEM NUMBER: 0708.121
SUBJECT: Fuel Tank Supply
FILE REFERENCE: N/A
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to consider a letter received from Reliance Petroleum regarding the supply of fuel storage and pumping infrastructure.

Background

Council recently received a letter from Reliance Petroleum regarding the supply of fuel storage and pumping infrastructure as follows:



Central Pty Ltd ABN 50 091 614 667

23rd April , 2008

The Chief Executive Officer
Shire of Murchison
P.O. Box 61
Mullewa WA 6630

Attention : Mr. Dirk Sellenger

Dear Dirk,

RE:- Supply of Diesel Storage Tank.

I am writing to you at this time, in consequence of a telephone conversation between Andrew Snell and your self, regarding the supply of a diesel tank by Reliance Petroleum, to the Shire of Murchison.

Reliance Petroleum is prepared to supply 1 x 25000 litre skid mounted tank delivered free to your Shire yard. Supplied with tank will be basic plumbing.


We will supply tank under the following conditions;


- 1) The Shire will provide bunding for said tank.
- 2) The Shire will plumb said tank to existing bowser.
- 3) Reliance Petroleum remains preferred supplier of fuel to Shire.
- 4) Relocation of 16000l currently used by Shire to be worked out at later date.

Please advise me of the Shires decision after discussion at next Shire meeting..

Thanking you in anticipation,

Yours Faithfully,

Jumbo McAlpine 
AREA SALES MANAGER
MOB. 044 800 44 73



www.reliancepetroleum.com.au

Authorised Distributor of Castrol

Comments/Options/Discussions

Council has discussed several times in the past regarding calling tenders for the supply of fuel, due to the fact Councils fuel supply has the potential to impact Station fuel delivery to the detriment of Station operation, this matter is not as straight forward as it may first appear.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

Council has made no allowance for the purchase of fuel storage and pumping equipment.

Voting Requirements Simple Majority

OFFICERS RECOMMENDATION

That Council decline the offer from Reliance Petroleum and that the current arrangement remains as is.

COUNCIL DECISION

**Moved Cr Mitchell Seconded Cr Pollock
That Council accept the tank from Reliance Petroleum.**

**CARRIED
Record of Vote 5-1**

The reason for council decision different from that of the Officers recommendation was that Council believes the free infrastructure offered by Reliance Petroleum (25,000ltr fuel tank) would be beneficial to Councils operations.

ITEM NUMBER: 0708.122
SUBJECT: **Murgoo Station – Roadworks Request**
FILE REFERENCE: Road General
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Statutory Implications / Requirements

Report Purpose

To allow council to consider correspondence received by Murgoo Station regarding the Station access Road from the Pindar Road to the Murgoo Homestead.

Background

The CEO received an email from Mrs Bridget Seaman as follows:

Dear Dirk

I am writing in reference to the Murgoo Station Access Rd and the water problems that we are experiencing.

The 1.6 km access road passes through a significant water course which is prone to inundation when rainfall events occur.

Over time, due to these events, the water flows along the road and the road has become lower than the surrounding ground level. We now find that the road stays submerged for longer periods making access to the homestead very difficult.

We believe that to rectify this problem, the road needs to be gravel sheeted to bring it up to the surrounding ground level, but not formed, thus allowing the water to flow across in its natural state.

We ask the shire councilors to give consideration to this problem and allocate this area in the future works program.

Regards

*Bridget and Reg Seaman
Murgoo Station
Via Yalgoo WA 6635*



Typical Section of Road – Murgoo Homestead Access.

Comments/Options/Discussions

Council currently has a considerable roadwork's program repairing flood damage as well as trying to complete the 20.0kms bitumen seal job immediately south of the Murchison Settlement. With the current workload it would seem unlikely that the Murgoo Homestead Road would be a high priority for Council at this stage.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

Council has made no allowance in the 2007/08 Budget for improvement work to the Murgoo Homestead Access Road.

Voting Requirements Simple

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Squires Seconded Cr Pollock**

That Council receives the request from Bridget and Reg Seaman of Murgoo Station regarding improvements to the Station access Road.

That Council considers the matter in the 2008/2009 Roadwork's program in conjunction with the adoption of the 2008/09 Budget.

CARRIED
Record of Vote 6-0

ITEM NUMBER: 0708.123
SUBJECT: Tender 10.2007/2008 – Motor Grader
FILE REFERENCE: N/A
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To consider tenders received for the replacement of councils 2000 12H Caterpillar Grader.

Background

Council resolved to call tenders for the replacement of its oldest Grader. The Grader was not Budgeted in the 2007/08 and payment of the new machine would not be made until the 2008/09 Financial year (1st July 2008 at the earliest). The matter was discussed at the March 2008 Ordinary Council meeting with council resolving as follows:

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Walsh Seconded Cr Foulkes-Taylor

That Council make an allowance in advance for the 2008/09 Budget as follows:

<i>Purchase of new grader</i>	<i>\$330,000ex GST</i>
<i>Sale of Grader (2000 model)</i>	<i>\$170,000ex GST</i>
<i>Net Changeover</i>	<i>\$160,000ex GST</i>

That the CEO call tenders for the supply and delivery of a new grader with specifications as determined by the Plant Committee, CEO and Works Supervisor.

That tender documents clearly state that payment for the new grader will not be made prior to 1st July 2008 irrespective of the delivery date to allow it form part of the 2008/09 Budget.

*CARRIED
Record of Vote 5/0*

Tenders were called in accordance with tender regulation with tenders closing Thursday 24th April 2008 at 12.00 noon

Comments/Options/Discussions

This tender called for the supply of one (1) Motor Grader with Various specifications as determined by the CEO, Works Foreman and members of the council plant committee.

The current vehicle allocated to this position is a Caterpillar 12H Grader (2000) this machine has completed approximately 11,500 hours.

Statutory Implications/Requirements

The tender was advertised in accordance with regulations and Council's policy.

Policy Implications Nil

Financial Implications

No allowance has been made for the purchase of a motor grader in the 2007/2008 financial year.

An appropriate allowance to cover the cost associated with the Purchase of the Motor Grader will be made in the 2008/2009 Annual Budget. Payment for the grader will not be made until at least the first day of the 2008/2009 financial year (1st July 2008).

**MOTOR GRADER TENDER
SHIRE OF MURCHISON**

Tender 10.0708 Closing Thursday 24th April 2008 at 12.00 noon 2008

OPTIONS

	John Deere 670D	John Deere 770D	Volvo G930	Volvo G940	Cat 12H	Cat 12M	Cobra XCMG GR215
Net Price	\$ 320,000	\$ 340,000	\$ 316,000	\$ 338,000	\$ 331,070	\$ 342,230	\$ 262,450
Trade Price	\$ 155,000	\$ 155,000	\$ 165,000	\$ 165,000	\$ 154,000	\$ 154,000	\$ -
Change Over	\$ 165,000	\$ 185,000	\$ 151,000	\$ 173,000	\$ 177,070	\$ 188,230	\$ 262,450
Delivery	8 weeks	6 weeks	4-6weeks	4-6 weeks	4-6 weeks	20-22 weeks	5-6 weeks
Warranty	12 months/unlimited hours Full machine. 36 months /5000hrs Power train.	12 months/unlimited hours Full machine. 36 months /5000hrs Power train.	24mths/2,500hr full machine. 36months/6,000hrs Engine, Power tain Major Hydraulics	24months/2,500hr full machine. 36months/6,000hrs Engine, Power train Major Hydraulics	36months / 6000hrs powertrain & hydraulics	36months / 6000hrs powertrain & hydraulics	5 year / 500-hr Parts & Labour
Power (net) @ RPM	108-138kw @2180rpm	123-160kw @2000rpm	154kw @ 1800rpm	168kw @ 1800rpm	108-123kw @2000rpm	118-129kw @2000prm	160kw @ 2200rpm
Weight	17.0t	17.7t	19.2t	19.8t	14.2t	14.5t	17.0t
Fuel Capacity	401.2L	401.2L	348L	404L	378L	341L	220L
Auto Greaser	\$ 20,000.00	\$ 20,000.00	\$ 14,886.00	\$ 14,886.00	\$ 11,727.00	\$ 11,727.00	-

Prices above are shown exclusive of GST.

PLANT COMMITTEE RECOMMENDATION

That council accept the tender from CJD Equipment for the supply of the following Motor Grader:

Volvo 940G from CJD Equipment for a total purchase price of \$352,886 (\$338,000 for machine plus \$14,886 for auto greasing option) less trade in of 2000 model Caterpillar 12H Grader currently registered as MU 51 for \$165,000 resulting in a net changeover of \$187,886ex GST (\$206,674.60 inc GST)

COUNCIL DECISION

Moved Cr Mitchell Seconded Cr Squires

That council accept the tender from Westrac for the supply of the following Motor Grader:

Caterpillar 12M from Westrac Geraldton for a total purchase price of \$376,453inc GST for the Grader plus \$14,441.90 GST for auto greasing and tools option (total \$390,894.90 GST). Less trade in of 2000 model Caterpillar 12H Grader currently registered as MU 51 for \$169,400inc GST resulting in a net changeover of \$221,494.90 inc GST (\$201,359.00 ex GST).

**CARRIED
Record of Vote 5-1**

Reason council decision differed from Plant Committee recommendation was Council believes the Caterpillar Grader would be a superior machine to the Volvo recommended and the new controls of the M series graders would be helpful for attracting and retaining skilled grader operators.

ITEM NUMBER: **0708.124**
SUBJECT: **Tender 5.0708 – Grids and Signs Contract**
FILE REFERENCE: Tenders File
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to consider tenders for the supply of various Grid and Sign works throughout the Shire.

Background

Tenders were recently advertised in the Murchison Monologue for the Supply of various Grid and Sign contract work for a period of 12 months throughout the 2008 calendar year.

Comment

Tenders closed at 12noon on Thursday 20th December. At close of tenders the following had been received:

**Tender 9.0708
Sign and Grid Contracting**

Tenderer	Travel Charge \$ per KM	Labour Charge Travelling P/H	Labour Charge Working P/H	Cost for Hypothetical Scenario 1
Yuin Pastoral Co.	\$ 1.65	\$ 38.50	\$ 38.50	\$1,559.25
Truline Excavations and Plumbing	\$ 5.05	\$ nil	\$ 55.00	\$5,643.70

All prices are shown inclusive of GST

Yuin Pastoral Co has carried out contract work in the past for the Shire and proved to be reliable and capable with good quality work.

Statutory Regulations

Local Government Tender Regulations, Section 3.57 of the 1995 Local Government Act (as amended)

Financial Implications

Council has made an appropriate allowance in the 2007/2008 Adopted Budget for the supply of this contract work (Expense Account E122294 – Grid Maintenance and Repair and E122062 – Traffic Signage).

Policy Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Walsh

That Council accept the tender 9.0708 from Yuin Pastoral Co for Grid and Sign Maintenance Contract for a period of 8 months from 16th May 2008 to expire on 31st December 2008 as follows:

Travel Charge \$1.65 per km, both directions.

Labour whilst travelling \$38.50.

Labour whilst on site \$38.50.

All prices are showing inclusive of GST

**CARRIED
Record of Vote 6-0**

Cr Broad left the chambers at 12.17pm and returned at 12.20pm.

ITEM NUMBER: 0708.125
SUBJECT: Monthly Financial Update –
May 2008
FILE REFERENCE: Monthly Financials
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF PURPOSE: Nil

Report Purpose

To provide Councillors with a monthly financial statement on the operations of Council

Background

The monthly financial update provides council with the following information.

- 1) Cash Balances to the end of the previous month
- 2) Transactions from the beginning of the month to the close of report
- 3) Reserve Investment details
- 4) Sundry debtors
- 5) Monthly Statement of Financial Activity
- 6) Any significant payments since last update

Comments/Options/Discussions

The Chief executive Officer will provide an overview and explanation as required of how to interpret the financial statement at the meeting.

Statutory Implications/Requirement

Section 6.4 of the Local Government Act states that financial records are to be prepared and presented in the manner and from prescribed.

Regulation 34(1) of the Local Government (Financial Management) Regulations states that:

“A Local Government is to prepare –

(a) monthly financial reports in such a form as the Local Government considers to be appropriate”

Policy Implications Nil

Financial Implications This report discloses financial activities for the period under review

Voting Requirement Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Pollock Seconded Cr Walsh

That the monthly financial statement to 15th May 2008 be received.

CARRIED
Record of Vote 6-0

ITEM NUMBER: 0708.126
 SUBJECT: Creditors for Payment – May 2008
 FILE REFERENCE: N/A
 NAME OF APPLICANT: N/A
 AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
 DISCLOSURE OF INTEREST: Nil

Report Purpose

For Council purpose to endorse the payment to creditors.

Background

The list of payments that is enclosed in this Agenda outlines payments made to creditors since the last Council meeting held on the 18th April 2008.

Comments/Options/Discussions

Provide details of payments in summary. Please note that the computer system allows for only a limited field for the description of goods/services purchased, therefore the description shown on the attached schedule of accounts may not show the entire description. A file containing each invoice to be endorsed for payment is available for Councillor Information upon request.

Statutory Implications/ Requirements

Local Government (Financial Management regulations 1996 – Section 11. “ A Local Government is to develop procedures for the authorisation and payment of accounts to ensure that there is effective security for the properly authorised use of..” Section 12(2) “payment from Municipal fund or Trust fund “ the Council must not authorise payment from those funds until a list is prepared under Regulation 13 (2) containing details of the accounts to be paid has been presented to Council”.

Policy Implications

Nil

Financial Implications.

Total Expenses	Municipal Account	\$242,751.07
	Trust Account	<u>\$ 815.75</u>
	Total Payments	<u>\$243,566.82</u>

Voting requirements

Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Mitchell Seconded Cr Walsh

That Council endorse payments: Trust Cheques 1657 to 1660 totalling \$815.75. Municipal Cheques 8306 to 8349 and direct debits totalling \$242,751.07 making a grand payment total of \$243,566.82 submitted to each member of Council on Friday 16th May 2008, have been checked and are fully supported by vouchers and duly certified invoices with checks being carried out as to prices, computations and costing.

CARRIED
Record of Vote 6-0

ITEM NUMBER: **0708.127**
SUBJECT: **2008/09 Rating Information**
FILE REFERENCE: 2008/09 Budget
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To set Local Government Rates for the 2008/2009 financial year.

Background

Council is required to adopt its budget for 2008/2009 by the 31st August, 2008. A draft budget will be presented to Council prior to the July Ordinary council meeting and will be compiled with regards to Council's resolutions of Council over the last 12 months and input from Council officers. A summary of major items of expenditure will be included with the document to highlight particular proposals.

Comments/Options/Discussions

Council must adopt the budget by the 31st August, 2008, or seek an extension from the Minister for Local Government.

Statutory Implications/Requirements

Section 6.2 of the Local Government Act, 1995 - Local Government to prepare an Annual Budget

Regulations 22-33 of the Local Government (Financial Management) Regulations, 1996 - Form and Content of Annual Budget

Policy Implications Nil

Financial Implications Nil budgeted surplus or deficiency.

Voting Requirements Absolute

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Walsh

THAT

Council introduce differential rates in the 2008/2009 year, being a different rate in the dollar for Pastoral and Mining UV Rates as follows:

1) The Pastoral UV rate in the dollar be increased by 4.0% or .0744 cents in the dollar over the 2007/2008 rates of .1547 to 4.0227 cents. This 4.0% increase is approximately equal to that of the current rate of inflation currently being experienced in Western Australia, which also takes into account, continued hardships in the Pastoral Regions of WA.

2) The Mining UV rate in the dollar be increase by 4% or 0.3094 cents in the dollar over the 2007/2008 rates to 8.0454 cents. This rate in the dollar is double that payable by pastoral properties and the maximum allowable under the Local Government Act without needing to seek ministerial approval.

(iii) The UV Pastoral rate will apply to an estimated 26 properties having a total rateable valuation of approximately \$1,311,399.00 and generate approximately \$52,753.00 of income;

The UV Mining rate will apply to an estimated 61 tenements properties having a total rateable valuation of approximately \$470,196.00 and generate approximately \$37,829.00 of income;

(iv) In addition to the above rates, it is estimated a further \$5,000 being interim rates will be raised during the year;

(v) Minimum rates detailed at (c) below are included in the figures at (ii) and (iii) above;

(b) Discounts, Incentives and Write-off Information

(i) A discount for the early payment of rates will be offered in 2008/2009;

The discount amount will be equal to 4% of the total rates raised for each assessment and excludes the FESA Emergency Services Levy. To be eligible for the prompt payment discount payment of rates must be received IN FULL by 4.00pm on 24th October 2008. This discount is expected to cost council approximately \$1,000 however the cost of this will be largely offset by having additional funds invested at 6.5% in council sweep account facility.

ii) An incentive will be offered for the early payment of rates. The prize to be drawn at the November ordinary Council meeting to be the refund of your rate payment in full up to a maximum of \$1,500 (one thousand five hundred dollars). Only those Ratepayers who pay in full (including any arrears) by 24th October 2008 are eligible to enter the drawn.

(iii) A total of \$500 rates is estimated to be written off during the year. The majority of this estimate relates to mining tenements that have lapsed and become uncollectible.

(c) Minimum Rates

(i) A minimum Pastoral rate of \$220.00 (UV) apply for 2008/2009 (up from \$204.00 in the 2007/08 year).

A minimum Mining rate of \$330.00 (UV) apply for 2008/2009 (up from 300.00 in the 2007/2008 year).

The object of minimum rates is to ensure that all property owners contribute at least a standard minimum amount towards the provision of local government services which would otherwise be payable in accordance with (a) above;

(iii) The Pastoral UV minimum will apply to an estimated 5 properties to generate income totalling \$1,100.00.

The Mining UV minimum will apply to an estimated 30 tenements to generate income totalling \$9,900.00.

(e) Instalments

Payment of rates charges may be made by one of three methods as follows:

(i) Single payment Due Date : 24th October 2008

(ii) Four instalments 1st Due Date : 24th October 2008

2nd Due Date : 24th December 2008

3rd Due Date : 20nd February 2009

4th Due Date : 23th April 2009

No administration fee be payable on the second and any subsequent payments made under an instalment option.

(f) Interest Penalty

No penalty interest apply for the late payment of rates be charged.

ESL Levy Charges

Rate in the dollar and interest charges will be in accordance with instructions from FESA.

**CARRIED
Record of vote 6-0**

*Council adjourned for lunch at 12.30pm
Council reconvened at 1.19pm*

ITEM NUMBER: 0708.128
SUBJECT: 2008/2009 Fees and Charges
FILE REFERENCE: Budget
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To seek Council endorsement of proposed fees and charges to apply for the Budget Year 2008/2009.

Background

Section 6.16 of the Local Government Act, 1995, enables Council to charge for any service that it provides. The schedule, as tabled, of proposed fees and charges is submitted for in-principle adoption only, at this stage and will assist in the preparation of the 2008/2009 Budget. Formal adoption of next year's fees and charges will be included as part of the budget adoption process.

Comments/Options/Discussions

The schedule of Fees and Charges is enclosed with this agenda.

The schedule is in two sections as follows:

1. Rates and Sanitation fees and charges, which will be advised for the budget adoption meeting.
2. Proposed fees and charges for adoption with the annual budget.

In all cases the existing fee and the proposed changed fees (or new fees) for the coming year are shown adjacent to each other.

Statutory Implications/Requirements

Local Government Act 1995

Part 6 Financial Management Division 5 Subdivision 2 Fees and Charges

6.16.(1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

* *Absolute majority required.*

(3) Fees and charges are to be imposed when adopting the annual budget but may be -

- (a) imposed* during a financial year; and
- (b) amended* from time to time during a financial year.

* *Absolute majority required.*

6.17. (1) In determining the amount of fee or charge for a service or for goods a local government is required to take into account consideration the following factors -

- (a) the cost to the local government of providing the service goods;
- (b) the importance of the service or goods to the community; and
- (c) the price at which the service or goods could be provided by an alternate provider.

UNCONFIRMED MINUTES of the Ordinary Meeting of the Murchison Shire Council held on Friday 16th May 2008.

Local Government to give notice of fees and charges

6.19. If a local government wishes to impose any fees or charges under this subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of-

- a) its intention to do so; and
- (b) the date from which it is proposed the fees and charges will be imposed.

Policy Implications Nil

Financial Implications

Local Government Act, Administration Regulation 19.

Voting Requirements Absolute

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Walsh seconded Cr Halleen

THAT

Approval in principle be given to the proposed schedule of fees and charges:

SHIRE OF MURCHISON

PROPOSED SCHEDULE OF CHARGES – 2008/2009

That the schedule of fees & charges for 2008/2009 be as follows:

SCHEDULE 4

		Inc GST
Photocopying – B&W	per copy A4	\$0.15
	per copy A3	\$0.20
Photocopying – Colour	per copy A4	\$0.40
	per copy A3	\$0.55
Facsimile	per A4 page inward	\$1.00
	per A4 page outward	\$1.00
Laminating	per A4 sheet	\$2.00
	per A3 sheet	\$4.00

SCHEDULE 5

Dog Registrations – As per the Dog Act Registration Regulations

SCHEDULE 9 – RESIDENCE RENTALS

That rentals for staff residences per week be as follows:

	07/08	08/09
	Charge	Charge
Single Bedroom Unit	\$40.00	\$40.00
Single Bedroom Unit – Partly Furnished	\$49.60	\$49.60
Two Bedroom Unit	\$56.00	\$56.00
Three Bedroom House	\$60.00	\$60.00
Seven Bedroom – Works Foreman	\$150.00*	\$150.00

UNCONFIRMED MINUTES of the Ordinary Meeting of the Murchison Shire Council held on Friday 16th May 2008.

* Residence no longer rented to council staff. Amount to be charged for SKA representatives to use the house on a daily basis, see item 0607.124 for council decision.

NB: Proposed 08/09 staff rental charges represent no change over the previous years charge. In the current employment climate this reduction may assist council to attract and retain staff..

**SCHEDULE 11
BOOK and MAPS**

	Inc GST
“Road to Murchison” History Book	\$30.00 <i>(no increase over 07/08 amount)</i>
“A Varied & Versatile Life” History Book	\$28.00
Gascoyne Murchison Outback Pathways	\$30.00
Street Smart Maps - Midwest	\$ 7.70

SCHEDULE 13 – AMMUNITION

Calibre	Type	Inc GST
.243	Box 20	\$25.00
.222	Box 20	\$18.00
.22 Magnum	Box 50	\$20.00
.22	Box 50	\$ 6.00
.223	Box 20	\$19.00
.308	Box 20	\$25.00

NB: Increase of approximately 8-10% to reflect increased costs.

SCHEDULE 14 – PRIVATE WORKS

Plant component includes fuel and labour. Charges will be made on ¼ of hour basis until the work is complete.

	Inc GST per hour
6 Wheel Tip Truck	\$ 90.00
Dozer	\$ 120.00
Volvo L110E Loader	\$ 100.00
12H Grader	\$ 100.00
Vibrating Roller	\$ 90.00
Prime Mover/Low Loader	\$ 100.00
Prime Mover/Side Tipper	\$ 100.00
Prime Mover/Water Tanker	\$ 100.00
Tip Truck/Side Tipper	\$ 105.00
Council light vehicle eg Hilux	\$ 55.00

All above Plant Hire Charges include an operator. Increased by approximately \$5.00 per hour to reflect recent increased fuel and labour costs.

Dry Hire (Day hire rate)

Dual axel Dolly	\$ 55.00
Dual Wheel Low Loader	\$165.00
Tri Axle Low Loader	\$187.00

Any damaged tyres are to be replaced with new tyres at hirers' expense.

Labour only is charged at a flat hourly rate of \$ 30.00inc GST

**Travel Time to be included in the charge out cost.
See determination by Council P7 Minutes of Council 4th July 2000.**

**CARRIED
Record of vote 6-0**

ITEM NUMBER: **0708.129**
SUBJECT: **Annual Budget Review**
FILE REFERENCE: Finance
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to review the 2007/08 Budget.

Background

A local Government is to carry out an Annual Budget Review in accordance with Financial Management Regulations.

Comments/Options/Discussions

A separate document titled “Annual Budget Review 1st July 2007 to 31st April 2008” has been provided to each member of council.

The CEO has provided comments / explanations against various income and expense accounts to explain the reason for any significant variances to the budget amounts.

Statutory Implications/Requirements

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires Council to conduct a review of its budget.

Policy Implications

Nil

Financial Implications

Significant variances to Budget amounts have the potential to seriously affect a local Governments ability to operate efficiently and as planned. Serious variances must be brought to council’s attention as a matter of urgency to allow Budget amendment / corrections to be made by Council.

The CEO is not aware of any significant variances which have the potential to impact the Shire of Murchison’s ability to operate efficiently or as planned.

Voting Requirements

Simple

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Pollock

That council receive the 2007/08 Budget Review Document to 30th April 2008.

CARRIED
Record of vote 6-0

ITEM NUMBER:	0708.130
SUBJECT:	Elected Members Allowances and Fees
FILE REFERENCE:	Members General
NAME OF APPLICANT:	N/A
AUTHOR NAME AND POSITION:	Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

Report Purpose

To allow council to consider the Allowances and Fees payable to Elected Members for the 2007/2008 financial year.

Background

Council resolved to set the fees for the 2007/2008 year as follows:

<i>That Council adopt the following Members Allowances and Fees for the 2008/2009 for inclusion in the Annual Budget:</i>	
<i>President Meeting Attendance*</i>	<i>\$120.00 per meeting.</i>
<i>Councillor Meeting Attendance*</i>	<i>\$100.00.per meeting</i>
<i>Annual President Allowance</i>	<i>\$4,000.00 pa.</i>
<i>Annual Deputy President Allowance</i>	<i>\$1,000.00 pa.</i>
<i>Annual Communications Allowance</i>	<i>\$500.00 pa.</i>
<i>Travel to be paid at \$1.10 per km to attend Ordinary and Special Council meetings</i>	
<i>* Meeting attendance fee is payable for both ordinary and special council meetings.</i>	

Comments/Options/Discussions

The CEO has contacted some of the neighbouring councils to compare the current payment amounts. The Murchison Shire is considered “average” in each of the above payment amounts and it is recommended that each of the Attendance Fees and Annual President, Deputy President and Communications Allowance remain unchanged.

The Local Government Amendment Act 2004, the WA Government introduced Regulation 34 AB which provides for travel and accommodation allowances to elected members. Instead of an amount in reimbursement, this new regulation provides that local governments pay elected members in accordance with the same amounts permitted for the State Government as an allowance.

The new regulation has been worded so that the maximum amount to be paid is set by reference to the *Public Service Award 1992(PSAA No 4 of 1989)*, issued by the Western Australian Industrial Relations Commission as amended from time to time.

This effectively gives Council the latitude to resolve to pay members a travel allowance *up to the maximum amount* provided in the Public Service Award 1992.

The *maximum* per kilometre allowance for vehicles with an engine capacity of over 2600 cc in the *Public Service Award 1992* is 159.2 cents for the first 4000 kilometres with rapidly decreasing rates after that. The maximum amount payable for vehicles with an engine capacity of between 1600cc to 2600cc is 134.8 cents. (Refer schedule below)

An increase to the maximum amount payable would have increased the amount of travel payable in the current financial year from \$15,379 to \$33,220, representing an increase of 116%.

The CEO believes that council should consider increasing the travel payment from the current rate of 73.7 cents per km . The increase would help offset the significant increase in fuel costs over the past few years.

Fuel costs in June 2004 were an average of 92.5 cents per litre, three years later in June 2007 the price per litre has increased to around \$1.41 per litre, an increase of 48.5 cents per litre or 52.4%. Council increased the travel payment in May 2007 to \$1.10 to help offset the increased cost in fuel. Since this increase 12 months ago fuel prices have risen by a further 22% to \$1.72, it is recommend that travel be increased to \$1.30 per kilometre in the 2008/09 financial year, 29.2 cents per km less than the maximum.

The Shire President is often required to make and receive calls on his mobile phone when in mobile range. WALGA have negotiated a significant discount and the CEO believes a presidential phone for use by the Shire President would be of benefit to the operations of Council, the phone would be provided free of charge and a total monthly council expenditure cap of \$60.00inc GST for all calls (personal and business) payable by council. Any call charges in excess of this amount would be payable by the President by way of a council raised invoice.

EXTRACT FROM PUBLIC SERVICE AWARD (RATES AS AT 6th JULY 2005)

	Engine Displacement (in cubic centimetres)		
	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
Metropolitan Area			
First 4000 kilometres	149.7	126.6	102.2
Over 4000 up to 8000 kms	61.7	52.7	44.0
Over 8000 up to 16000 kms	32.4	28.1	24.6
Over 16000 kms	34.0	28.8	24.7
South West Land Division			
First 4000 kilometres	154.3	130.9	106.4
Over 4000 up to 8000 kms	64.0	54.8	46.0
Over 8000 up to 16000 kms	33.9	29.4	25.8
Over 16000 kms	35.2	29.7	25.5
North of 23.5o South Latitude			
First 4000 kilometres	170.9	145.4	118.9
Over 4000 up to 8000 kms	70.3	60.2	50.7
Over 8000 up to 16000 kms	36.7	31.9	28.0
Over 16000 kilometres	36.3	30.6	26.3
Rest of State			
First 4000 kilometres	159.2	134.8	109.2
Over 4000 up to 8000 kms	66.0	56.4	47.2
Over 8000 up to 16000 kms	34.9	30.2	26.5
Over 16000 kilometres	35.7	30.1	25.9

*

Travelling Allowance

Statutory Implications/Requirements

Local Government Act 1994, section 5.25; *Regulations about council and committee meetings and committees.*

Local Government (Administration) Regulations 1996, Regulation 10; *Revoking or changing decisions made at council or committee meetings – s 5.25 (1) (e)*

Local Government Act 1994, section 5.99A *Allowances for council members in lieu of reimbursement of expenses.*

Local Government (Administration) Amendment Regulations (No 2) 2005; Regulation 34AB *Allowances in lieu of reimbursement of travelling and accommodation expenses – s 5.99A.*

Public Service Award 1992; *(PSAA No 4 of 1989) Motor Vehicle Allowance.*

Policy Implications

9.1.1 Members Meeting Expenses

Councillors shall be paid for travel, meeting expenses and communication allowance at a rate set by Council annually. Travel Payments will be paid in arrears on an as required basis but are not to remain outstanding for more than six months. Meeting attendances will be made on a bi-annual basis, usually in December and June or each year. Councillors are required to complete a travel claim form to receive refunds.

Financial Implications

Council makes an allowance for the Members

Voting Requirements

Absolute

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Squires Seconded Cr Walsh

That Council adopt the following Members Allowances and Fees for the 2008/2009 for inclusion in the Annual Budget:

President Meeting Attendance*	\$150.00 per meeting.
President Mobile Phone -	Up to \$60.00 per month total allowance (business and private calls) totalling \$720.00 per annum. Any balance of phone allowance not used not payable to the President.
Councillor Meeting Attendance*	\$120.00 per meeting.
Annual President Allowance	\$4,000.00 per annum.
Annual Deputy President Allowance	\$1,000.00 per annum.
Annual Communications Allowance	\$500.00 per annum.
Travel to be paid at \$1.30 per km to attend Ordinary and Special Council meetings	

*Meeting attendance fee is payable for both ordinary and special council meetings.

CARRIED
Record of vote 6-0

ITEM NUMBER: 0708.131
SUBJECT: Dampier Bunbury Natural Gas Pipeline – Road Implications
FILE REFERENCE: Road General
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Statutory Implications / Requirements

Report Purpose

To allow council to consider correspondence received from the Shire of Shark Bay regarding the Dampier Bunbury Natural Gas Pipeline (DBNGP) project.

Background

The CEO received an email from Shire of Shark Bay CEO, Mr Kelvin Matthews as follows:

Hello Dirk - thanks for your time yesterday to discuss the issues the Shire of Shark Bay (and other effected Shire's) has regarding the Dampier Bunbury Natural Gas Pipeline (DBNGP) project. In particular, the Shire of Shark Bay is aware that DBGNP and Westnet Energy are in the process of preparing for further pipeline project development scheduled to commence early 2009. In order to avoid the numerous issues (and problems) Council encountered with the project access on its rural road network during the recent pipeline process over a period of some 18 months, the Shire of Shark Bay has discussed these matters with various government state agencies and in particular with the Minister responsible for the access right of way of the pipeline corridor – Minister Ravilich. In this regard the MLC for Mining and Pastoral (Vince Catania) has been extremely helpful in assisting and facilitating the various meetings required to discuss the matter and is fully conversant with the concerns all the effected Shire's have as has the Regional Manager of MRWA, Mr Peter Sewell who has assisted the Shire of Shark Bay in undertaking inspections at various times to ensure the rural road network utilised by the DBNGP project was maintained in a safe and trafficable condition and that remedial reinstatement works were undertaken to the satisfaction of the Shire of Shark Bay. While I am not fully aware of the issues the Shire of Murchison may have encountered with the recent DBNGP project I am aware that the pipeline project may have impacted to some degree on your Shire rural road network.

Accordingly the purpose of this email to you on behalf of the Shire President of the Shire of Shark Bay, Cr Bob Eddington is to request/invite yourself and/or your Shire President and other relevant staff members to the next meeting of the Regional Road Group (Gascoyne) meeting scheduled for Friday 30/5/08 in Gascoyne Junction. At this meeting other Shire's effected by the DBNGP project such as Carnarvon and Upper Gascoyne will also be present – a similar invitation has also been sent to Ashburton, Chapman Valley and Northampton Shire's. The Gascoyne WALGA Zone meeting is also scheduled for that day so it will provide an opportunity for WALGA to be involved in the matter and perhaps provide assistance – an awareness of the issue has already been discussed at an earlier meeting in Carnarvon in 2007 where WALGA attended.

*I would appreciate your response at your earliest convenience regarding your attendance to the next Gascoyne RRG/WALGA meeting so the matter can be discussed with as many effected Shire's as possible with a view that a **joint** outcome position paper be prepared that demonstrates a unified approach by all the Shire's effected by the next phase of the DBNGP project scheduled to commence in early 2009. Please do not hesitate to contact me should you have any further queries regarding the above. Thank you.*

Regards

Kelvin

K J Matthews

Chief Executive Officer

Shire of Shark Bay

Comments/Options/Discussions

A 10km section of the Woodleigh Road was used by pipeline contractors throughout 2008 for the transportation of water to the pipeline; this resulted in damage to the road which was rectified by the contractors to a satisfactory standard. Unfortunately other Local UNCONFIRMED MINUTES of the Ordinary Meeting of the Murchison Shire Council held on Friday 16th May 2008.

Governments also effected including Chapman Valley, Shark Bay, Upper Gascoyne, Carnarvon and Ashburton all experienced problems having road damage caused by contractors repaired to a satisfactory standard and the reason for the meeting to be held at Upper Gascoyne on 30th May 2008.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

Potential financial implications would include requiring council to repair damage to councils road network caused by gas pipeline contractors and the contractors not willing to pay for costs associated with any necessary repairs, effectively leaving council out of pocket.

Voting Requirements Simple

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Mitchell

That the Shire President and CEO attend the meeting to be held at Upper Gascoyne on 30th May 2008.

CARRIED
Record of vote 6-0

ITEM NUMBER: 0708.132
SUBJECT: Annual Performance Review – Chief Executive Officer
FILE REFERENCE: Budget
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Author is current incumbent

Statutory Implications / Requirements

Report Purpose

To appoint Councillors to undertake the Annual Performance and Remuneration Review of the Chief Executive Officer on behalf of Council.

Background

The current CEO was appointed in July 2004, the Shire President and Deputy President carried out the previous review in April 2007.

Comments/Options/Discussions

The current CEO has resigned from Council and is due to finish at Murchison at the end of July 2008, despite this resignation a performance review needs to be carried out.

Statutory Implications/Requirements

"Local Government Act 1995
Part 5 Administrations
Division 4 Local Government

5.38. Annual Review of certain employee's performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

5.39. Contracts for CEO's and senior employees

(1) The employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.

(2) A contract under this section –

- (a) in the case of an acting or temporary position, cannot be for a term exceeding one year;
- (b) in every other case, cannot be for a term exceeding five years.

(3) A contract under this section is of no effect unless –

- (a) the expiry date is specified in the contract;
- (b) there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and
- (c) any other matter that has been prescribed as a matter to be included in the contract has been included.

(4) A contract under this section is to be renewable and subject to subsection (5) may be varied.

(5) A provision in, or condition of, an agreement or arrangement has no effect if it purports to affect the application of any provision of this section

(6) Nothing in subsection (2) or (3)(a) prevents a contract for a period that is within the limits set out in subsection 2(a) or (b) from being terminated within that period on the happening of an event specified in the contract.

Policy Implications

Nil

Financial Implications

Any adjustment to the remuneration would be budgeted for in account E42010 in the 2008/2009 Budget.

Voting Requirements

Simple

OFFICER RECOMMENDATION

That Council authorise Cr Simon Broad, Shire President and Cr Mark Halleen, Deputy Shire President to undertake the Annual Performance Remuneration Review with the power to authorise/ approve the Remuneration Review.

OFFICER RECOMMENDATION / COUNCIL DECISION

**Moved Cr Mitchell seconded Cr Halleen
That full Council carry out the CEO's Annual Performance and Remuneration Review with the power to authorise/ approve the Remuneration Review.**

That the review incorporate an exit interview between the CEO and Council given the CEO's pending departure in late July 2008.

**CARRIED
Record of vote 6-0**

Reason for the change from that of the Officers recommendation was to allow the CEO and full Council to carry out the review giving the CEO's pending resignation and to allow for other councillors to be involved in the Annual Review process.

ITEM NUMBER: 0708.133
SUBJECT: Public Interest Disclosure Officer Appointment.
 FILE REFERENCE: PID
 NAME OF APPLICANT: N/A
 AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
 DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to appoint a Public Interest Disclosure (PID) Officer as required under the Public Interest Disclosure Act 2003.

Background

Council is required to appoint a PID Officer and council may want to consider appointing the CEO as this Officer.

Comments/Options/Discussions Nil

Statutory Implications/Requirements

Public Interest Disclosure Act 2003

Policy Implications Nil

Financial Implications Nil

Voting Requirements Simple

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Pollock Seconded Cr Squires
That Council appoint the Chief Executive Officer as the Shire Public Interest Disclosure Officer for the Shire of Murchison.

CARRIED
Record of vote 6-0

ITEM NUMBER: **0708.134**
SUBJECT: **Code of Conduct - Review**
FILE REFERENCE: Elected Members
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

Raises for Council’s attention the requirement to review the Code of Conduct (COC) within 12 months of a Local Government Election.

Background

The Local Government is required to prepare or adopt a Code of Conduct to be observed by Council members, committee members and staff, within 12 months immediately following each ordinary election day, the Local Government is required to review it’s Code of Conduct and make changes to the code as considered necessary.

Comments/Options/Discussions

Each member of Council has been provided with an updated version of the Shire of Murchison Code of Conduct. The new document has been amended to reflect recent amendments to the Local Government Act 1995 and Regulations.

Council’s new Code of Conduct, which is heavily based on the new WALGA model has been modified to suit Murchison and been provided to each member of Council as a separate document, titled “Shire of Murchison, Code of Conduct”

Statutory Implications/Requirements

Section 5.103 (2) Local Government Act 1995 as amended.

Policy Implications Nil
Financial Implications Nil
Voting Requirements Simple

OFFICER’S RECOMMENDATION / COUNCIL DECISION

<p>Moved Cr Mitchell Seconded Cr Pollock That council adopt the amended Code of Conduct as presented.</p> <p style="text-align: right;">CARRIED Record of vote 6-0</p>
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ITEM NUMBER: **0708.135**
SUBJECT: **CEO – Annual Leave Request**
FILE REFERENCE: CEO Employee File
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: CEO current

Report Purpose

To allow council to consider a request for Annual Leave from the CEO.

Background

The CEO is requesting Annual Leave from Monday 2nd June 2008 to Monday 9th June 2008 (inclusive).

Comments/Options/Discussions

The CEO's employment contract states that Annual Leave requests must be approved by Council.

Statutory Implications/Requirements

Employment Contract between Dirk Sellenger (CEO) and the Shire of Murchison.

Policy Implications

Nil

Financial Implications

An appropriate allowance for the Annual Leave request has been made in the 2007/08 Annual Budget.

Voting Requirements

Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Mitchell Seconded Cr Walsh

That the CEO be granted Annual Leave from Monday 2nd June to Monday 9th June 2008 (inclusive).

CARRIED
Record of vote 6-0

ITEM NUMBER: **0708.136**
SUBJECT: **Supplier Payment Dispute**
FILE REFERENCE: Plant Service File
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Statutory Implications / Requirements

5.23 (2) (a)

If a meeting is being held by a council or by a committee referred to in subsection (1) (b), the council or committee may close to members of the public the meeting, or part of the meeting, in the meeting or part of the meeting deals with any of the following –

(b) The personal affairs of any person

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Squires
That the meeting be closed to members of the public for the discussion of item 0708.136 and automatically reopened afterwards.

CARRIED
Record of vote 6-0

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Squires seconded Cr Mitchell
That Council pay the outstanding balance of \$990.00 on the invoice and close the account with the supplier, effective immediately.

CARRIED
Record of vote 6-0

ITEM NUMBER: **0708.137**
SUBJECT: **Local Government Week 31 July 2008**
FILE REFERENCE: Conferences
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Current CEO will not longer be employed by the Shire of Murchison.

Report Purpose

To discuss which Councillors will attend Local Government Week, to be held in Perth from 31th July – 3 August 2008.

Background

In the past few years 4-5 councillors and the CEO have attended Local Government Week.

Comments/Options/Discussions

A Copy of the Local Government Week Information and Registration has been provided to each councillor.

Those councillors wishing to attend Local Government Week must make a decision to allow registration details to be returned to WALGA and final accommodation details confirmed.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

Council has in the past made an allowance in the annual Budget to allow for Councillors and the CEO to attend Local Government Week. A/C E41030.

Voting Requirements Simple

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Walsh
That the new CEO and the following councillors attend Local Government Week in July 2008.

Cr Broad, Cr Squires, Cr Pollock, Cr Walsh, Cr Halleen and Cr Mitchell (in his capacity of WALGA President).

CARRIED
Record of vote 6-0

ITEM NUMBER: 0708.138
SUBJECT: Chief Executive Officers Report – May 2008
FILE REFERENCE: N/A
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow the Chief Executive Officer to report on any issues and projects currently in progress.

Background Nil

Comments/Options/Discussions

The Chief Executive Officers Report is provided to each councillor as a separate document to this agenda.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications Nil

Voting Requirements Simple

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Walsh
That the Chief Executive Officers Report for May 2008 be received.
CARRIED
Record of vote 6-0

11. New Business of an Urgent Nature

12. Declaration of Closure

The President thanked everyone for their attendance and declared the Meeting closed at 3.10pm

Confirmed this.....day of

SHIRE PRESIDENT