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Western Australia

Unconfirmed Minutes of the Ordinary Meeting of the Murchison Shire Council,
Held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Friday 18 December 2009, commencing at 9.30 am.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President opened the meeting and thanked everyone for their attendance at 10.52

Antony Schinckel- ASKAP Lead Project Manager

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

| | |
|---------|--|
| MEMBERS | Cr S A Broad, Shire President Cr M W Halleen, Deputy Shire President Cr P M Walsh Cr R E Foulkes-Taylor Cr P R Squires Cr B M Seaman Cr W McL Mitchell |
|---------|--|

| | |
|-------|---------------------------------------|
| STAFF | Mr R J Adams, Chief Executive Officer |
|-------|---------------------------------------|

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

Stand Down Local Law Standing Orders

OC091201 Standing Orders

Moved Cr M W Halleen, Seconded Cr W McL Mitchell

That the Local Law-Standing Orders 2001 be stood down

Motion put and carried 7/0

The President requested that Item 11 be bough forward a presentation by Antony Schinckel from CSIRO

11.25 Cr P R Squires left the meeting
 11.26 Cr P R Squires entered the meeting

5. NEXT MEETING

The scheduled date for the next ordinary meeting is 19 February 2009

BACKGROUND

During January Council generally have a special meeting to complete a road inspection. The road inspection this year would involve a drive in the northern part of the shire.

In light of the CEO taking leave in March the a proposed meeting schedule would be

| | |
|-------------|---|
| 7 January | - Road Inspection |
| 8 January | -Road Inspection- Special Council Meeting |
| 19 February | Ordinary Council Meeting |
| 19 March | Ordinary Council Meeting |
| 16 April | Ordinary Council Meeting |

VOTING REQUIREMENTS

Simple majority

OC091202 Council Meetings

Moved Cr R E Foulkes-Taylor, Seconded Cr P M Walsh

- 1. A Special Meeting be held on 8 January 2010 following road inspection to discuss the northern road and any other business as required**

Motion put and carried 7/0

6. APPLICATIONS FOR LEAVE OF ABSENCE

OC091203 Leave of Absence

Moved Cr P M Walsh, Seconded Cr M W Halleen

- 1. Cr W McL Mitchell be granted a leave of absence from February 2010 meetings**
- 2. Cr P R Squires be granted a leave of absence from Special Meeting in January 2010**

Motion put and carried 7/0

7. NOTICE OF ITEMS TO BE DISCUSSED IN CAMERA

19.1.3 CEO Contract Variations

Local Government Act 1995

- s. 5.23 (2) (a) Matter affecting and employee or employees
(b) the personal affairs of any person

8. Confirmation Flying Minutes

NIL

9. CONFIRMATION OF MINUTES

9.1 ORDINARY COUNCIL MEETING –20 November 2009

BACKGROUND

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

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION/OFFICER RECOMMENDATION

OC091204 Confirmation of Minutes for 20 November 2009

Moved Cr P R Squires, Seconded Cr R E Foulkes-Taylor

That the Minutes of the Ordinary Council Meeting of 20 November 2009 be confirmed

Motion put and carried 7/0

9.1 CBD COMMITTEE MEETING –28 November 2009

BACKGROUND

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

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION/OFFICER RECOMMENDATION

OC091205 Minutes for CBD Committee Meeting 28 November 2009

Moved Cr P M Walsh, Seconded Cr B M Seaman

That the Minutes of the CBD Committee Meeting of 28 November 2009 be received

Motion put and carried 7/0

10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

See prior to Item 5

12. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

12.1 PRESIDENT

- WALGA State Council Meeting- President has given notice not seeking re-election after April Meeting
- Roads- grading somewhere near south of Mt Narryer is not a good job

12.2 COUNCILLORS

Cr M W Halleen

- WALGA- Bill is a sad loss and credit to the time he spent there
- Murchison Declared Animal Group- More funding has been approved from ZCA
- Kalli Road- what has been completed is a good job, dam ay boundary is a concern
- Merry Xmas and happy new year

Cr R E Foulkes-Taylor

- Pindar Road holding up well
- Cricket match on tomorrow
- CBD walls going up and good to see
- Grace is good and general morale in shire team is good
- Found old survey pegs from 1890 on freehold block on Yuin
- The year in review
- Happy Xmas

Cr P M Walsh

- Good year in roadwork's
- Fix the bollard on the bridge 837
- Congratulations to Bill for years of service to Shire
- Cue Beringarra Road –various patching works

Cr P R Squires

- Bridget hit the ground running
- Grace hit the ground running
- Good progress in the CBD
- Congratulations to Bill on his efforts
- Fred Thompson- advice on removal of Boolardy shearer quarters
- Merry Xmas to members and staff

Cr W McL Mitchell

- Merry Xmas
- **WALGA-** Renegotiated 5 year contract with WALGA CEO
 - Dap submission to Minister
 - Will be resigning from Murchison Shire Council after 7 April meeting
 - Resigning from WALGA State Council in April
 - R4R- State Economic review-SOM to lose \$900,000 from funding for year 2
 - WARAG- meeting in Geraldton- new chairman in Tony Booker
 - Reform letter should nearly be her
 - Steering Committee has been suspended
 - Meeting with premier on making partnerships to move forward

Cr B M Seaman

- Congratulations to Bill for 33 years of service
- Disappointed Bill is moving on
- Merry Xmas to everyone
- Thanks to everyone for the first few meetings
- MT Luke creek crossing is in poor shape
- Yalgoo grids are good 24'
- Pia Wadjarri issues
- Good movie night
- Hope for rain

- 1.21 CEO exited the meeting
- 1.22 CEO entered the meeting
- 1.21 Ms G French entered the meeting
- 1.22 Ms G French exited the meeting

13. DISCLOSURE OF INTERESTS

Cr W McL Mitchell declared a Proximity Interest in Item 18.1.1 , being his property adjoins the bridge 837

14. REPORTS OF COMMITTEES

NIL

15. REPORTS OF OFFICERS

15.1 WORKS

15.1.1 Monthly Plant & Works Progress Report

File:
Author: Ron Adams, Chief Executive Officer
Interest Declared: No interest to disclose
Date: 12 November 2009
Attachments:

MATTER FOR CONSIDERATION

To view the plant operation for the month of October November 2009 and an update on works carried out

BACKGROUND

Monthly Plant useage and status Report

| HEAVY PLANT | | | Start | End | Total | MTD | Total |
|-------------------------------|-------------|-------------|--------------|--------------|--------------|----------------|------------------|
| Plant Item | Year | Rego | Hours | Hours | | Service | Ownership |
| Cat Grader 12H | 2005 | MU 141 | 5367 | 5393 | 26 | | 33086 |
| Cat Grader 12H | 2003 | MU 121 | 10153 | 10538 | 385 | | 87000 |
| Cat Grader 12M | 2008 | MU 51 | 1230 | 1414 | 184 | | 5396 |
| Volvo L110 Loader | 2006 | MU 65 | 1853 | 1953 | 100 | | 14431 |
| Komatsu Dozer | 1997 | | 6634 | 6710 | 76 | | 179907 |
| Cat Vibrating Roller | 2005 | MU 177 | 2786 | 2797 | 11 | | 18665 |
| TRUCKS | | | | | | | |
| Iveco Prime Mover | 2003 | MU 000 | 176789 | 177732 | 943 | | 47343 |
| Nissan UD | 2009 | | 30559 | 35476 | 4917 | | 2612 |
| Iveco Tipper | 2004 | MU 00 | 103106 | 107162 | 4056 | | 56593 |
| GENERATORS | | | | | | | |
| Generator 2-100KVA | 2005 | | 15329 | 16073 | 744 | | |
| Generator 1-83KVA | 2005 | | 39062 | 39063 | 1 | | |
| Generator 13KVA (Const) | 2005 | | 11226 | 11809 | 583 | | |
| LIGHT VEHICLES | | | | | | | |
| Toyota Landcruiser | 2005 | 01 MU | 96824 | 103673 | | | 11722 |
| Mitsubishi Canter | 2004 | MU 140 | 22653 | 26586 | 3933 | | 3843 |
| Toyota Prado | 2009 | MU 0 | 16196 | 21522 | 5326 | | 3954 |
| Holden Rodeo | 2008 | MU 167 | 92576 | 95723 | 3147 | | 6311 |
| Isuzu DMAX | 2009 | MU 300 | 3000 | 7359 | 4359 | | 3073 |
| Toyota PTV | 1986 | MU 1017 | 19822 | 19822 | 0 | | 2544 |
| TRAILERS & TANKERS | | | | | | | |
| Side Tipper | 2001 | MU 2010 | 158253 | 158255 | 2 | | 16304 |
| Side Tipper-Evertran | 2009 | 1TKB837 | 5403 | 8203 | 2800 | | 4860 |
| Tri Axle Low Loader | 2008 | MU663 | 7984 | 12017 | | | 8544 |
| Tri Axle Low Loader | 2001 | MU2004 | | | 0 | | 52886 |
| 30K Water Tank | 2005 | MU 2024 | 50308 | 50715 | 407 | | 9812 |
| Dog Fuel Trailer | 1993 | MU 658 | | | 0 | | 1775 |
| Dog Fuel Trailer | 1972 | MU2005 | | | 0 | | 535 |
| Dolly 1 | 2001 | MU 2003 | | | 0 | | 6240 |
| Dolly 2 | 2000 | MU 2009 | | | 0 | | 10558 |
| | | | | | 0 | | |
| Tractors | | | | | 0 | | |
| New Holland | 2006 | MU 380 | 827 | 852 | 25 | | 2653 |
| Forklift | | | | | | | |
| Caravans | | | | | | | 6821 |
| Various Small Plant | | | | | | | 6349 |

Vehicles and Equipment

Iveco Prime Mover MU000- Repairs to Turbo 7 Intercooler- fixed and returned

Low Loader MU2004- Ramp broken away- sent to Aiden Thurkle for re fitting and welding repairs

Low Loader Mu 663- brake calliper fixed

Toyota Land cruiser- new clutch fitted

15.1.2 Works Report

Construction Report

.

Erong-Rd: Completed

Airstrip-Tech to come to install PAL

Bridge 837- Bypass road sealed to 8m with some 4m sections and floodway's

McNabbs-Twin Peaks Road- Bunds pushed, shire team have mobilised some equipment to complete the bunds- commence works in new year

Flood Damage Repairs

Kalli Road- east of Kalli homestead completed, west side to be completed in new year

Maintenance Report

Carnarvon - Mullewa road: - Completed grading from northern boundary to Mullewa boundary

Berringara - Pindar road: -

Erong Road-

Mt Gould Road-

Byro-Berringara Road-

Butchers Track-

Woolgorong South Road-

Coolcalya Road-

Ballythunna Road- grading completed

Meeberie-Wooleen Road-

Settlement- grading to be completed prior to break

General Grading-

Maintenance Grids

Works Financial Activity

| Job No | Description | Budget 09-10 | MTD | YTD | Balance | Completed |
|-------------------|------------------------------|---------------------|------------|------------|----------------|------------------|
| E162008 | Airstrip | 343000 | | 324665 | 18335 | 85% |
| E162007 | Grids | 60000 | 14000 | 14000 | 46000 | |
| E162006 | R4R-Bridge | 912836 | 0 | 393899 | 518937 | 0% |
| E162005 | RTR-Bridge | 680000 | 260904 | 680000 | | 98% |
| E162004 | Carnarvon Mullewa Rd- Seal | 541590 | | 811 | 540779 | 1% |
| E162003 | MT Gould Erong | 180000 | | 136710 | 43290 | |
| E162002 | Beringarra-Pindar (Murgoo) | 100000 | | 135487 | (35487) | 100% |
| E162001 | McNabbs | 52500 | | | | 40% |
| | | | | | | |
| | FLOOD Damage | | | | | |
| SOM | Opening Up | 104704 | | | | 100% |
| | Reinstatement | 719674 | | | | |
| | North of Byro-Trackwest | | | 149269 | | 100% |
| | Beringarra-Pindar-Northcoast | | | 370071 | | 100% |
| | Beringarra-Pindar-Trackwest | | | 120262 | | 100% |
| | Erong Road | | | 15,276 | | 100% |
| | Kalli road | | | | 64796 | |
| | | | | | | |
| Crosslands | Opening Up | 790202 | | | | 100% |
| | Reinstatement | 875890 | | | | 0% |

Staffing

Neil Coombe- Acting Supervisor
Paul Smart
Stuart Broad
Preston Wall (casual)
Jason Hodder
Heydon McKenzie- sick leave- now complete
Glenn Pinnegar

STATUTORY ENVIRONMENT

Nil

STRATEGIC IMPLICATIONS

None at this stage

POLICY IMPLICATIONS

None at this stage

FINANCIAL IMPLICATIONS

CONSULTATION

COMMENT

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION/OFFICER RECOMMENDATION

OC091206 Works Foreman Report

Moved Cr R E Foulkes-Taylor, Seconded Cr B M Seaman

Note the Status Report of the Shire owned Plant and receive the Works Foreman's status report

Motion put and carried 6/0

- 1.54 President adjourned the meeting for lunch break
- 2.45 President re opened the meeting with all present as prior to adjournment

16. FINANCE

16.1.1 Financial Activity Statements October-November 2009

File:
Author: Ron Adams, Chief Executive Officer
Interest Declared: No interest to disclose
Date: 13 December 2009
Attachments: Financial Activity Statements for October November 2009
Balance Sheet
Income Statement Detail
Income Statement by Nature & Type
Income Statement Summary

MATTER FOR CONSIDERATION

Council to consider adopting the monthly financial statements for October November 2009.

BACKGROUND

Amendments to the Local Government (Financial Management) Regulations 1996 that were gazetted on 20 June 2008 and became effective from 1 July 2008 have resulted in regulations 34 and 35 relating to monthly financial reports and quarterly/triennial financial reports being repealed and substituted with a new regulation 34. The new regulation 34 requires that local government report on a monthly basis and prescribes what is required to be reported with the intention of establishing a minimum standard across the industry.

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.

Sub regulations 2, 3, 4, 5 and 6 prescribe further details of information to be included in the monthly statement of financial activity.

STRATEGIC IMPLICATIONS

None

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

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

CONSULTATION

None

COMMENT

None

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION/OFFICER RECOMMENDATION

OC091207 Financial Activity Statements

Moved Cr M W Halleen, Seconded Cr P M Walsh

- 1. That Council adopt the financial statements for the period ending October, November 2009, as attached.**

Motion put and carried 7/0

16.1.2 Accounts Paid during the period October November 2009

File:
Author: Ron Adams, Chief Executive Officer
Interest Declared: No interest to disclose
Date: 12 December 2009
Attachments: EFT & Cheque Detail for November December 2009

MATTER FOR CONSIDERATION

Authorisation of accounts paid during the month of November-December 2009, authorisation of account to be paid up to December 2009

BACKGROUND

Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996
Reg 13(1)–Requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

STRATEGIC IMPLICATIONS

None

POLICY IMPLICATIONS

None

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Account

CONSULTATION

None

COMMENT

Payments made during the month of October November 2009 as per attached schedule.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION/OFFICER RECOMMENDATION

OC091208 Accounts Paid during the period November December 2009

Moved Cr P M Walsh, Seconded Cr R E Foulkes-Taylor

That:

- 1. Accounts Paid between 23 November 2009 – 18 December 2009;**

| TYPE | Voucher | PAYMENT | STATUS | AMOUNT |
|---------------|-------------------|-----------------|---------------|---------------------|
| EFT | 1-5, 24-28 | Payroll | Paid | \$5,396.65 |
| Cheque | 8904-8915 | Payroll | Paid | \$5,877.26 |
| EFT | 6-23 | Creditor | Paid | \$126,336.00 |
| | | | | |

- 2. Accounts to be Paid in December 2009**

| TYPE | Voucher | PAYMENT | STATUS | AMOUNT |
|-------------|----------------|-----------------|----------------|---------------------|
| EFT | 29-52 | Creditor | Pending | \$ 233445.94 |
| | | | | |
| | | | | |

- 3. Salaries and Wages paid between November-December of \$41668.42; is received**

Motion put and carried 7/0

17. DEVELOPMENT

17.1 Oakajee Port & Rail Information Sharing

File:
 Author: Ron Adams, Chief Executive Officer
 Interest Declared: No interest to disclose
 Date: 12 November 2009
 Attachments:

MATTER FOR CONSIDERATION
 Discussion of various developments involving Oakajee Port & Rail

Oakajee Port and Rail momentum builds

Rail bridge design, hydrology investigations, and environment surveys are just some of the works underway as part of the multi billion dollar Oakajee port and rail project.

As the feasibility phase of the project moves forward, the project team is advancing design and engineering, customer tonnage discussions and development of detailed capital and operating estimates.



Oakajee Port and Rail welcomes marine approval

OPR has recently achieved a key milestone of environmental approval for the port marine component of the project.



Rail route skirts skink

A detour to save the habitat of a rare and endangered skink, is just one of many factors to be considered as OPR studies the best rail route to port for mid-west miners.



OPR Community Calendar

- 1.1.1.01.1.1 4th December Presentation, WA Mining Club, St Barbara's Day
- 1.1.1.01.1.2 8th December Presentation Mid-West Mining Development conference
- 1.1.1.01.1.3 10th December Briefing Chamber of Commerce and Industry WA sundowner
- 1.1.1.01.1.4 26th January OPR sponsors Geraldton-Greenough Australia Day event
- 1.1.1.01.1.5 February OPR workshops in Geraldton, Mullewa and Chapman Valley
- 1.1.1.01.1.6 February OPR Mid-West office, located in Geraldton, open day
- 1.1.1.01.1.7 24th February Presentation Mining the Mid-West Conference

COUNCIL DECISION

Noted

17.2 ASKAP & SKA Information Sharing

File:
Author: Ron Adams, Chief Executive Officer
Interest Declared: No interest to disclose
Date: 12 November 2009
Attachments:

MATTER FOR CONSIDERATION

Discussion of various developments involving ASKAP and SKA

CEO:

I attended a meeting of Geraldton-Greenough business' that The Economic Development people of the City of Geraldton-Greenough people arranged with key people from the SKA Project on opportunities for local business'. I have sent the following email to CEO Tony Brun asking for inclusion in any further activities of economic development.

From: Ron Adams [mailto:ceo@murchison.wa.gov.au]
Sent: Wednesday, 9 December 2009 11:22 AM
To: 'Tony Brun'
Subject: SKA Issues

Tony

As you know I briefly attended your "local business" gathering a couple of weeks ago.

The Murchison Shire has a small number of business' operating in the Shire where the MRO site is.

These businesses from Murchison have missed the opportunity, but I think we can work together on this.

As you recently offered to us

["I think there's a lot of opportunities for us to work together, especially with AKSAP/SKA in the mix."](#)

Could you please ask your Economic Development people to include us in any activities that are planned such as the one just gone.

Regards

Ron Adams
Chief Executive Officer
Shire of Murchison

COUNCIL DECISION

Noted

- 3.17 Cr S A Broad exited the meeting
- 3.18 Cr M W Halleen assumed the chair
- 3.19 Cr Squires, Walsh and Foulkes-Taylor exited the meeting

The meeting suspended due to lack of quorum

- 3.22 Cr S A Broad entered the meeting and assumed the chair

Meeting recommenced

- 3.33 Cr Foulkes-Taylor and Squires entered the meeting
- 3.33 CEO exited the meeting
- 3.34 Cr Walsh entered the meeting
- 3.34 CEO entered the meeting
- 3.35 Cr Foulkes-Taylor exited the meeting
- 3.36 Cr Foulkes-Taylor entered the meeting

17.3 Septic Tank Licence

File:
Author: Ron Adams, Chief Executive Officer
Interest Declared: No interest to disclose
Date: 12 November 2009
Attachments:

MATTER FOR CONSIDERATION
Council to note issuing of septic tank license.

BACKGROUND

A septic licence was granted to Precision Mining Camps on behalf of Sino Steel

STATUTORY ENVIRONMENT

STRATEGIC IMPLICATIONS
None

POLICY IMPLICATIONS
None

FINANCIAL IMPLICATIONS

Income of \$216 for this license has been received

CONSULTATION
None

COMMENT

VOTING REQUIREMENTS
Simple majority

COUNCIL DECISION/OFFICER RECOMMENDATION

OC091209 Septic Tank License

Moved Cr W McL Mitchell, Seconded Cr R E Foulkes-Taylor

Note the septic licence issued to Sino Steel

Motion put and carried 7/0

18. ADMINISTRATION

18.1 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Notice of Motion

Cr SA Broad requested an expected income and expenditure report on the projected costs associated with building a new bridge to replace Bridge 837

The President read a Proximity Declaration of Interest from Cr Mitchell

Cr W McL Mitchell requested he be able to remain in the meeting as the bridge was of common interest to a large number of ratepayers and electors.

COUNCIL DECISION

OC091210 Declaration of Interest request to remain in meeting

Moved Cr M W Halleen, Seconded Cr B M Seaman

Cr W McL Mitchell is able to remain in the meeting as the bridge was of common interest to a large number of ratepayers and electors.

Motion put and carried 7/0

18.1.1 Bridge 837

File:
Author: Ron Adams, Chief Executive Officer
Interest Declared: No interest to disclose
Date: 13 November 2009
Attachments:

MATTER FOR CONSIDERATION

Evaluate to proposed budget for building a new bridge.

BACKGROUND

The following letter from DLGRD was received 1-12-09 about the R4R funding for Years 1 and 2

Dear All

I am receiving a number of inquiries regarding Stage 2/Year 2 of the Country Local Government Fund and the progress regarding guidelines and so forth. Therefore I thought I would provide you all with a general overview of the current status.

The guidelines are being finalised in consultation with the Department of Regional Development and Lands. They are currently awaiting Ministerial approval. Once the Ministers have announced the commencement of Stage 2 of the CLGF, the guidelines plus other information will be release.

Please note that the process for project notification and approval will be the same as last year. You will be required to submit an Acceptance Form - similar to last year - outlining your projects and other information. This form will be forwarded as part of the guidelines package as per last year. Please also be aware that the guidelines will alter slightly

in terms of project eligibility to I would hesitate before commencing any projects prior to Departmental approval. Please also be aware that it is likely - but still to be confirmed - that projects will be required to be priority projects identified by the local government on your strategic plans/plans for the future. This is still to be approved but is a likely change so please be prepared for it.

There will also be additional signage and Royalties for Regions acknowledgement requirements for this Stage which will be outlined in the guidelines.

Please remember that funds will not be distributed until you have fully expended and acquitted your Stage 1/Year 1 allocation. As per Circular 26-2009, expenditure is not transferring money into a reserve/trust account but is the physical expenditure of a project. Please be aware that your regional groups will not receive any Stage 2 funding until you individual stage 1 funding has been fully expended and acquitted.

If you are experiencing delays in your projects and anticipate they will not be complete prior to 30 June 2010 then I would suggest you review your Stage 1 projects and decide whether reallocation to eligible projects that will be complete prior to this date is required. If you decided that reallocation is necessary then you need to inform the Department in writing of these changes.

Hopefully this information answers all the inquiries that I have been receiving. If you require further clarification please do not hesitate to contact me.

Kind Regards
Rachel

Rachel Reynolds
Senior Grants Officer
Country Local Government Fund Branch
Department of Local Government

R4R Years 3 & 4 are subject to a change in the mining royalty from the State Government. Unfortunately finding a definitive answer to how much our funding will reduce or increase is proving difficult. It is even difficult to speculate on possible scenarios. What is definite is the fact that what we initially thought we were going to receive has changed.

The table below shows the bridge costing's and income as we currently know, this includes actual and some budget numbers that we are working on. On the Income side its shows the expected income from Royalties for Regions.

The numbers represented in orange are now numbers of concern, as these are what we cannot determine if or how much these will reduce.

New Bridge at 70m Down Stream

| | | EXPENDITURE | | | INCOME |
|---|-------|--------------------|------------------------------|--|------------------|
| Expenditure | | | Income | | |
| Bridge | | | Royalties for Regions | | |
| | | \$ | | | \$ |
| Deck and Pylons | | 364,500 | Year 1 | | 912,836 |
| | | \$ | | | |
| Transport | | 41,000 | | | |
| | | \$ | | | \$ |
| Rock Supply & delivery | | 346,500 | Year 2 | | 585,151 |
| | | \$ | | | |
| Construction of Bridge | | 548,000 | | | |
| | | \$ | | | \$ |
| sub-total bridge works | | 1,300,000 | Year 2- Regional Project | | 327,685 |
| | | | | | |
| Engineering | | | Year 3 | | \$ 456,418 |
| | | \$ | | | |
| Geo Tech | | 129,972 | Year 4 | | \$ 456,418 |
| | | \$ | | | |
| Greenfields | 4150 | 20,000 | Year 3 -Regional Projects | | \$ 456,418 |
| | | \$ | | | |
| HTD Surveyors | 1750 | 10,000 | | | |
| | | \$ | | | |
| BGE | 25000 | 25,000 | | | |
| | | \$ | | | \$ |
| sub-total Engineering | | 184,972 | Year 4- regional Project | | 456,418 |
| | | | | | |
| Road- 5 km | | | | | |
| | | \$ | | | |
| embankment construction | | 1,725,000 | | | |
| | | \$ | | | |
| Clearing and general shaping | | 100,000 | | | |
| | | \$ | | | |
| Sub base & base | | 200,000 | | | |
| | | \$ | | | |
| | | 285,000 | | | |
| | | \$ | | | |
| sub-total embankments and road works | | 2,310,000 | | | |
| | | | | | |
| Allowance for Overruns | | 150,000 | | | |
| | | \$ | | | \$ |
| | | 3,944,972 | | | 3,651,344 |

Money expended not refundable
Money dependant on Royalties- not
Guaranteed
Money guaranteed
Actual- may slightly increase
Budget only numbers

STATUTORY ENVIRONMENT

STRATEGIC IMPLICATIONS

None

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The construction of a new bridge is disclosed in the current budget to the point of what could be expended in this financial year. The income from this project is projected over the next three years, but is currently subject to review.

CONSULTATION

Michael Keene- Greenfield Technical Services

Legal Opinion- Civic Legal

Civic Legal were asked to express advise on the status of the Stop Work Order and whether the Shire can demolish Ballinyoo Bridge.

Civic Legal's Advice

We note that a listing on the Shire's Municipal Inventory does not attract any legal rights i.e. the listing of the bridge on the Municipal Inventory does not prohibit the bridge from being demolished. The only issue, therefore, is whether the Stop Work Order is still in effect.

The Stop Work Order was made on the 17 August 2009. Pursuant to s 59(7)(d) of the Act it ceases to have an effect after 42 days have passed from the date of the order (being 28 September 2009) unless the State Administrative Tribunal ("SAT") has made an order that the Stop Work Order should continue in force.

We have no instructions to the contrary and therefore take it that the Shire has not received any communications from the Heritage Council, the Minister for Heritage or the SAT. On this basis it is likely that the SAT has not made an order that the Stop Work Order should continue and accordingly the Stop Work Order has ceased to have effect. However, to confirm that this is the case, we have made an application to search the SAT's Register of Proceedings. The SAT has informed us that the search will take 3 days from the date of this letter.

We can advise you of the position with more certainty once we receive the results of the search.

If it turns out that the Sat has not made an order to continue with the Stop Work Order the Shire can then proceed to demolish the bridge.

Although it is not a requirement at law the Shire would of course be seen to be transparent prior to demolition, it wrote to the Heritage Council to advise them of its intention.

In the interim, we suggest taking no action until the SAT search has been returned to us. If you have any queries regarding the above please do not hesitate to contact the writer.

Anthony Quahe
Director

COMMENT

Due to the uncertainty of income from Royalties for Regions in my opinion the risk to proceed with the construction on a new bridge is too high for a small local government to take.

In view of Civic Legal's advise

"Although it is not a requirement at law the Shire would of course be seen to be transparent prior to demolition, it wrote to the Heritage Council to advise them of its intention." The intention to demolish the bridge without informing the Heritage Council would not be seen favourably.

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION

That Council;

- 1. Rescind motions as listed below with exceptions highlighted in blue**

OFFICER RECOMMENDATION

That Council;

1. Engage Main Roads WA to build a single lane bridge in concrete to replace old Bridge 837
2. Pre purchase all engineering, design and concrete casting to the value of \$680,000

Received all councillors response 7/0

COUNCIL DECISION/OFFICER RECOMMENDATION

OC090503 Confirmation of Flying Minute 140409

Moved Cr R E Foulkes-Taylor, Seconded Cr M W Halleen

That Council;
Formally adopt the flying minute of 14 April 2009.

Motion put and carried 6/0

OFFICER RECOMMENDATION

That Council;

1. The new Ballinyoo Bridge be built on the existing alignment
2. The CEO to source and appoint a photographer to complete a record of old Bridge 837
3. **The Shire to preserve any significant pieces of the bridge that could be utilized for Museum.**
4. Golder be engaged to complete geotechnical survey up to the price of \$140,000;
5. **Shire of Murchison builds the temporary bypass around the bridge.**

Councillor Response from five councillors 5/0

OC090602 Confirmation of Flying Minute 030609

Moved Cr R E Foulkes-Taylor, Seconded Cr M W Halleen

That Council;

Formally adopt the flying minute of 3 June2009.

Motion put and carried 6/0

SM080903

COUNCIL DECISION/OFFICER RECOMMENDATION

In extensive consultation with the Community of Murchison, the Main Roads of WA Engineers BG &E Engineering and with all reports available to Council that the immediate demolition of Bridge 837 proceed.

Motion put and Carried 6/0

2. **Advise Department of Local Government that the bridge project will be ceased and that the Royalties for Regions money will be spent on new road infrastructure on the Carnarvon Mullewa Road**
3. **An allowance is made in the next budget for a reserve fund to be established for care and maintenance of Bridge 837.**

Moved Cr P M Walsh, Seconded Cr M W Halleen

COUNCIL DECISION

OC091211 Bridge 837

Moved Cr W McL Mitchell, Seconded Cr P M Walsh

1. **That Item18.1.1 Bridge 837 lay o0n the table**

Motion put and carried 7/0

3.55 Cr Squires left the meeting

3.56 Cr Squires entered the meeting

18.1.2 Committee Members- non elected member payments

Notice of Motion

Cr BM Seaman requested that council support the reimbursement of out of pocket expenses in accordance with the local government Act 1995 s5.100(2) and s5.101(2). Subject to the CEO drafting a policy to indicate:

A specific amount and the budget requirements.
The maximum amount allowable under the act
The legislation under which the action can be taken
That the draft policy will be presented to council at the next full council meeting for endorsement.

VOTING REQUIREMENTS

Absolute majority

COUNCIL DECISION

OC091212 Notice of Motion-Draft Policy non elected member payments

Moved Cr BM Seaman, Seconded Cr W McL Mitchell

**A specific amount and the budget requirements.
The maximum amount allowable under the act
The legislation under which the action can be taken
That the draft policy will be presented to council at the next full council meeting for endorsement.**

Motion put and carried 7/0

File:

Author: Ron Adams, Chief Executive Officer
Interest Declared: Nil
Date: 14 December 2009
Attachments:

MATTER FOR CONSIDERATION

Payments to be made to non elected members of Council Committee's

BACKGROUND

Council operate four committees, Plant, Building, Audit and CBD Committee.

The Plant, Building consist of elected members and the CEO, the Audit committee consist of only elected members. The CBD committee consists of two elected members, the CEO and a community member.

In the establishment of committees, council can appoint people who are not elected members or who are not council employees.

The Local Government Act 1995 sets out the framework for payment for committee members and the Local Government (Administration) 1996 regulations prescribe a payment range for the committee members.

Committee Members who are not elected members are not entitled to be paid a “meeting fee”. Council may resolve to pay non employee’s expenses. These expenses would include travel to a meeting or accommodation and meals should the committee be requested to make a trip or attend particular meetings on behalf of council.

As part of the annual budget process each year, council resolve to adopt a travel allowance per kilometre. The current allowance is \$1.30 per kilometre.

Council could adopt a policy to handle the situation of a non elected member or member of staff being elected to a council committee.

Council could also upon establishment of a committee include in the terms of reference for this committee any expenses that may be claimed by its members.

STATUTORY ENVIROMENT

Local Government Act 1995

S5.100 Payments for certain committee members

- (1) A person who is a committee member but who is not a council member or an employee is not to be paid a fee for attending any committee meeting.
- (2) Where-
 - (a) A local government decides that any person who is a committee member but who is not a council member or an employee is to be reimbursed by the local government for an expense incurred by the person in relation to a matter affecting the local government; and
 - (b) A maximum amount for reimbursement of expenses has been prescribed for the purposes of section 5.98(3)(b)

The local government must ensure that the amount reimbursed to that person does not exceed that maximum.

S5.101 Payments for employee committee members

- (1) A committee member who is an employee is not paid a fee for attending any committee meeting.
- (2) Nothing in this section prevents a local government from reimbursing an employee for an expense incurred by the employee in relation to a matter affecting the local government.

COMMENT

There has been three CBD committee meetings held this financial year. On all occasions the community member has travelled with an elected member, therefore ineligible to claim for the travel.

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION

That Council;

1. Add to the terms of reference for the CBD Committee that;
“Community Members who are committee members be reimbursed travel at the Council rate of \$1.30 per kilometre”

18.1.3 Emergency Management Plan

Notice of Motion

Cr BM Seaman requested by Notice of Motion

Background

The Shire of Murchison Policy Manual, division 10 deals with the event of Fire within the Shire of Murchison. Nowhere is there a strategic plan in the event of any other emergency within the shire.

Motion

That Council supports the need to create an Emergency Management Plan for the Shire of Murchison. This plan will

Assess and review hazards and risks facing the Murchison Shire Community.

Identify the municipal resources available for use in the municipal district for use in response and recovery.

To provide an overview on how the shire plans for and responds to an emergency.

The plan is to be reviewed annually or after an emergency event to detail any changes needed.

That the draft "Emergency Management Plan" will be presented to council at the next full council meeting for endorsement.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION

OC091213 Notice of Motion-Emergency Management Plan

Moved Cr BM Seaman, Seconded Cr M W Halleen

Assess and review hazards and risks facing the Murchison Shire Community.

Identify the municipal resources available for use in the municipal district for use in response and recovery.

To provide an overview on how the shire plans for and responds to an emergency.

The plan is to be reviewed annually or after an emergency event to detail any changes needed.

That the draft "Emergency Management Plan" will be presented to council at the next full council meeting for endorsement.

Motion put and carried 7/0

File:

Author: Ron Adams, Chief Executive Officer

Interest Declared: Nil

Date: 14 December 2009

Attachments:

MATTER FOR CONSIDERATION

Emergency Management Plan

BACKGROUND

An emergency management plan is a legislative requirement. The process of building this plan involves inter agency and sign offs by these multi agencies.

The Shire of Yalgoo’s first draft is due for release in January 2010, and has taken a little over two years to compile. I have made an arrangement with the CEO to utilise that format in January.

Lucinda Jose, ex-MWDC, has been engaged by Yalgoo to complete the compliance and first draft.

STATUTORY ENVIROMENT

Error! Use the Home tab to apply Name of Act/Reg to the text that you want to appear here.

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Division 2 Emergency management arrangements for local governments

s.

Division 2 — Emergency management arrangements for local governments

41. Emergency management arrangements in local government district

- (1) A local government is to ensure that arrangements (*local emergency management arrangements*) for emergency management in the local government’s district are prepared.
- (2) The local emergency management arrangements are to set out —
 - (a) the local government’s policies for emergency management;
 - (b) the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;
 - (c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);
 - (d) a description of emergencies that are likely to occur in the local government district;
 - (e) strategies and priorities for emergency management in the local government district;
 - (f) other matters about emergency management in the local government district prescribed by the regulations; and
 - (g) other matters about emergency management in the local government district the local government considers appropriate.
- (3) Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.
- (4) Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.

- (5) A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as is practicable after they are prepared.

42. Reviewing and renewing local emergency management arrangements

- (1) A local government is to ensure that its local emergency management arrangements are reviewed in accordance with the procedures established by the SEMC.
- (2) Local emergency management arrangements may be amended or replaced whenever the local government considers it appropriate.

43. Local emergency management arrangements to be available for inspection

- (1) A local government is to keep a copy of its local emergency management arrangements at the offices of the local government.
- (2) The arrangements are to be available for inspection, free of charge, by members of the public during office hours.
- (3) The arrangements may be made available in written or electronic form.

COMMENT

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

An update on the progress of developing the Emergency Management Plan be presented at the February 2010 Ordinary Council Meeting.

- 4.30 Cr Foulkes-Taylor exited the meeting
- 4.31 Cr Foulkes-Taylor entered the meeting

18.2 Tender 2010-2 Sale of Surplus Equipment

File:
 Author: Ron Adams, Chief Executive Officer
 Interest Declared: Minor-son has tendered on two items
 Date: 15 December 2009
 Attachments: Nil

MATTER FOR CONSIDERATION

Award successful tenderer for TENDER 2010-2

BACKGROUND

Council resolved at the October Ordinary Council (OC091021) to advertise for tender the sale of surplus equipment.

The tender documents were completed and placed on the Council website on 23 November 2009. An email was sent to the Murchison community advising them of current tenders available.

Advertisements were placed in the West Australian and Geraldton Guardian.

The following tenders were received;

Item 1;



| Name of Person Tendered | Tendered Amount (Inc GST) |
|--------------------------------|----------------------------------|
| Jamie Gratte | \$ 565 |
| Billabong Roadhouse | \$ 300 |
| Glenn Pinnegar | \$ 232.50 |
| Stephen Jackson | \$ 100 |
| Rainstar Holdings | \$ 300 |

Item 2:



| Name of Person Tendered | Tendered Amount (Inc GST) |
|-------------------------|---------------------------|
| Billabong Roadhouse | \$ 500 |
| Stephen Jackson | \$ 100 |
| Sydney Lippiatt | \$ 500 |
| | |

Item 3:



| Name of Person Tendered | Tendered Amount (Inc GST) |
|--------------------------|---------------------------|
| Murchison Mail & Freight | \$ 690 |
| Billabong Roadhouse | \$ 500 |
| Peter Jeffries | \$ 455 |
| Stephen Jackson | \$ 100 |
| Glenn Pinnegar | \$ 503.20 |
| Rainstar Holdings | \$ 555 |

Item 4:



| Name of Person Tendered | Tendered Amount (Inc GST) |
|-------------------------|---------------------------|
| Billabong Roadhouse | \$ 300 |
| Glenn Pinnegar | \$ 221.50 |
| Peter Jeffries | \$ 330 |
| Stephen Jackson | \$ 100 |
| Matthew Adams | \$ 503.75 |
| Rainstar Holdings | \$ 355 |

Item 5:



(Pic for illustration purposes only)

| Name of Person Tendered | Tendered Amount (Inc GST) |
|-------------------------|---------------------------|
| Jamie Gratte | \$ 765 |
| Billabong Roadhouse | \$ 300 |
| Neil Coombe | \$ 306.75 |
| Stephen Jackson | \$ 100 |
| Glenn Pinnegar | \$ 202.80 |
| Matthew Adams | \$ 501.50 |
| Rainstar Holdings | \$ 500 |

Item 6:



| Name of Person Tendered | Tendered Amount (Inc GST) |
|-------------------------|---------------------------|
| Jack Western | \$ 1100 |
| Stephen Jackson | \$ 1000 |
| Rainstar Holdings | \$ 500 |
| | |

STATUTORY ENVIRONMENT

Local Government Act 1995

S3.58 Disposing of Property

- (3) A local government can only dispose of property to-
 - (b) The person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

Local Government (Functions & General) Regulation 1996

Part 4- Tenders for Providing Goods and Services- sets out the regulation for conducting and recording tenders

STRATEGIC IMPLICATIONS

None at this stage

POLICY IMPLICATIONS

None at this stage

FINANCIAL IMPLICATIONS

As resolved, proceeds from sale of Items 1- 4 to be utilised for purchase of CBD motel furniture, Items 5-6 proceeds to be deposited to Plant Reserve

CONSULTATION

COMMENT

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

OC091214 Tender 2010-2

Moved Cr W McL Mitchell, Seconded Cr M W Halleen

That Council accept the following tenders;

Item 1 Caravan- be awarded to Jamie Gratte for sum of \$ 565 Inc GST

Item 2 Caravan- be awarded to Sydney Lippiat fro sum of \$ 500 Inc GST

Item 3 Caravan- be awarded to Murchison Mail & freight for sum of \$ 690 Inc GST

Item 4 Caravan be awarded to Matthew Adams for the sum of \$ 503.75 Inc GST

Item 5 Caravan be awarded to Jamie Gratte for the sum of \$ 765 Inc GST

Item 6 Pig Trailer be rejected Jack Western for the sum of \$1100 Inc GST

Motion put and carried 7/0

COUNCIL DECISION

Amendment to Motion

OC091215 Pig Trailer

Moved Cr W McL Mitchell, Seconded Cr P M Walsh

Item 6 Pig Trailer be dealt with separately and all tenders for Item 6 be rejected

Motion put and carried 7/0

COUNCIL DECISION

OC091216 Pig Trailer

Moved Cr P R Squires, Seconded Cr M W Halleen

The CEO is instructed to sell on behalf of Council the Pig Trailer

Motion put and carried 7/0

19. CEO ACTIVITY REPORT

19.1.1 CEO Activity Report November-December 2009

File:
Author: Ron Adams, Chief Executive Officer
Interest Declared: No interest to disclose
Date: 12 December 2009
Attachments: Nil

MATTER FOR CONSIDERATION

CEO's activity report

BACKGROUND

November

- 23 -Grace French, Senior Administration Officer commenced duties
- 24
- 25 -Fit new Sat phone to MU0
-Attend City of Geraldton Greenough- Economic Development for SKA Project
-Meeting with Ross Stevens from CSIRO- property items at Boolardy
- 26
- 27
- 28 -Building Committee Meeting
-CBD Committee Meeting
-Movie Night in Settlement
- 30

December

- 1
- 2 -Sent Monologue out electronic version
- 3 -Inspection of Road works at bridge and sealing contractors
-MEG meeting in Yalgoo- sent apologies for non attendance
- 4
- 7
- 8 -Road report from Craig Harvey on Butchers track
- 9
- 10
- 11
- 14
- 15
- 16
- 17
- 18
- 19

CEO Report

OFFICER RECOMMENDATION/COUNCIL DECISION

OC091217 CEO & Administration Report

Moved Cr M W Halleen, Seconded Cr BM Seaman

The CEO and Administration report be accepted

Motion put and carried 7/0

19.2 CEO Adjustments to Employment Contract

File:

Author: Ron Adams, Chief Executive Officer
Interest Declared: Minor interest
Date: 16 November 2009
Attachments:

MATTER FOR CONSIDERATION
Remuneration Review

BACKGROUND
As part of the CEO contract a remuneration review is to be carried out on an annual basis

STATUTORY ENVIROMENT
Local Government Act 1995

- s. 5.23 (2) (a) Matter affecting and employee or employees
- (b) the personal affairs of any person

COUNCIL RECOMMENDATION

COUNCIL DECISION

OC091218 Move into Camera

Moved Cr R E Foulkes-Taylor, Seconded Cr P R Squires

Move into Camera

Motion put and carried 7/0

5.17 CEO left the meeting

6.24 CEO entered the meeting

COUNCIL DECISION

OC091219 Move out of Camera

Moved Cr R E Foulkes-Taylor, Seconded Cr P R Squires

Move out of Camera

Motion put and carried 7/0

COUNCIL DECISION

OC091220 CEO Remuneration Review

Moved Cr W McL Mitchell, Seconded Cr BM Seaman

Status quo that the current contract package remains as is

Motion put and carried 4/3

20. URGENT BUSINESS

NIL

21. ITEMS TO BE DISCUSSED IN CAMERA

NIL

22. MEETING CLOSURE

The President thanked everyone for their attendance and closed the meeting at 6.26pm