



Western Australia

Agenda for the Ordinary Meeting of the Murchison Shire Council,
To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Friday **15 April 2016**, immediately following the meeting of the Audit Committee which
commences at 10.00 am.

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

4.1 Standing Orders

Council Decision:		
Moved: Councillor	Seconded:	
That the following Local Law-Standing Orders 2001 be stood down:		
8.2 Limitation on the number of speeches		
8.3 Duration of speeches		
Carried/Lost	For:	Against:

5. NEXT MEETING

20th May 2016

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

There is one item pursuant to s.5.23 (2) (a) of the Local Government Act – a matter effecting an employee or employees (the CEO Performance Review)

8. CONFIRMATION OF MINUTES

8.1 Ordinary Meeting of Council – 18th March 2016

Background:

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

Recommendation:

That the minutes of the Ordinary Council meeting held on 18th March 2016 be confirmed as an accurate record of proceedings

Voting Requirements:

Simple majority

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

8.2 Ballinyoo Bridge Opening Committee Meeting 1st April 2016

Background:

Minutes of the Ballinyoo Bridge Opening Committee have previously been circulated to all Councillors.

Recommendation:

That the minutes of the Ballinyoo Bridge Opening Committee meeting held on 1st April 2016 be confirmed as an accurate record of proceedings.

Voting Requirements:

Simple majority

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

8.3 Special Meeting of Council (Road Inspection) – 7th April 2016

Background:

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

Recommendation:

That the minutes of the Special Council meeting held on 7th April 2016 be confirmed as an accurate record of proceedings.

Voting Requirements:

Simple majority

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

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

11. ACTION LIST

No	Item	Action	Status
1	Establishment of Working Group for Accident Prevention.	Inaugural meeting held 24 th September. Group established. CEO to organise a phone conference for a mutually suitable time in February/March	New Committee Members elected Nov OCM - Cr Emma Foulkes-Taylor is the new Council Rep along with the CEO. Community Rep Jo Squires – 2 seats vacant, no applicants.
2	Community Project Officer	Inaugural meeting held 24 th September. Group established. Meeting held 11th March 2016 – Recommendations of Working Group to be presented to the meeting today.	Office Extension and pro-rata salaries & wages allowed for in 2015-16 budget. New Committee Members elected Nov OCM -President Halleen and Cr E Foulkes-Taylor are the new Council Reps along with the CEO. Community Rep Paul Squires and Frances Jones

13. REPORTS OF OFFICERS

13.1 Monthly Plant Report – Works Supervisor

March 2016			Hours					YTD	
Plant Item	Year	Rego	1 July '15	Start Hrs/kms	End Hrs/km	Total Month YTD		Operating Costs Plant Fuel	
P.01 JD Grader	2011	MU1063	6236	7280	7431	151	1195	12858.81	20666.80
P.02 Cat Grader 12H	2005	MU 141	12591	13664	13816	152	1225	21080.93	16682.37
P.03 Cat Grader 12M	2008	MU 51	8672	9528	0	Traded	856	14866.05	14141.35
P.04 New/H Ford Tractor	2006	MU 380	1831	1894	1904	10	73	1283.67	174.33
P.05 Dolly 1-Red	2001	MU 2003	3488	15270	16429	1159	12941	705.57	n/a
P.06 Mitsubishi Canter	2010	01 MU	138805	148323	0	Traded	9518	19131.12	2512.83
P.07 Nissan UD	2009	000 MU	189658	197273	197473	200	7815	2123.52	5646.57
P.08 Dolly 2-Black	2000	MU 2009	27654	28006	28006	Broken	352	1749.07	n/a
P.09 Iveco P/Mover	2003	MU1065	304084	311514	311515	1	7431	5072.57	6181.19
P.10 Iveco Tipper Conv	2004	MU 00	174427	176564	176841	277	2414	7517.87	12721.29
P.11 Komatsu Dozer	1997		475	987	1100	113	625	12418.60	15875.29
P.13 Tri-Axle L/L Float	2008	MU 663	0	4849	9372	4523	4849	1984.08	n/a
P.14 No. 2 Float P.14	2001	MU 2004	57198	57198	57198	broken	0	441.12	n/a
P.17 Side Tipper	2001	MU 662	10197	22066	23450	1384	13253	3852.67	n/a
P.18 Side Tipper	2001	MU2010	New Clock	2426	4053	1627	4053	5479.93	n/a
P.24 30K W/Tanker Trailer	2005	MU 2024	43080	45523	45800	277	2720	6174.58	n/a
P.27 Volvo Loader	2006	MU 65	7088	7614	7717	103	629	10189.24	8958.30
P.28 Isuzu Dmax	2009	MU 300	194174	203993	204050	57	9876	2190.44	1415.63
P.32 Construction Gen			20519	22437	22437	0	1918	1119.13	2918.09
P.33 Maintenance Gen			6371	7780	8069	289	1698	595.25	1821.43
P.34 Generator Perkins		Mechanic	New Clock	0	0	0	0	396.33	0.00
P.35 Generator 1-110kva	2011		19493	22241	22994	753	3501	8501.53	77207.92
P.35 Generator 2-110kva	2011		12221	15450	15773	323	3552		
P.37 Forklift			12268	12369	12380	11	112	250.32	150.43
P.40A Toyota Hilux	2014	MU 1018	26191	46008	51806	5798	25615	3747.50	2883.60
P.41 Cat 938G Loader	2004	MU 193	4940	5178	5216	38	276	2920.49	4578.04
P.43 Bomag Roller	2012	MU1027	2596	2769	2802	33	206	2567.47	3079.41
P.48 Dog Fuel Trailer	1979	MU 2026	0	0		0	0	24.08	n/a
P.49 Dog Fuel Trailer	1972	MU 2005	0	0	0	0	0	0.00	n/a
P.54 Isuzu T/Top	2005	MU 1002	156000	168651	169094	443	13094	3915.36	3706.02
P.55 Toyota Prado	2012	MU 0	39649	60701	65848	5147	26199	1441.19	2310.38
P.57 Great Wall	2012	MU 167	43094	52256	52817	561	9723	4573.28	1143.71
P.59 45ft Flat Top	1978	MU2044	0	0	0	0	0	1827.68	n/a
P.60 Mercedes PTV	2004	MU 1009	100695	101805	101842	37	1147	1516.03	152.74
P.61 Kenworth P/Mover	2004	MU 000	50736	67605	68769	1164	18033	10656.17	20695.48
P.63 RAV4	2013	MU 1011	28547	34086	34824	738	6277	2252.30	251.15
P.64 Isuzu Construction	2013	MU 140	63361	87363	88876	1513	25515	14723.73	6284.47
P.65 Generator 9KVA	2013	H/ Maint	4350	5365	5437	72	1087	460.22	2143.14
P.66 Kubota 6kva Gen	2012		6575	8565	9094	529	2519	3454.60	3810.05
P.67 Roadwest S/Tipper	2013	MU2042	33159	46076	47883	1807	14724	2232.08	n/a

P.68 Bomag Padfoot	2013	MU1071	900	1310	1371	61	471	2202.51	7485.88
P.72 Isuzu Fire Truck	2013	MU1068	754	1344	1353	9	599	157.50	278.76
P.73 Toyota Fast Attack	2014	MU1069	Milly Milly			0	0	245.00	164.27
Caravans				n/a	n/a	n/a	n/a	3351.85	n/a
P11076JD Ride on mower			607	726	750	24	143		217.12
P15003 JD 6WD Grader	2012	MU121	0	129	262	133	262	225.34	4959.92
P15006 Isuzu Maint	2015	MU1018	0	3868	6202	2334	6202	2930.78	1182.02

13.2 Works Report – Works Supervisor 13/03/2016 – 09/04/2016

Construction Crew

The construction crew are progressing well with the reforming and gravel sheeting works on the 4km section through the breakaway 4km north of the Settlement on the Carnarvon-Mullewa road.

Since the last report on this section crew had a 10 day period off for Easter. Time was worked up prior to allow for this - their RDO fell on the Easter break and along with the public holidays it made good sense for the crew to work up the extra 4 days to have 10 days off.

With that said there is one section remaining over the first blast area to be sheeted once the pegging/levels have been put in. The two floodway's then need to be boxed out to a depth of 200mm and replaced with cement stabilised gravel. Gravel will be placed on the down side of each floodway and a trench will be dug out and filled with rock (this acts as a wall to prevent scouring). The four culverts will also have rock protection on each side. Following on from here there will be a final shape up and final grade and then placing of all signs.

With the completion of this job the works crew will then move onto the next works program of reforming, sheeting and placing in bunds on the road 200m north of Butchers Track turn off on the Carnarvon/Mullewa road to the Meeberrie/Mt Narryer boundary grid, a distance of approx. 5.8km.

Maintenance Crew

Since last month's report the maintenance crew have had a change in their grading program due to the Flood Damage road repair works.

Neil & Mark have completed a grade on the Carnarvon/Mullewa road as far as Byro Station homestead turn off. They then moved onto Yunda road (this road was not under any repairs for flood damage)

Crew then moved down to the Carnarvon/Mullewa road grading south of the bridge to the south boundary doing all drains and cleaning up of batter wipes.

With the completion of the Carnarvon/Mullewa Road, crew will then move over to the Beringarra/Pindar road and start the road approaches to the 5 new grids that have been put in place this year.

After finishing the grids they will then start a grade from MRO turn off down to Pindar.

Grids

As mentioned above the shire maintenance crew will be doing the approaches to the 5 new grids on the Beringarra/Pindar road south of Murgoo.

Bunding of Old Roads

This year's bunding of old roads will be in the Curbur area on the 2 bypass roads that traffic used in the 2010 – 2011 - 2012 floods.

The first section of bunding will start just before Curbur homestead heading east and is approx. 12km long and the second is on the Curbur woolshed road approx. 14km long.

If there is enough money left over for more work once these two section are completed then there is a section just north of Woodleigh/Byro intersection running along the Carnarvon/Mullewa road that we will try to complete in this year.

Next year will see works up in the Erong area on the old Yalbra road and the old Erong road north of Innouendy to our northern boundary.

Crossings

I received the designs for the new concrete crossing for Yarra-Yarra creek crossing last week and a Tender will go out on Saturday 16th April and close on the 3rd May. Works to be completed by the 30th June.

Staff Leave

Brian & Stuart - A/L 29/03/2016 – 01/04/2016 - 4 days

Brian 18/03/2016 - day off

Work Supervisor - General

9th March – Flood damage inspection in the South plus Heavy Maintenance inspection.

10th March - Flood damage inspection in the North.

16th March - Flood damage inspection south.

17th March - Flood damage inspection north.

23rd March - Bridge inspection and flood damage plus heavy maintenance with CEO.

5th April - Maintenance truck to Geraldton for service - RRG meeting Geraldton - plus pick up bus for road inspection

6th - 7th April - Road inspection in the north of the shire.

A total of 26hrs over the month also worked on the 4km section north of the settlement.

ROADS GRADED 13/03/2016 – 09/04/2016

Name	Length of Road	SLK's Graded this month	Heavy Maintenance	Comments
Beringarra /Pindar	319.80km	1km		Patch grade
Beringarra /Pindar				
Erong	63.12km			
Beringarra/Byro	90.89km			
Twin-Peaks/Wooleen	47.65km			
Boolardy/Kalli	57.30km			
Byro/Woodleigh	71.00km			
New Forrest/Yallalong	36.18km			
McNabb/Twin-peaks	49.75km			
Yallalong-West	34.46km			
Mileura/Nookawarra	49.08km			
Muggon	38.75km			
Manfred	34.55km			
Beringarra/Mt Gould	34.80km			
Tardie/Yuin	13.20km			
Innouendy	9.30km			
Boolardy Homestead	2.00km			
Yunda Homestead	32.80km	32km		
Meeberrie Woolleen	25.22km			
Mt Wittenoom	37.55km			
Woolleen/Mt Wittenoom	33.85km			
Beringarra Cue	109.82km			
Boolardy Wooleen	19.08km			
Kalli Cue East	21.87km			
Coodardy Noondie	19.92km			
Butchers Track	64.54km			
Butchers Muggon	23.80km			
Murchison Settlement	2.00km			

Coolcalalaya road	36km			
Carnarvon-Mullewa	278.63km	49km		Full grade – batters, drains
Mt Narryer	3km			
Woolgorong-South	15.00km			
Errabiddy Bluff	12km			
Air strip Graded				

Total of roads graded this month 82km

Recommendation:

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

Voting Requirements:

Simple majority

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

14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

14.2 Councillors

15. REPORTS OF COMMITTEES

15.1 Settlement Drinking Water Working Group – Cr Miles Williams (Chair) – 31st March 2016

15.2 Ballinyoo Bridge Opening Committee – President Mark Halleen (Chair) – 1st April 2016

15.3 Audit Committee – President Mark Halleen (Chair) – 15th April 2016

The Audit Committee met prior to the Ordinary Council Meeting to Consider the Compliance Audit Return 2015.

The Audit Committee can report that (TBA)

16. FINANCE

16.1 Financial Activity Statements March 2016

File:	2.2
Author:	Dianne Daniels - CEO
Interest Declared:	No interest to disclose
Date:	9 th April 2016
Attachments:	Financial Activity Statements for 9 months to 31 March 2016 Statement of Financial Position Operating Statement by Nature & Type Operating Statement by Program General Ledger Trial Balance Accounts Activity

Matter for Consideration:

Council to consider adopting the Monthly Financial Statements for March 2016.

Background:

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

Comment:

The Current Position at 31 March 2016 is a surplus of \$3,114,732 against a YTD budget of \$92,045 so up \$3,022,687.

Variations – YTD Budget to YTD Actual

Opening Funding Surplus(Deficit)	0.00
Less Operating Revenues down	(\$3,847,023)
Plus Operating Expenditure down	\$5,576,355
Plus Funding Balance Adjustment	(\$131,594)
Less Capital Revenue down	(\$131,749)
Plus Capital Expenditure down	\$1,631,548
Less Reserve Transfers up	(\$74,851)
	<u>\$3,022,687</u>

Refer to March Financials for explanation of variances.

The following Term Deposits are currently held (Refer Note 4 of Financials):

Beringarra- Cue Road Reserve TD	\$3,332,071.94	@ 2.35% Maturity 11/06/2016
Crosslands MCF Term Deposit	\$ 358,459.66	@ 2.94% Maturity 25/05/2016
Ballinyoo Bridge	\$1,021,384.93	@ 2.34% Maturity 27/04/2016

Statutory Environment:

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

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

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

Strategic Implications:

Nil.

Policy Implications:

Nil.

Budget/Financial Implications:

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

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations

Budget/Financial Implications:

Payment from the Municipal, Trust and Reserve Bank Accounts.

Sustainability Implications:

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

Consultation:

Moore Stephens
Mid West Financial Services

Recommendation:

That the accounts as per the attached Schedule presented to this meeting totalling \$1,052,464.96 which includes \$541,893.55 of intra account transfers for the month of March 2016, be endorsed by Council.

Voting Requirements:

Simple majority

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

17. DEVELOPMENT

17.1 Borrow Pits

File:	12.21
Author:	Mark Halleen, President
Interest Declared:	Nil.
Date:	11 th April 2016
Attachments:	Nil

Matter for Consideration:

Council to consider access to borrow pits and usage of borrow pits

Background:

All Local governments should have access to new and used borrow pits at all times as this is the key element to building and maintaining our roads for the safety of all travellers.

Comment:

Over the years (especially in rural and remote pastoral shires and outer grain growing shires) it has been harder to access gravel and other raw materials due to hurdles that have to be jumped through e.g. getting DER approvals, land holder approvals and native title approvals, this can take anything from 3 to 6 months, and sometimes the approval or access is not granted. Some old gravel pits that have some regrowth in them because they have not been used for some years have to be reappraised.

When there is an unforeseen circumstance such as flooding etc. as a shire we cannot repair that area for some time due to the fact that there are no gravel pits in that area and we have to get approvals. As a result big costs occur because there is a long haul from the nearest gravel pit. This may not have been budgeted for and could lead to closure of roads or speed restrictions for some time.

After the pits have been finished with and rehabbing of the pits and access roads, the pits are often in a better state than when we started using them to the point that the regrowth is more prolific than pre extraction.

Shires understand the issues in regard to native title and vegetation as we do not like taking excess trees, scrub and plants out. We are also mindful of aboriginal special sites.

However, Shires need to be able to access raw materials without the restriction of land owner or occupier consent so that local government can get on with their core business - our roads and the safety of the public on our roads - with minimal added costs and time.

Main roads are also having similar issues.

Statutory Environment:

Local Government Act 1995 s3.27 – s3.36; Schedule 3.2

s. 3.27

3.27. Particular things local governments can do on land that is not local government property

(1) A local government may, in performing its general function, do any of the things prescribed in Schedule 3.2 even though the land on which it is done is not local government property and the local government does not have consent to do it.

(2A) In subsection (1) land includes Crown land the subject of a pastoral lease within the meaning of the Land Administration Act 1997 section 3.

(2) Schedule 3.2 may be amended by regulations.

(3) If Schedule 3.2 expressly states that this subsection applies, subsection (1) does not authorise anything to be done on land that is being used as the site or curtilage of a building or has been developed in any other way, or is cultivated.

(4A) For the purposes of subsection (3), planting pasture on land for grazing does not amount to cultivating the land.

(4) Nothing in subsection (3) prevents regulations amending Schedule 3.2 from stating that subsection (3) applies, or excluding its application, in relation to a particular matter.

Subdivision 3 — Powers of entry

3.28. When this Subdivision applies

The powers of entry conferred by this Subdivision may be used for performing any function that a local government has under this Act if entry is required for the performance of the function or in any other case in which entry is authorised by this Act other than by a local law.

3.29. Powers of entry are additional The powers of entry upon land conferred by this Subdivision are in addition to and not in derogation of any power of entry conferred by any other law.

3.30. Assistants and equipment

Entry under this Subdivision may be made with such assistants and equipment as are considered necessary for the purpose for which entry is required.

3.31. General procedure for entering property

(1) Except in an emergency or if the entry is authorised by the warrant of a justice, entry by or on behalf of a local government on to any land, premises or thing is not lawful unless —

(a) the consent of the owner or occupier has been obtained;

or

(b) notice has been given under section 3.32.

s. 3.32

(2) If notice has been given under section 3.32, a person authorised by the local government to do so may lawfully enter the land, premises or thing without the consent of the owner or occupier unless the owner or occupier or a person authorised by the owner or occupier objects to the entry.

(3) The powers conferred on a local government under this section may be exercised instead of the powers conferred under the Public Works Act 1902 and are not subject to any qualification or restriction by any provision of that Act.

3.32. Notice of entry

(1) A notice of an intended entry is to be given to the owner or occupier of the land, premises or thing that is to be entered.

(2) The notice is to specify the purpose for which the entry is required and continues to have effect for so long as that requirement continues.

(3) The notice is to be given not less than 24 hours before the power of entry is exercised.

(4) Successive entries for the purpose specified in the notice are to be regarded as entries to which that notice relates.

3.33. Entry under warrant

(1) In the circumstances described in subsection (2), a justice may by warrant authorise a local government by its employees, together with such other persons as are named or described in the warrant, or a police officer, to enter any land, premises or thing using such force as is necessary.

(2) A warrant may be granted under subsection (1) where a justice is satisfied that the entry is reasonably required by a local government for the purpose of performing any of its functions,

but —

- (a) entry has been refused or is opposed or prevented; or
- (b) entry cannot be obtained; or
- (c) notice cannot be given under section 3.32 without unreasonable difficulty or without unreasonably delaying entry.

(3) A warrant granted under subsection (1) —

- (a) is to be in the prescribed form; and
- (b) is to specify the purpose for which the land, premises or thing may be entered; and
- (c) continues to have effect until the purpose for which it was granted has been satisfied.

3.34. Entry in an emergency

(1) In an emergency a local government may lawfully enter any land, premises or thing immediately and without notice and perform any of its functions as it considers appropriate to deal with the emergency.

(2) For the purposes of this section, an emergency exists where the local government or its CEO is of the opinion that the circumstances are such that compliance with the requirements for obtaining entry other than under this section would be impractical or unreasonable because of, or because of the imminent risk of —

- (a) injury or illness to any person; or
- (b) a natural or other disaster or emergency; or
- (c) such other occurrence as is prescribed for the purposes of this section.

(3) A local government may use reasonable force to exercise the power of entry given by subsection (1).

(4) A local government may exercise the power of entry given by subsection (1) at any time while the emergency exists and for so long subsequently as is reasonably required.

(5) Although notice of an intended entry under this section is not generally required, a local government is to give notice of an intended entry of land under this section to the owner or occupier of the land where it is practicable to do so.

3.35. Purpose of entry to be given on request

A person who enters or who has entered any land, premises or thing on behalf of a local government is to give particulars of the power by virtue of which the local government claims a right of entry on being requested to do so.

3.36. Opening fences

(1) This section applies only if it is expressly stated in Schedule 3.2.

(2) Subsection (1) does not prevent regulations amending Schedule 3.2 from stating that this section applies, or excluding the application of this section, in relation to a particular matter.

(3) If this section applies and it is not practicable to enter land that is fenced through the existing and usual openings in the fence, the local government may, on giving 3 days' notice in writing to the owner or occupier of the land that it intends to do so, open the fence.

(4) If it opens the fence the local government is to provide at the opening an effective gate or, if the owner of the land agrees, a device across the gap in the fence that enables motor traffic to pass through the gap and prevents the straying of livestock through the gap.

(5) If a gate is provided a person who, without the occupier's consent, leaves the gate open when it is not in use commits an offence.

(6) If a gate is provided, when the local government no longer requires the opening, it is to immediately remove the gate and make good the fence unless the owner agrees to its retention.

(7) The owner and occupier may, in a particular case, relieve the local government of any obligation that it has under this section.

Schedule 3.2 — Particular things local governments can do on land even though it is not local government property

[Section 3.27(1)]

1. Carry out works for the drainage of land.

2. Do earthworks or other works on land for preventing or reducing flooding.

3. Take from land any native growing or dead timber, earth, stone, sand, or gravel that, in its opinion, the local government requires for making or repairing a thoroughfare, bridge, culvert, fence, or gate.

Section 3.36 applies.

Section 3.27(3) applies.

4. Deposit and leave on land adjoining a thoroughfare any timber, earth, stone, sand, gravel, and other material that persons engaged in making or repairing a thoroughfare, bridge, culvert, fence, or gate do not, in the local government's opinion, require.

Section 3.36 applies.

Section 3.27(3) applies.

5. Make a temporary thoroughfare through land for use by the public as a detour while work is being done on a public thoroughfare.

Section 3.36 applies.

Section 3.27(3) applies

6. Place on land signs to indicate the names of public thoroughfares.

- 7. Make safe a tree that presents serious and immediate danger, without having given the owner the notice otherwise required by regulations.
- 8. Obliterate graffiti that is visible from a public place and that has been applied without the consent of the owner or occupier.

Strategic Implications:

The Shire of Murchison’s Strategic community Plan has as Economic Objective 1: *‘To develop the region’s economic potential to encourage families and businesses to stay in the area.’*
 Strategies to Achieve Economic Outcomes - Maintenance and Upgrade of Road Network: *‘To develop, maintain and improve an efficient road system to support the transport requirements associated with the pastoral and mining industries and tourism.’*

Sustainability Implications

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

Policy Implications:

Refer Shire of Murchison Policy 2.4.1 - Gravel Supply Agreements
 Where gravel is negotiated with landholders from pastoral property either a written or verbal agreement is to be entered into with the landholder as required. The agreement is to clearly identify estimated area required and the amount of gravel to be extracted. Gravel pits are to be levelled and reinstated by Council staff at the end of their useful life as determined by the Works Foreman or Chief Executive Officer.

The policy may need to be re-written, depending on the outcome of the motion.

Financial Implications:

Being able to access gravel at convenient locations saves on cartage time and therefore cost.

Consultation:

CEO

Recommendation:

That all Pastoral Local Governments be able to access existing borrow pits and develop new borrow pits without restrictions and that Council recommend to WALGA, through the zone meeting in May, that WALGA lobby the Department of Local Government & Communities to take measures to amend the Local Government Act 1995 so that local government has access to Crown land within the shire boundaries, including that which is the subject of pastoral leases, with or without permission of the land holder, for the purpose of taking from the land any native growing or dead timber, earth, stone, sand, or gravel that, in its opinion, the local government requires for making or repairing a thoroughfare, bridge, culvert, fence, or gate. This in no way avoids Council’s responsibility to obtain clearing permits or its obligations under native title, but is purely a matter of lawful access to Crown land, including that which is subject to pastoral leases.

Voting Requirements:

Simple majority

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

17.2 Buy Local Regional Price Preference Policy

File:	12.21
Author:	Dianne Daniels, Chief Executive Officer
Interest Declared:	Nil.
Date:	11 th April 2016
Attachments:	Buy Local Regional Price Preference policy

Matter for Consideration:

Council to consider adopting the revised Buy Local Regional price Preference Policy.

Background:

At the Ordinary council Meeting in February 2016, Council made the following resolution:

Council Decision:

Moved: Councillor Whitmarsh

Seconded: Councillor R Foulkes-Taylor

Council:-

- Resolves that it intends to amend its Buy Local – Regional Price Preference Policy and
- Resolves to give Statewide public notice of the intention to amend its Regional Price Preference
- Policy and include in that notice:
 - (i) the region to which the policy is to relate; and
 - (ii) details of where a complete copy of the proposed policy may be obtained; and
 - (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions.

1.8 Buy Local – Regional Price Preference Policy v2**1. OBJECTIVE**

To promote local business partnerships within the Shire of Murchison by giving preferential consideration to regional suppliers in the procurement of goods and/or services.

1.1 Definitions

In this policy the following words have the following meanings:

- (1) For the purpose of this Policy, the “Region” is specified as the geographical area which comprises the whole of the Shire of Murchison.
- (2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer if —
 - (a) that supplier has been operating a business continuously out of premises in the region for at least 6 months; or
 - (b) some or all of the goods or services are to be supplied from regional sources.

Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of definition 2b) may be —

- (a) wholly supplied from regional sources; or
- (b) partly supplied from regional sources, and partly supplied from non-regional sources,

only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.

2. POLICY

The Price Preference Policy will apply to all tenders and quotations invited by the Shire of Murchison for the supply of goods and services and construction (building) services, unless Council resolves that this Policy does not apply to a particular tender or quotation.

2.1 Levels of Preference to be applied under this policy

A preference will be given to a regional tenderer by assessing the tender submission as if the price bids were as prescribed below:

- a) Goods and services reduced by 10%, up to a maximum price reduction of \$50,000
- b) Construction (building) services, reduced by 5%, up to a maximum price reduction of \$50,000; or
- c) Goods and or services (including construction (building) services) up to 10% - where the contract is for goods or services, up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

2.2 Competitive Purchasing

- a) Whilst price is a consideration in the provision of goods and/or services it is only one aspect of the tender evaluation process. Value for money principles, as described in section 4 of the Shire of Murchison Purchasing Policy will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.
- d) The tender that is determined to be both cost effective and advantageous to the Shire of Murchison will be the most likely to be accepted.
- e) For the purchase of goods and/or services outside of the tender process, consideration should be given to Council’s desire to purchase from local suppliers, where possible. The decision to purchase from a local supplier is to be left to the responsible officer’s judgement, ensuring that the Shire’s policies and guidelines are observed.

Carried

For: 5

Against: 0

Comment:

Statewide public notice of the intention to amend its Regional Price Preference Policy was advertised in the Western Australian on Wednesday 24th February 2016. The notice included:

- (i) the region to which the policy is to relate; and
- (ii) details of where a complete copy of the proposed policy may be obtained; and
- (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions.

The closing date for submissions was 24th March 2016.

No submissions were received.

If council decides to adopt the Buy Local Regional Price Preference Policy v2, it must give Statewide notice of its adoption before the adopted policy can be applied.

Statutory Environment:

Local Government (Functions and General) Regulations 1996 – s.24A through 24F.

Part 4A — Regional price preference

24A. Application of this Part

The provisions of Part 4 may be varied in accordance with this Part, if the local government is located outside the metropolitan area and intends to give a regional price preference in accordance with this Part.

24B. Terms used

(1) In this Part —

regional price preference, in relation to a tender submitted by a regional tenderer, involves assessing the tender as if the proposed tender price were discounted in accordance with regulation 24D;

regional tenderer means a supplier of goods or services who satisfies the criteria in subregulation (2).

- (2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer for the purposes of this Part if —
- (a) that supplier has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or
 - (b) some or all of the goods or services are to be supplied from regional sources.

24C. Regional price preference may be given

A local government located outside the metropolitan area may give a regional price preference to a regional tenderer in accordance with this Part.

24D. Discounts permitted for regional price preferences

- (1) A preference may be given to a regional tenderer by assessing the tender from that regional tenderer as if the price bids were reduced by —
- (a) up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$50 000; or
 - (b) up to 5% — where the contract is for construction (building) services, up to a maximum price reduction of \$50 000; or
 - (c) up to 10% — where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500 000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.
- (2) Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of regulation 24B(2)(b)) may be —
- (a) wholly supplied from regional sources; or
 - (b) partly supplied from regional sources, and partly supplied from non-regional sources, only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.
- (3) Despite subregulation (1), price is only one of the factors to be assessed when the local government is to decide which of the tenders it thinks would be most advantageous to that local government to accept under regulation 18(4).

24E. Regional price preference policies for local governments

- (1) Where a local government intends to give a regional price preference in relation to a process, the local government is to —
- (a) prepare a proposed regional price preference policy (if no policy has yet been adopted for that kind of contract); and
 - (b) give Statewide public notice of the intention to have a regional price preference policy and include in that notice —
 - (i) the region to which the policy is to relate; and
 - (ii) details of where a complete copy of the proposed policy may be obtained; and
 - (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions;
 and
 - (c) make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice.
- (2) A regional price preference policy may be expressed to be —
- (a) for different regions in respect of different parts of the contract, or the various contracts, comprising the basis of the tender;
 - (b) for different goods or services within a single contract or various contracts;
 - (c) for different price preferences in respect of the different goods or services, or the different regions, that are the subject of a tender or tenders (subject to the limits imposed by regulation 24D),
- or for any combination of those factors.

- (3) A region specified under this Part —
 - (a) must be (or include) the entire district of the local government; and
 - (b) cannot include a part of the metropolitan area.
- (4) A policy cannot be adopted by a local government until the local government has considered all submissions that are received in relation to the proposed policy and, if that consideration results in significant changes to the proposed policy, then the local government must again give Statewide public notice of the altered proposed regional price preference policy.

24F. Adoption and notice of regional price preference policy

- (1) A policy cannot be adopted by a local government until at least 4 weeks after the publication of the Statewide notice of the proposed policy.
- (2) An adopted policy must state —
 - (a) the region or regions within which each aspect of it is to be applied; and
 - (b) the types and nature of businesses that may be considered for each type of preference; and
 - (c) whether the policy applies to —
 - (i) different regions in respect of different parts of the contract, or the various contracts, comprising the basis of the tender;
 - (ii) different goods or services within a single contract or various contracts;
 - (iii) different price preferences in respect of the different goods or services, or the different regions, that are the subject of a tender or tenders, or to any combination of those factors.
- (3) An adopted policy cannot be applied until the local government gives Statewide notice that it has adopted that policy.
- (4) The local government is to ensure that a copy of an adopted regional price preference policy is —
 - (a) included with any specifications for tenders to which the policy applies; and
 - (b) made available in accordance with regulation 29 of the *Local Government (Administration) Regulations 1996*.

24G. Adopted regional price preference policy, effect of

A local government that has adopted a regional price preference policy in relation to a certain type of contract may choose not to apply that policy to a particular tender in the future for a contract of that type but, unless it does so, the policy is to apply to all like tenders.

Strategic Implications:

Nil

Policy Implications:

The amendment to the Policy will better reflect the intent of the Local Government (Functions & General) Regulations 1996.

Financial Implications:

Nil.

Sustainability Implications

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

Consultation:

The Department of Local Government

Recommendation:

That Council adopt the Buy Local – Regional Price Preference Policy v2 as shown below and according to s.24F of the Local Government (Functions and General) Regulations 1996, gives Statewide Public notice that the amended policy has been adopted.

1.8 Buy Local – Regional Price Preference Policy v2

1. OBJECTIVE

To promote local business partnerships within the Shire of Murchison by giving preferential consideration to regional suppliers in the procurement of goods and/or services.

1.1 Definitions

In this policy the following words have the following meanings:

- (1) For the purpose of this Policy, the “Region” is specified as the geographical area which comprises the whole of the Shire of Murchison.
- (2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer if —
 - (a) that supplier has been operating a business continuously out of premises in the region for at least 6 months; or
 - (b) some or all of the goods or services are to be supplied from regional sources.

Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of definition 2b) may be —

- (a) wholly supplied from regional sources; or
- (b) partly supplied from regional sources, and partly supplied from non-regional sources,

only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.

2. POLICY

The Price Preference Policy will apply to all tenders and quotations invited by the Shire of Murchison for the supply of goods and services and construction (building) services, unless Council resolves that this Policy does not apply to a particular tender or quotation.

2.1 Levels of Preference to be applied under this policy

A preference will be given to a regional tenderer by assessing the tender submission as if the price bids were as prescribed below:

- a) Goods and services reduced by 10%, up to a maximum price reduction of \$50,000
- b) Construction (building) services, reduced by 5%, up to a maximum price reduction of \$50,000; or
- c) Goods and or services (including construction (building) services) up to 10% - where the contract is for goods or services, up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

2.2 Competitive Purchasing

- a) Whilst price is a consideration in the provision of goods and/or services it is only one aspect of the tender evaluation process. Value for money principles, as described in section 4 of the Shire of Murchison Purchasing Policy will be employed by assessing the price component in conjunction with the tender selection criteria and requirements.
- d) The tender that is determined to be both cost effective and advantageous to the Shire of Murchison will be the most likely to be accepted.
- e) For the purchase of goods and/or services outside of the tender process, consideration should be given to Council’s desire to purchase from local suppliers, where possible. The decision to purchase from a local supplier is to be left to the responsible officer’s judgement, ensuring that the Shire’s policies and guidelines are observed.

Voting Requirements:

Absolute majority

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

17.3 Bund Wings

File:	12.9
Author:	Dianne Daniels
Interest Declared:	N/A
Date:	12 April 2016
Attachments:	Nil

Matters for Consideration:

Council to consider Councillor Broads recommendation from the March 2016 OCM ‘*That the Shire of Murchison has a policy on the building of bunds that would include the using of a bulldozer when making the bund wings*’, in the light of advice from WALGA.

Background:

At the March 2016 OCM, Council considered Councillor Broads recommendation, taking into account the background and comments in his Item and also taking into account the alternative recommendation of the CEO.

Councillor Broads Item included the following:

Background:

Council has for the last 30 years been building the bund wings with a bull dozer. The last round of heavy maintenance work carried out by a Shire Contractor saw the bund wings built by carting dirt with side tippers.

Comment:

Council has for many years continued to endorse the decision made to build its bund wings using a bulldozer – this method has been highly successful when they have been built correctly. By this, I mean correct spacings along the road, (not too far apart) placing them in the right spot and in more recent times, say the last 10 years, the adding of a tail at the end of the wings that stops the water from coming around behind the end of the bank. This system is a very simple operation and by this I mean a plant operator can be sent out with a dozer on the low loader and systematically start building bund wings – unload the dozer at the marked spot, build the wings , load up and move to the next spot and so on – that person can also push up at gravel pits on the way past – If council was to go down the path of building its wings with side tippers, then we must be reminded of how that process takes place. First the bulldozer arrives to clear an area where the wings are to be built, they would also push up gravel in the gravel pit, then we need a grader to grade that area so the trucks can get clear access – and then of course the trucks have to cart gravel using a single trailer because you can’t back a road train into those tight areas....I’m sure council doesn’t need to be reminded that we have just recently spent \$426,000 rebuilding the Komatsu Dozer and I think it would be fair to say that had council known that the dozer was not going to be fully utilized – it’s rebuild may not have happened.

In the light of some disagreement around the process of building bunds, the CEO put forward an alternative motion:

Administration Alternative Recommendation:

That council:

1. *through the CEO, refer the matter to the WALGA Infrastructure team for advice on best practice construction of bunds; and*
1. *consider Councillor Broad’s recommendation in the light of WALGA advice at the next meeting following the receipt of that advice.*

Comment:

The following is the email that I sent to James McGovern of WALGA, seeking advice on best practice method of bund construction.

Good Afternoon James

Further to our conversation a short while ago, I would appreciate it if you could give us some advice on the best practice method of constructing bunds on the side of roads – we have Councillors on the one side who want the bunds pushed up with a dozer and our Works Supervisor on the other who wants to dump the bunds with side-tippers.

To date in the Shire of Murchison, bunds have been built by pushing up the earth with a bulldozer – so they push and compact as they run up the side of the bund.

The works supervisor was concerned about this method for the following reasons:

- *A deep indent is left in ground (see sketch) which fills with water during rain and may take up to weeks to drain, depending on ground composition. Animals then water from the indentation, which is right on the side of the road, creating a traffic hazard;*
- *More ground needs to be cleared as the bulldozer has to back up many metres to get enough dirt to push up for the bund;*
- *More earth is disturbed, creating erosion issues over time.*

Some Councillors feel that pushing with a bulldozer is more beneficial because:

- *It is a cheaper method – not as much plant required;*
- *The earth can be compacted as the bulldozer runs up the side of the bund, so there is less chance of the bund being washed away in a deluge;*
- *Tried method which has been successfully used by the Shire for 30 years.*

Some independent advice from your infrastructure team would be appreciated.

The following advice came back from Mark Bondietti, Policy Manager Transport and Roads:

- *Bund formation should be site specific and fit for purpose, based on associated factors such as efficiency and effectiveness, longevity, cost and road traffic safety.*
- *Having established road traffic safety as a significant determining factor in developing the alternate style of bund formation, there is risk associated with Council seeking to develop an instructing policy that would contradict the road traffic safety element and this may ultimately leave Council open to future action in the event of a road incident resulting in injury or property damage.*

Statutory Environment:**Local Government Act 1995**

s.2.7. Role of council

(1) The council —

- (a) governs the local government's affairs; and
- (b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies.

s5.41 Functions of the CEO

- (d) managing day to day operations of the Local Government

Policy Implications:

A new Policy prescribing the method for constructing bunds may be developed.

Budget/Financial Implications:

A cost comparison has been done for the construction of the bunds. The cost to push a bund 70 metres long x 2.5 metres wide x 1.5 metres high (262.5 m³) with the dozer works out at approx. \$1,400 and the cost to cart the bund in with a truck and side tipper is approx. \$1,900.

With each method, four items of plant are required – dozer, loader, truck/side tipper and grader and so mobe/de-mobe hasn't been costed into the construction costs.

The non-productive time of the bulldozer (when not constructing bunds) hasn't been costed into this.

Sustainability Implications:

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

Consultation:

N/A

Councillor Broad's Recommendation

That the Shire of Murchison has a policy on the building of bunds that would include the using of a bulldozer when making the bund wings.

Administration Alternative Recommendation:

That the Shire of Murchison adopt the following Policy for the construction of bunds and include it in the Policy Manual:

2.2.1 Works General

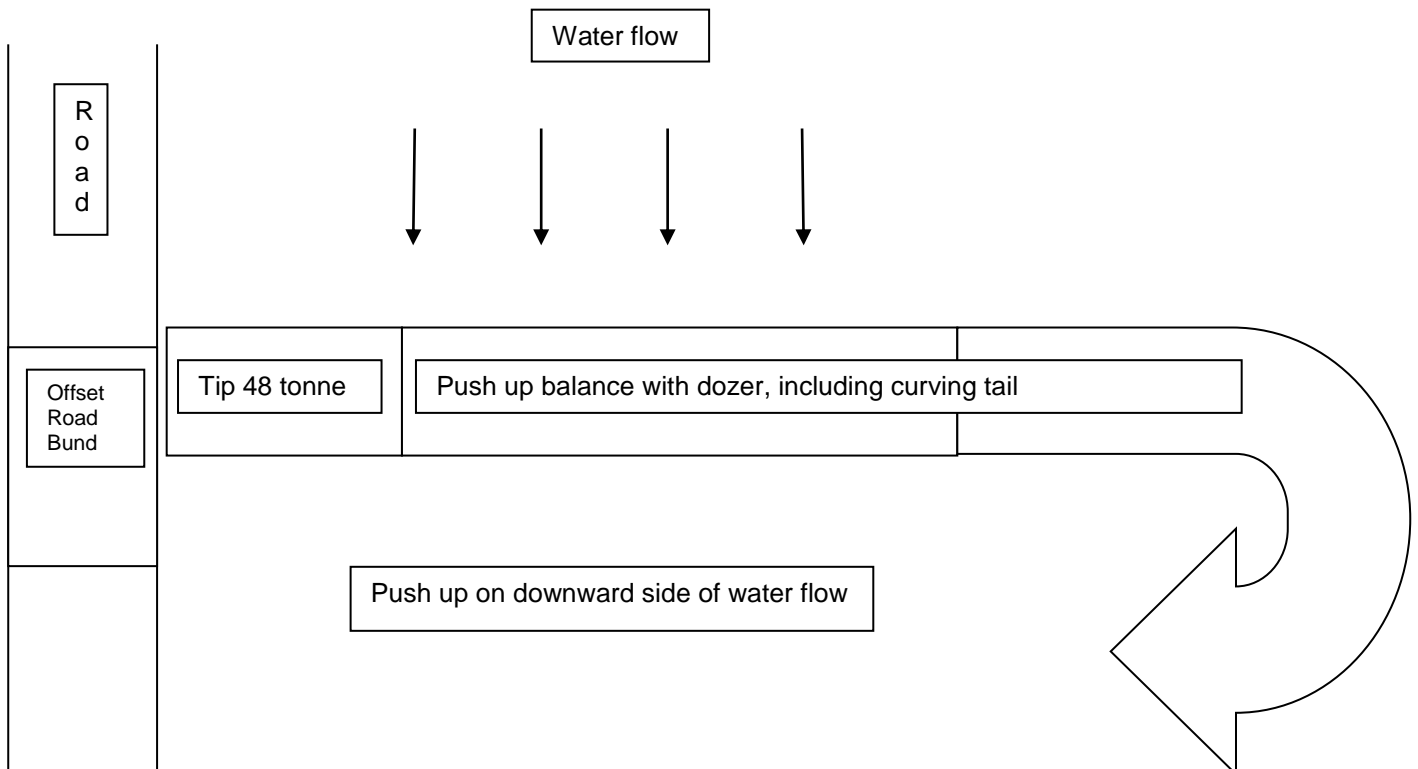
2.4.4 Bund Construction

Drainage bunds are to be constructed by tipping two 24 tonne side-tipper loads of gravel adjacent to the road. These gravel heaps can be compacted with the blade of the dozer and then the remainder of the bund is to be pushed up using a bulldozer. The bund is to be pushed up on the downward side of the water flow and is to include a long curving tail, constructed in such a manner as to sheet the water away from the road.

This method of construction will eliminate the potential traffic hazard created by the bulldozer pushing up adjacent to the road and leaving depressions which may fill up with water, attracting animals to drink.

The road bund is to be offset from the drainage bund, on the downward side of water flow.

The bund angle from the road will be site specific and dependant on water flows – the diagram is an example only.



Voting Requirements:

Absolute Majority

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

18. ADMINISTRATION

18.1 Proposed Change to Opening Date of Ballinyoo Bridge

File:	12.6
Author:	Dianne Daniels, Chief Executive Officer
Interest Declared:	Nil.
Date:	9 th April 2016
Attachments:	Nil

Matter for Consideration:

Council to consider changing the date of the Ballinyoo Bridge Opening from a date in May 2016, as generally agreed at the December 2015 Ordinary Council Meeting, to September 10 2016.

Background:

At the December 2015 Ordinary Council Meeting, there was a general consensus of Council that the best date for the opening of the Ballinyoo Bridge would be in May, when the weather was cooler and to give a committee (yet formed) time to plan and coordinate the opening.

Comment:

At the inaugural March 11 2016 meeting of the Ballinyoo Bridge Opening Committee, the committee decided that, due to the large amount of organising to be done, that it would be beneficial to delay the opening of the Ballinyoo Bridge until September 10 2016:

Committee Decision:		
Moved: Councillor Emma Foulkes-Taylor	Seconded: Jo Squires	
That the date for the Opening of the Ballinyoo Bridge be moved from May to September 10 2016.		
Carried	For: 6	Against: 0

As Council has not delegated any of the local government’s powers or duties that are necessary or convenient for the proper management of an event in which the local government is involved to the Ballinyoo Bridge Opening Committee, Council needs to consider endorsing, or otherwise, the Committees’ decision to change the date of the opening of the Ballinyoo Bridge.

Statutory Environment:

5.16. Delegation of some powers and duties to certain committees

(1) Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.

* Absolute majority required.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

(3) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —

(a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and

(b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.

(4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

5.17. Limits on delegation of powers and duties to certain committees

Matter for Consideration:

Council to consider sending a delegation to the Australian Local Government Association (ALGA) National General Assembly (NGA) in Canberra from 19-22 June 2016

Background:

ALGA is the national voice of local government, representing 560 councils across the country. In structure, ALGA is a federation of state and territory local government associations.

Key activities include representation of local government on national bodies and ministerial councils, providing submissions to government and parliamentary inquiries, raising the profile and concerns of local government at the national level and providing forums for local government to guide the development of national local government policies.

Major events convened by ALGA each year include the National General Assembly of Local Government and the National Local Roads and Transport Congress.

The National General Assembly brings together several hundred delegates from councils across Australia to move and debate resolutions of concern to local government. Speakers include prominent local government leaders, national political leaders and leading Australian experts and academics from fields of interest and relevance to local government

Comment:

This year, the Prime Minister, the Deputy Prime Minister and the Leader of the Opposition have been invited, along with other ministers, shadow ministers and leading public figures presenting keynote addresses.

The theme for the 2016 NGA is 'Partners in an Innovative and Prosperous Australia'. The program will be focussed on the role that Local Government plays in boosting productivity and showcasing innovation and best practice.

Statutory Environment:

s.2.7. Role of council

(1) The council —

(a) governs the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to —

(a) oversee the allocation of the local government's finances and resources; and

(b) determine the local government's policies

Strategic Implications:

A number of crucial policies will be discussed at the NGA and it is important that all local governments are represented.

Sustainability Implications

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

Policy Implications:

Council's Policy 8.1 on Councillor Expenses is relevant to this item.

Financial Implications:

There is \$4,243 left in account 04101 Members Conference Expenses.

Consultation:

N/A

Recommendation:

That two councillors be nominated to attend the 2016 NGA in Canberra from 19-22 June 2016.

Voting Requirements:

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

18.3 Compliance Audit Return 2015

File:	
Author:	Dianne Daniels, Chief Executive Officer
Interest Declared:	Nil.
Date:	9 th April 2016
Attachments:	Compliance Audit Return

Matter for Consideration:

Council to consider adopting the Compliance Audit Return 2015

Background:

A Compliance Audit Return for the period 1 January to 31 December in each year is to be carried out and presented to the Audit Committee for review. The Audit Committee is to report to the Council the results of that review. The Compliance Audit Return is to be then adopted by Council and the certified copy is to be sent to the Director General of the Department of Local Government & Communities by 31 March of the following year.

Comment:

I inadvertently missed the 31 March deadline this year. I contacted the Department prior to that date to let them know that I would not be able to get the return to them until after this April Council Meeting.

Statutory Environment:

14. Compliance audits by local governments

(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.

(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

(3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.

(3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —

- (a) presented to the council at a meeting of the council
- (b) adopted by the council; and
- (c) recorded in the minutes of the meeting at which it is adopted.

15. Compliance audit return, certified copy of etc. to be given to Executive Director

(1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —

- (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
- (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.

(2) In this regulation — certified in relation to a compliance audit return means signed by —

- (a) the mayor or president; and
- (b) the CEO.

Strategic Implications:

N/A

Statutory Environment:

Participation in WALGA activities is well within the Local Government legislative boundaries.

Strategic Implications:

Civic Leadership - Objective 4 of the Shire of Murchison Strategic Community Plan:
To provide Good Governance to the Murchison Shire through:

- Regional collaboration where possible;

Policy Implications:

Council's Policy 8.1 on Councillor Expenses is relevant to this item.

Budget/ Financial Implications:

Councillors travel with the CEO and so travel expenses should be minimal. The meeting is catered for and no accommodation is required.

Sustainability Implications:

- **Environmental**
There are no known significant environmental implications associated with this decision
- **Economic**
There are no known significant economic implications associated with this decision
- **Social**
There are no known significant social considerations associated with this decision

Consultation:

Nil

Recommendation:

That Councillorbe appointed Murchison Shire delegate to replace Councillor Broad for the next meeting only of the Murchison Country Zone of WALGA to be held at Cue on Friday 6th May 2016.

Voting Requirements:

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

19. NOTICE OF MOTION

20. CEO ACTIVITY REPORT

Date	Activity
17/03/2016	Community Action Group meeting
17/03/2016	Interpretive Centre Community Workshop
18/03/2016	Ordinary Meeting of Council
21/03/2016	Murchison Executive Group meeting, Meekatharra
22/03/2016	Meeting with representatives from LGIS to review 16/17 Insurances
22/03/2016	Meeting with Kim Inglis, Henty Hall, Hoanh Hoang & Adrian Bonner (Main Roads WA), Works Supervisor re preferred route to SKA.
22/03/2016	Meeting with Works Supervisor
23/03/2016	Meeting with Tony Chisholm, WML, re flood damage works
23/03/2016	Phone call Virginia Scott re National Asset Management Assessment Framework and Asset Condition Rating Project Training Project. SOM have been allocated a consultant – Acetivity – to work with us to ensure that our Asset Management Planning is compliant.

23/03/2016	Road inspection with Works supervisor – Ballinyoo Bridge – scouring not fixed properly; piles need to be painted; bitumen south to be re-sealed. Photos taken and sent to BG&E. McNabbs – checked flood damage works Beringarra Pindar road – checked new bunding and discussed method
24/03/2016	Phone call Adrian Stewart MWDC Energy Strategy Development Manager – discussed energy needs of the Settlement. Option – suggested we go to market for a proposal on centralised system or de-centralised system, requesting budget estimate.
29/03/2016	Admin meeting
31/03/2016	Settlement Drinking Water Working Group teleconference
1/04/2016	Bridge Opening Committee meeting
4/4/2016	Works Supervisor meeting
5/04/2016	Admin meeting
6/04/2016	Road Inspection
7/04/2016	Road Inspection/Special meeting of Council
8/04/2016	Moved library to Atrium
11/4/2016	Admin meeting

Recommendation:

That the CEO's Activity Report be accepted.

Voting Requirements:

Simple Majority

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

21. URGENT BUSINESS

22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Motion to Close the Meeting to the Public

Recommendation:

That the meeting move behind closed doors to discuss one item.

Voting Requirements:

Simple Majority

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

22.1 CEO Performance Review – 2:15 pm

Motion to Open the Meeting to the Public

Recommendation:

That the meeting move behind closed doors to discuss one item.

Voting Requirements:

Simple Majority

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

23. MEETING CLOSURE