



Western Australia

Minutes of the Ordinary Meeting of the Murchison Shire Council,  
held in the Council Chambers, Carnarvon Mullewa Road, Murchison,  
On Thursday 23<sup>rd</sup> May 2019, commencing at 12 Noon.

**TABLE OF CONTENTS**

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....	3
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE .....	3
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	3
4.	PUBLIC QUESTION TIME .....	3
4.1	Standing Orders .....	3
5.	NEXT MEETING.....	3
6.	APPLICATIONS FOR LEAVE OF ABSENCE.....	3
7.	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS .....	3
8.	CONFIRMATION OF MINUTES .....	4
8.1	Ordinary Council Meeting – 24 April 2019.....	4
8.2	Special Council Meeting – 11 May 2019 .....	4
9.	ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....	4
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS .....	4
11.	ACTION LIST .....	5
12.	DISCLOSURE OF INTERESTS.....	5
13.	REPORTS OF OFFICERS.....	6
13.1	Monthly Plant Report – Works Supervisor.....	6
13.2	Works Report - Works Supervisor .....	7
14.	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED .....	8
14.1	Shire President .....	8
14.2	Councillors .....	8
15.	REPORTS OF COMMITTEES .....	13
16.	FINANCE.....	13
16.1	Accounts Paid during the period since the last list was adopted/endorsed by Council .....	13
16.2	Financial Activity Statements to 30 April 2019 .....	15
17.	DEVELOPMENT .....	17
17.1	Proposed Realignment of Beringarra-Pindar Road .....	17
18.	ADMINISTRATION.....	18
18.1	Appointment of Acting CEO .....	18
18.2	Local Government Week .....	19
18.3	Voting Delegates – WALGA 2019 AGM .....	21
18.4	Review of Delegations .....	22
19.	NOTICE OF MOTION .....	23
20.	CEO ACTIVITY REPORT .....	23
21.	URGENT BUSINESS .....	24
21.1	Purchase of a replacement Prime Mover .....	24
21.2	Development Approval for Proposed Staff accommodation at Murchison Roadhouse .....	25
22.	ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS.....	29
23.	MEETING CLOSURE.....	29

**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The President declared the meeting open at 12 noon and welcomed the visitors from LGIS.

**2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

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

Staff:

Peter Dittrich – CEO  
 Rose Jones - DCEO  
 William Herold – Works Supervisor

Visitors:

Jordan Reid  
 Leo Pezzotta

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. PUBLIC QUESTION TIME****4.1 Standing Orders**

***Council Decision:***

**Moved: Councillor A Whitmarsh**

**Seconded: Councillor P Squires**

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

8.2 Limitation on the number of speeches

8.3 Duration of speeches

**Carried**

**For:**

**6**

**Against: 0**

**5. NEXT MEETING**

Thursday, 27 June 2019

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Cr A Whitmarsh sought Leave of Absence from the Ordinary meeting to be held on June 27 2019

***Council Decision:***

**Moved: Councillor E Foulkes-Taylor**

**Seconded: Councillor P Squires**

That Leave of Absence be granted to Cr A Whitmarsh for the Ordinary Meeting on 27<sup>th</sup> June 2019.

**Carried**

**For:**

**6**

**Against: 0**

**7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

Nil

## 8. CONFIRMATION OF MINUTES

### 8.1 Ordinary Council Meeting – 24 April 2019

**Background:**

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

**Recommendation:**

That the minutes of the Ordinary Council meeting held on 24 April 2019 be confirmed as an accurate record of proceedings.

**Voting Requirements:**

Simple majority

**Council Decision:**

**Moved: Councillor Q Fowler**

**Seconded: Councillor G Mead**

That the Minutes of the Ordinary Council meeting of 24 April 2019 be confirmed as an accurate record of proceedings.

**Carried**

**For: 6 Against: 0**

### 8.2 Special Council Meeting – 11 May 2019

**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 11 May 2019 be confirmed as an accurate record of proceedings.

**Voting Requirements:**

Simple majority

**Council Decision:**

**Moved: Councillor E Foulkes-Taylor**

**Seconded: Councillor A Whitmarsh**

That the Minutes of the Special Council meeting of 11 May 2019 be confirmed as an accurate record of proceedings.

**Carried**

**For: 6 Against: 0**

## 9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

## 10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

A presentation was made by Jordan Reid and Leo Pezzotta from Local Government Insurance Services outlining the structure and management strategy in relation to insurance and risk management.

Discussion with Councillors revealed concerns that Councillors' vehicles were not adequately protected.

Mr Jordan Reid and Leo Pezzotta left the meeting at 1:00pm

Meeting adjourned at 1.00pm

Meeting reconvened at 1.52pm

**11. ACTION LIST**

No	Item	Action	Status
1	Community Project Officer	Working Group held a telephone conference to discuss funding.	Awaiting release of grant funding. Grant applications close Sept 2019.
2	Cemetery and Remembrance Walk	Community Advisory Group inspected niche wall area and marked layout.	Wall design sketched. Awaiting quote.
3	Review of Road Network	Council to conduct a whole of shire road review. Establish roads to be closed/position of roads etc. and work with Landgate and surrounding shires. The status (ie a road defined by description; a dedicated road; a gazetted road; a closed road) of roads no longer maintained needs to be identified before the Shire can progress with this.	Working with Paul Dean of Landgate. Landgate report has been received.

**Recommendation:**

That the Action List be accepted.

*CEO noted that, in relation to the Review of Road network, it would be prudent to seek legal advice regarding the consequence of road closures and the effect on land title prior to any decision to close roads.*

**Voting Requirements:**

Simple majority

**Council Decision:**

**Moved: Councillor R Foulkes-Taylor**

**Seconded: Councillor G Mead**

That the Action List be accepted.

**Carried**

**For: 6      Against: 0**

**12. DISCLOSURE OF INTERESTS**

Disclosure of Proximity Interest made by Crs E Foulkes-Taylor and R Foulkes-Taylor in relation to item 17.1 Proposed Realignment of Beringarra-Pindar Road

### 13. REPORTS OF OFFICERS

#### 13.1 Monthly Plant Report – Works Supervisor

Plant No	Plant Description	Year	Rego	Total Costs	Total Recovered	Plant Hours YTD	Plant Hours April
P001	JD 770G Grader	2011	MU1063	47,855.94	80,640.00	1152	70.5
P004	Ford New Holland Tractor	2006	MU 380	1,584.05	-	0	0
P005	Dolly	2001	MU 2003	5,062.77	-	0	0
P007	UD Nissan Prime Mover Truck	2009	000 MU	33,252.50	33,840.00	752	113
P008	Dolly	2000	MU 2009	3,617.66	6,760.00	676	83
P009	Iveco Prime Mover	2003	MU1065	11,716.69	26,640.00	592	0
P010	Iveco Tipper 2004	2004	MU 00	3,804.20	-	0	0
P011	Komatsu D85A BullDozer	1997	0	60,941.18	21,636.50	198.5	0
P013	Low Loader Float	2008	MU 663	12,805.47	7,590.00	126.5	6.5
P014	Low Loader Float	2001	MU 2004	10,758.51	-	0	0
P017	Trailer - Evertrans Side Tipper	2001	MU 662	9,152.41	12,910.50	679.5	83
P018	Trailer - Side Tipping Roadwest	2001	MU2010	10,550.89	13,100.50	689.5	83
P024	Water Tanker Trailer	2005	MU 2024	18,449.11	22,496.00	1184	101.5
P027	Volvo L110E Loader	2006	MU 65	38,189.04	24,732.50	380.5	42
P028	LV Isuzu D-Max 4x4	2009	MU 300	10,182.96	705.00	47	22.5
P032	Genset - Construction	0	0	13,926.51	-	0	0
P033	Genset - Maintenance 13 KVA	0	0	8,741.56	-	0	0
P034	Genset Perkins On Mechanic Truck	0	0	4,600.49	-	0	0
P035	Genset Power House	2011	0	146,425.13	146,425.13	0	0
P041	Loader CAT 938 GII	2004	MU 193	21,237.06	8,157.50	125.5	3
P043	BOMAG Roller (Rubber)	2012	MU1027	15,096.48	15,540.00	388.5	69
P048	Howard Porter Flat Trailer - Construction Gen	1979	MU 2026	1,743.11	-	0	0
P049	Howard Porter Fuel Trailer	1972	MU 2005	1,049.69	-	0	0
P055	Toyota Prado 3.0l T/D 5 door Wgn	2012	MU1011	11,096.38	11,096.38	10	0
P057	Great Wall 2012 Gardeners Ute	2012	MU 167	3,460.11	-	0	0
P059	Trailer - 45ft Flat top	1978	MU2044	3,647.58	627.00	33	0
P060	Patient Transfer- Mercedes Sprinter	2004	MU 1009	3,128.70	3,128.70	0	0
P061	Kenworth T604 Prime Mover	2004	MU 000	90,075.81	36,855.00	819	92.5
P064	Isuzu FRR500 5-Tonne Truck	2013	MU 140	59,820.48	15,678.00	201	18
P065	Generator 9 KVA Kuboto Machine	2013	0	4,932.39	-	0	0
P067	Trailer - Side Tipper Roadwest	2013	MU2042	11,626.93	13,708.50	721.5	83
P068	BOMAG Padfoot Roller BW211PD-4 - Yellow	2013	MU1071	25,405.68	23,280.00	582	101
P072	Isuzu Fire Truck	2013	MU1068	14,337.97	14,337.97	0	0
P073	Toyota Fire - Fast Attack	2014	MU1069	12,188.90	12,188.90	0	0
P077	Kubota U25-3 Mini Excavator & Attachments	0	0	7,298.09	4,975.00	99.5	0
P080	Fuso Canter	2017	MU120	9,755.73	10,218.00	131	0
P081	John Deere 670G Motor Grader	2017	MU105	52,007.70	88,970.00	1271	159

Plant No	Plant Description	Year	Rego	Total Costs	Total Recovered	Plant Hours YTD	Plant Hours April
P082	Isuzu/Dmax Sx - Works Supervisors Vehicle	2017	01 MU	16,229.66	6,690.00	446	74.5
P086	Maxitrans Tandem axle Dolly	2012	1TNW068	751.97	5,910.00	591	83
P090	Plant trailer GH1055						0
P15003	Grader John Deere 672G	2012	MU121	49,389.57	81,235.00	1160.5	189
P15006	Truck - Isuzu NPR 65/45	2015	MU1018	16,951.30	22,737.00	291.5	106.5
P16063	Toyota Prado	2016	MU 0	10,834.25	-	0	0
P16075	Kubota Tractor B2301 HD with mower deck	2016	0	3,108.63	2,366.00	169	27

### **13.2 Works Report – Works Supervisor**

#### **Construction Crew**

The construction crew completed the RRG funded job on Saturday 11<sup>th</sup> May. In spite of some hold ups due to weather, breakdowns and the Easter & Anzac Day holidays I am pleased with the way the job has turned out. At present they are working on 5 floodways between SLK 116 and SLK 128 on the Carnarvon-Mullewa Rd. The running surfaces in these floodways are too low and pool water after each rain event. Traffic then cuts them up and they are continually getting deeper. On completion of this task they will be moving to the Beringarra-Pindar Rd to start a re-sheet between SLK 223.0 to SLK 227.0. This is the yellow sand section starting at the McNabb-Twin Peaks intersection and heading north.

#### **Maintenance Crew**

Greg Barr is back after his leave of absence. I would like to thank Peter Mahony for filling in while he was away. They had some opening up work to do after the last rain event before continuing on the Beringarra-Pindar Rd heading north to the Beringarra-Byro Rd. They have also cleared the silt off the floodways on the sealed section of the Beringarra-Cue Rd. They are currently back at the southern end on the Beringarra-Pindar Rd between Tallering and Yuin.

#### **Flood Damage**

A handover of flood damage work was done on 15<sup>th</sup> and 16<sup>th</sup> of May. Once again the work appears to be of a very high standard. I would like to thank our contractors for their willingness to assist with opening up of roads after the most recent rain event.

#### **Dozer Operations**

Rowe Contracting is currently stockpiling material on the Beringarra-Pindar Rd for the upcoming Shire construction programme.

#### **Recommendation:**

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

*Councillors discussed the Plant Report information particularly that hours for Grader P001 appear low for the month of April and the cost of repairs required for the UD Nissan Prime Mover. It was agreed that specifications for a replacement item of plant would be circulated to the Plant Working group.*

#### **Voting Requirements:**

Simple majority

**Council Decision:****Moved: Councillor A Whitmarsh****Seconded: Councillor P Squires**

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

**Carried****For:****6****Against: 0****14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED****14.1 Shire President**The President attended the WALGA Murchison Zone meeting on 3<sup>rd</sup> May 2019**14.2 Councillors**CR E Foulkes-Taylor attended the Murchison Zone Meeting on 3<sup>rd</sup> May 2019 and reported as follows:***MURCHISON ZONE MEETING  
MAY 3RD 2019 CUE******Mia Davies- Leader of Nationals****Her first visit to Cue. Spoke of the high reputation of Cue Parliament. Made a tribute to Murray Brown.**Vince and Jacque working hard. Singular purpose-to make sure the regional voice not diminished in parliament**Nats have had a strong impact in regions. R4R worth fighting for.**We are still talking about the needs to have rather than the nice to haves. Needs to be a continuing focus on health and education.**Keep asking the govt of the day to keep R4R funding.**Please make the time to engage with all politicians about your needs****Nick Sloan- New CEO WALGA****Lyn Craigie sent apology. Here with Tim Lane. Acknowledged Murray with thanks Worked in Karratha years ago.**Background in State Govt- Sport and Rec. From Pilbara originally Intersected with LG throughout career.**Wants LGs to understand what WALGA offers and what LGS want from WALGA. Opportunity to work much more collaboratively with State Govt. – Priority for WALGA Wants legislation that empowers LG to do what they do best.**Reforms- universal training package. There will be a requirement for LGs to develop a 'training policy' for councillors. WALGA to develop training packages that are fit for purpose and accessible****Gavin Treasure-CEO MWDC Round table discussion of priorities Meeka Hospital****Health and education – people services underpin economic development.**Goldfields highway**Road funding****Les Price-Deputy Pres Cue and Zone rep on WALGA State Council****Update on WALGA state council**Recommendations -Ratios should be aligned to size of shire*

*-that transference of mining tenements not take place until rates are paid.*

*Les's opinion - LG review- progressing well.*

*WALGA Committees -opportunity for councillors from anywhere to join Review of location allowances has been taken up by WALGA.*

*Impact of family and domestic violence – WALGA to develop a policy around that.*

### **Vince Catania-Nats**

*"Health is the biggest issue in this region" Meekatharra Hospital is not a want, it's a need.*

*Business cases for hospital and Goldfields Hwy have been done already...we had the funding and it was taken away.*

*Burnout of staff and volunteers is major issue. Police and nurses. We must have 2 nurses in our towns.*

*Vermin cell – great, now we just need to get the dogs out.*

### **Kyle McGinn-Labor**

*Kal-Exmouth-listening to the people. Country people are never shy about what they think.*

*Wiluna Rd. Pushing a few different things to get a resolution around that space. Got the minister for Transport out there the other day.*

*Meeka Hospital- he's in discussion with advisors around service provision. Keep yelling at me.*

*LG Act- not that easy to get things through the upper house at the moment.*

*He thinks the ministers are listening. Give my office a call if you feel you're not getting heard.*

### **Mark Holdsworth - CEO Regional Development Australia Midwest, Murchison and Gascoyne Region**

*Spent a lot of time in LG in Vic and WA. Recently in Canning.*

*Going to be having conversations across the region about economic development.*

*Observations- it's going to be great working with us and other stakeholders. Regions across*

*Australia facing similar issues. Regions need to work together to make a bigger voice.*

*Businesses will look at supporting infrastructure (health, education, recreation, roads) before investing.*

### **Barb Thompson (RDA Acting EO for 5 months)**

*BBRF (Building Better Regions Fund)*

*\$2m for vermin fence*

*Mt Mag Mining museum \$58K Cue Heritage \$133K*

*(Maybe our Shire could apply to this for renewable power?) In caretaker mode until Fed election*

*Federal Treasury have been in Gero and they are keen to come out here to talk to stakeholders MWDC and this mob work actively together.*

### **Robin Scott- One Nation**

*Pro nuclear power stations*

*Reliance on Collie coal – many jobs . We produce a fraction of coal compared to the rest of the world.*

*Not against renewables but it is unreliable*

*Dog Fence- cant believe the reduction in sheep numbers has even been allowed to get so low. Problem is state wide.*

*Aged care facilities-palliative care is almost non existent in the mid west*

*73% of this state's wealth comes from the mining and pastoral region and we are being starved.*

**Ian Bierman Project Manager Water Corp**

*Noticed that we are a tough crowd!*

*Removal of Nitrates project Mt Magnet, Cue, Meekatharra, Sandstone Hoping to have test and commission done by 2021*

*Will be having evap ponds to deal with the 10% waste brine. Using renewable energy except at Sandstone*

*Mt Mag-200kw of solar power -diesel backup. 57kw battery storage Cue 100kw solar power 57kw battery storage*

*Meeka 300kw solar 2 x 57kw battery storage*

*Generators will be 100-200kw Project value \$18m*

*Guidera O'conner doing the installation – Australian Company Yalgoo have had a plant for 2 years- water tastes good.*

*Need community leaders to encourage community to drink the water when it comes online- no point spending all this money if people wont drink it!*

**Jacque Boydell**

*Everything that goes to the MWDC has to go through a 'jobs and growth' (as dictated by the govt) filter so use it and throw it back on their table*

*The Legislative Council is a really useful tool at the moment because of the way the numbers are 1.Suggests a mission statement from this zone.*

*2 Clear statement - Mining- say 'We will not accept mining camps on the outskirts of our town' Frame everything with a filter of jobs and growth.*

**Ken Baston**

*It's a very valuable time to come here and visit with a state budget coming up. Mobile abattoir is being built in WA – camels, horses etc*

*Roads-value in attracting investment esp mining and tourism*

**Di ? - WACHS Operations manager**

*Nursing posts- have been a challenge. Attracting staff a huge issue. Doing everything they can.*

*\*Note- at the October meeting we need to elect our zone delegates and advise the zone EO by Nov 23rd at the latest*

*Next meeting is Nov22nd.*

*Cr. Emma Foulkes-Taylor May 4th 2019*

Cr E Foulkes-Taylor attended an SKO Stakeholder meeting and reported that in her opinion CSIRO is not giving adequate recognition to the needs of Shire residents and pastoralists. CR E Foulkes-Taylor issued the following report:

**SKA Regional Stakeholder's Meeting. Tuesday May 14<sup>th</sup> 2019**

*David Luchetti Welcome and acknowledge traditional owners*

*Apology from Ant Schinkel*

*Introductions: David Luchetti, Derek Perez, Leigh Mathieson, Leigh O'Brien, Tom Booler, Peter Swaan, Natasha Colliver, Daryl Smith (Wadjarri corp), Gavin Treasure, Gary Savill, Kevin Ferguson, Joanne Fabling, Ben Scandrett*

*SKA Video- about 2 or 3 months old, done on the back of signing the convention.*

*Kevin Ferguson: Murchison Shire-Follow up letter Updated RFI mapping of region. DFES- been in touch with Rick Ryan. MRO been engaging with him.*

### *Item 3 – update from AS*

- *Convention signing, Rome, 7 countries signed – Chinese signed up (not expected) Portugal haven't been active until recently. They signed because wanted to be an early signer. India and Sweden haven't signed yet- internal processes. India will sign and ratify all at once, Sweden goes through a detailed public engagement process. They will hopefully sign towards the end of the year. Canada and NZ have indicated that they will sign on to the project as associate members later. Canada doesn't sign treaties. NZ partly because a change of position in govt also cost issues and how much benefit they will get. France and Spain have signed as special members-haven't joined through their govt but through key science agencies. Germans have joined through science agency – CSIRO are hoping it will transition for their govts to join. Other countries are showing interest.*
- *Signing is like the starting gun of the project. Since then there has been a new focus on getting things happening.*
- *New body called Council Preparatory Taskforce- charged with documentation-policy prep. Patricia Kelly is the chair. Had 2 meeting since the signing. Members have got to the point of making hard decision and taking actions.*
- *Engineering- making progress but path less clear. 11 consortia working on various elements of the SKA. Now wound up and have completed a fair bit of the critical design review work.*
- *Next big step is moving into the construction phase. Bridging phase will be next 12-18 months. Some issues that the SKA office considers will need to be carried forward to 'bridging'. We are in pretty good shape really. Construction proposal- to be one of the first things to go before the new 'council'*
- *Costs- 691m Euro is a limit identified by the existing members. Current cost estimate is 918m E. They have a number of things they can do to bring down the cost but they are all decisions that still need to be made. Still an option for more \$ with new members.*
- *There is support to still build something transformational but will probably need to bring the project back to fit the budget. Australia's contribution is 14% as a host country. Others are 10%.*
- *Timeline- ratification – Aust will take 9 months. Waiting for new parliament to table the document (June). (need 20 sitting days) SA will take 6 months. The Brits will take longer (Brexit) probs 12 months. Ratification completed March 2020. Est the SKA observatory. Construction proposal to SKA council towards end 2020. 2-3 months to consider and endorse. Early 2021 to sign off. Probs second half of 2021 or early 2022 for start of construction.*
- *ILUA- negotiations all but complete. Have resolved all but one of the issues.*

- *Heritage surveys 2/3 complete on site.*
- *Working with state govt on lease agreement.*
- *Procurement – policy needs to be developed. Different countries have different preferences. Will probs see a cash and in-kind model. Not sure how it will work at this stage. May not need to follow domestic procurement rules (if cash model) but will if it's an in kind model. There's a bit of tension between us and the UK – they want more people in the UK. Joanne suggested a register of what is available locally.*
- *Getting ready to brief the new govt.*

*Derek/Leigh Dept JTSI*

- *Lease very close to execution. Once it's finalised it will be parked.*

*Peter Swaan*

- *Site access- Stage one Contract awarded to WBHO. Planning to start end May. Been in discussion with various contractors. Plan to complete by end Nov. Want to use subcontractors to have more local involvement. Stage two is waiting for a date closer to construction of SKA.*

*Kevin Ferguson*

- *Water points reduction- repairs done to some*
- *New bore for homestead region. Out to tender. Limited tender to Wadjarri. Out til this Friday.*
- *Extensions at Boolardy.*
- *Boolardy services contract – PSGH had to go through an internal CSIRO process. Going to RFT. Limited to Midwest indigenous groups - assuming they meet the RFT requirements.*
- *Fencing- Contractors have handed it back. Some repairs at Milly Milly. Doesn't know much.*
- *Just erected 3 flagpoles at Boolardy as per CSIRO policy. Australian, Indigenous and Torres Strait Islander flags.*
- *Modifying RFI tower monitoring-improvements.*
- *Local events- scouts, Gtn museum*
- *Operations planning workshops- shows we'd do better having more local contractors (rather than overseas) Should have been done earlier but here we are and we're moving forward.*
- *Newsletter- happy for comments – comment from floor-suggest opportunities available for locals?*
- *Later mentioned email from Nicole Mahony re astrofest idea. Kevin happy to work though council if we are keen. Derek Perez dept JTSI said let us know too because they are tourism now.*

*Tom Booler -Curtin Institute of Radio Astronomy*

- *Much closer to the action then they have been for the last 5 or 6 years.*

*MWAC PCB (Wadjarri)*

- *Member numbers increased to 1500 from 800 ish. Free membership. Put in a new online system.*
- *MWAC can now be a PBC*
- *Have been invited to the RFT for the Boolardy services contract. – not a tender process. But horribly slow. RFI went out in Nov 18. They've pulled out of the fencing contract. PSG going to do it because they have site presence.*

*skatelescope.org is the website to follow now*

*David thanked everyone and acknowledged Peter Dittrich's contribution and said he's always been good to deal with.*

*Next meeting: late November*

*Cr. Emma Foulkes-Taylor*

Cr Paul Squires thanked Cr E Foulkes-Taylor for her report

Cr A Whitmarsh reported his attendance at the Rangelands NRM meeting and advised that he could provide contact details for Carol Radford. He has been elected Chair of Rangelands NRM until October. Cr Whitmarsh also attended the Grants Commission presentation on May 7<sup>th</sup>.

Cr G Mead has attended the Grants Commission presentation as well as a meeting of the CRBA to discuss funding.

## 15. REPORTS OF COMMITTEES

Nil.

## 16. FINANCE

### 16.1 Accounts Paid during the period since the last list was adopted/endorsed by Council

File:	4.37.1
Author:	Rose Jones – Deputy Chief Executive Officer
Interest Declared:	Nil
Date:	16 May 2019
Attachments:	List of payments made in April 2019

#### **Matter for Consideration:**

Endorsement of accounts paid during the month of April 2019.

#### **Background:**

If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, then the CEO is to prepare a list of accounts paid by the CEO during the month to present to Council.

#### **Comment:**

A list of payments made during the month April 2019 is attached.

#### **Statutory Environment:**

Local Government (Financial Management) Regulations 1996

Regulation 13 states:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
  - (a) the payee's name; and
  - (b) the amount of the payment; and
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
  - (a) for each account which requires council authorisation in that month —
    - (i) the payee's name; and
    - (ii) the amount of the payment; and

- (iii) enough information to identify the transaction; and
- (b) the date of the meeting of the council to which the list is to be presented
- (3) A list prepared under sub regulation (1) or (2) is to be —
  - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

**Strategic Implications:**

None

**Policy Implications:**

None

**Budget/Financial Implications:**

Payment from the Municipal, Trust and Reserve Bank Accounts.

**Sustainability Implications:**

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

**Consultation:**

Moore Stephens

**Recommendation:**

That the accounts for the month of April 2019, as per the attached Schedules presented to this meeting including \$2,140,690.11 from Municipal Account, repayments of \$2,310,517.95 to WA Treasury in respect of the short term advance, \$32.00 from Oasis Roadhouse and \$291.85 from Trust totalling \$4,451,531.91 be endorsed by Council.

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>	
<b>Moved: Councillor Q Fowler</b>	<b>Seconded: Councillor G Mead</b>
That the accounts for the month of April 2019, as per the attached Schedules presented to this meeting including \$2,140,690.11 from Municipal Account, repayments of \$2,310,517.95 to WA Treasury in respect of the short term advance, \$32.00 from Oasis Roadhouse and \$291.85 from Trust totalling \$4,451,531.91 be endorsed by Council.	
<b>Carried</b>	<b>For: 6 Against: 0</b>

**16.2 Financial Activity Statements to 30 April 2019**

File:	4.37
Author:	Rose Jones – Deputy Chief Executive Officer
Interest Declared:	Nil
Date:	16 May 2019
Attachments:	Financial Activity Statements to 30 April 2019 Statement of Financial Position Operating Statement by Program Operating Statement by Nature & Type Accounts Activity General Ledger Trial Balance

**Matter for Consideration:**

Council is to consider adopting the Monthly Financial Statements for the period to April 2019.

**Background:**

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

**Comment:**

The Current Position at 30 April is a surplus of \$2,726,547

	Budgeted closing surplus YTD	\$6,415,096
Less	Variance to Opening Funding Surplus	0
Less	Operating revenue down	-1,081,636
Plus	Operating Expenditure up	-1,427,513
Less	Operating activity excluded	-137,875
Plus	Investing activities down	539,238
Plus	New Debentures up	9,250,5500
Less	Transfers from reserve down	0
Less	Repayment of Debentures up	-10,831,3130
Plus	Transfers to reserves down	0
	Total Variances	-3,688,549
	Actual Surplus as at 30 April 2019	\$2,726,547

The following Term Deposits are held as at 30 April 2019:

**Muni**

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

**Trust**

Crosslands MCF Term Deposit	\$375,194.91	2.34%	Maturity 25/05/2019
-----------------------------	--------------	-------	---------------------

**Reserve**

Term Deposit 531458	\$750,000.00	2.32%	Maturity 28/05/2019
Term Deposit 531466	\$1,000,000.00	2.01%	Maturity 29/07/2019
Beringarra Cue Road Reserve Term Deposit 468161	\$3,501,476.26	2.14%	Maturity 21/07/2019

**Statutory Environment:**

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

Minutes Ordinary Council Meeting – 23 May 2019

(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
- (e) The net current assets at the end of the month to which the statement relates.

**Strategic Implications:**

Nil.

**Policy Implications:**

Nil.

**Budget/Financial Implications:**

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

**Sustainability Implications:**

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

**Consultation:**

Moore Stephens

**Recommendation:**

That Council adopt the financial statements for the period ending 30 April 2019 as attached.

*Councillors reiterated their wish to advertise in the Monologue the opportunity for community groups and events to seek funding through the Murchison Community Fund.*

**Voting Requirements:**

Simple majority.

**Council Decision:**

**Moved: Councillor E Foulkes-Taylor**

**Seconded: Councillor G Mead**

That Council adopt the financial statements for the period ending 30 April 2019 as attached.

**Carried**

**For:**

**6**

**Against: 0**

Cr E Foulkes-Taylor and Cr R Foulkes-Taylor left the meeting at 2.17pm

Cr Whitmarsh assumed the Chair

## 17. DEVELOPMENT

### 17.1 Proposed Realignment of Beringarra-Pindar Road

File:	12
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	16 May 2019
Attachments:	Letter and copy of Application received from Department of Mines Proposed design

#### **Matter for Consideration:**

Council to consider the proposed realignment of Beringarra Pindar Road as per the licence application submitted to the Department of Mines, Industry Regulation and Safety (DMIRS).

#### **Background:**

An email was received from Fiona Munro - Mining Registrar - Department of Mines, Industry Regulation and Safety on the 15<sup>th</sup> May 2019 requesting Council's comments and recommendation with regard to the impact of the application on the Beringarra Pindar Road.

#### **Comment:**

The position of the realignment is detailed in the attached documents. The actual design of the proposed realignment has not being submitted to Council in time for adequate consideration.

Council is aware that there is Shared Title over a large part of the Shire. The applicant would need to indemnify Council against any claim for the extinguishment of title that may be made against the Shire.

In addition, the applicant should be made aware of their obligations under the Aboriginal Heritage Act 1972 as this may affect the location of the re-alignment.

#### **Statutory Environment:**

Nil

#### **Strategic Implications:**

Nil

#### **Sustainability Implications**

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

#### **Policy Implications:**

Nil

#### **Financial Implications:**

Nil.

#### **Consultation:**

Nil

#### **Recommendation:**

That Council supports the application for the licence by Adaman Resources Pty Ltd situated on Beringarra-Pindar Road subject to the Council's review and approval of the design of the proposed realignment.

#### **Voting Requirements:**

Simple Majority

<b>Council Decision:</b>			
<b>Moved: Councillor P Squires</b>	<b>Seconded: Councillor G Mead</b>		
That Council supports the application for the licence by Adaman Resources Pty Ltd situated on Beringarra-Pindar Road subject to the Council's review and approval of the design of the proposed realignment.			
<b>Carried</b>	<b>For:</b>	<b>4</b>	<b>Against: 0</b>

Crs E & R Foulkes-Taylor returned to the meeting at 2.25pm

CR R Foulkes-Taylor assumed the Chair

## 18. ADMINISTRATION

### 18.1 Appointment of Acting CEO

File:	4.20
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	8 May 2019
Attachments:	Confidential Curriculum Vitae – Previously Distributed

#### **Matter for Consideration:**

Council to consider:

The appointment of Mr Edwin Piper, as Acting Chief Executive Officer for the period 1<sup>st</sup> June 2019 until the start date of the Chief Executive Officer appointed at the Special Meeting of Council held on the 11<sup>th</sup> May 2019.

#### **Background:**

The current CEO has resigned with the last day of employment being 31<sup>st</sup> May 2019. The newly appointed CEO's commencement date was unknown at the time of writing.

#### **Comment:**

Mr Edwin Piper recently acted as Chief Executive Officer for the Shires of Sandstone, Mt Marshall, and Yilgarn. His qualifications and experience are outlined in the CV previously distributed.

If appointed, Mr Piper would be employed via LO-GO Appointments on a temporary contract basis.

#### **Statutory Environment:**

The Local Government Act 1995 Division 4

5.36. Local government employees

(1) A local government is to employ —

(a) a person to be the CEO of the local government; and

(b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.

#### **Strategic Implications:**

Nil

#### **Sustainability Implications**

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

There are no known significant social considerations.

**Policy Implications:**

Nil

**Financial Implications:**

There is provision within the CEO Recruitment and the Consultants Budget to cover this expense.

**Consultation:**

Nil

**Recommendation:**

That Council appoints Edwin Piper as Acting Chief Executive Officer for the period commencing Saturday 1<sup>st</sup> June 2019 until the start date of the CEO appointed at the Special Council Meeting held 11<sup>th</sup> May 2019.

**Voting Requirements:**

Absolute Majority

**Council Decision:**

**Moved: Councillor Q Fowler**

**Seconded: Councillor A Whitmarsh**

That Council appoints Edwin Piper as Acting Chief Executive Officer for the period commencing Thursday 30<sup>th</sup> May 2019 until the start date of the CEO appointed at the Special Council Meeting held 11<sup>th</sup> May 2019.

**Carried**

**For:**

**Against:**

Reason for amendment to Resolution – The start date for the Acting CEO has been brought forward to facilitate changes to bank access and leave for the outgoing CEO on Friday 31<sup>st</sup> May.

**18.2 Local Government Week**

File:	4.6
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	16 May 2019
Attachments:	Convention Program, Convention Registration, and WALGA Accommodation List

**Matter for Consideration:**

Confirmation of attendance at the 2019 Local Government Convention.

**Background:**

The Local Government Convention is being held from Wednesday 7<sup>th</sup> August to Friday 9<sup>th</sup> August 2019 and Trade Exhibition is being held on the 8<sup>th</sup> and 9<sup>th</sup> of August 2019, with the WALGA AGM and Opening Welcome Reception being held on Wednesday the 7<sup>th</sup> August 2019. There are a number of workshops available on Tuesday 6<sup>th</sup> August 2019. Under Shire of Murchison Policy it is necessary to discuss attending conference, seminar or training courses prior to attending the event to obtain council approval.

**Comment:**

Full details of individual sessions have previously been circulated to all Councillors. Councillors are requested to nominate their attendance and identify the sessions they wish to attend. Some sessions have a limited number of places available and Councillors will be requested to indicate a second preference when registering for those sessions.

In the past Councillors have been accommodated at the Parmelia Hilton due to its proximity to the PCEC.

WALGA's Cancellation Policy is as follows:

*By submitting your registration you agree to the following terms and conditions:*

- *Cancellations will be accepted in writing until close of Registration ( Tuesday, 16 July 2019) - thereafter full charges will apply.*
- *Registrations may be transferred to another member of Council at any time but must be advised in writing.*

**Statutory Environment:**

Nil

**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

**Strategic Implications:**

- **Civic Leadership**  
Regional Collaboration  
The attendance at the WA Local Government Conference affords the attendees the opportunity to develop and enhance their relationship with neighbouring shires and State Government departments enhancing the ability to work collaboratively. In addition, it affords the opportunity to discuss Local Government best practice and future developments that impact on the Shire of Murchison.

**Policy Implications:**

Nil

**Financial Implications:**

The Local Government Convention is an annual event and a relevant budget provision will need to be included in the 2019/20 budget.

**Consultation:**

Nil

**Recommendation:**

- 1) That the following Councillors will be attending the Local Government Convention for 2019:  
Crs TBA
- 2) That Councillors and the CEO be accommodated at Parmelia Hilton for the duration of their attendance.
- 3) That the Councillors and the CEO will nominate their attendance for the sessions as per the attached Local Government Week 2019 Registration Forms.
- 4) That the total cost of the attendance at the Local Government Week 2019 Convention be provided for in the 2019-20 Budget.

**Voting Requirements:**

Simple Majority

**Council Decision:****Moved: Councillor A Whitmarsh****Seconded: Councillor G Mead**

- 1) That the following Councillors will be attending the Local Government Convention for 2019:  
Cr P Squires and partner, Cr A Whitmarsh and Cr Mead and partner
- 2) That Councillors be accommodated at Parmelia Hilton for the duration of their attendance.
- 3) That the Councillors will nominate their attendance for the sessions as per the attached Local Government Week 2019 Registration Forms.
- 4) That the total cost of the attendance at the Local Government Week 2019 Convention be provided for in the 2019-20 Budget.

**Carried****For:****6****Against: 0**

Reason: Appointed CEO will not commence until after the convention.

**18.3 Voting Delegates – WALGA 2019 AGM**

File:	4.6
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	16 May 2019
Attachments:	Nil

**Matter for Consideration:**

Appointment of two voting delegates at the WALGA 2019 AGM to be held on Wednesday 7<sup>th</sup> August.

**Background:**

The 2019 AGM of WALGA will be held during the Local Government Convention on Wednesday 7<sup>th</sup> August 2019. Pursuant to the WALGA Constitution, all member councils are entitled to be represented by two voting delegates.

**Comment:**

Interest is sought from Shire of Murchison Councillors who wish to attend the WALGA AGM.

**Statutory Environment:**

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

**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.

**Strategic Implications:**

Nil

**Policy Implications:**

Nil

**Financial Implications**

The Local Government Convention is an annual event and a relevant budget provision will need to be included in the 2019/20 budget.

**Consultation:**

Nil

**Recommendation:**

That Councillors <TBA> and <TBA> be appointed Murchison Shire delegates to the WALGA 2019 Annual General Meeting to be held on Wednesday 7<sup>th</sup> August 2019

**Voting Requirements:**

Simple Majority

**Council Decision:**

**Moved: Councillor Q Fowler**

**Seconded: Councillor R Foulkes-Taylor**

**That Councillors Squires and Whitmarsh be appointed Murchison Shire delegates to the WALGA 2019 Annual General Meeting to be held on Wednesday 7<sup>th</sup> August 2019.**

**Carried**

**For:**

**6**

**Against: 0**

## **18.4 Review of Delegations**

File:	4.16
Author:	Peter Dittrich - CEO
Interest Declared:	No interest to disclose
Date:	16 May 2019
Attachments:	Register of Delegations

### **Matter for Consideration:**

Council to consider adopting the revised Register of Delegations.

### **Background:**

Local government can delegate certain authorities to the CEO pursuant to s.5.42 and s. 5.43 of the Local Government Act. The delegations must be in writing and a register of delegations must be kept and reviewed at least once every financial year. The Delegations were last reviewed at the Ordinary Meeting of Council of the June 2018.

If a person is exercising a power or duty which they have been delegated, the Act requires them to keep records relating to the exercise of the power or discharge of the duty. The records are to include:

- (a) how the person exercised the power or discharged the duty; and
- (b) when the person exercised the power or discharged the duty; and
- (c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

### **Comment:**

Each instrument of delegation in the register describes the function being delegated and the relevant statutory reference which is the source of power for the exercise of the function. Also included is a reference to related documents such as policies of Council, which may provide guidance in the exercise of the delegation.

The delegation to the CEO to appoint an Acting CEO has been removed as the appointment of a CEO requires an absolute majority.

### **Statutory Environment:**

The Delegations of Authority are made to the Chief Executive Officer pursuant to section 5.42 and 5.43 of the *Local Government Act 1995* (the Act) and to Committees pursuant to section 5.16, 5.17 and 5.18. Where listed, some of these functions are delegated by the Chief Executive Officer to Shire of Murchison employees pursuant to section 5.44 of the Act.

*\*Absolute Majority*

### **Strategic Implications:**

Objective 4 of the Community Strategic Plan calls for high levels of accountability, compliance with statutory requirements, openness and transparency. Reviewing the Delegations Register on an annual basis ensures that relevant parties are aware of their obligations.

### **Sustainability Implications**

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

### **Policy Implications:**

Nil

### **Financial Implications:**

Nil

### **Consultation:**

WALGA Governance – Lyn Fogg - Governance Advisor, Sector Support and Advice

**Recommendation:**

That Council reviews the Register of Delegations and adopts it as presented and attached.

**Voting Requirements:**

Absolute Majority

<b>Council Decision:</b>			
<b>Moved: Councillor G Mead</b>	<b>Seconded: Councillor E Foulkes-Taylor</b>		
That Council reviews the Register of Delegations and adopts it as presented and attached.			
<b>Carried</b>	<b>For:</b>	<b>6</b>	<b>Against: 0</b>

**19. NOTICE OF MOTION**

Nil

**20. CEO ACTIVITY REPORT**

<b>Date</b>	<b>Activity</b>
12.04.2019	Telephone call from Jeff Arbon advising of future application to close roads on station
16.04.2019	Budget meeting with works supervisor and DCEO
03.05.2019	Meeting with State Records office to review plan and discuss current situation.
06.05.2019	Discussion with Stuart Thomas of Evarunning Auto's re cost of repair of Nissan UD
07.05.2019	Trades Tender Evaluation Panel
07.05.2019	Attend Grants Commission Presentation
09.05.2019	Attend Dogging Working Group
15.05.2019	State Risk Project Workshop

**Recommendation:**

That the CEO's Activity Report be accepted.

*CEO outlined the progress of the draft budget for 2019-20 and the outstanding items currently are the works program, the plant replacement program and the building maintenance program. Information will be forwarded to Councillors as it becomes available and a budget workshop will be held at 9.30am on Thursday 27<sup>th</sup> June in Council Chambers.*

**Voting Requirements:**

Simple Majority

<b>Council Decision:</b>			
<b>Moved: Councillor A Whitmarsh</b>	<b>Seconded: Councillor E Foulkes-Taylor</b>		
That the CEO's Activity Report be accepted.			
<b>Carried</b>	<b>For:</b>	<b>6</b>	<b>Against: 0</b>

Meeting adjourned at 2.52

Meeting reconvened at 3.40pm

## 21. URGENT BUSINESS

### **Council Decision:**

**Moved: Councillor A Whitmarsh**

**Seconded: Councillor Q Fowler**

That Council will accept two items for consideration being the purchase of a replacement Prime Mover and the Planning Application for proposed staff accommodation at Murchison Roadhouse.

**Carried**

**For:**

**6**

**Against: 0**

### 21.1 Purchase of a replacement Prime Mover

File:

Author: Peter Dittrich - Chief Executive Officer

Interest Declared: No interest to disclose

Date: 23 May 2019

Attachments: Nil

#### **Matter for Consideration:**

Council is to consider purchase of a Prime Mover to replace the Nissan UD.

#### **Background:**

Recent discussion between the CEO, Works Supervisor and Stuart Thomas of Evarunning Autos regarding repair works required to be carried out to return the Nissan UD to good working order have identified rectification costs in excess of \$40,000.

#### **Comment:**

The Prime Mover is vital to the ongoing activities of the construction Crew. Without the Nissan UD Council has the option to hire a Prime Mover or to purchase a replacement. The Plant Working Group has reviewed draft specifications for a replacement Prime Mover as provided by the Works Supervisor and considers that the purchase of a new 130 tonne rated Prime Mover is the optimal course of action.

#### **Statutory Environment:**

Nil.

#### **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.

#### **Strategic Implications:**

Key asset renewal.

#### **Policy Implications:**

Nil

#### **Financial Implications**

The replacement Prime Mover is to be purchased with funds currently held in the Plant Replacement Reserve for that purpose.

#### **Consultation:**

CEO, Works Supervisor, Plant Working Group

#### **Recommendation:**

That Council endorses the purchase of a Kenworth Prime Mover with a rating of 130 tonne and sleeper cab through the WALGA preferred supplier network subject to the final specifications being reviewed by the

Plant Working Group. The purchase is to be funded by a transfer from the Plant Replacement Reserve and the Nissan UD is to be disposed of.

### Voting Requirements:

Absolute Majority

#### Council Decision:

**Moved: Councillor P Squires**

**Seconded: Councillor G Mead**

That Council endorses the purchase of a Kenworth Prime Mover with a rating of 130 tonne and sleeper cab through the WALGA preferred supplier network subject to the final specifications being reviewed by the Plant Working Group. The purchase is to be funded by a transfer from the Plant Replacement Reserve and the Nissan UD is to be disposed of.

**Carried**

**For: 6 Against: 0**

## 21.2 Development Approval for Proposed Staff accommodation at Murchison Roadhouse

File:	
Author:	Philip Swain – Health Building Officer
Interest Declared:	No interest to disclose
Date:	18 May 2019
Meeting Date:	23 May 2019
Attachments:	A – Site Plan & Elevations Proposed Staff Quarters – Murchison Roadhouse

### Matter for Consideration:

The Shire of Murchison has received an application for planning approval from the proprietors of the Shire Murchison Oasis Roadhouse, for a proposed staff accommodation facility to be located on the Roadhouse site at Reserve Lot 3001 on the Carnarvon Mullewa Rd, Murchison, being a Settlement Reserve.

### Background:

<b>Property Location:</b>	Murchison Oasis Roadhouse, Lot 3001, Carnarvon Mullewa Rd, Murchison
<b>Application Details:</b>	Accommodation Facility for Contract Workers & Staff
<b>Applicants:</b>	Peter Sands & Nicole Mahony
<b>Owner:</b>	Shire of Murchison
<b>Value of Development:</b>	\$47900
<b>LG Reference:</b>	Development Application 01/2019
<b>Application Receipt Date:</b>	8 May 2019

In accordance with the definitions contained within the Shire of Murchison Local Planning Scheme 1 (LPS1), Reserve 3001 is a “Settlement” zoned property which contains the existing Roadhouse, Caravan Park, Motel Accommodation and some of the associated outbuildings. The applicant intends to utilise a second hand transportable accommodation building, for staff quarters to house up to three (3) persons, with ensuite facilities, plus a shared kitchen facility. A site plan and elevations for the proposed operation are contained within **Attachment 1**.

### Comment:

The proposed location of the accommodation facility is on land zoned “Settlement”. The LPS1 provisions relating to the “Settlement” zone are outlined in the Statutory comments below, however, it should be noted that in making its decision Council needs to be satisfied that the proposal is in accordance with the Local Planning Strategy. The proposed uses of the site are, as defined in LPS1;

- **transient workers accommodation** means any habitable building permanently affixed to the ground by footings as required by Council and includes any caravan, transportable dwelling or any structure used for habitation for the purposes of accommodation and not occupied by the same tenant for a continuous period for more than 6 months in any 12 month period; or

- **ancillary dwelling** means a small, self-contained dwelling located on the same lot as another single house. It can be attached to the main house, integrated with the main house, or a separate building to the main house.

There is some doubt that the proposed building fully complies with the definition of “*transient workers accommodation*”, due to the six (6) month time constraint on tenancy and it is more appropriate to treat the building as ancillary accommodation adjacent to the existing residential component of the Roadhouse. LPS1 defines residential buildings as;

*A building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:*

- temporarily by two or more persons; or
- permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.

Ancillary accommodation buildings usually have some facilities, such as a small kitchen and bathroom, that allow occupants to live in them independently from the main house. Until recently, planning regulations only permitted a direct family member of the main home to occupy an ancillary dwelling. However recent changes to State Planning Policy 3.1 (SPP 3.1) Residential Design Codes have made it possible to rent ancillary dwellings to non-family members. SPP 3.1 limits ancillary dwellings to a maximum floor area of 70m<sup>2</sup> and the proposed structure is well under this limitation. There are no specific restrictions on how many people can live in an ancillary dwelling, however the configuration of the proposed unit will limit the number to three (3) persons.

In the planning tables of the scheme, ancillary accommodation is classified as a “D” use, meaning that the use is not permitted unless the local government has exercised its discretion by granting planning approval. The “Settlement” zoning in LPS1 has introduced some flexibility for Council to approve activities within Murchison Settlement, albeit, with other restrictions already being applied via the use and vesting of Reserves. The Key Considerations contained in the Local Planning Strategy include economic diversification, upgrading infrastructure and developing tourism. The proposal therefore appears well aligned with the Local Planning Strategy.

As the Shire is legislatively not required to issue building permits it is important that any planning approval outline appropriate conditions for the building. One aspect that needs to be addressed, irrespective of the requirement for permits, is that of fire safety. All accommodation facilities must have installed hard wired smoke detectors, which must be interconnected within each building in accordance with the requirements of the Building Code of Australia. It is therefore proposed that the development be conditioned to ensure compliance with this requirement.

There is also, due to the lack of permit requirement, no fire services plan for the development and consequently it is proposed that any approval be conditioned that a fire services consultant be required to assess the need for, and establish the maintenance of, appropriate firefighting equipment adjacent to the accommodation facilities.

#### **Statutory Environment:**

- *Planning and Development Act 2005.*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Shire of Murchison Local Planning Scheme No. 1.*
- *Shire of Murchison Local Planning Strategy*

Under the Local Planning Scheme the objectives of the Settlement Zone are;

- To plan for the orderly and proper development of the Murchison settlement in accordance with an endorsed Local Planning Strategy.

The provisions of LPS1 in this regard require a development approval on “Settlement” zoned land. The proposal is outside the Special Control Area but an application for planning approval is required under the Scheme for all other uses not mentioned and, consequently, a planning approval is required for the accommodation facility. In determining the application, the Shire needs to have regard to the State Planning Framework, the provisions of the Scheme and the objective of the “Settlement” zone as outlined above.

**Strategic Implications:**

The Shire's Strategic Community Plan includes: *Tourism Development – To Promote and Support a Sustainable Tourism Industry in the Shire of Murchison.*

**Sustainability Implications**

- **Environmental**  
Environmental impacts will be limited to increases in waste disposal and resource use which can be managed on the property
- **Economic**  
The economic develop implications of the development are real but localised. It is likely that tourist activity of the type planned for with the provision of this service will increase over time
- **Social**  
Social sustainability is likely to be limited to the implications associated with drive in drive out workers and increased tourist numbers in the future.

**Policy Implications:**

Council Policy 3.1 Building Controls states that; *Where a new building would normally require the issuing of a Certificate of Design Compliance (CDC) pursuant to the NCC, the Building Act and the Building Regulations, the Shire will require the submission of the same by a suitably qualified person (Building Surveyor) for all construction within the Murchison Settlement. Copies of CDC's for all Council Projects are to be retained on site at the Shire Administration Centre, Murchison Settlement. ... Proponents of any construction project within the Shire are to be advised of this Council Policy with respect to Building Controls and that fees such as the Building and Construction Industry Training Fund (BCITF) may still require payment. All enquiries and payments to the BCITF and/or the Building Commission should be directed to those authorities.*

This proposal is above the threshold for payment (\$20,000) to the BCITF and consequently fees are payable to the fund. It is proposed that a note advising the applicants of the above be included in the approval.

**Financial Implications:**

The Regulated fees are payable to the Shire for the planning application.

**Consultation:**

The Shire is obligated to consult where development applications are within the Special Control Zone or the scheme dictates the same via the classification in the zoning tables. The use is a "D" use under the Scheme, meaning that the use is not permitted unless the local government has exercised its discretion by granting planning approval. As the ancillary accommodation facility is outside the Special Control Zone and the use is defined in the zoning table within LPS1, no further consultation is required.

**Recommendation:**

**That the proponents, Peter Sands & Nicole Mahony, be granted development approval to construct the proposed ancillary accommodation to be utilised in conjunction with the Murchison Oasis Roadhouse, on Reserve Lot 3001 Carnarvon Mullewa Rd, Murchison being land held by the Shire of Murchison, subject to the following conditions;**

1. **That the proponents ensure that the whole development including the effluent disposal system is constructed within the boundaries of Reserve Lot 3001, and in accordance with Regulatory requirements for boundary setbacks;**
2. **That the accommodation facilities be limited to a total of three (3) persons;**
3. **That smoke detectors be installed in accordance with the current requirements of the Building Code of Australia;**
4. **That a Certificate of Design compliance be submitted to the CEO for the installation of the transportable accommodation building;**
5. **That the proponents liaise with the Shire's fire services consultant to assess the need for, and establish the maintenance of, appropriate firefighting equipment in, and adjacent to, the accommodation facilities.**

**Notes:**

- a) That the proponents be advised that they are required to obtain a septic installation approval;
- b) The proponents are advised that fees for the project are payable to the Building Industry Construction Training Fund;
- b) This approval relates only to those facilities outlined in the application and it is recommended that, before any future expansion of the facilities is considered, that the proponents undertake an overall assessment of the accommodation facilities for compliance with the Building Code of Australia and the Premises Standards.

**Voting Requirements:**

Simple Majority

**Council Decision:****Moved: Councillor A Whitmarsh****Seconded: Councillor E Foulkes-Taylor**

That the proponents, Peter & Nicole Mahony, be granted development approval to construct the proposed ancillary accommodation to be utilised in conjunction with the Murchison Oasis Roadhouse, on Reserve Lot 3001 Carnarvon Mullewa Rd, Murchison being land held by the Shire of Murchison, subject to the following conditions;

1. That the proponents ensure that the whole development including the effluent disposal system is constructed within the boundaries of Reserve Lot 3001, and in accordance with Regulatory requirements for boundary setbacks;
2. That the accommodation facilities be limited to a total of three (3) persons;
3. That smoke detectors be installed in accordance with the current requirements of the Building Code of Australia;
4. That a Certificate of Design compliance be submitted to the CEO for the installation of the transportable accommodation building;
5. That the proponents liaise with the Shire's fire services consultant to assess the need for, and establish the maintenance of, appropriate firefighting equipment in, and adjacent to, the accommodation facilities.
6. That the proponents be required to install a gas or heat pump hot water system for the supply of hot water to the ancillary accommodation within 3 months of the date of this planning approval and that Council will subsidise this installation by a contribution of up to \$4,000 (excl GST).

**Notes:**

- a) That the proponents be advised that they are required to obtain a septic installation approval;
- b) The proponents are advised that fees for the project are payable to the Building Industry Construction Training Fund;
- b) This approval relates only to those facilities outlined in the application and it is recommended that, before any future expansion of the facilities is considered, that the proponents undertake an overall assessment of the accommodation facilities for compliance with the Building Code of Australia and the Premises Standards.

**Carried****For:****6****Against: 0**

The Resolution is amended to include point 6 regarding the hot water supply to the ancillary accommodation in line with Council's concerns regarding the current limitation of the settlement power supply.

**22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

Nil

The President made a speech thanking the outgoing CEO, Peter Dittrich, for his excellent service to the community both as Deputy CEO and as CEO over the past 3 years. Cr Foulkes-Taylor commended Peter on his commitment to the community and on the improvements that had taken place in the workplace and in the settlement under his stewardship.

A presentation was made to Peter as a token of Councillors' thanks and good wishes for the future.

**23. MEETING CLOSURE**

The meeting closed at 4.01pm

These minutes were confirmed at the council meeting held on 27<sup>th</sup> June 2019.

Signed..... Presiding Officer