



Western Australia

Agenda for the Ordinary Meeting of the Murchison Shire Council,
To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Tuesday **17 May 2011**, commencing 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

4. PUBLIC QUESTION TIME

Stand Down Local Law Standing Orders

- 7.1 Use of official titles
- 8.2 Limitation on the number of speeches
- 8.3 Duration of speeches

5. NEXT MEETING

The scheduled date for the next ordinary meeting is 17 June 2011.

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

8. CONFIRMATION OF FLYING MINUTES

9. CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting – 15 April 2011

Background:

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

Voting Requirements:

Simple majority

OFFICER'S RECOMMENDATION:

That the Minutes of the Ordinary Council meeting of 15 April 2011 be confirmed as an accurate record of proceedings.

10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

12. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

12.1 President

12.2 Councillors

13. DISCLOSURE OF INTERESTS

14. REPORTS OF COMMITTEES

15. REPORTS OF OFFICERS

15.1 Monthly Plant Report

File:
 Author: Brian Wundenberg, Works Supervisor
 Interest Declared: No interest to disclose
 Date: 15 May 2011
 Attachments:

Matter for Consideration:

To view the plant operation for the month of April 2011 and an update on works carried out.

Background:

HEAVY PLANT			Start	End	MTD	Total	
Plant Item	Year	REGO	Hours	Hours	Total	Service	Ownership
Cat Grader 12H	2005	MU 141			6705		
Cat Grader 12H	2003	MU 121			2952		
Cat Grader 12M	2008	MU 51					
Volvo L110 Loader	2006	MU 65			3212		
Komatsu Dozer	1997				7077		
Cat Vibrating Roller	2005	MU 177			9.7hrs		
TRUCKS							
Iveco Prime Mover	2003	MU 000					
Nissan UD	2009	000 MU			85,920		
Iveco Tipper	2004	MU 00			138,714km		

GENERATORS

Generator 2-100KVA	2005				xxxxxxx		
Generator 1-83KVA	2005				40608hrs		
Generator 13KVA (Const)	2005						

LIGHT VEHICLES

Mitsubishi Canter	2011	01 MU			4624		
Mitsubishi Canter	2004	MU 140					
Toyota Prado	2009	MU 0					
Holden Rodeo	2008	MU 167			131409km		
Isuzu DMAX	2009	MU 300			87,300		
Toyota PTV	1986	MU 1017			20938km		

TRAILERS & TANKERS

Side Tipper	2001	MU 2010			02761,796		
Side Tipper- Evertran	2009	MU 662			181,6125k		
Tri Axle Low Loader	2008	MU 663			21,817km		
Tri Axle Low Loader	2001	MU 2004					
30K Water Tank	2005	MU 2024			002592		
Dog Fuel Trailer	1993	MU 658					
Dog Fuel Trailer	1972	MU 2005					
Dolly 1-Red	2001	MU 2003					
Dolly 2-Black	2000	MU 2009					

TRACTORS

New Holland Forklift	2006	MU 380			11806hrs		
Caravans					11512hrs		
Various Small Plant							
Cobra Multi Tyre Roller		MU 510			561.8		

15.2 Works Supervisor Report – April/May 2011

Floods

Since the last report flood damage crew (Craig Harvey and Northcoast) have relocated works to the Pindar Beringarra Road north of Boolardy Station. This was necessary as a priority to get the road to a reasonable standard so that CSIRO can start their infrastructure at Boolardy Station.

Just to bring you up to speed on what plant is being used for the flood damage repairs by Northcoast and Craig Harvey:

Plant

- 3 x graders
- 3 x semi water carts (30,000lt each)
- 1 x pad foot roller
- 1 x 23 ton rubber tyred roller
- 1 x D7 dozer
- 1 x Case loader
- 2 x roadtrain side tippers

Additional Light Vehicles/Equipment

- 1 x service truck
- 1 x light vehicle

- 1 x Supervisors vehicle
- 1 x Diamond Rio fuel truck
- 1 x 6x4 box trailer for pumps
- 1 x 20 seater bus

Equipment Provided by Shire

- 3 x 4 inch pumps
- 1 x Genset
- 1 x submersible bore pump
- 1 x 1 ½ inch Davey pump
- 1 x Works Supervisor + Admin Assistant + Supervisor ute
- Shire is providing cutting edges, ripping tips and fuel for all plant

Additional Flood Damage Repairs – Paul Squires

- 1 x grader
- 1 x 30,000lt water cart
- 1 x 23 ton roller
- 1 x loader

Construction Work

Leading Hand, Neil Coombe and the works crew, with the assistance of Tommy Cross are still working south of the settlement on the Carnarvon Mullewa Road. This is earmarked for sealing on 20 May and running on schedule to date.

Maintenance Crew

Grader Operator, Paul Smart, with the assistance of Steve Mahoney has graded the Carnarvon Mullewa Road south to the boundary. Paul is now doing a full maintenance on the New Forrest-Yallalong Road. From there he will do a quick open up cut on the Byro-Woodleigh Road. He will then head to Yuin Station and grade south to the boundary.

Paul Squires' side tipper and loader will be used to assist with repairs and to cart in gravel for floodways damaged by storms. Paul Smart will be absent for medical reasons from 20 May and it is hoped to get Mick Wall from Mullewa to fill in during Paul's absence.

Extra Staff

Chris Graham has been engaged to make and repair all grids around the Shire. Grid foundations have been purchased from Wiluna (concrete moulds) and the inserts (the grid) will be built by Chris as the manufactured ones from Wiluna are only seven rails and very noisy. Chris will be adding an extra rail.

Ross Collins (junior) will be assisting Stuart Broad in doing general works needing to be completed around the Shire.

- Removal and replacement of grids as required.
- Grid wings (the sheet of tin) to be cut to an angle to allow wide load vehicles to travel through without damage to wings (the existing narrow grids only)
- Carting gravel to grids to minimize elevation before and after grids.
- Replacing depth marker signs in creek crossings (ie Cockney Bill Creek).
- Erecting/replacing signs and guide posts throughout the Shire.
- Repair of low level crossing at Ballinyoo Bridge.

16. FINANCE

16.1 Financial Activity Statements – April 2011

File:
Author: Mike Sully, Chief Executive Officer
Interest Declared: No interest to disclose
Date:
Attachments: Financial Activity Statements for April 2011
Balance Sheet
Income Statement Detail
Income Statement by Nature & Type
Income Statement Summary

Matter for Consideration

Council to consider adopting the monthly financial statements for April 2011.

Background

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

Statutory Environment

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

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

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

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

Strategic Implications

Nil.

Policy Implications

Nil.

Financial Implications

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

Consultation

UHY Haines Norton

Comment

Nil.

Voting Requirements

Simple majority.

OFFICER'S RECOMMENDATION:

That Council adopt the financial statements for the period ending April 2011, as attached.

16.2 Accounts Paid during the period

File:

Author: Mike Sully, Chief Executive Officer

Interest Declared: No interest to disclose

Date:

Attachments: Payment of Accounts Schedule for April 2011.

Matter for Consideration:

Authorisation of accounts paid during the month of April 2011.

Background:

Accounts paid are required to be submitted each month.

Statutory Environment:

Local Government (Financial Management) Regulations 1996

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

Strategic Implications:

Nil.

Policy Implications:

Nil.

Financial Implications:

Payment from Council's Municipal Account.

Consultation:

Nil.

Comment:

Payments made during the month of April 2011 as per attached schedule.

Voting Requirements:

Simple majority

OFFICER'S RECOMMENDATION:

That the attached schedule of accounts for payment for the month of April 2011 be passed by Council.

17. DEVELOPMENT

17.1.110511 Development Assessment Panels – Shire of Murchison Representatives

File:
 Author: Mike Sully, Chief Executive Officer
 Interest Declared: Nil.
 Date: 4 May 2011
 Attachments: Letter from Department of Planning

Matter for Consideration:

Development Assessment Panels will commence operation on 1 July 2011, and Council is asked to elect two representatives and two deputies.

Background:

Over the next few weeks a number of steps will occur towards the implementation of DAPs. The following milestones are relevant:

Date	Milestone
24 March 2011	Part 11A of the <i>Planning & Development Act 1995</i> takes effect, including the heads of power for creating DAPs.
24 March 2011	<i>Planning & Development (Development Assessment Panels) Regulations 2011</i> commence operation.
24 March 2011	<i>Planning & Development Regulations 2009</i> commence. Local Governments can no longer determine applications above the DAP threshold.
March 2011	Planning Bulletin 106/2011 published.
4 April 2011	Appointment of Specialist Members of DAP
2 May 2011	Ministerial Order formally creating 15 DAPs will be gazetted.
3 May 2011	Training of Local Government DAP delegates to commence
13 June 2011	Last day for Local Governments to submit DAP nominations
15 June 2011	Minister and Cabinet expected to approve local government nominations.
1 July 2011	DAPs commence operation.

Local Governments are encouraged to nominate delegates as soon as possible. The DAP will consist of 3 specialist members (including the presiding member) and two local government members. Council is required to nominate two members and two deputy members. Members cannot sit on a DAP until they have completed training.

Members will be entitled to a sitting fee of \$400 per day and will also be paid this fee on completion of mandatory training. Members who are public employees will not be entitled to the fee.

Many Local Governments and the Local Government industry participated in sector wide consultation on the introduction of DAPs in 2010 and agreed that except for excluded applications, DAPs will determine:

- All applications for development with a constructed value of over \$7 Million;
- Applications with a value of more than \$3 Million and less than \$7 Million where the proponent opts for the matter to be considered by the DAP; and
- Applications with a value of more than \$3 Million and less than \$7 Million where the proponent has not opted for the matter to be considered by the DAP; but the Local Government decides to delegate its authority to the DAP.

Comment:

While Councils have until 13 June 2011 to finalise nominations the Department of Planning is encouraging Local Governments to make their nominations as soon as possible.

The fee for a DAP application will vary between \$3,376 and \$6,320 and is in addition to the application fee payable to the Local Government. Where the Local Government chooses to delegate an application to the DAP the Local Government will incur the DAP fee.

Consultation:

The Shire of Murchison was provided with ongoing information during the consultation process.

Statutory Environment:

On 24 March 2011:

- *Planning and Development Act 2005* - Part 11A commenced operation.
- *Planning and Development (Development Assessment Panels) Regulations 2011* took effect
- Amendments to the *Planning and Development Regulations 2009* took effect.

Strategic Implications:

Nil.

Policy Implications:

DAPs will consider applications that would otherwise be considered by Local Governments. As the threshold value is \$7 Million for automatic applications, and \$3 Million for optional applications, the most likely applications will be for mining infrastructure.

Financial Implications:

The fees payable to Local Governments are not affected and are in addition to fees payable to Local Governments. The Shire is required to provide advice to the DAP, which may involve use of a Town Planning Consultant.

OFFICER’S RECOMMENDATION:

That Council nominates the following Shire of Murchison Councillors to be DAP Members and Deputy Members:

Members; -----

Deputy Members: -----

18. ADMINISTRATION

18.1.120511 Boolardy Shearers’ Quarters Building - Relocation

File:
Author: Mike Sully, Chief Executive Officer
Interest Declared: Nil
Date: 5 May 2011
Attachments: Nil.

Matter for Consideration:

This report recommends that Council agree to relocate the Boolardy Shearers’ Quarters Building to a site located within the Murchison Settlement, subject to funding being available.

Background:

Council has conducted a number of intensive community consultations regarding the relocation of the Boolardy Shearers’ Quarters Building to the Murchison Settlement. The result has been that the community would prefer that the shed is relocated to the Settlement for preservation and display of a building of regional significance. It is also very clear that the community prefer that the building is not positioned along the Carnarvon- Mullewa road frontage.

Comment:

The Federal Department of Regional Australia, Regional Development and Local Government has advised that if it does agree to extend the funding timeframe, the funding will only be available until 30 June 2011 and that the building must be relocated before that date. There would be a very short time available to undertake the relocation if Council wants the building to be relocated.

Council is aware of the location that the community do not want the building and that no firm suggestions have been forthcoming as to where the community believe it should be located. To meet the timeframe it is imperative that Council make a decision at this meeting on if it wants the building relocated and the location of the building within the settlement.

Consultation:

Funding Officers - Federal Department of Regional Australia, Regional Development and Local Government
Community members - Shire of Murchison

Statutory Environment:

Nil

Strategic Implications:

Council's Strategic Plan encourages the conservation of buildings of regional significance.

Policy Implications:

Nil.

Financial Implications:

Funding of \$30,000 may be available from the Federal Department of Regional Australia, Regional Development and Local Government. CSIRO has also agreed to provide up to \$5,000.

A quote for relocation including new site preparation of \$30,000 has been provided by R A Pomery & Co.

Voting Requirements:

Simple majority

OFFICER'S RECOMMENDATION:

That Council:

1. Agree to relocate the Boolardy Shearers' Quarters Building to a site located within the Murchison Settlement, subject to funding being available and;
2. Select the following site within Murchison Settlement for the building's location;

East of the Number 1 Polocrosse field.

18.1.130511 Appointment of Dog Officers

File:

Author: Joyce Sully, Administration Officer

Interest Declared: Nil

Date: 5 May 2011

Attachments: Nil

Matter for Consideration:

This report recommends that Council update its appointments of Authorised and Registration Officers under the provisions of the Dog Act 1976.

Background:

Officers with delegated authority to act under the provisions of the Dog Act 1976 (the Act) are required to be appointed by Council and gazetted accordingly.

Administration staff processing dog registrations are required to be appointed by Council and gazetted as Registration Officers under the provisions of the Dog Act 1976.

Comment:

Recent staff changes have necessitated the revision of appointments under the Act.

Consultation:

Chief Executive Officer
Dog Act 1976

Statutory Environment:

Dog Act 1976

Strategic Implications:

Nil.

Policy Implications:

Nil

Financial Implications:

Nil.

Voting Requirements:

1 & 2 Absolute majority.

OFFICER'S RECOMMENDATION:

That Council,

1. Appoint the following persons as Authorised and Registration Officers for the Shire of Murchison under the provisions of the Dog Act 1976:

Authorised Officers

Michael Charles Sully
Brian Wundenberg
Trevor James Hipper
Peter Smith

Registration Officers

Tahlia Jade Guy
Joyce Sully

2. Revoke all previous appointments for the Shire of Murchison previously made under the Dog Act 1976.

18.1.140511 Murchison Country Zone – Involvement in WALGA State Council

File:
Author: Mike Sully, Chief Executive Officer
Interest Declared: Nil
Date: 10 May 2011
Attachments: Nil.

Matter for Consideration:

Council is requested to decide on a preference for commenting on WALGA agenda items.

Background:

At the Murchison Country Zone (MCZ) Meeting held in Cue on Friday 6 May 2011 discussion took place on a greater Zone involvement in WALGA affairs via the MCZ meeting agenda. One of the suggestions how the member Councils of the MCZ could comment on WALGA agenda items was for Councils to be involved in a phone conference which could be held just prior to State Council meetings.

There was further discussion but the delegates at the MCZ could not decide on the most favourable method of obtaining comments from individual Councils. Delegates decided to seek comment from their individual Councils.

Comment:

There are numerous options to consider, two options have been suggested by the MCZ:

1. *Via Telephone conference (Minutes to be kept)*
2. *Via a Response (comment) Sheet (Where individual Councils could comment on State Council agenda items and forward their comments to the MCZ Executive Officer for collation and forwarding to WALGA.*

Consultation:

Delegates for the Murchison Country Zone

Statutory Environment:

Nil.

Strategic Implications:

Zone representatives could gain a clearer understanding of the opinions and preferences of Councils within the Murchison Country Zone and State Council Representatives of WALGA could gain a clearer understanding of issues that affect Country Councils.

Policy Implications:

Nil.

Financial Implications:

Telephone Conferences have a cost; there may be an increase in Zone fees to cover the expense.

Voting Requirements:

Simple Majority

OFFICER'S RECOMMENDATION:

That Council advise the Murchison Country Zone Executive Officer that its preferred option of communication regarding comment on State Council agenda items is via _____

19. NOTICE OF MOTION

20. CEO ACTIVITY REPORT

20. URGENT BUSINESS

21. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

21.1.150511 Chief Executive Officer – Six Month Review

22. MEETING CLOSURE

ACTION LIST 2011

Item No	Originator	Action	Officer/Councillor	Schedule	Status
1	MSC Nov 10 Council meeting	Finalise CBD Development Committee meeting	CEO	ASAP	Final Grant Payment made by MWDC
2	MSC Dec 2010	Building maintenance work to be carried out	CEO	Feb/Mar 2011	Work underway Building repairs to 6 & 8 Kurara Way
3	MSC Nov 2010 Council meeting	Prepare report on implications of changing road hierarchy from Mt Wittenoom/Meka Rd to Kalli Rd	CEO	Feb 2011	In Progress
4	MSC Nov 2010	Review Emergency M/ment plan	CEO	ASAP	In Progress Met with FESA.
5	MSC March 2011	Gather information re Ballinyoo Bridge	CEO	ASAP	In progress
6	MSC April 2011	Prepare contract for Consultant Mr Bill Mitchell	CEO	ASAP	Contract being prepared by CivicLegal
7	MSC May 2011	Discuss possible relocation of stables and stock ramp from near community centre	CEO/ELECTED MEMBERS	May OC meeting	Item in May10 Agenda