



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 **20 May 2016**, 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**

Nil.

**4. PUBLIC QUESTION TIME**

**4.1 Standing Orders**

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

**5. NEXT MEETING**

The next meeting is scheduled for 17 June 2016.

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

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

There will be one item to be discussed behind closed doors pursuant to clause 5.23 (2) (c) and (e) of the Local Government Act 1995.

22.1 RFT 7.2015/16 Construction of Concrete Floodway

**8. CONFIRMATION OF MINUTES**

**8.1 Ordinary Council Meeting – 15 April 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 15 April 2016 be confirmed as an accurate record of proceedings

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That the Minutes of the Ordinary Council meeting of 15 April 2016 be confirmed as an accurate record of proceedings.		
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**8.2 Audit Committee Meeting – 15 April 2016****Background:**

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

**Recommendation:**

That the minutes of the Audit Committee meeting held on 15 April 2016 be confirmed as an accurate record of proceedings

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That the Minutes of the Audit Committee meeting of 15 April 2016 be confirmed as an accurate record of proceedings.		
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**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.	Invitation for teleconference sent to Working Group for 26/05/2015	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		Meeting held 11 <sup>th</sup> March 2016 and recommendations presented to Council at the April OCM – the item was left to lay on the table while Council explored other options.
5	Ballinyoo Bridge Tender	CEO to meet with reps from BG&E and Main Roads on Monday 23 May to finalise variations.	Complete – Certificate of Practical Completion Issued. Waiting on final invoices.
6	Cemetery and Remembrance Walk (walk)	Completion of the cemetery and names for the remembrance walk. Community to be contacted to suggest names for inclusion. Community Advisory Group to advise Council on these projects.  Invitation sent to CAG to meet on Friday 3 June	Meeting held Thursday 17 <sup>th</sup> March 2016 at 11am and report presented to Council on 18 <sup>th</sup> March – no recommendations came out of the meeting.
7	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.	Ongoing. Undesignated unsurveyed roads was bought up as a discussion point at the May zone meeting.

		<p>Full road pick-up has been undertaken by Greenfields and has been finalised – this was mainly to establish correct infrastructure values but will form a good basis from which to start.</p> <p>As an adjunct to this, the CEO was hoping to do a review of the Internal Hierarchy for this meeting, but it has turned out to be more complicated than first thought. 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 we can progress with this. I will start work on this over the next month.</p>	<p>Paul Rosair did a presentation to the March OCM, which was discussed at the April OCM.</p>
8	Development of Draft Drug & Alcohol Policy	<p>CEO to develop a draft Drug &amp; Alcohol Policy to present to council for consideration.</p> <p>Now that we have Deputy CEO to share the work load, I will be able to undertake a full review of the Policy Manual and develop a Drug &amp; Alcohol Policy as part of this process.</p>	<p>The CEO has asked LGIS if they have a pro-forma policy that can be adapted to suit our circumstances. They are currently working in conjunction with WALGA to develop one and it will be available in the short term. The President has forwarded a policy which is a WALGA template. If it is suitable, it refers to a Discipline Policy and a Grievance, Investigations and Resolutions Policy, which we will also need to develop.</p> <p>Yet to be actioned.</p>

**Recommendation:**

That the Action List be accepted.

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>		<b>Seconded: Councillor</b>
That the Action List be accepted.		
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**12. DISCLOSURE OF INTERESTS**

**13. REPORTS OF OFFICERS**

**13.1 Monthly Plant Report – Works Supervisor**

April 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	7431	7521	90	1285	14428.61	22309.41
P.02 Cat Grader 12H	2005	MU 141	12591	13816	13929	113	1338	21213.66	17853.57
P.03 Cat Grader 12M	2008	MU 51	8672	0	0	Traded	856	14866.05	14141.34

<b>P.04 New/H Ford Tractor</b>	2006	MU 380	1831	1904	1905	1	74	1283.67	174.33
<b>P.05 Dolly 1-Red</b>	2001	MU 2003	3488	16429	17278	849	13790	705.57	n/a
<b>P.06 Mitsubishi Canter</b>	2010	01 MU	138805	0	0	Traded	9518	19173.52	2512.83
<b>P.07 Nissan UD</b>	2009	000 MU	189658	197473	197793	320	8135	3599.53	5963.77
<b>P.08 Dolly 2-Black</b>	2000	MU 2009	27654	28006	28006	Broken	352	1799.40	n/a
<b>P.09 Iveco P/Mover</b>	2003	MU1065	304084	311515	312963	1448	8879	5303.24	6511.08
<b>P.10 Iveco Tipper Conv</b>	2004	MU 00	174427	176841	176951	110	2524	9496.90	14117.95
<b>P.11 Komatsu Dozer</b>	1997		475	1100	1250	150	775	18697.32	16557.51
<b>P.13 Tri-Axle L/L Float</b>	2008	MU 663	0	9372	9392	20	4849	2542.95	n/a
<b>P.14 No. 2 Float P.14</b>	2001	MU 2004	57198	57198	57198	Broken	992	659.13	n/a
<b>P.17 Side Tipper</b>	2001	MU 662	10197	23450	23450	Broken	13253	7385.53	n/a
<b>P.18 Side Tipper</b>	2001	MU2010	New Clock	4053	7414	3361	7414	5852.45	n/a
<b>P.24 30K W/Tanker Trailer</b>	2005	MU 2024	43080	45800	45910	110	2830	6615.80	n/a
<b>P.27 Volvo Loader</b>	2006	MU 65	7088	7717	7777	60	689	15096.66	9911.85
<b>P.28 Isuzu Dmax</b>	2009	MU 300	194174	204050	206170	2120	11996	2218.94	3863.44
<b>P.32 Construction Gen</b>			20519	22437	22437	0	1918	1191.27	2918.09
<b>P.33 Maintenance Gen</b>			6371	8069	8236	167	1865	955.93	2172.79
<b>P.34 Generator Perkins</b>		Mechanic	New Clock	0	0	0	0	1499.19	95.65
<b>P.35 Generator 1-110kva</b>	2011		19493	22994	23713	719	4220	12845.14	92415.57
<b>P.35 Generator 2-110kva</b>	2011		12221	15773	15800	27	3579		
<b>P.37 Forklift</b>			12268	12380	12396	16	128	250.32	150.43
<b>P.40A Toyota Hilux</b>	2014	MU 1018	26191	51806	54277	2471	28086	3819.64	3184.21
<b>P.41 Cat 938G Loader</b>	2004	MU 193	4940	5216	5279	63	339	2934.75	5284.67
<b>P.43 Bomag Roller</b>	2012	MU1027	2596	2802	2843	41	247	2581.73	3653.30
<b>P.48 Dog Fuel Trailer</b>	1979	MU 2026	0	0	0	0	0	0.00	n/a
<b>P.49 Dog Fuel Trailer</b>	1972	MU 2005	0	0	0	0	0	0.00	n/a
<b>P.54 Isuzu T/Top</b>	2005	MU 1002	156000	169094	169521	427	13521	4242.91	3956.85
<b>P.55 Toyota Prado</b>	2012	MU 0	39649	65848	67576	1728	27927	2132.62	2797.38
<b>P.57 Great Wall</b>	2012	MU 167	43094	52817	53394	577	10300	4705.65	1210.08
<b>P.59 45ft Flat Top</b>	1978	MU2044	0	0	0	0	0	2034.63	n/a
<b>P.60 Mercedes PTV</b>	2004	MU 1009	100695	101842	101939	97	1244	2873.47	152.74
<b>P.61 Kenworth P/Mover</b>	2004	MU 000	50736	68769	71787	3018	21051	11822.40	23353.13
<b>P.63 RAV4</b>	2013	MU 1011	28547	34824	34882	58	6335	2252.30	251.15
<b>P.64 Isuzu Construction</b>	2013	MU 140	63361	88876	91060	2184	27699	15093.22	6950.10
<b>P.65 Generator 9KVA</b>	2013	H/ Maint	4350	5437	5440	3	1090	522.27	2377.38
<b>P.66 Kubota 6kva Gen</b>	2012		6575	9094	9615	521	3040	3479.91	4272.67
<b>P.67 Roadwest S/Tipper</b>	2013	MU2042	33159	47883	50877	2994	17718	2232.08	n/a
<b>P.68 Bomag Padfoot</b>	2013	MU1071	900	1371	1437	66	537	2216.76	8300.84
<b>P.72 Isuzu Fire Truck</b>	2013	MU1068	754	1353	1353	0	599	157.50	278.76
<b>P.73 Toyota Fast Attack</b>	2014	MU1069	at Milly Milly			0	0	245.00	164.27
<b>Caravans</b>				n/a	n/a	n/a	n/a	3351.85	n/a
<b>P11076JD Ride on mower</b>			607	750	777	27	170	3045.16	318.87
<b>P15003 JD 6WD Grader</b>	2012	MU121	0	262	412	150	412	817.83	7147.14
<b>P15006 Isuzu Maint</b>	2015	MU1018	0	6202	9618	3416	9618	4125.78	1927.78

**13.2 Works Report – Works Supervisor**

**Construction Crew**

Crew have completed the 4km section of works on the Carnarvon Mullewa road which consisted of blasting of two crests, reforming and gravel sheeting, replacing two floodway's and the placement of 4 new culverts through the breakaway country 4km north of the Settlement.

Three kilometres of this section and the 1km section at Bullardoo are ear marked to be sealed later in the year (Dec) and will require a final shave and rolling prior to this.

Crew are now working on reforming and gravel sheeting a 6km section on the Carnarvon/Mullewa road from the Butchers Track intersection north to the Mt Narryer/Meeberrie boundary grid.

**Maintenance Crew**

Since my last report the maintenance crew have completed a full grade - 4 cuts over, 5/6 cuts back + drains and 2 cut batter wipes on the Carnarvon/Mullewa road from the bridge to the south boundary. (Wet weather did put a stop to approx.10km of batter wipes and drains in this section).

Neil & Mark have also completed a full grade of the middle section of the Beringarra/Pindar road (Boolarly to MRO). Two bulldust sections were patched on the Boolardy/Kali road whilst in the area and the approaches to the new grids on the Beringarra/Pindar road were also completed. Crew then moved down to Yuin and started a full grade from the southern boundary north to the double dip crossing. The remainder of the road is under flood damage repairs.

Crew will do a full grade of the McNabb's/Twin-Peaks road and then head back to the settlement and commence grading from the settlement heading north on the Carnarvon/Mullewa road.

**Grids**

The 5 new grids on the Beringarra/Pindar road have had the approaches completed and are now open to all traffic.

**Bunding of Old Roads**

Expressions of interest were called for the Bunding of old Roads and the contract was awarded to Quadrio Earthmoving. These works commenced on the 9<sup>th</sup> of May at Curbur and the Curbur Lake by-pass roads. These two roads were used in the 2010-2011 floods.

**Staff Leave**

Brian - 4/5/2016 - 6/5/2016, 10/5/2016 - 13/5/2016 - A/L

Brian – 29/4/2016 - RDO

Stuart – 18-19/4/2016 - 2 days off

**Works Supervisor General**

4 hrs with construction 11/4/2016

6 hrs with construction 12/4/2016

Pegging new road alignment at Boolardy 13/4/2016

1 hr with construction 14/4/2016

3 hrs at council meeting 15/4/2016

4 hrs with construction 20/4/2016

6 hrs on grader with construction 21/4/2016

2 hrs bridge inspection and 2 hrs flood damage repairs inspection on the Coolcalalaya road 22/04/2016

3 hrs with construction 26/4/2016

2 hrs with construction 27/4/2016

5 hrs Boolardy and Murgoo - South boundary new road alignment 28/4/2016

**ROADS GRADED 10/04/2016 – 15/05/2016**

Name	Length of Road	SLK's Graded this month	Heavy Maintenance	Comments
Beringarra /Pindar	319.80km	80km		Plus all drains/batters
Beringarra /Pindar				
Erong	63.12km			
Beringarra/Byro	90.89km			
Twin-Peaks/Wooleen	47.65km			

Boolardy/Kalli	57.30km	.200		Bull dust holes
Byro/Woodleigh	71.00km			
New Forrest/Yallalong	36.18km			
M <sup>c</sup> Nabb/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	2km		
Yunda Homestead	32.80km			
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	40km		Plus drains/batters
Mt Narryer	3km			
Woolgorong-South	15.00km			
Errabiddy Bluff	12km			
Air strip Graded				

Total graded/patch graded this month 122km

**Recommendation:**

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

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That the Work’s Supervisor’s report be accepted.		
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

**14.1 Shire President**

**14.2 Councillors**

**15. REPORTS OF COMMITTEES**

**15.1 Bridge Opening Committee Meeting**

A meeting of the Bridge Opening Committee was held on Wednesday 11 May 2016. Report to be presented by the Chair, President Halleen.

**16. FINANCE**

**16.1 Financial Activity Statements April 2016**

File:	2.2
Author:	Linda Gray – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	Financial Activity Statements for 10 months to 30 April 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 April 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 30 April 2016 is a surplus of \$1,329,983 against an YTD budget of (\$90,519) so up \$1,420,502.

**Variiances – YTD Budget to YTD Actual**

Opening Funding Surplus(Deficit)	0
Less Operating Revenues down	(\$5,150,412)
Plus Operating Expenditure down	\$4,943,707
Plus Funding Balance Adjustment	(\$71,962)
Less Capital Revenue down	(\$131,749)
Plus Capital Expenditure down	\$2,072,698
Less Reserve Transfers up	(\$241,780)
	\$1,420,502

The Summary Graphs – Financial Activity Operating Expenditure and Revenue (*Page 4, Monthly Financial Report for the Period Ended 30 April 2016*), show a spike in the Operating Revenue Budget against Operating Revenue Actual which is mirrored to a lesser extent in the Operating Expenses Budget; this is due to the late start with the WANDRRA Flood Damage work. It was anticipated to commence January 2016 but commenced March 2016. Similarly, the Capital Expenses and Capital Revenue reflect a variation in timing but are otherwise on track.

Rates collection is sitting at a high 99% collected against the amended budget, although there are several mining tenements late with their last instalment, totalling \$16,921 outstanding. A reminder will be forwarded.

The following Term Deposits are currently held:



**16.2 Accounts Paid during the period since the last list was adopted/endorsed by Council**

File:	4.37.1
Author:	Linda Gray – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	EFT & Cheque Details for April 2016

**Matter for Consideration:**

Endorsement of accounts paid during the month of April 2016.

**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:**

Payments made during the month of April 2016 are 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) sufficient 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

Mid West Financial Services



uses the Department of Mines and Petroleum’s tenement rental schedule to determine property values it will lead to an increase in land property values for shire rating purposes and higher rates notices from most regional local authorities. This is an unintended double hit for mining and exploration companies which could have been avoided with prior consultation with industry.” If this does occur then the Shire of Murchison will receive more rates in the 2016-17 Financial Year anyway.

It will continue this year with the differential rate for mining being more than twice the lowest differential rate and Ministerial approval will be required before the rates can be imposed. In addition, there is a requirement for public consultation and an opportunity for any organisations to make submissions in relation to the differential rate that the Shire intends to impose.

### **Statutory Environment:**

Section 6.33 of the Local Government Act 1995 allows a local government to impose differential general rates according to the purpose for which the land is zoned, the purpose for which the land is held or used, whether or not the land is vacant or any other characteristic as prescribed by the Regulations.

In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential rate which is more than twice the lowest differential rate imposed by it. Section 6.35 (6) of the Local Government Act 1995 allows a local government to impose a minimum rate separately to each differential rating category where a differential general rate is imposed.

### **Strategic Implications:**

Not increasing the rate may impact on strategic outcomes proportionally, however, it may be of value in terms of “goodwill” in acknowledging the current state of the mining and mineral exploration industry.

### **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:**

Adjustment will be made within the annual budget to reflect the approved increase/decrease in rates and any changes in objectives. This is an integral part of the annual budget review process.

### **Consultation:**

N/A

### **Recommendation:**

That Council:

1. Sets the differential rates and minimum rates in the 2016-17 Financial Year as per option 1 or 2 of the appended table, noting the following reasons for setting differential rates:

#### UV – Pastoral

Pastoral means any land that currently has a pastoral lease granted. This category is rated to reflect the infrastructure maintenance cost to Council and the sectors’ reduced viability caused by many years of drought, floods and the wild dog problem. It also recognises the long term commitment of pastoralists to the region, their stewardship of Crown Land, and financial risk carried by them in terms of the impact of regional, national and international markets, weather and State and Federal Government policies.

#### UV – Mining

Mining means any land for which a mining lease has been granted. The mining sector tends to be transitory by nature and benefits from established Shire services and infrastructure which is maintained in the long term by those rate payers who are established long term in the region.

The purpose of setting the UV - Mining rate at a higher level than the benchmark UV – Pastoral is to ensure that the mining sector’s contribution towards the maintenance of that infrastructure is proportionate to the advantage it gains. However, by holding the rates at the 2015-16 level or by only increasing it by 1.3% CPI (Australian Bureau of Statistics) the council recognises the current economic climate.

**UV – Exploration/Prospecting**

Exploration/Prospecting means any land for which an exploration/prospecting lease has been granted. As with the UV – Mining sector, the UV - Exploration/Prospecting sector tends to be transitory and the category has been rated to reflect that fact that holders use established Shire services and infrastructure but contribute very little or no enterprise to the community.

RATE TYPE	RATE IN \$	2015-16 BUDGETED TOTAL REVENUE	NO OF PROPS	RATEABLE VALUE \$	OPTION 1 2016-17		OPTION 2 2016-17	
					RATE IN \$ Nil INCREASE	REVENUE	RATE IN \$ 1.3% INCREASE	REVENUE*
<b>Differential Rate UV</b>								
Pastoral	0.0270	57,691	23	2,136,691	0.0270	40,425	0.0274	41,008
Mining	0.2859	235,593	9	813,794	0.2895	310,162	0.2933	314,234
Exploration/Prospecting	0.0976	30,328	35	535,065	0.0976	20,528	0.0989	20,780
<b>Minimum Rates</b>								
Pastoral	264	1,322	5	19,253	264	1,056	267	1,068
Mining	399	-	0		399		399	-
Exploration/Prospecting	399	3591	9	15,364	399	1,596	399	1,596
		328,525				371,115		376,022

\* The totals above are based on information at hand when preparing the report and the number of properties and their values may vary slightly if a new schedule is received from Landgate prior to preparing the Budget.

2. Payment of rates charges may be made in a single payment or by four instalments at dates to be set as part of the budget adoption.
3. An administration fee of \$15 will apply to the instalment option and an 8% penalty interest will apply to late payments.
4. The ESL Levy and interest will be charged in accordance with instructions from DFES.

**Voting Requirements:**

Absolute Majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**16.4 Elected Member Remuneration for 2016-2017**

File:	4.3
Author:	Linda Gray – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	SAT Determination Local Government Officers (WA) Interim Award 2011 (Extract only)

**Matter for Consideration:**

Council to consider adopting Elected Member Remuneration for 2016-2017 as detailed in the table below.

**Background:**

A council member who attends a council or committee meeting is entitled to be paid a prescribed minimum fee and to be reimbursed for prescribed expenses.

The President, in addition, is entitled to a prescribed annual allowance and the local government may decide to pay the Deputy President an allowance up to 25% of that prescribed for the President.

The Salaries and Allowances Tribunal (SAT) as per Section 7B(2) of the Salaries and Allowances Act 1975, at intervals of not more than 12 months, is required to “inquire into and determine - the amount of fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 (the LG Act) to elected council members for attendance at meetings”. In light of the challenges facing the Western Australian economy, the Tribunal’s Determination in 2015 recommended a nil increase to the remuneration of the fees and allowances provided to elected members. However, in the SAT Determination dated 12 April 2016, the Tribunal has determined a general adjustment of 1.5 per cent to the band ranges to come into effect on 1 July 2016.

**Comment:**

Under the circumstances and in keeping with rate and payroll increases in the Budget, it may be appropriate to approve a modest increase of 1.3% (rounded up to the nearest \$50) in line with the CPI increase throughout the year to the March quarter 2016.

If council endorses a 1.3% increase this would see:

Councillors’ attendance fees increase from \$4,050 to \$4,100;

The Presidents attendance fee rise from \$6,900 to \$6,990;

The Presidents annual allowance would rise from \$6,900 to \$6,990; and

The Deputy Presidents annual allowance would increase from \$1,725 to \$1,750.

The total budget allocation for 2016-2017 would need to be \$65,000 for members’ attendance allowance (including loading based on eleven ordinary meetings, two extraordinary and one trip to Perth for four members) and \$8,740 for president and deputy president’s allowance plus travel for all members at \$35,000. The telecommunications allowance was \$1,150 for 2015-2016. A 1.3% increase would see this rise to \$1,165, so an amount of \$7,000 would need to be budgeted for 2016-2017.

**Statutory Environment:**

Local Government Act 1995: s5.98 to 5.100

NB: s5.99A

A local government may decide that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all council members: –

(a) the annual allowance determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B for that type of expense; or

(b) where a local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B for annual allowances of that type of expense, an allowance of that amount and only reimburse the member for expenses of that type in excess of the amount of the allowance.

**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:**

Overall operating costs would increase minimally compared to last year and a provision will be made in the draft budget to cover the revised costs.

**Consultation:**

Nil

**Recommendation**

That Council adopt Elected Members Remuneration for the 2016-2017 Financial year as detailed in the schedule below.

- The President is to be paid an Attendance Fee at the base rate of \$6,990, plus an Annual Allowance of \$6,990, plus an Attendance Fee Loading of \$0.96 cents per kilometre travelled;
- The Deputy President is to be paid an Attendance Fee at the base rate of \$4,100 plus an Annual Allowance of \$1,750, plus an Attendance Fee Loading of \$0.96 cents per kilometre travelled;
- All Members are to be paid an Attendance Fee at the base rate of \$4,100, plus an Attendance Fee Loading of \$0.96 cents per kilometre travelled;
- All Elected Members are to be paid a Telecommunications Allowance of \$1,165 per annum and a Travel Allowance based on the *Local Government Officers' (Western Australia) Interim Award 2011*.

**ELECTED MEMBERS REMUNERATION**

	2015-16		2016-17	
	Range	Adopted	Range	Budget
<b>Annual Attendance Fees for Attending Council and Committee Meetings</b>	\$	\$	\$	\$
Councillor	3,500 - 9,270	4,050 plus	3,553 - 9,410	4,100 plus
Councillor Attendance Fee Loading		0.96 per km travelled		0.96 per km travelled
President	3,500 - 9,270	6,900 plus	3,553 - 9,410	6,990 plus
Presidents attendance Fee Loading		0.96 per kilometre travelled		0.96 per kilometre travelled
<b>Annual Local Government Allowances</b>	\$	\$	\$	\$
President	500 -19,055	6,900	508 -19,864	6,990
Deputy President	25%	1,725	25%	1,750
<b>Other Fees – Elected Members</b>				
Telecommunications Allowance	500 - 3,500	1,165	500 -3,500	1,165
Travel Allowance	99.01/95.54/93.97 per km	99.01/95.54/93.97 per km	99.01/95.54/93.97 per km	99.01/95.54/93.97 per km

**Voting Requirements:**

Absolute majority.

<b>Council Decision:</b>	
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>
<b>Carried/Lost</b>	<b>For:</b>

**16.5 Budget Variation Historic Interpretation of Old Bridge Span**

File:	2.4
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	14 May 2016
Attachments:	N/A

**Matter for Consideration:**

Council to consider varying the 2015-16 Budget to provide funds in this financial year to commence the works involved with the interpretation of the historic span of the old Ballinyoo Bridge.

**Background:**

The old Ballinyoo Bridge was replaced in late 2015 with a new concrete bridge, with practical completion for the project being issued by the contractor on the 13<sup>th</sup> January 2016. Even though the project is essentially complete, there is still some expenditure to incur for both the interpretation of the span of the old bridge that was saved during demolition and for the opening of the new bridge.

A Bridge Opening Committee has been established and has been working steadily towards a 10 September 2016 official opening. The committee has decided to send invitations out soon and so funds will be required to pay for them.

The Committee is also coordinating the interpretation of the old span and have enlisted the support of a conservation architect, Chris Paterson of Palassis Architects. Initial site plans have been drawn up and reviewed and costs for signs have been received.

**Comment:**

Even though the bulk of the costs will be in the 2016-17 financial year, there may be some expenditure required over the next six weeks to progress both the interpretation and the opening. There is an allocation of \$3,442 left in account 04110 Civic Receptions Expense, which will be enough to cover the invitations for the opening, but there is no provision in the budget for the interpretation of the span.

**Statutory Environment:**

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution\*; or

(c) is authorised in advance by the mayor or president in an emergency.

\* *Absolute majority required.*

**Strategic Implications:**

The replacement of the Ballinyoo Bridge was a major action listed under the 'Economic' priority in the Strategic Community Plan. An official opening and appropriate interpretation of the historic span are essential components to see the satisfactory completion of the project.

**Sustainability Implications****Environmental:**

There are no known significant environmental considerations

**Economic:**

The replacement of the Ballinyoo Bridge is high on the list of priorities in the Strategic Community Plan. The establishment of an historic interpretive site around the saved span will encourage tourist visitation to the area.

**Social:**

There are no known significant social considerations

**Policy Implications:**

N/A

**Financial Implications:**

A Budget variation will be required.

**Consultation:**

N/A

**Recommendation:**

That Council authorise the transfer of:  
 \$5k from 11305 Maintenance – Murchison Sports Club, and  
 \$20k from 11304 Maintenance Parks & Reserves  
 to a new account 13204 Cap-ex Historic Span Ballinyoo Bridge (Job C14708)  
 in order progress the establishment of the interpretive site for the historic span of the old Ballinyoo Bridge.

**Voting Requirements:**

Absolute majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>		<b>Seconded: Councillor</b>
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**17. DEVELOPMENT**

**17.1 Wooleen Station Proposed Establishment of Caravan and Camping Ground Facilities**

File:	
Author:	Philip Swain – Health/Building Officer
Interest Declared:	No interest to disclose
Date:	16 May 2016
Attachments:	Wooleen Station Nature Based Camping Management Plan

**Matter for Consideration:**

The Council is requested to approve the proposal for Wooleen Station to operate caravan and “nature-based park” locations on the pastoral lease, in conjunction with other tourist facilities, in accordance with a recently submitted Management Plan (**Attachment 1**) and subject to conditions.

**Background:**

On the 17 July 2015 Council resolved the following:

*Council agree in principal with the establishment of a ‘nature based park’ on Wooleen. However, a permit will not be considered until a Management Plan, prepared in accordance with the guidelines, has been approved by Council. A permit will then be issued subject to:*

*1. The development of ‘nature based park’ facilities at two (2) locations on Wooleen Station complying generally with the document produced by the Department of Local Government and Communities and worded ‘Nature-Based Parks, Guidelines for Developers and Local Governments’ and in particular with the following:*

- (a) The Management Plan, for safety reasons, requiring that all customers check in and check out at the Wooleen Homestead;*
- (b) The provision of a bore hole privy (toilet) constructed, and maintained, to comply with the Health (Temporary Sanitary Conveniences) Regulations 1997 at two (2) locations;*
- (c) A compliant fire extinguisher provided in accordance with the requirements of AS 2444-1995 “Portable fire extinguishers — Selection and location”, and being available at each site whenever the same is in use;*

- (d) *The operators providing for a battery powered or similar light in/adjacent to the borehole facilities at each site;*
  - (e) *Potable water supplies being available at the Wooleen Homestead for customers upon arrival;*
  - (f) *The operators providing shower facilities for 'nature based park customers' at the homestead;*
2. *The applicants obtaining a licence for the provision of campsites at the Wooleen Station Homestead and the nature-based park locations in accordance with the requirements of the Caravan and Camping Ground Act 1995 and the Caravan and Camping Ground Regulations 1997;*
  3. *The applicants demonstrating that the proposed uses are in conformity with the requirements of the current pastoral lease;*
  4. *The applicants obtaining an exemption from the Executive Director of Public Health to provide a potable water supply at the locations.*

*At the April 2016 meeting, considering that there were three changes to the original request – 5 caravan sites based park facility; and changes to the privies, Council decided to leave the item lay on the table in order to undertake due diligence.*

Previous discussions with the operators had confirmed that they would like to pursue the ongoing provision of two (2) locations for a “nature-based park” on the station and caravan parking facilities at the station homestead as a “caravan park”. The Management Plan includes a third site on the property. This third site will most likely only be utilised by caravans that have built in ensuite ablution facilities however the operators would like to retain the flexibility to make provision for a toilet facility at this location at some time in the future.

The station is located approximately 35 kilometres from the Murchison Caravan Park, a Shire owned facility, which is operated in conjunction with the Murchison Roadhouse and has ten (10) short-term bays.

#### **Comment:**

The overall proposal is for five (5) unpowered caravan parking sites located at the homestead and for three (3) nature based park locations elsewhere on the station. The guidelines for nature based parks and advice from the Department of Local Government and Communities is such that nature based parks should not be approved in close proximity to other accommodation facilities such as chalets or cabins. Nature based park locations can however be located in remote locations on the same piece of land.

Council's previous resolution approved the development in principle and compelled that this matter be referred back to Council to approve the Management Plan, which has now been received. The Shire can impose appropriate conditions to ensure rudimentary facilities, plans for fire services, refuse and effluent management and other issues are addressed.

The submitted Management Plan complies generally with the Regulations, subject to exemptions, and the document produced by the Department of Local Government and Communities and worded “Nature-Based Parks, Guidelines for Developers and Local Governments” and in particular the following;

1. The Management Plan, for safety reasons, requires that all customers check in and check out at the Wooleen Homestead;
2. Each site is to have the provision of a bore hole privy (toilet) constructed, and maintained, to comply with the Health (Temporary Sanitary Conveniences) Regulations 1997 **or** the provision of alternative wastewater disposal arrangements in accordance with Regulations, and to the satisfaction of the CEO;
3. The plan makes provision for fire services, however a specific condition relating to the approval is recommended to ensure that a compliant fire extinguisher is provided in accordance with the requirements of AS 2444-1995 “Portable fire extinguishers — Selection and location”, at each site whenever the same is in use;
4. The operators are providing for a solar, battery powered or similar light in/adjacent to the borehole facilities at each site;
5. Water supplies will be available at the Wooleen Homestead for customers upon arrival, however the Shire needs to finalise the Regulatory exemption in relation to this matter which is included in the recommendations;

6. A person cannot be an occupier at a nature based park for more than 28 nights in total in a 3 month period, starting on the first day that the person occupies a site at the facility. The operators are aware of this provision and generally people utilising Wooleen Station for caravanning are short duration tourists that wish to experience the isolation on site for a period of 1-7 days;
7. The regulations outline various roadway requirements however, given the remote locations of the nature based park sites and the small number of the same, the proposed access tracks should be sufficient;
8. Waste services are not to be provided however all waste is to be removed by customers in accordance with the Station's "Commitment to Country" agreement signed by patrons. **Waste disposal facilities are available at the Murchison Settlement;**
9. The predominant use of caravans, campers or campervans with, self-contained ablution facilities, within the tourism industry nowadays, means that many campers will be self-sufficient in this regard when on site. It is however, essential that no chemical waste or sullage water from caravans, campers or campervans be discharged on site and consequently a specific recommendation in this regard has been made. **A disposal site (dump point) for this purpose has been established by the Shire at the Murchison Settlement.**

The five (5) unpowered bays located adjacent to the Wooleen Homestead have previously been licensed by the Shire and must comply with the requirements of the Caravan and Camping Ground Regulations 1997. Furthermore, the Department of Lands is in the process of amending the lease document for Wooleen Station to enable the type of development proposed and has requested that the Shire confirm the type and extent of the approved "nature based park".

#### **Statutory Environment:**

The following legislation impacts upon this decision;

Caravan and Camping Ground Act 1995;  
 Caravan and Camping Ground Regulations 1997;  
 Health Act 1911; and,  
 Health (Temporary Sanitary Conveniences) Regulations 1997.

#### **Strategic Implications:**

The Shire of Murchison Strategic Community Plan 2012/13 – 2022/23 includes Tourism Strategies to promote and support a sustainable tourism industry in the Shire of Murchison.

#### **Sustainability Implications:**

- **Environmental**  
 Environmental impacts will exist but will be managed within the development area by the proponents. Wooleen has been a model for sustainable rangeland development.
- **Economic**  
 The proposal will support local tourism and business within the Shire
- **Social**  
 There are no known significant social considerations that need to be addressed as a result of this decision.

#### **Policy Implications:**

Nil

#### **Financial Implications:**

The Shire can licence the facilities and establish fees for the same under existing legislation. There are no current fees for this purpose.

#### **Consultation:**

Nil

#### **Recommendation:**

That Council approve the caravan and camping facilities being five (5) unpowered caravan bays and three (3) "nature based park" locations on Wooleen Station subject to:

1. The development of ‘nature based park’ facilities at the three (3) locations on Wooleen Station complying with the Management Plan and the following:
  - (a) A compliant fire extinguisher provided in accordance with the requirements of AS 2444-1995 “Portable fire extinguishers — Selection and location”, and being available at each site whenever the same is in use;
  - (b) The operators providing shower facilities for ‘nature based park customers’ at the homestead with the overall number of facilities for the total sites (8) being in accordance with Schedule 7 of the Caravan and Camping Ground Regulations 1997 for caravan parks;
2. The applicants obtaining a licence for the provision of campsites at the Wooleen Station Homestead and the nature-based park locations in accordance with the requirements of the Caravan and Camping Ground Act 1995 and the Caravan and Camping Ground Regulations 1997;
3. The Shire permitting the alternative arrangements for the provision of potable water subject to the exemption being agreed to by the Executive Director Public Health in accordance with Clause 42 of Schedule 7 of the Caravan and Camping Ground Regulations 1997;
4. The applicants demonstrating that the proposed uses are in conformity with the requirements of the current pastoral lease prior to the issue of the licence for the facility;
5. No chemical toilet or sullage water from self-contained vehicle ablution facilities associated with patrons utilising the “nature based park” sites is to be disposed of on site.

**Voting Requirements:**

Simple majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**18. ADMINISTRATION**

**18.1 Review of Delegations**

File:	4.16
Author:	Dianne Daniels
Interest Declared:	No interest to disclose
Date:	16/05/2016
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 on the 15<sup>th</sup> May 2015.

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.

It is a fairly comprehensive list and should cover the day to day administrative operations of the shire.

**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:**

Some Delegations work in accord with the Policy Manual

**Financial Implications:**

Nil

**Consultation:**

Nil

**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</b>	<b>Seconded: Councillor</b>	
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**18.2 Review of Shire of Murchison Purchasing Policy**

File:	4.40
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 May 2016
Attachments:	Shire of Murchison Purchasing Policy Revision 3 (Draft)

**Matter for Consideration:**

Council to consider adopting Revision 3 of the Shire of Murchison Purchasing Policy.

**Background:**

In March 2015, Council adopted the Shire of Murchison Purchasing Policy (Revision 2). The objective of the policy is to provide compliance with the Local Government Act 1995 (LGA) and the Local Government

(Functions and General) Regulations 1996 (LGR F&G) and to deliver a best practice approach and procedures to purchasing for the Local Government.

Revision 2 incorporated changes to the LGR F&G since it was first adopted in 2011:

Ethics and Integrity- Purchasing Principles – any information provided to the Local Government by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

Public Tenders –The details of all Tender responses received and opened must be recorded in the Tenders Register.... There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Local Government.

However, the details and total value of consideration for the winning offer must be entered into the Tenders Register at the conclusion of the Tender process and this information is to be made known to all tenderers when the tender has been awarded.

### **Comment:**

Further amendments to the LGR F&G were published in the Government Gazette on 18 September 2015 and took effect on 1 October 2015. The Shire of Murchison Purchasing Policy needs to be updated to reflect those amendments.

The amendments were a result of recommendations made by the Local Government Steering Committee and the Corruption and Crime Commission (CCC), with the aim of improving the purchase and tendering practices of local government. In addition to increasing the tender threshold, the amendments provide for local governments to appoint a panel of pre-qualified suppliers.

A summary of the key amendments are provided below:

## **AMENDMENTS TO THE LOCAL GOVERNMENT (FUNCTIONS AND GENERAL) REGULATIONS 1996**

### **Tender Threshold**

The tender threshold has been increased from \$100,000 to \$150,000.

For the purchase of goods and services under this threshold, the amendments have introduced the requirement for the purchasing policy to include the minimum number of oral and written quotes that must be received. If the contract for goods or services is expected to be more than \$150,000 a public tender process is required.

Amendments have been made to Regulation 11 (2) which relates to circumstances when tenders do not need to be publically invited. This includes when goods or services are obtained through:

- the WA Local Government Association preferred supplier program
- a person registered on the Aboriginal Business Directory WA for contracts worth \$250,000 or less, or
- an Australian Disability Enterprise.

It is also not necessary to invite public submissions if the term of the original contract is being renewed or extended where -

- (i) the original contract was entered into after a public submission period
- (ii) the invitation to tender included the option for a renewal or extension
- (iii) the original contract contained an option to renew or extend, and
- (iv) the supplier's tender included a requirement for such an option.

### **Anti-avoidance provisions**

Reports prepared by the CCC made recommendations that the anti-avoidance provisions be strengthened to ensure that contracts were not split for the purposes of avoiding the tender threshold. Regulation 12 has been amended to clarify this. It is expected that if a local government reasonably believes that the purchase of a good or service from one supplier will exceed the tender threshold of \$150,000 they should publically invite tenders.

No timeframe for the tender threshold has been included in the regulations. However, local governments should consider the importance of testing the market through a public tender process for low value, repetitive contracts. A best practice suggestion is that if the tender threshold is reached within three years, then a public tender is invited for that good or service.

**Receiving and opening tenders**

Regulation 16 has been amended to require that when tenders are opened there must be at least two employees of the local government present, or one local government employee and at least one person authorised by the Chief Executive Officer. If tenders are received by email, it is suggested that a separate email inbox is created and no tenders are opened until the application period has closed.

**Varying a contract**

Regulation 21A is a new regulation that provides that a contract cannot be varied once a local government has entered into a contract for the supply of goods or services unless:

- the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract, or
- the variation is a renewal or extension of the original term of the contract (in accordance with regulation 11 (2)U)).

**Panels of pre-qualified suppliers**

Part 4 Division 3 has been inserted into the regulations to introduce the ability for local governments to create a panel of pre-qualified suppliers. There are some conditions on developing a panel including: the need for a local government to develop a written policy outlining how the panel will operate; how each supplier will be invited to quote; consistent communication with the panel; and, the recording and retention of quotes and purchases from suppliers.

In establishing a panel, persons are to be publicly invited to apply. State-wide public notice is required and it must be open for at least 14 days following the first notice (not including the advertisement's publishing date). There is a range of detailed information that needs to be made available about the proposed panel including: the written policy; details of how the panel will operate; the period for which the panel will be established; and, the number of suppliers the local government intends to appoint to the panel. Once a panel has been established, local governments may enter into a contract (or contracts) with any of the pre-qualified suppliers. However, the contract(s) cannot exceed 12 months and cannot contain an option to renew or extend its term. If it is expected that a contract is to exceed 12 months the particular good or service should be put to tender.

Regulation 13 of the *Local Government (Audit) Regulations 1996* has been amended to require local governments to carry out an audit of compliance for panels of tenders in accordance with section 7 .13( 1 )(i) of the *Local Government Act 1995*.

**Statutory Environment:**

Local Government Act 1995 s 3.57

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996 Part 4 Provision of Goods & Services

Local Government (Rules of Conduct) Regulations 2007

**Strategic Implications:**

This Policy sits under Civic Leadership in The Strategic Community Plan – high levels of accountability; compliance with statutory compliance; openness and transparency; provision of good financial management.

**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:**

Amendment of the Shire of Murchison Purchasing Policy if changes are adopted.

**Financial Implications:**

Nil



- (1) A local government can delegate —
  - (a) to a committee comprising council members only, any of the council’s powers or duties under this Act except —
    - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
    - (ii) any other power or duty that is prescribed;
 and
  - (b) to a committee comprising council members and employees, any of the local government’s powers or duties that can be delegated to the CEO under Division 4; and
  - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government’s powers or duties that are necessary or convenient for the proper management of —
    - (i) the local government’s property; or
    - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f). (5.9 committees, types of (2) A committee is to comprise – (f) other persons only)

5.18. Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

**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:**

Nil

**Recommendation:**

That Council delegate to the Bridge Opening Committee any of its powers or duties that are necessary or convenient:

1. for the proper management of the opening of the Ballinyoo Bridge and
2. for the establishment of the interpretive site for the historic span of the old Ballinyoo Bridge.

**Voting Requirements:**

Absolute Majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**18.4 Request for Donation – Mid West Group of Affiliated Agricultural Societies**

File:	4.69
Author:	Dianne Daniels – Chief Executive Officer
Interest Declared:	N/A
Date:	16 May 2016
Attachments:	Letter of Request for Donation - Midwest Group of Affiliated Agricultural Societies

**Matter for Consideration:**

Council to consider making a donation to the Mid West Group of Affiliated Agricultural Societies (MWGAAS) to assist them with the cost of presenting the 2016 Mid West District Display at the Perth Royal Show.

**Background:**

For the last two years, Council supported the MWGAAS with a donation of \$500 in 2014 and \$300 in 2015 towards their display at the Perth Royal Show. 2014 was the first year that the donation was made, as the Shire of Murchison had previously been aligned with another Agricultural Group.

The MWGAAS includes only seven Agricultural societies, however, covers an area from Moora and Dalwallinu in the South, north to Shark Bay Shire and east to Sandstone and Meekatharra.

**Comment:**

The MWGAAS intend to make this request for donation on an annual basis. The contributions received from the Shire Councils in the Mid West assist the MWGAAS to promote tourism and produce to the largest congregation of people in Western Australia, providing people from outside the district with an insight into what is on offer in our area.

As we have spent our donation budget for 2015-16 and Council has already donated to the MWGAAS in 2015-16, I suggest that the donation be included in the 2016-17 Budget and paid in July 2016.

**Statutory Environment:**

Assistance to Community Groups and Clubs is well within Council’s legislative boundaries.

**Sustainability Implications**

- **Environmental:**  
There are no known significant environmental considerations
- **Economic:**  
Promotion of Tourism sits under the Economic well being area in the Community Strategic Plan.
- **Social:**  
There are no known significant social considerations

**Strategic Implications:**

Promotion of Tourism

**Policy Implications:**

Nil

**Financial Implications:**

Council generally budgets \$5,000 each financial year towards miscellaneous requests for donations. This request for donation would be the first for the 2016-17 Budget.

**Consultation:**

N/A

**Recommendation:**

That Council donate (\$TBA) towards the Mid West Agricultural Group of Affiliated Agricultural Societies to assist with costs to be incurred at the 2016 Perth Royal Show.

**Voting Requirements:**

Simple Majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**19. NOTICE OF MOTION**

**20. CEO ACTIVITY REPORT**

<b>Date</b>	<b>Activity</b>
6/04/2016 – 14/05/2016	Coordinate construction of new DCEO Office
14/04/2016	Meeting with Works Supervisor
15/04/2016	Audit Committee Meeting
15/04/2016	Ordinary Meeting of Council
15/04/2016	Plant Working Group Meeting
18/04/2016	Admin Meeting
18/04/2016	Meeting with Works Supervisor
19/04/2016	Meeting with Tony Chisholm – Flood Damage Works Superintendent
26/04/2016	Interim Audit
26/04/2016	Murchison Economic Development Forum - Cue
27/04/2016	Murchison Economic Development Forum - Cue
28/04/2016	Meeting with Works Supervisor regarding remediation works on the Ballinyoo Bridge
2/05/2016	DCEO, Linda Gray, commenced – training in Perth this week
2/05/2016	Works Supervisor and CEO opened quotes for 8.2015-16 Bunding of Old Roads -
3/05/2016	Works Supervisor and CEO opened tenders for 7.2015-16 Construction of Concrete Floodways – to be assessed at OCM 20/05/2016
5/05/2016	Telephone conference (45 min) with Tully Clayton of Market Creations re proposal to rebrand.
6/05/2016	WALGA Zone Meeting - Cue
9/05/2016	Admin Meeting
10/05/2016	Meeting with Tony Chisholm and Attie Swart re progress of Flood Damage Works
11/05/2016	Bridge Opening Committee Meeting
16/05/2016	Admin Meeting
16/05/2016	Meeting with Works Supervisor

**Recommendation:**

That the CEO's Activity Report be accepted.

**Voting Requirements:**

Simple Majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**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 items.

**Voting Requirements:**

Simple Majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That the meeting move behind closed doors to discuss one item.		
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**22.1 RFT 7.2015/16 Construction of Concrete Floodway**

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That the Tender, RFT 7.2015/16 Construction of Concrete Floodway, be awarded to (TBA)		
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**Motion to open the meeting to the Public**

**Recommendation:**

That the meeting move out from behind closed doors.

**Voting Requirements:**

Simple Majority

<b>Council Decision:</b>		
<b>Moved: Councillor</b>	<b>Seconded: Councillor</b>	
That the meeting move out from Behind Closed Doors.		
<b>Carried/Lost</b>	<b>For:</b>	<b>Against:</b>

**23. MEETING CLOSURE**