



Western Australia

Minutes of the Ordinary Meeting of the Murchison Shire Council,
Held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Thursday **26 October 2017**, commencing at 10.00 am.

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.	ELECTION OF OFFICE BEARERS	3	
4.1	Election of President	3	
4.2	Election of Deputy President	5	
5.	PUBLIC QUESTION TIME	6	
5.1	Standing Orders	6	
6.	NEXT MEETING.....	7	
7.	APPLICATIONS FOR LEAVE OF ABSENCE.....	7	
8.	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS	7	
9.	CONFIRMATION OF MINUTES	7	
9.1	Ordinary Council Meeting – 28 September 2017	7	
10.	ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....	7	
11.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	7	
12.	ACTION LIST	7	
13.	DISCLOSURE OF INTERESTS.....	8	
14.	REPORTS OF OFFICERS.....	8	
14.1	Monthly Plant Report – Works Supervisor	8	
14.2	Works Report – Works Supervisor.....	9	
15.	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED	11	
15.1	Shire President.....	11	
15.2	Councillors.....	11	
16.	REPORTS OF COMMITTEES	11	
16.1	Audit Committee	11	
17.	FINANCE.....	13	
17.1	Financial Activity Statements September 2017.....	13	
17.2	Accounts Paid during the period since the last list was adopted/endorsed by Council	15	
17.3	New Construction Caravan	16	
17.4	2017/18 Budget Variation – Reticulation.....	18	
18.	DEVELOPMENT	19	
18.1	Resealing Works as per Adopted 2017/18 Budget – Call For Tender.....	19	
19.	ADMINISTRATION.....	24	
19.1	Terms of Reference for the Audit Committee and Appointment of Audit Committee Members	24	
19.2	Election of Committee and Working Group Members.....	29	
19.3	Use of Murchison Geo Region	31	
20.	NOTICE OF MOTION	32	
21.	CEO ACTIVITY REPORT	33	
22.	URGENT BUSINESS	33	
23.	ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS.....	33	
24.	MEETING CLOSURE.....	33	

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President declared the meeting open at 10:00 am

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

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

Staff
 Peter Dittrich – CEO
 Brian Wundenberg – Works Supervisor
 Ina Edwardson – DCEO

Members of the Public: One

The President welcomed the retiring Councillor Miles Williams and new councillors to the meeting.

Cr Paul Squires thanked the community for voting him in and he looked forward to serving on the council. Cr Squires said that the areas he wished to concentrate on were;

- Project Officer*
- Create employment and training opportunity's to the broader community*
- Mental health workshops, so we have a greater understanding of each other's needs*
- First responders training and counselling*

He then offered his congratulations to Cr Greydon Mead on taking an active role in the community.

Cr Greydon Meads thanked the community and Cr Paul Squires for his words and said that he was looking forward to seeing what can be achieved in the future.

Cr Emma Foulkes-Taylor thanked the community and stated that she looked forward to her coming term of office.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. ELECTION OF OFFICE BEARERS

President R Foulkes-Taylor vacated the chair to enable the CEO to conduct the election of the office of President.

4.1 Election of President

File:	4.1
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 th October 2017
Attachments:	N/A

Matter for Consideration:

A President is to be elected from within Council for a two year term of office expiring in October 2019.

Background:

The Local Government Act prescribes that Council is to elect a President as the first matter dealt with at the first meeting of Council after an ordinary elections day.

Comment:

Nominations are to be lodged in writing to the CEO, indicating consent of the nominee, prior to or at the Meeting.

Councillors will cast their vote by secret ballot, votes will be counted and the CEO will declare the results. If there is equality of votes between 2 or more candidates, then the meeting is to be adjourned for not more than seven days. Nominations may be withdrawn or further nominations may be made before or when the meeting resumes. If the second round of voting results in a tie, then the CEO is to draw lots in accordance with regulations to determine which candidate is elected.

Statutory Environment:

LGA Schedule 2.3 Division 1

1. Terms used In this Division

— *office* means the office of councillor mayor or president.

2. When council elects mayor or president

(1) The office is to be filled as the first matter dealt with —

(a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected

(1) The council is to elect a councillor to fill the office.

(2) The election is to be conducted by the CEO in accordance with the procedure prescribed.

(3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.

(3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.

(4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.

(5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.

(6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.

(7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

5. Votes may be cast a second time

(1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.

(2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.

(3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.

(4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

Schedule 4.1 — How to count votes and ascertain the result of an election [s. 4.74]

1. The number of votes given for each candidate is to be ascertained.

2. If the election is to fill the office of mayor or president, the candidate who receives the greater or greatest number of votes is elected.

3. If the election is to fill one office of councillor, the candidate who receives the greater or greatest number of votes is elected.

4. If the election is to fill 2 or more offices of councillor, the candidates elected are —

(a) the candidate who receives the greatest number of votes; and

(b) the candidate who receives the next highest number of votes; and

(c) the candidate who receives the next highest number of votes, and

so on up to the number of offices to be filled.

5. If 2 or more candidates receive the same number of votes so that clause 2, 3 or 4 cannot be applied, the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.

Nominations Received:

Cr Q Fowler nominated Cr R Foulkes-Taylor for the position of President. No other nominations were received. Cr R Foulkes-Taylor accepted the nomination

Result of Election:

As no further nominations were received, the CEO declared that Cr R Foulkes-Taylor was elected unopposed to the position of the President for the term ending October 2019.

President R Foulkes-Taylor made his declaration of office.

President R Foulkes-Taylor returned to the chair.

4.2 Election of Deputy President

File:	4.1
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 th October 2017
Attachments:	N/A

Matter for Consideration:

The Deputy President is to be elected from within Council for a two year term of office expiring in October 2019.

Background:

The Local Government Act prescribes that Council is to elect a Deputy President as the next matter dealt with after the election of a President at the first meeting of Council after an ordinary elections day.

Comment:

Nominations are to be lodged in writing to the CEO, indicating consent of the nominee, prior to or at the Meeting (Nomination form attached).

Councillors will cast their vote by secret ballot, votes will be counted and the CEO will declare the results. If there is equality of votes between 2 or more candidates, then the meeting is to be adjourned for not more than seven days. Nominations may be withdrawn or further nominations may be made before or when the meeting resumes. If the second round of voting results in a tie, then the CEO is to draw lots in accordance with regulations to determine which candidate is elected.

Statutory Environment:**Division 2 — Deputy mayors and deputy presidents****6. Terms used**

In this Division —

office means the office of deputy mayor or deputy president.

7. When the council elects the deputy mayor or deputy president

(1) If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —

(a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and

(b) at the first meeting of the council after an extraordinary vacancy occurs in the office.

(2) If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —

(a) as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and

(b) subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.

(3) If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.

8. How deputy mayor or deputy president is elected

(1) The council is to elect a councillor (other than the mayor or president) to fill the office.

(2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.

(3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.

(3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.

(4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.

(5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.

(6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

(7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

9. Votes may be cast a second time

(1) If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.

(2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held

(3) When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.

(4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.

Schedule 4.1 — How to count votes and ascertain the result of an election [s. 4.74]

1. The number of votes given for each candidate is to be ascertained.

2. If the election is to fill the office of mayor or president, the candidate who receives the greater or greatest number of votes is elected.

3. If the election is to fill one office of councillor, the candidate who receives the greater or greatest number of votes is elected.

4. If the election is to fill 2 or more offices of councillor, the candidates elected are —

(a) the candidate who receives the greatest number of votes; and

(b) the candidate who receives the next highest number of votes; and

(c) the candidate who receives the next highest number of votes, and

so on up to the number of offices to be filled.

5. If 2 or more candidates receive the same number of votes so that clause 2, 3 or 4 cannot be applied, the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.

Nominations Received:

Cr E Foulkes-Taylor nominated Cr A Whitmarsh to the position of Deputy President. Cr A Whitmarsh accepted the nomination

Result of Election:

As no further nominations were received, the CEO declared that Cr A Whitmarsh was elected unopposed to the position of the Deputy President for the term ending October 2019.

Deputy President A Whitmarsh made his declaration of office.

5. PUBLIC QUESTION TIME

Nil

5.1 Standing Orders

Council Decision:

Moved: Councillor E Foulkes-Taylor

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

6. NEXT MEETING

23 November 2017

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

9. CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting – 28 September 2017

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 28 September 2017 be confirmed as an accurate record of proceedings

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor Q Fowler		Seconded: Councillor E Foulkes-Taylor
That the Minutes of the Ordinary Council meeting of 28 September 2017 be confirmed as an accurate record of proceedings.		
Carried	For: 6	Against: 0

10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The President read a letter received from Hon D Templeton, acknowledging Councillor Williams for his dedication and services to the Murchison Community. They wished him well for retirement and future endeavours.

11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

12. ACTION LIST

No	Item	Action	Status
1	Community Project Officer	Still sitting on the table. Meeting held 11 th March 2016 and recommendations presented to Council at the April OCM – the item were left to lay on the table while Council explored other options.	The position and requirement of a Community Project Officer is to be reviewed at the November Council Meeting.
2	Cemetery and Remembrance 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. A surveyor will be at the Murchison Settlement shortly to survey the tip, so will plan to have the Cemetery done as well.	Following the discussions at the Budget Workshop further work on this project is to be undertaken in 2018/19.

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. 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. 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 the Shire can progress with this. Undesignated unsurveyed roads were brought up as a discussion point at the May zone meeting. Paul Rosair did a presentation to the March OCM, which was discussed at the April OCM.	Landgate has been asked to provide a list of gazetted roads Shire of Murchison
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Recommendation:

That the Action List be accepted.

Discussion:

The CEO spoke to the Action List and identified future actions to be taken.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor A Whitmarsh	Seconded: Councillor P Squires	
That the Action List be accepted.		
Carried	For: 6	Against: 0

13. DISCLOSURE OF INTERESTS

Nil

14. REPORTS OF OFFICERS

14.1 Monthly Plant Report – Works Supervisor

September 2017			Hours					YTD	
* No Meter ** New Meter				Start	End	Total		Operating Costs	
Plant Item	Year	Rego	1 July 17	Hrs/kms	Hrs/km	Month	YTD	Plant	Fuel
P.01 JD Grader	2011	MU1063	9242	9533	9682	149	440	10187.15	7534.80
P.02 Cat Grader 12H	2005	MU 141	15732	16021	16021	Traded	289	5519.23	5530.80
P15003 JD 6WD Grader	2012	MU121	1829	2134	2249	115	420	5540.34	8508.00
P081 JD Grader	2017	MU105	0	0	46	46	46	0.00	0.00
P.04 New/H Ford Tractor	2006	MU 380	2167	2234	2269	35	102	167.05	208.80
P.05 Dolly 1-Red **	2001	MU 2003	0	943	2436	1493	2436	2913.36	n/a
P.07 Nissan UD	2009	000 MU	217729	218301	219098	797	1369	2029.67	913.20
P.08 Dolly 2-Black	2000	MU 2009	17885	20358	21531	1173	3646	225.05	n/a
P.09 Iveco P/Mover *	2003	MU1065	333380	334656	334656	0	1276	4425.72	1947.60

P.10 Iveco W/Truck (hrs)	2004	MU 00	11403	11763	11870	107	467	1677.82	4293.60
P.11 Komatsu Dozer	1997		2300	2567	2675	108	375	5121.77	7326.00
P.13 Tri-Axle L/L Float	2008	MU 663	28490	29020	29900	880	1410	865.72	n/a
P.14 No. 2 Float	2001	MU 2004	10505	11247	11427	180	922	609.52	n/a
P.17 Side Tipper	2001	MU 662	25124	27119	28609	1490	3485	879.88	n/a
P.18 Side Tipper	2001	MU2010	10314	14247	15736	1489	6998	1833.20	n/a
P.24 30K Water Tanker	2005	MU 2024	7658	10632	11145	513	11658	1934.10	n/a
P.27 Volvo Loader	2006	MU 65	8787	8946	9020	74	6021	1260.89	3526.80
P.28 Isuzu Dmax	2009	MU 300	225000	227003	228042	1039	3042	524.37	577.20
P.32 Construction Gen			25281	25283	25283	0	2	352.97	0.00
P.33 Maintenance Gen			11798	12714	13125	411	1327	458.12	2188.80
P.34 Generator Perkins *			1744	1744	1744	0	0	677.41	99.60
P.35 Generator 1-110kva	2011		26523	26806	26824	18	301	1878.92	25812.00
P. 17035 New Generator	2016		2446	3610	4337	727	1891		
P.37 Forklift			12634	12654	12663	9	29	2600.47	339.60
P.40A Toyota Hilux	2014	01MU	104000	109699	113038	3339	9038	896.27	1269.60
P.41 Cat 938G Loader	2004	MU 193	5850	5965	6012	47	162	803.55	2382.00
P.43 Bomag Roller	2012	MU1027	3537	3580	3611	31	74	4293.30	1122.00
P.48 Dog Fuel Trailer *	1979	MU 2026	0	0	0	0	0	69.54	n/a
P.49 Dog Fuel Trailer *	1972	MU 2005	0	0	0	0	0	93.46	n/a
P.54 Isuzu T/Top	2005	MU 1002	181148	181564	182491	927	1343	499.24	441.60
P.55 Toyota Prado	2012	MU1011	100507	104613	105405	792	4898	621.19	657.75
P.57 Great Wall	2012	MU 167	63922	68210	68780	570	4858	1564.19	547.08
P.59 45ft Flat Top *	1978	MU2044	0	0	0	0	0	983.77	n/a
P.60 Mercedes PTV	2004	MU 1009	103624	103764	103793	29	169	1723.11	54.00
P.61 Kenworth P/Mover	2004	MU 000	104665	109459	110490	1031	5825	3890.14	7263.60
P.64 Isuzu Construction	2013	MU 140	136312	141095	143840	2745	7528	3943.82	2229.60
P.65 Generator 9KVA *	2013	H/ Maint	6391	7777	7777	0	1386	408.48	3340.80
P.67 Roadwest S/Tipper	2013	MU2042	83079	87766	89282	1516	6203	873.43	n/a
P.68 Bomag Padfoot	2013	MU1071	2055	2171	2215	44	160	1719.16	1821.60
P.72 Isuzu Fire Truck	2013	MU1068	2149	2184	2364	180	215	1549.59	14.26
P.73 Toyota Fast Attack	2014	MU1069	8900	8900	8900	0	0	944.39	0.00
Caravans				n/a		n/a	n/a	1678.05	n/a
P11076 JD Ride on mower			937	943	951	8	14	94.52	0.00
P15006 Isuzu Maint	2015	MU1018	48269	57194	59321	2127	11052	1830.81	3154.80
P16063 Toyota Prado	2016	MU 0	29327	35949	37993	2044	8666	2643.17	1079.44
P16075 Kuboto Mower	2016		175	186	200	14	25	70.94	33.60

14.2 Works Report – Works Supervisor

Construction Crew

On returning after the Landor Races break crew completed three small jobs on the Carnarvon-Mullewa road which involved sheeting of three badly corrugated corners between Mt Narryer and the Settlement. With the completion of these works crew then finished off the RRG works. (some of the floodway's were still wet underfoot)

The next works program is on the Carnarvon-Mullewa road between SLK 88.750 - 94.450, 8km north of Curbur homestead pulling in approx. 6km sub grade material (material cut off over years of maintenance grading) with only 4km to be gravel sheeted. The last 2km will get material pulled back on and wet rolled.

On 11/10/2017 crew moved the last of their equipment (rollers, loader and grader) up to the work site. The following day they commenced work on the 4km section starting at the northern end pulling in the yellow

sand. This section has been wet and rolled and crew are now half way through gravel sheeting. All crests will be sheeted twice (two layers at 150mm per layer) as there is no material left that can be pulled in for sub grade. Culverts have been ordered and will be on site next week.

Maintenance Crew

From last report crew had completed a grade on the Carnarvon-Mullewa road from north boundary to the settlement in readiness for the heavy flow of traffic for the Landor races.

Crew are now back on the same section starting again from the north boundary and as of the 19th October are approx. 15km south of Byro doing a patch grade on some sections and full grade were required along with all drains and batters.

Working their way south, the Mt Narryer road had been graded prior to Landor so will be fine. Muggon road will get a light grade and then crew will return to the settlement. They will then grade Carnarvon-Mullewa road from the end of the Catalano works approx. 9km south of bridge to the shire south boundary then return back to the settlement and grade Butchers Track.

With the completion of Butchers Track crew will then grade the bitumen edges on the Carnarvon-Mullewa road and then continue on with the following maintenance grading works program.

- New Forrest-Yallalong road
- Twin Peaks-Wooleen road
- Wooleen-Meeberrie road
- Wooleen-Mt Wittencoom road
- Wooleen-Booldardy road
- Mt Wittencoom road

Carnarvon-Mullewa Road

From a road inspection on the 19th October, contractors B&J Catalano are going along fine. All the base course material has been carted in spread, rolled and is in readiness for a final trim before sealing begins. Floodway's have had all material carted in and spread in readiness for the stabilizer plant to arrive next swing to mix in the cement.

Beringarra/Pindar Road

The Beringarra-Pindar road was in bad need of a grade due to heavy flow of traffic to the MRO work site and the Booldardy Station accommodation site.

An expression of interest was sent out for a contractor to give the road a light grade as the shire graders were tied up with roads in the north-west of the shire. Three replies were received back and the contract was awarded to Walladar Enterprises.

On the 9th of October Walladar started grading from the shire southern boundary 5km north of Pindar and as of the 19th October was at the 100km mark approx. 5km north of the McNabb-Twin-Peaks intersection.

The 5.5km section from the boundary to Pindar town site was also graded.

Work Supervisor - General

29th September to 3rd October 5 nice days off at Landor

9th October - Beringarra-Pindar road inspection and flood damage start up meeting in Geraldton

10th October - Perth for appointment with Doctor

12th October - Assist construction crew move equipment to next works program then 8hrs on grader

17th October - Construction

19th October - Road works inspection – Catalano works south of bridge on the Carnarvon-Mullewa road and contractor grading the Beringarra-Pindar road.

ROADS GRADED SEPTEMBER – OCTOBER 2017

Name	Length of Road	SLK's Graded this month	Heavy Maintenance	Comments
Beringarra-Pindar	319.80km	100km		Under contract – Light grade
Erong	63.12km	63km		
Beringarra-Byro	90.89km	20km 70km		
Beringarra-Mt Gould	34.80km	34km		
Inouendy	9.30km	1km		
Yunda Homestead	32.80km	7km		
Murchison Settlement	2.km	1km		

Carnarvon-Mullewa	278.63km	80km		
Mt Narryer	3km	3km		
Errabiddy Bluff	12km	12km		

Total of roads graded this month 115km by shire crew + 100km contractor.
 Correction to total of roads graded last month 176km not 374km as reported.

Recommendation:

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

Discussion:

Plant Report

The WS discussed the plant report noting that the construction grader hours were lower, due to planned leave break. The new generator and the John Deere grader fully operational and the new grader still being run in.

Cr Squires enquired as to the possible need to reset the genset settings on the grader to overcome the low voltage problems being experienced.

The WS advised that the Construction Crew would be working on the Carnarvon-Mullewa Road till Christmas. He also advised that the Maintenance Crew would be working on the Carnarvon-Mullewa Road, south of the bridge.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor Q Fowler	Seconded: Councillor A Whitmarsh	
That the Work’s Supervisor’s report be accepted.		
Carried	For: 6	Against: 0

The meeting adjourned at 10:42am for morning tea and Mr Miles Williams left the meeting.
 The meeting resumed at 11:12am

15. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

15.1 Shire President

President R Foulkes-Taylor- Nil

15.2 Councillors

Cr P Squires – attended the Native Title High Court Determination at the Woolleen Station, as a Pastoralist/Councillor elect

Cr Q Fowler – attended the annual Landor Race Meeting 29 September 2017

Cr A Whitmarsh – Nil. Advised Council that an aerial baiting organised for 2 & 5 November 2017

Cr G Mead- Nil

Cr E Foulkes-Taylor – Nil. Advised Council that the Museum caretakers had left until next year.

16. REPORTS OF COMMITTEES

16.1 Audit Committee

File:	2.1
Author:	Peter Dittrich, Chief Executive Officer
Interest Declared:	Nil.
Date:	20 October 2017
Attachments:	Nil

Matter for Consideration:

For council to consider and endorse the recommendation of the Audit Committee held 24th August 2017. The minutes of the Audit Committee Meeting held on the 24th August 2017 were confirmed at the Ordinary Council Meeting of 28th September 2017.

Background:

A letter was received from the DLGC on 6th July 2017 in relation to the two financial and two asset ratios that were below standard for the year ended 30 June 2016.

The Shire's Ratios for the year ended 30 June 2016 were:

	Shire	Standard
Asset Consumption Ratio	0.86	0.50 or >
Asset Renewal Funding Ratio	0.39	0.75 to 0.95
Operating Surplus Ratio Adjusted	-2.92	0.01 to 0.15
Debt Service Cover Ratio	N/A	>= 2
Own Source Revenue Coverage Ratio	0.09	0.40 to 0.60
Assets Sustainability Ratio	0.14	0.90
Current Ratio	2.45	1.0

Comment:

Upon the receipt of the letter the CEO contacted Mr Alan Carmichael to discuss the content and the actions that needed to be taken. The CEO advised Mr Carmichael that the letter would not be taken to the Audit Committee until August 2017. The CEO further advised that the Shire was currently working with Greenfield Technical Services to review the road asset information currently held and the associated unit and depreciation rates.

Mr Carmichael acknowledged that the industry standard rates used for assets did not always reflect the actual situation and welcomed the review. He suggested that the nature of the Shire would affect its ability to achieve the standard ratios. If after review by the Shire it was found that the standard ratios could not be achieved by the Shire, he suggested that target ratios be set and that the department be advised accordingly. Mr Carmichael asked to be kept informed as to the progress of the review on an ongoing basis.

The Audit Committees recommendation was as follows:

That the Audit Committee report to the 28 September 2017 Ordinary Meeting of Council recommending that Council direct the CEO to work with the Shire's Auditor, the consultant currently preparing the Strategic Resource Plan (Moore Stephens), and the DLGC to:

- 1. Identify strategies available to improve the Shire's ratios and ;**
- 2. Establish target ratios for the Shire of Murchison should the standard ratios not be achievable by the Shire.**

A report from the Audit Committee was not made to the September 2017 meeting.

Statutory Environment:

Nil

Strategic Implications:

The improvement in the ratios will need to be taken into account in the development of the Strategic Resource Plan.

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:

N/A

Financial Implications:

N/A

Consultation:

Nil

Recommendation:

That Council endorse the recommendation of the Audit Committee of the meeting of 24th August 2017 and direct the CEO to work with the Shire’s Auditor, the consultant currently preparing the Strategic Resource Plan (Moore Stephens), and the DLGC to:

1. Identify strategies available to improve the Shire’s ratios and ;
2. Establish target ratios for the Shire of Murchison should the standard ratios not be achievable by the Shire.

Discussion

The CEO spoke to the report and advised that the Department of Local Government and Communities was satisfied with the Audit Committee recommendation.

Voting Requirements:

Simple Majority

Council Decision:

Moved: Councillor E Foulkes-Taylor

Seconded: Councillor A Whitmarsh

That Council endorse the recommendation of the Audit Committee of the meeting of 24th August 2017 and direct the CEO to work with the Shire’s Auditor, the consultant currently preparing the Strategic Resource Plan (Moore Stephens), and the DLGC to;

1. Identify strategies available to improve the Shire’s ratios and;
2. Establish target ratios for the Shire of Murchison should the standard ratios not be achievable by the Shire.

Carried:

For: 6

Against: 0

17. FINANCE

17.1 Financial Activity Statements September 2017

File:	
Author:	Ina Edwardson – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 October 2017
Attachments:	Financial Activity Statements to 30 September 2017 Statement of Financial Position Operating Statement by Program Operating Statement by Nature & Type Accounts Activity General Ledger Trial Balance

Matter for Consideration:

Council to consider adopting the Monthly Financial Statements for September 2017.

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 September 2017 is a surplus of \$4,167,137

Variations – YTD Budget to YTD

Actual

Budgeted Closing Funding	4,763,062
Surplus(Deficit)	

Plus Variance to Opening Surplus	90,847	
Less Operating Revenues down	(2,323,024)	
Plus Operating Expenditure down	2,342,874	
Plus Operating Activities Excluded	96,619	
Plus Investing Activities down	161,673	
Less Transfer from reserves down	(1,142,516)	
Plus Transfer to reserves down	177,602	
Total Variances		(595,925)

Actuals Closing surplus (Deficit)	4,167,137
-----------------------------------	------------------

Refer to September 2017 Financials for explanation of variances. Review of the YTD Budgets will be completed by December 2017.

The following Term Deposits are currently held as at 30 September 2017:

Beringarra Cue Road Reserve Term Deposit	\$3,754,134	@ 1.75% Maturity 18/10/2017
Crosslands MCF Term Deposit	\$ 371,864	@ 2.00% Maturity 25/11/2017
Ballinyoo Bridge Term Deposit	\$1,293,872	@ 1.87% Maturity 27/10/2017

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
- (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 September 2017 as attached.

Discussion

The DCEO advised that the budget timings still required aligning to when grants are expected to be received in and expenditure expected to be incurred. She further advised that the over allocations of overheads and recoveries of costs were still being reviewed.

The DCEO advised that the Roads to Recovery Annual Statements for 30 June 2017, are currently being audited and expected back in two weeks.

Voting Requirements:

Simple majority.

Council Decision:		
Moved: Councillor Q Fowler	Seconded: Councillor A Whitmarsh	
That Council adopt the financial statements for the period ending 30 September 2017 as attached		
Carried	For: 6	Against: 0

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

File:	4.37.1
Author:	Ina Edwardson – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 October 2017
Attachments:	EFT & Cheque Details for September 2017

Matter for Consideration:

Endorsement of accounts paid during the month of September 2017.

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 September 2017 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

Recommendation:

That the accounts as per the attached Schedule presented to this meeting totalling \$843,670.82 which includes \$501,180.00 of intra account transfers for the month of September 2017, be endorsed by Council.

Discussion

Council requested additional information on a number of transactions, in particular the costs relating to compliance with the Environmental Protection Act.

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor A Whitmarsh

Seconded: Councillor P Squires

That the accounts as per the attached Schedule presented to this meeting totalling \$843,670.82 which includes \$501,180.00 of intra account transfers for the month of September 2017, be endorsed by Council.

Carried

For: 6

Against: 0

17.3 New Construction Caravan

File:	12.15
Author:	Peter Dittrich- Chief Executive Officer
Interest Declared:	Nil
Date:	20 October 2017
Attachments:	17.3 Specification 17.3 Elross Quote 17.3 Work Caravans Quote

Matter for Consideration:

Council to consider the quotes received for the purchase of new Construction Caravan and decide on an option, after due consideration of the recommendation from the Plant Working Group.

Background:

Council budgeted to purchase a new Construction Caravan this financial year. The budget amount is \$90,000. Quotes were requested from two known suppliers.

Comment:

The quotes are summarised in the table below:

Supplier	Cost ex GST	Delivery
Elross	67,098.50	Late November 2017
Work Caravans	51,370.00 + Freight ex QLD est \$10,600 per supplier	10 Weeks from order

The Plant Working Group has considered the matter and has recommended that the Elross van be purchased by the Shire.

Statutory Environment:

As the purchase of the new Construction Caravan has been adopted as part of the 2017-18 Budget and is under the tender threshold, there is no statutory requirement to take the purchase to Council. However, Council historically has been involved in the selection of large items of plant and this custom continues.

Strategic Implications:

Upgrading Plant & Equipment on a regular, planned basis sits under the Civic Leadership objective within the Strategic Community Plan – high quality forward planning, particularly for assets and finances.

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:

N/A

Financial Implications:

The purchase of a new Construction Caravan has been included in the 2017-18 budget.

Consultation:

Plant Working Group

Recommendation:

That Council authorise the purchase of the Elross Caravan as the new Construction Caravan.

Discussion

The President advised that the Plant Working Group had considered the purchase of the new construction caravan.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor G Mead	Seconded: Councillor P Squires	
That Council authorise the purchase of the Elross Caravan as the new Construction Caravan.		
Carried:	For: 6	Against: 0

17.4 2017/18 Budget Variation – Reticulation

File:	2.4
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	Nil
Date:	20 th October 2017
Attachments:	Nil

Matter for Consideration:

Council to consider a budget amendment to install additional reticulation in place of a fertigation system.

Background:

Following a review of the reticulation requirements by the Works Supervisor and the gardener it was identified that there are 3 areas that lack adequate automated reticulation.

Comment:

The areas for proposed automated reticulation are:

- Roadhouse Ablution Area
- Works Supervisors House
- Museum Cottage

The Works Supervisor and gardener have indicated that the proposed installations will minimise the time and water required to maintain the viability of lawns in these areas.

It is requested that council consider the reallocation of \$12,000 from Job C14711 Capex - Settlement fertigation system to fund the proposed reticulation systems at each property. The balance of the funds allocated to C14711 will be reallocated at budget review.

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.*

Policy Implications:

Nil

Budget/ Financial Implications:

If the proposal is accepted then \$12,000 will be transferred from Job C14711 Capex - Settlement fertigation system and allocated to each property as required..

Sustainability Implications:

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

Consultation:

Chief Executive Officer
Works Supervisor
Shire Gardener

Recommendation:

That Council authorise the transfer of \$12,000 from Job C14711 - Capex - Settlement fertigation system and allocation to each property as required.

Discussion

The CEO advised that the original budget for the fertigation system was \$15,000.00 The CEO further advised, that the Works Supervisor and the gardener had identified three areas within the settlement that needed reticulation systems to be installed. Cr Squires stated that this would most likely assist in conserving water.

Voting Requirements:

Absolute Majority

Council Decision:		
Moved: Councillor A Whitmarsh		Seconded: Councillor E Foulkes-Taylor
That Council authorise the transfer of \$12,000 from Job C14711 – Capex – Settlement fertigation system and allocation to each property as required.		
Carried	For: 6	Against: 0

18. DEVELOPMENT

18.1 Resealing Works as per Adopted 2017/18 Budget – Call For Tender

File:	12.9
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 October 2017
Attachments:	N/A

Matter for Consideration:

Council to consider:

1. calling for quotes for the superintendence of the reseal program
2. calling a Public Tender for bitumising reseal works as per the adopted 2017/18 Budget; and
3. establishing a Tender Evaluation Panel to assess the tender referenced at no. 1; and
4. the Assessment Criteria for the tender referenced at no. 1.

Background:

Council has made provision of \$400,000 for these works in the 2017-18 Budget funded by Roads to Recovery. The areas to be resealed are:

Work begins on the Carnarvon-Mullewa Road from 15.570kms to 19.813kms, as measured north from the intersection of the Twin-Peaks/Woollen Road and the Carnarvon Mullewa Road.
Works between; Straight line kilometre 0.00 to 1.935km, as measured north from the intersection of the New Forrest Yallalong Road and the Carnarvon-Mullewa Road, and Straight line kilometre 0.00 to 3.417km, as measured south from the intersection of the New Forrest Yallalong Road and the Carnarvon-Mullewa Road.
Work on Mulga Crescent starting at the southern intersection of Mulga Crescent and the Carnarvon-Mullewa Road to 50m east of that intersection.
Works between, Straight Line kilometre 0.00 to 1km on the Roderick Road heading south, starting from the Intersection of Office Road.

Works between; Straight line kilometre 0.00 to 0.500km, as measured north from the intersection of the Bullardoo Homestead Access Road and the Carnarvon-Mullewa Road, and Straight line kilometre 0.00 to .500km, as measured south from the intersection of the Bullardoo Homestead Access Road and the Carnarvon-Mullewa Road.

Comment:

The Local government Act 1995 and the Local Government (Functions and General) Regulations 1996 state that Tenders are to be publicly invited if the consideration under a contract is expected to be more than \$150,000 and prior to publicly inviting tenders, the local government must establish in writing the criteria for determining which tender should be accepted.

Further, prior to calling for public tenders, the Shire of Murchison Purchasing Policy requires that Council establish an Evaluation Panel.

Statutory Environment:

Local Government Act 1995

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
Division 2 – Tenders for Providing Goods and Services (s.3.57)*

11. When tenders have to be publicly invited

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if —*
 - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or*
 - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or*

12. Anti-avoidance provision for r. 11(1)

If a local government enters into 2 or more contracts in circumstances such that the desire to avoid the requirements of regulation 11(1) is a significant reason for not dealing with the matter in a single contract, tenders are to be publicly invited according to the requirements of this Division before entering into any of the contracts regardless of the consideration.

[Regulation 12 amended in Gazette 2 Feb 2007 p. 245-6.]

13. Requirements when local government invites tenders though not required to do so

If a local government, although not required by this Division to invite tenders before entering into a contract for another person to supply goods or services, decides to invite tenders, the tenders are to be publicly invited according to the requirements of this Division.

14. Publicly inviting tenders, requirements for

- (1) *When regulation 11(1), 12 or 13 requires tenders to be publicly invited, State wide public notice of the invitation is to be given.*
- (2) *If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving Statewide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.*

- (2a) *If a local government —*
- (a) *is required to invite a tender; or*
 - (b) *not being required to invite a tender, decides to invite a tender,*

the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

Strategic Implications:

N/A

Policy Implications:

The Shire of Murchison Purchasing Policy and Buy Local – Regional Price Preference Policy refer.

Financial Implications:

This work has been budgeted for in the 2017-18 Budget.

Consultation:

N/A

Recommendation (3 points):

1. That Council invites quotes for the superintendence of the reseal program
2. That Council invites Public Tenders for bitumising reseal works as per the adopted 2017/18 Budget; and
3. That Council establish a Tender Evaluation Panel (minimum 3 members) to assess the tenders for bitumising reseal works, consisting of the following members:
 - The Council
 - CEO
 - DCEO
 - Works Supervisor
4. That council includes the following assessment criteria and weightings in the tender for bitumising reseal works:

COMPLIANCE CRITERIA

Tenders will be assessed for compliance with the requirements of the conditions of Tender and any Contract Requirements, including responses shown in the Tender Schedules. Compliant tenders will proceed for further assessments as follows:

Comparative Price Assessment

The comparative price for each tender will be calculated by applying applicable regional price preference imposts.

Qualitative Assessments

The tender is called under the local government (Functions & General) Regulations 1996. The prime consideration in the evaluation of received tenders is to establish the tender that clearly demonstrates an understanding of the tasks required under the tender and in the Shire’s opinion represents the best value for money.

The Qualitative Assessment component of the assessment process is designed to take into account those aspects of the Tender that do not readily translate into absolute dollar values, but do however have socio-economic benefits in accordance with the table below.

The criteria on which tenders will be assessed, the maximum weighted score for each criteria and the scoring methodology is as follows:

	Weighting	Score
Organisation Capabilities - Demonstrated recent experience providing service of a similar size or scope - Quality and standard of work - Timeliness of work - Demonstrated capacity and flexibility to service Shire requirements	40%	0-5

Skills and past experience of key personnel - Demonstrated ability - Accreditations	25%	0-5
Suitability of plant and machinery	20%	0-5
Workplace Safety & Environmental Management Procedures - Safety Management Plan in place - Environmental Management Plan in place	10%	0-5
The Contractor's commitment to provision of quality Traffic Management	5%	0-5

Value for Money Assessment

The Principal reserves the right to take into consideration any feature of a tender that provides a benefit to the Shire of Murchison and the community. Any additional features will be evaluated in accordance with the value-for-money assessment process outlined below:

In formulating the recommendation for any acceptance of any Tender, value for money will be assessed by:

- a) Identifying the lowest Competitive Price Tender (this tender then becomes the Benchmark for the value-for money assessment);
- b) If the next highest priced Comparative Price Tender has a higher Qualitative Assessment Score than the benchmark, identifying the additional benefits (if any) offered and assessing if the additional benefit is worth the additional price;
- c) Repeating Step b) with the remaining tenders;
- d) Determining which of the remaining Tenders, if any, offers the best value-for-money.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

Discussion

Cr P Squires asked if all of the recommendations were going out at once. The CEO responded in the negative and further explained, that the first process was to call for quotes than progress to step 2.

Cr P Squires requested clarification in relation to a potential conflict of interest. After explanation and discussion it was identified that there was no conflict of interest in relation to this item.

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor A Whitmarsh

Seconded: Councillor E Foulkes-Taylor

1. That Council invites quotes for the superintendence of the reseal program
2. That Council invites Public Tenders for bitumising reseal works as per the adopted 2017/18 Budget; and
3. That Council establish a Tender Evaluation Panel (minimum 3 members) to assess the tenders for bitumising reseal works, consisting of the following members:
The Council
CEO
DCEO
Works Supervisor.
4. That council includes the following assessment criteria and weightings in the tender for bitumising reseal works:

COMPLIANCE CRITERIA

Tenders will be assessed for compliance with the requirements of the conditions of Tender and any Contract Requirements, including responses shown in the Tender Schedules. Compliant tenders will proceed for further assessments as follows:

Comparative Price Assessment

The comparative price for each tender will be calculated by applying applicable regional price preference imposts.

Qualitative Assessments

The tender is called under the local government (Functions & General) Regulations 1996. The prime consideration in the evaluation of received tenders is to establish the tender that clearly demonstrates an understanding of the tasks required under the tender and in the Shire’s opinion represents the best value for money.

The Qualitative Assessment component of the assessment process is designed to take into account those aspects of the Tender that do not readily translate into absolute dollar values, but do however have socio-economic benefits in accordance with the table below.

The criteria on which tenders will be assessed, the maximum weighted score for each criteria and the scoring methodology is as follows:

	Weighting	Score
Organisation Capabilities - Demonstrated recent experience providing service of a similar size or scope - Quality and standard of work - Timeliness of work - Demonstrated capacity and flexibility to service Shire requirements	40%	0-5
Skills and past experience of key personnel - Demonstrated ability - Accreditations	25%	0-5
Suitability of plant and machinery	20%	0-5
Workplace Safety & Environmental Management Procedures - Safety Management Plan in place - Environmental Management Plan in place	10%	0-5
The Contractor’s commitment to provision of quality Traffic Management	5%	0-5

Value for Money Assessment

The Principal reserves the right to take into consideration any feature of a tender that provides a benefit to the Shire of Murchison and the community. Any additional features will be evaluated in accordance with the value-for-money assessment process outlined below:

In formulating the recommendation for any acceptance of any Tender, value for money will be assessed by:

- a) Identifying the lowest Competitive Price Tender (this tender then becomes the Benchmark for the value-for money assessment);
- b) If the next highest priced Comparative Price Tender has a higher Qualitative Assessment Score than the benchmark, identifying the additional benefits (if any) offered and assessing if the additional benefit is worth the additional price;
- c) Repeating Step b) with the remaining tenders;
- d) Determining which of the remaining Tenders, if any, offers the best value-for-money.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

Carried

For: 6

Against: 0

19. ADMINISTRATION

19.1 Terms of Reference for the Audit Committee and Appointment of Audit Committee Members

File:	4.24
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 th October 2017
Attachments:	19.1 Attachment – Audit in Local Government

Matter for Consideration:

Council to consider the Terms of Reference for the Audit Committee, the appointment of members to the Audit Committee and meeting dates for the Audit Committee.

Background:

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Membership of Committees expires on the next ordinary elections day after a person has been appointed as member.

The Act requires that an audit committee is to consist of a minimum of 3 members and in that situation all must be council members. Where a committee consists of more than 3 members then a majority of those members must be council members. Local Governments may decide to appoint a committee involving only elected members or they may appoint one or more persons who are external to the Council. If a Council considers it appropriate, the whole council can be appointed to the audit committee.

Legislation specifies that a local government is required to meet with its auditor at least once in every year and the meeting may be conducted by telephone or video conference. Council should resolve how the meeting will be conducted.

Comment:

The Local Government Ordinary Elections were held on the 17th October 2015 and so current membership of the Shire of Murchison's Audit Committee was discontinued on that day.

To date, the Audit Committee has had no terms of reference and so, as well as appointing new members, Council will need to consider Terms of Reference for the Audit Committee.

Statutory Environment:

LGA Subdivision 2 s 5.8 to s 5.25
LG (Audit) Regulations 1996

Strategic Implications:

The establishment of committees assists the good governance of the Shire.

Policy Implications:

N/A

Budget/Financial Implications:

N/A

Sustainability Implications:

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

Consultation:

N/A

Recommendation:

- 1. That the following Terms of Reference be adopted for the Shire of Murchison Audit Committee:**

Objectives of Audit Committees

The primary objective of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

Reports from the Committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The Committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

The Committee is to facilitate:

- the enhancement of the credibility and objectivity of external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management and legislative compliance;
- the provision of an effective means of communication between the external auditor, the CEO and the Council;

Powers of the Audit Committee

The Committee is a formally appointed Committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

Membership

The Committee will consist of (TBA). All Members shall have full voting rights.

The tenure of Member to the Committee is in accordance with Section 5.11 of the Local Government Act 1995.

The CEO and other employees are not members of the Committee.

The CEO or his/her nominee is to be available to attend all meetings to provide advice and guidance to the Committee. Other Council officers may attend meetings as and when required.

The local government shall provide secretarial and administrative support to the Committee.

Meetings

The Committee shall meet at least annually.

Additional meetings shall be convened at the discretion of the presiding person.

Reporting

Reports and recommendations of each Committee meeting shall be presented to the next ordinary meeting of the Council.

Duties and Responsibilities

The duties and responsibilities of the Committee will be-

- (a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.
- (b) Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.
- (c) Develop and recommend to Council –
 - a list of those matters to be audited; and
 - the scope of the audit to be undertaken.
- (d) Recommend to Council the person or persons to be appointed as auditor.
- (e) Develop and recommend to Council a written agreement for the appointment of the Auditor. The agreement is to include –
 - the objectives of the audit;
 - the scope of the audit;
 - a plan of the audit;
 - details of the remuneration and expenses to be paid to the auditor; and
 - the method to be used by the local government to communicate with, and supply information to, the auditor.
- (f) Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions.
- (g) Liaise with the CEO to ensure that the local government does everything in its power to –
 - assist the auditor to conduct the audit and carry out his or her other duties under the *Local Government Act 1995*; and
 - ensure that audits are conducted successfully and expeditiously.
- (h) Examine the reports of the auditor after receiving a report from the CEO on the matter and –
 - determine if any matters raised require action to be taken by the local government; and
 - ensure that appropriate action is taken in respect of those matters.
- (i) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- (j) Review the scope of the audit plan and program and its effectiveness.
- (k) Seek information or obtain expert advice through the CEO on matters of Concern within the scope of the Committee's Terms of Reference following authorisation from the Council.
- (l) Review the annual Compliance Audit Return and report to the Council the results of the review.
- (m) Consider the CEO's biennial reviews of the appropriateness and effectiveness of the local governments systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the committee, and report to the council the results of those reviews.

2. That the following people shall be appointed to the Audit Committee (minimum three members of council):

(TBA)

Discussion

Cr E Foulkes-Taylor asked about the membership structure of the Audit Committee of other Councils. The CEO advised that some were made up of all Council Members whilst other had 3 Members of Council as well as 1 or 2 community members.

Cr P Squires said his preference would be for full council involvement.

Voting Requirements:

Absolute majority

Council Decision:

Moved: Councillor P Squires

Seconded: Councillor Q Fowler

1. That the following Terms of Reference be adopted for the Shire of Murchison Audit Committee:

Objectives of Audit Committees

The primary objective of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

Reports from the Committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The Committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

The Committee is to facilitate:

- the enhancement of the credibility and objectivity of external financial reporting;
- effective management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management and legislative compliance;
- the provision of an effective means of communication between the external auditor, the CEO and the Council;

Powers of the Audit Committee

The Committee is a formally appointed Committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

Membership

The Committee will consist of (TBA). All Members shall have full voting rights.

The tenure of Member to the Committee is in accordance with Section 5.11 of the Local Government Act 1995.

The CEO and other employees are not members of the Committee.

The CEO or his/her nominee is to be available to attend all meetings to provide advice and guidance to the Committee. Other Council officers may attend meetings as and when required.

The local government shall provide secretarial and administrative support to the Committee.

Meetings

The Committee shall meet at least annually.

Additional meetings shall be convened at the discretion of the presiding person.

Reporting

Reports and recommendations of each Committee meeting shall be presented to the next ordinary meeting of the Council.

Duties and Responsibilities

The duties and responsibilities of the Committee will be-

- (a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.
- (b) Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.
- (c) Develop and recommend to Council –
 - a list of those matters to be audited; and
 - the scope of the audit to be undertaken.
- (d) Recommend to Council the person or persons to be appointed as auditor.
- (e) Develop and recommend to Council a written agreement for the appointment of the Auditor. The agreement is to include –
 - the objectives of the audit;
 - the scope of the audit;
 - a plan of the audit;
 - details of the remuneration and expenses to be paid to the auditor; and
 - the method to be used by the local government to communicate with, and supply information to, the auditor.
- (f) Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions.
- (g) Liaise with the CEO to ensure that the local government does everything in its power to –
 - assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - ensure that audits are conducted successfully and expeditiously.
- (h) Examine the reports of the auditor after receiving a report from the CEO on the matter and –
 - determine if any matters raised require action to be taken by the local government; and
 - ensure that appropriate action is taken in respect of those matters.
- (i) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- (j) Review the scope of the audit plan and program and its effectiveness.
- (k) Seek information or obtain expert advice through the CEO on matters of Concern within the scope of the Committee's Terms of Reference following authorisation from the Council.
- (l) Review the annual Compliance Audit Return and report to the Council the results of the review.
- (m) Consider the CEO's biennial reviews of the appropriateness and effectiveness of the local governments systems and procedures in regard to risk management,

internal control and legislative compliance, required to be provided to the committee, and report to the council the results of those reviews.		
2. That the following people shall be appointed to the Audit Committee):		
Cr R Foulkes-Taylor		
Cr E Foulkes-Taylor		
Cr G Mead		
Cr A Whitmarsh		
Cr Q Fowler		
Cr P Squires		
Carried	For: 6	Against: 0

19.2 Election of Committee and Working Group Members

File:	4.70
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 th September 2017
Attachments:	19.2 Attachments (1) to (9) – Terms of Reference

Matter for Consideration:

Council to determine the membership of all Committees and Working Groups following the Ordinary Elections of 21 October 2017.

Background:

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Committees and Working Groups are to report to Council and provide appropriate advice and recommendations on matters relevant to their terms of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

At any given time, each Councillor is entitled to be a member of at least one committee and if a Councillor nominates himself or herself to be a member of such a committee or committees, Council is to include that Councillor in the persons appointed to at least one of those committees, as the Council so decides.

If at a meeting of the Council, a local government is to make an appointment to a committee that has or could have a Councillor as a Member and the President informs the local government of his wish to be a member of the committee, the local government is to appoint the President to be a member of the committee.

If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

- (a) to be a member of the committee; or
- (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO’s representative, as the case may be, to be a member of the committee.

An absolute majority of Council is required to appoint each member to a committee.

Where a Councillor is appointed as a member of a committee, the Councillor’s membership of the committee continues until:

- a. the Councillor no longer holds the office of Councillor;
 - b. the Councillor resigns from membership of the committee.
 - c. the committee is disbanded; or
 - d. the next ordinary elections day,
- whichever occurs first.

The members of each committee are to elect a presiding member from among themselves in accordance with the Act. The members of a committee may elect a deputy presiding member among themselves, but any such election is to be in accordance with the Act.

Comment:

The Local Government Ordinary Elections were held on the 21st October 2017 and so current membership of the Working Groups was discontinued on that day.

The Terms of Reference for the Working Groups are attached – refer Attachments 19.2 (1)-(9).

Statutory Environment:

Local Government Act 1995 Part 5 Division 2 Subdivision 2

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Recommendation:

1. That Council elects the following people (TBA) to be members of the various Committees/Working Groups. Members are to be elected having due regard for their particular skills and expertise in the area of interest for which the Committee/Working Group has been formed. Community Positions are to be advertised. If there are more Community applicants than positions, then Council will decide the successful applicant(s) at the December OCM, having due regard for their particular skills and expertise.

COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Plant Working Group	1	1	1	CEO	Works Supervisor	N/A
Settlement Building Working Group	1	1		CEO DCEO	Works Supervisor	N/A
COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Accident Prevention Working Group	1			CEO		To be advertised - 3 positions
Community Advisory Group	1	1		CEO	Works Supervisor Gardener	To be advertised – 3 positions
Murchison Community Fund Management Committee	Shire President			CEO		To be advertised – 2 positions
Local Emergency Management Committee	Shire President or Delegate			CEO	Works Supervisor	Refer LEMA
Settlement Drinking Water Working Group (New)	1	1		CEO	Works Supervisor Health Officer	To be advertised – 1 position
Settlement Power Supply Working Group (New)	1	1	1	CEO	Works Supervisor	To be advertised – 1 position
Wild Dog Control Working Group	1			CEO		To be advertised – 2 positions
ORGANISATION	DELEGATE	DELEGATE		OBSERVER	OBSERVER	COMMUNITY
Murchison Regional Road Group				CEO	Works Supervisor	N/A
WALGA Zone Delegates				CEO		N/A

Voting Requirements:

Absolute majority.

Council Decision:						
Moved: Councillor Q Fowler			Seconded: Councillor P Squires			
COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Plant Working Group	P Squires	G Mead	R Foulkes-Taylor	CEO	Works Supervisor	N/A
Settlement Building Working Group	A Whitmarsh	E Foulkes-Taylor		CEO DCEO	Works Supervisor	N/A
COMMITTEE/WORKING GROUP	MEMBER	MEMBER	MEMBER	STAFF	STAFF	COMMUNITY
Accident Prevention Working Group	E Foulkes-Taylor			CEO		To be advertised - 3 positions
Community Advisory Group	E Foulkes-Taylor	Q Fowler		CEO	Works Supervisor Gardener	To be advertised - 3 positions
Murchison Community Fund Management Committee	Shire President			CEO		To be advertised - 2 positions
Local Emergency Management Committee	Shire President or Delegate			CEO	Works Supervisor	Refer LEMA
Settlement Drinking Water Working Group (New)	P Squires	R Foulkes-Taylor		CEO	Works Supervisor Health Officer	To be advertised - 1 position
Settlement Power Supply Working Group (New)	P Squires	G Mead	R Foulkes-Taylor	CEO	Works Supervisor	To be advertised - 1 position
Wild Dog Control Working Group	A Whitmarsh			CEO		To be advertised - 2 positions
ORGANISATION	DELEGATE	DELEGATE		OBSERVER	OBSERVER	COMMUNITY
Murchison Regional Road Group	R Foulkes-Taylor	P Squires		CEO	Works Supervisor	N/A
WALGA Zone Delegates	R Foulkes-Taylor	A Whitmarsh		CEO		N/A
Carried For: 6 Against: 0						

Cr E Foulkes-Taylor left the room at 12:18 pm and returned at 12:20 pm

19.3 Use of Murchison Geo Region

File:	13.10
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	22 October 2017
Attachments:	Nil

Matter for Consideration:

Council to consider the use of the words “Shire of Murchison, a part of the Murchison Geo Region.”

Background:

The Shire of Mount Magnet, on behalf of the Shires of Cue, Meekatharra, Murchison, Sandstone, Wiluna and Yalgoo, has secured funding from the Mid West Development Commission for this Murchison Geotourism Development project (the Project). All seven Murchison Shires have also committed cash and in kind support for the Project.

At the July 2017 Meeting Cr E Foulkes-Taylor was appointed as the Shire’s representative.

Comment:

As part of the project it has been recommended that all the affected shires identify with the region project by including the sentence “(Insert Shire name here), a part of the Murchison Geo Region” to everyday communications and correspondence be it hard copy or e-copy.

Statutory Environment:

2.7. Role of council

- (1) The council –
 - (a) governs the local government’s affairs; and
 - (b) is responsible for the performance of the local government’s functions.
- (2) Without limiting subsection (1), the council is to –
 - (a) oversee the allocation of the local government’s finances and resources; and
 - (b) determine the local government’s policies.

Strategic Implications:

This initiative sits under Objective 1 Economic of the Community Strategic Plan – ‘To develop the region’s economic potential to encourage families and the businesses to stay in the area.’

Sustainability Implications

- **Environmental:**
There are no known significant environmental considerations associated with this decision
- **Economic:**
Geotourism may in the future offer business opportunities to local families
- **Social:**
There are no known significant social considerations associated with this decision

Policy Implications:

N/A

Financial Implications:

Nil

Consultation:

Mid West Development Commission
Murchison Executive Group

Recommendation:

That Council authorize the sentence “Shire of Murchison, a part of the Murchison Geo Region” to be added to everyday communications and correspondence be it hard copy or e-copy.

Discussion

Council discussed the idea of the using the sentence “Shire of Murchison, a part of the Murchison Geo Region”. Some councillors expressed dissatisfaction with the level of consultation in the development of the sentence and felt that the sentence should be further developed.

Voting Requirements:

Simple majority

Council Decision:		
Moved: Councillor Q Fowler	Seconded: Councillor E Foulkes-Taylor	
That Council authorize the sentence “Shire of Murchison, a part of the Murchison Geo Region” to be added to everyday communications and correspondence be it hard copy or e-copy.		
Lost	For: 2	Against: 4

Reason:

That until the idea is more developed it is premature to adopt the use of this sentence.

20. NOTICE OF MOTION

Nil

21. CEO ACTIVITY REPORT

Date	Activity
26.09.2017	Telephone discussion with Steve Douglas of MWDC re settlement power
03.10.2017	Telephone discussion with Paul Brennan of Moore Stephens re the need to recognise staff housing in Shire’s asset register
06.10.2017	Meeting with Alan Carmichael of DLG re CEO Support Program
09.10.2017	Staff meeting
09.10.2017	Telephone discussion with Rebecca Greenaway – agreement still with State Solicitors Office
17.10.2017	Meeting with Steve Douglas re settlement power and related matters.
17.10.2017	Meeting with DFES and CESM agreement participants re CESM priorities and contract.
17.10.2017	Attended Regional Road Group Meeting
18.10.2017	Discussion with Works Supervisor re crew Christmas shutdown. Last day 20 th December 2017 to restart 22 nd or 29 th January 2017 TBA. Administration Office to close noon on 22 nd December and reopen 8 th January 2017. Skeleton Staff to be in place over the break.
18.10.2017	Discussions with M Tierney re Beringarra Cue Road
19.10.2017	Telephone call C McTaggart re Christmas Tree 16 th December 2017 16h30

Recommendation:

That the CEO’s Activity Report be accepted.

Discussion

The CEO advised Council that the Audit went well and the report should be received within two weeks. The CEO reminded the President that his written report was required for the completion of the Annual Reports for 30 June 2017.

Voting Requirements:

Simple Majority

Council Decision:		
Moved: Councillor G Mead	Seconded: Councillor A Whitmarsh	
That the CEO’s Activity Report be accepted.		
Carried	For: 6	Against: 0

22. URGENT BUSINESS

Nil

23. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

24. MEETING CLOSURE

The meeting closed at 12:52 pm

<p>These minutes were confirmed at the council meeting held on</p> <p>Signed..... Presiding Officer</p>
