



Western Australia

Agenda for the Ordinary Meeting of the Murchison Shire Council,
To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Thursday 28th February 2019, commencing at 12 Noon.

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

4.1 Standing Orders

Council Decision:

Moved: Councillor

Seconded: Councillor

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

8.2 Limitation on the number of speeches

8.3 Duration of speeches

Carried/Lost

For:

Against:

5. NEXT MEETING

28 March 2019

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Discuss four items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. Supply of Fuel, 2. Purchase of loader, 3. Roadhouse Lease and 4. Appointment of Works Supervisor.

8. CONFIRMATION OF MINUTES

8.1 Ordinary Council Meeting – 15 December 2018

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 December 2018 be confirmed as an accurate record of proceedings

Voting Requirements:

Simple majority

Council Decision:

Moved: Councillor

Seconded: Councillor

That the Minutes of the Ordinary Council meeting of 15 December 2018 be confirmed as an accurate record of proceedings.

Carried/Lost

For:

Against:

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

11. ACTION LIST

No	Item	Action	Status
1	Community Project Officer	Working Group held a telephone conference to discuss funding.	Awaiting release of grant funding. If delayed a budget amendment will be proposed. Grant applications close Sept 2019.
2	Cemetery and Remembrance Walk	Community Advisory Group inspected niche wall area and marked layout.	Quote to be sought for 7.5m x 1m x 0.3m wall.
3	Review of Road Network	Council to conduct a whole of shire road review. Establish roads to be closed/position of roads etc. and work with Landgate and surrounding shires. The status (ie a road defined by description; a dedicated road; a gazetted road; a closed road) of roads no longer maintained needs to be identified before the Shire can progress with this.	Working with Paul Dean of Landgate and Brad Harken of Department of Lands, Planning and Heritage. Partial report received.

Recommendation:

That the Action List be accepted.

Voting Requirements:

Simple majority

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

12. DISCLOSURE OF INTERESTS

13. REPORTS OF OFFICERS

13.1 Monthly Plant Report – Acting Works Supervisor

	Plant Description	Year	Rego	Total Costs	Recovery	Plant Hrs YTD	Plant Hrs Dec-Jan
P001	JD 770G Grader	2011	MU1063	34,350.30	65,135.00	930.50	192.00
P004	Ford New Holland Tractor	2006	MU 380	1,315.84	0.00	0.00	0.00
P005	Dolly	2001	MU 2003	1,549.61	0.00	0.00	0.00
P007	UD Nissan Prime Mover Truck	2009	000 MU	26,623.78	20,655.00	459.00	169.50

	Plant Description	Year	Rego	Total Costs	Recovery	Plant Hrs YTD	Plant Hrs Dec-Jan
P008	Dolly	2000	MU 2009	1,635.97	5,450.00	545.00	84.50
P009	Iveco Prime Mover	2003	MU1065	9,940.33	26,640.00	592.00	0.00
P010	Iveco Tipper 2004	2004	MU 00	3,241.11	0.00	0.00	0.00
P011	Komatsu D85A Bulldozer	1997	0	45,936.95	21,636.50	198.50	0.00
P013	Low Loader Float	2008	MU 663	8,895.59	7,020.00	117.00	64.00
P014	Low Loader Float	2001	MU 2004	4,104.52	0.00	0.00	0.00
P017	Trailer - Evertrans Side Tipper	2001	MU 662	3,009.44	9,281.50	488.50	75.00
P018	Trailer - Side Tipping Roadwest	2001	MU2010	5,328.84	9,937.00	523.00	74.50
P024	Water Tanker Trailer	2005	MU 2024	12,963.18	17,214.00	906.00	146.00
P027	Volvo L110E Loader	2006	MU 65	30,431.85	17,517.50	269.50	37.00
P028	LV Isuzu D-Max 4x4	2009	MU 300	8,870.10	97.50	6.50	6.50
P032	Genset - Construction	0	0	12,438.15	0.00	0.00	0.00
P033	Genset - Maintenance 13 KVA	0	0	6,055.17	0.00	0.00	0.00
P034	Genset Perkins On Mechanic Truck	0	0	4,002.16	0.00	0.00	0.00
P035	Genset Power House	2011	0	100,150.15	99,085.05	0.00	0.00
P041	Loader CAT 938 GII	2004	MU 193	19,081.40	7,962.50	122.50	25.00
P043	BOMAG Roller (Rubber)	2012	MU1027	11,579.91	9,600.00	240.00	42.00
P048	Howard Porter Flat Trailer - Construction Gen	1979	MU 2026	797.70	0.00	0.00	0.00
P049	Howard Porter Fuel Trailer	1972	MU 2005	503.20	0.00	0.00	0.00
P055	Toyota Prado 3.0I T/D 5 door Wgn	2012	MU1011	5,858.95	5,856.45	10.00	10.00
P057	Great Wall 2012 Gardeners Ute	2012	MU 167	2,914.41	0.00	0.00	0.00
P059	Trailer - 45ft Flat top	1978	MU2044	2,992.64	627.00	33.00	8.00
P060	Patient Transfer- Mercedes Sprinter	2004	MU 1009	2,682.15	2,552.59	0.00	0.00
P061	Kenworth T604 Prime Mover	2004	MU 000	68,838.59	27,832.50	618.50	121.50
P064	Isuzu FRR500 5-Tonne Truck	2013	MU 140	48,947.04	13,455.00	172.50	36.50
P065	Generator 9 KVA Kuboto Machine	2013	0	2,603.32	0.00	0.00	0.00
P067	Trailer - Side Tipper Roadwest	2013	MU2042	6,084.26	10,079.50	530.50	84.50
P068	BOMAG Padfoot Roller BW211PD-4 - Yellow	2013	MU1071	20,001.71	17,360.00	434.00	91.50
P072	Isuzu Fire Truck	2013	MU1068	13,991.78	13,991.78	0.00	0.00
P073	Toyota Fire - Fast Attack	2014	MU1069	12,026.17	12,026.17	0.00	0.00
P077	Kubota U25-3 Mini Excavator & Attachments	0	0	7,232.07	3,825.00	76.50	7.50
P080	Fuso Canter	2017	MU120	7,724.50	5,538.00	71.00	17.50
P081	John Deere 670G Motor Grader	2017	MU105	37,386.10	67,830.00	969.00	201.00
P082	Isuzu/Dmax Sx - Works Supervisors Vehicle	2017	01 MU	12,018.07	4,492.50	299.50	97.00
P086	Maxitrans Tandem axle Dolly	2012	1TNW068	308.15	4,245.00	424.50	58.00
P15003	Grader John Deere 672G	2012	MU121	34,801.92	56,595.00	808.50	121.00
P15006	Truck - Isuzu NPR 65/45	2015	MU1018	13,621.65	12,597.00	161.50	37.00
P16063	Toyota Prado	2016	MU 0	7,856.12	0.00	0.00	0.00
P16075	Kubota Tractor B2301 HD with mower deck	2016	0	2,164.18	1,718.50	122.75	35.75

13.2 Works Report – Acting Works Supervisor

Construction Crew

The construction crew returned from their Christmas break and went straight into a CPR refresher course. They then spent several days working on the trench for the optic fibre cable between the Shire office and the Depot. This required several days of shovel work so as not to have any further mishaps as far as pipelines and cables go. The cable is now in place and appears to be working as planned. They then attended an Emotional Intelligence course held for all of the “outside” staff – some appear to have got more benefit from it than others, however I am confident all left having learnt something. On Tuesday February 5th a start was made on preparing a 1km section for sealing 13 km south of the Ballinyoo Bridge on the Carnarvon Mullewa Road. This section should be complete by the time Council receive this report. They will then start on a re-sheet of the Carnarvon Mullewa Road from SLK 118.0 to SLK 122.0. On completion of this job we will be moving over to the Beringarra - Cue Road to tackle the task of returning the sealed section back to an unsealed road. A report on this is due to be presented to Council.

Maintenance Crew

The Maintenance crew attended the same training courses as the construction crew and assisted with the trench between the Shire office and the Depot. On Tuesday February 5th they headed out to the Beringarra - Pindar Road to start their maintenance grading programme. They will begin from the turkeys nest south of the Boolardy homestead and head north doing the Boolardy - Kalli Road on the way past.

Flood Damage Works

A handover of completed work was done on January 22nd and 23rd – all crews are back on deck and appear to be going well, apart from minor irritations such as access to water and turn arounds they have or are currently dealing with.

We look forward to a busy and productive year from the Shire crews and Contractors alike.

Recommendation:

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

Voting Requirements:

Simple majority

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

14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

14.2 Councillors

15. REPORTS OF COMMITTEES

Nil

16. FINANCE

16.1 Financial Activity Statements to 31 December 2018

File:	4.37
Author:	Rose Jones – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 February 2019
Attachments:	Financial Activity Statements to 31 December 2018 Statement of Financial Position Operating Statement by Program Operating Statement by Nature & Type Accounts Activity General Ledger Trial Balance

Matter for Consideration:

Council is to consider adopting the Monthly Financial Statements for December 2018.

Background:

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

Comment:

The Current Position at 31 December 2018 is a surplus of \$3,447,213

	Budgeted closing surplus YTD	\$5,152,093
Less	Variance to Opening Funding Surplus	-37,495
Less	Operating revenue down	-3,126,625
Plus	Operating Expenditure down	530,870
Less	Operating activity excluded	-77,505
Plus	Investing activities down	1,005,875
Plus	New Debentures up	0
Less	Transfers from reserve down	0
Less	Repayment of Debentures up	0
Plus	Transfers to reserves down	0
	Total Variances	-1,704,880
	Actual Surplus as at 31 December 2018	\$3,447,213

The following Term Deposits are currently held as at 31 December 2018:

Muni

Term Deposit 531423	\$500,000.00	2.69%	Maturity 29/01/2019
Term Deposit 531431	\$1,000,000.00	1.90%	Maturity 08/01/2019
Term Deposit 529817	\$500,000.00	1.94%	Maturity 06/01/2019
Term Deposit 249753(Closed 7.1.19)	\$500,000.00	2.69%	Maturity 30/12/2018

Trust

Crosslands MCF Term Deposit	\$372,948.23	2.39%	Maturity 25/02/2019
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Reserve

Term Deposit 531458	\$752,419.11	2.09%	Maturity 29/01/2019
Term Deposit 531466	\$1,000,000.00	2.36%	Maturity 29/01/2019
Term Deposit 218770	\$1,006,646.71	2.07%	Maturity 21/01/2019
Beringarra Cue Road Reserve Term Deposit	\$2,467,089.65	2.07%	Maturity 21/01/2019

Statutory Environment:

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

(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 31 December 2018 as attached.

Voting Requirements:

Simple majority.

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

16.2 Financial Activity Statements to 31 January 2019

File:	4.37
Author:	Rose Jones – Deputy Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 February 2019
Attachments:	Financial Activity Statements to 31 January 2019 Statement of Financial Position Operating Statement by Program Operating Statement by Nature & Type Accounts Activity General Ledger Trial Balance

Matter for Consideration:

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

Background:

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

Comment:

The Current Position at 31 January 2019 is a surplus of \$2,242,654

	Budgeted closing surplus YTD	\$2,089,089
Less	Variance to Opening Funding Surplus	-37,495
Less	Operating revenue down	-2,616,477
Plus	Operating Expenditure down	343,265
Less	Operating activity excluded	-87,855
Plus	Investing activities down	1,357,982
Plus	New Debentures up	1,194,145
Less	Transfers from reserve down	0
Less	Repayment of Debentures up	0
Plus	Transfers to reserves down	0
	Total Variances	-153,565
	Actual Surplus as at 31 January 2019	\$2,242,654

The following Term Deposits are currently held as at 31 January 2019:

Muni

Term Deposit 531423	\$500,000.00	2.07%	Maturity 28/02/2019
Term Deposit 531431	\$1,000,000.00	2.51%	Maturity 08/04/2019
Term Deposit 529817	\$500,000.00	2.06%	Maturity 08/02/2019

Trust

Crosslands MCF Term Deposit	\$372,948.23	2.39%	Maturity 25/02/2019
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Reserve

Term Deposit 531458	\$750,000.00	2.07%	Maturity 28/02/2019
Term Deposit 531466	\$1,000,000.00	2.52%	Maturity 29/04/2019
Beringarra Cue Road Reserve Term Deposit	\$3,479,523.50	2.52%	Maturity 21/04/2019

Statutory Environment:

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

(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 31 January 2019 as attached.

Voting Requirements:

Simple majority.

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

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

File:	4.37.1
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 February 2019
Attachments:	EFT & Cheque Details for December 2018 EFT & Cheque Details for January 2019

Matter for Consideration:

Endorsement of accounts paid during the months of December 2018 and January 2019.

Background:

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

Comment:

A list of payments made during the months of December 2018 and January 2019 is attached.

Statutory Environment:

Local Government (Financial Management) Regulations 1996

Regulation 13 states:

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

Strategic Implications:

None

Policy Implications:

None

Budget/Financial Implications:

Payment from the Municipal, Trust and Reserve Bank Accounts.

Sustainability Implications:

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

Consultation:

Moore Stephens

Recommendation:

That the accounts for the Months of December 2018 and January 2019, as per the attached Schedules presented to this meeting including \$5,745,825.03 from Municipal Account (which includes \$1,777,459.78 to WA Treasury in respect of the short term advance), \$64.00 from Oasis Roadhouse and \$17.70 from Trust totalling \$5,745,906.73 be endorsed by Council.

Voting Requirements:

Simple majority

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

16.4 Financial Report 2017-18

File:	2.2
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	13 February 2019
Attachments:	Financial Report 2017-18 including Independent Auditors Report

Matter for Consideration:

Council to consider the adoption of the Financial Report for 2017-18.

Background:

A local government is to prepare a Financial Report for the preceding financial year and such other financial reports as are prescribed.

Comment:

The 2017-18 Financial Report was prepared and sent to the Auditor by the 30th September as prescribed.

At its meeting on the 15th December 2018, the Audit Committee reviewed the Financial Report, discussing the Audit Findings and draft Management Letter with the Auditor. Following the meeting a final audit report was issued by the Auditor on 17th December 2018.

The Audit Committee reported on its meeting at Item 15.2 on 15th December 2018.

Statutory Environment:

Division 3 — Reporting on activities and finance

6.4. Financial report

(1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

(2) The financial report is to —

(a) be prepared and presented in the manner and form prescribed; and

(b) contain the prescribed information.

(3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —

(a) the accounts of the local government, balanced up to the last day of the preceding financial year; and

(b) the annual financial report of the local government for the preceding financial year.

Strategic Implications:

Nil.

Policy Implications:

Nil.

Budget/Financial Implications:

The cost of the annual audit is included in the 2018-19 Budget

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
RSM
Rose Jones

Recommendation of Audit Committee:

- 1) That Council adopt the Financial Report for 2017-18

Voting Requirements:

Simple majority

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

16.5 2018-19 Budget Variation – Provision of Vehicle for Technical/Project Officer

File:	2.4
Author:	Rose Jones – Deputy Chief Executive Officer
Interest Declared:	Nil
Date:	13 February 2019
Attachments:	Nil

Matter for Consideration:

Council is to consider a budget amendment to provide for the purchase of a vehicle for use by the Technical / Project Officer.

Background:

The 2018-19 Annual Budget includes provision for wage or contractor expense to employ a Project Officer. In December 2018 a decision was made to appoint an employee to a combined role of Technical and Project Officer. In order to effectively undertake their duties it is necessary to provide a suitable vehicle.

Comment:

A quotation from Geraldton Toyota has been obtained that is sourced from the State Government pricing for a Hilux 4WD complete with bull bar, spotlights, LED beacons and a UHF Radio of \$44,163 plus GST.

The account affected is Capital Expenditure GL12302 Cap-Ex – Purchase Major Plant – Roads.

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:

As part of Council’s 2018-19 Budget Review process additional income has been identified in an amount of \$77,642 from Main Roads in respect to the Direct Grant. Funds for the vehicle will be drawn from this unbudgeted cash.

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:

CEO
Acting Works Supervisor

Recommendation:

That council endorse the purchase of a Toyota Hilux 4WD as an amendment to the 2018-19 Annual Budget in the amount of \$44,163 funded from general revenue savings identified as the result of an increase in Main Roads contribution in relation to its Direct Grant for 2018-19.

Voting Requirements:

Absolute Majority

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

17. DEVELOPMENT

17.1 Beringarra-Cue Road Proposed Works

File:	12.8
Author:	Vanessa Crispe – Technical/Project Officer
Interest Declared:	No interest to disclose
Date:	14 February 2019
Attachments:	Assessment report

Matter for Consideration:

Background:

At the Ordinary Meeting of Council on 19th August 2016 the decision was made to invite Public Tenders for various bitumen seal, reseal and repair works. At the Ordinary Meeting of Council on the 16th December 2016, Council declined to accept any tender for RFT 4.2016-18 Repairs to Bitumen Surface Defects because the tendered prices far exceeded the budget.

During the discussion relating to the CEO’s Report at the March 2017 Ordinary Council Meeting a request was made that a whole of life costing be presented to Council. The whole of life costing was tabled at the Ordinary Meeting of Council held on 27th April 2017 and a decision made to return the Beringarra-Cue Road to gravel.

The decision to invite Public Tenders for the Supply of Plant & Operators for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel was made by Council at the OCM 27 July 2017. The tender was advertised in the West Australian 21 July 2018 with the advertised closing date being 2:00 pm 21 August 2018.

The scope of works was to supply Plant & Operators for the Conversion of the Sealed Section of the Beringarra-Cue Road to Gravel. Council rejected all tenders due to the total project cost being beyond available budget at the Council meeting 25 September 2018.

Comment:

Council has considered the whole of life costing in relation to the Beringarra-Cue Road. The works will be undertaken internally and added to the works program.

As the road owner the Shire is required to undertake the primary assessment of the road and indicate the following conditions have been met:

1. The road width meets the guideline requirements.
2. There are no evident steep grades.
3. All sight distances meet guideline requirements.

Summary

A site visit was undertaken on 6th February 2019 to assess areas of priority and implement a works schedule process. We were able to point out various drainage issues in the different sections; in particular, the sections where the road is causing the downstream side of the road to be staved of upstream runoff. The drainage issues seemed to be more prevalent in the section south of Mileura Station (approximately SLK 0-55). The drainage issues in the section north of the station (SLK 55-85) were generally confined to a couple of specific locations as well as the large crossing at Whela Creek / Poonthoon Pool (SLK 83.8).

The scope of works is simply limited to priority repairs to the existing cement stabilised floodways, then undertaking priority assessments for ripping the seal followed by shaping and grading the gravel/recycled seal surface. The materials that are currently affecting the performance of the sealed road will be retained and used in the future unsealed road. To alleviate some of the materials affecting the performance of the sealed road, work needs to be completed around the drainage issues and assessing the flow of water.

Statutory Environment:

Nil

Strategic Implications:

Nil

Policy Implications:

Nil

Budget/ Financial Implications:

This project will be funded by the reserve set aside for the conversion of the sealed section of the road to gravel.

Sustainability Implications:

- **Environmental:**
There may be significant noise and dust issues which need to be considered.
- **Economic:**
There could be significant economic impact on road maintenance costs.
- **Social:**
There may be some impact on residents along the route and some impact on other road users.

Consultation:

William Herold – Acting Works Supervisor

Recommendation:

That Council:

Endorse the strategy suggested for the works comprising of two stages; Stage 1 Priority Works and Stage 2 scheduled work.

Stage 1. Comprises saving sections of the road/floodways constituting:

- Repairs to existing cement stabilised floodways, including concrete works,
- Construction of drains, drain lines, offshoot drains and drainage bunds, and
- Resealing works for sections of retained seal.

Stage 2. comprises the bulk of the civil works constituting:

- Recycle of the sections of the seal as per scheduled maintenance works program
- Preparation of subgrade,
- Construction and reconstruction of gravel/seal sheeting for heavy reshape,
- Construction of drains, drain lines, offshoot drains and drainage bunds, and
- Construction of unsealed floodways.

Voting Requirements:

Simple Majority

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

18. ADMINISTRATION

18.1 Anzac Day – Call for Volunteer of the Year

File:	TBA
Author:	Peter Dittrich - Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	13 February 2019
Attachments:	Nil

Matter for Consideration:

Consideration of the concept and form of a “Volunteer of the Year” award to be presented at the Shire’s ANZAC Day function.

Background:

The ANZAC Day function is generally well attended by members of the Shire community. This award would enable the Shire to recognise the outstanding contribution by an individual undertaking volunteer work within the Shire.

Comment:

The award will be made to a person, whom in the opinion of the Council, has made an outstanding contribution to as a volunteer to the community of the Shire of Murchison in the past 12 months. In the inaugural year of the award nominations will be called for from members of the Shire community to be received by the Shire no later than the 21st of March 2019. This would allow Council to consider the nominations at its March meeting.

The award would take the form of a framed certificate, signed by the Shire President, which will be presented at the ANZAC Day function.

The form of the nomination will be:

Name of Nominated Volunteer	
Date of Nomination	
Reason for Nomination: (Please include details of the nature of volunteer work undertaken, the period the work was undertaken, and the reason for the nomination. Please attach any supporting documentation)	
Name & signature of Proponent	
Proponent Contact Details	

Statutory Environment:

Nil

Sustainability Implications

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

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

The cost of the award will be part of the Civic Functions.

Consultation:

Nil

Recommendation:

That the Shire of Murchison establish a “Volunteer of the Year” award and call for nominations.

Voting Requirements:

Simple Majority

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

18.2 Acceptance of the 2017-18 Annual Report

File:	1.2
Author:	Peter Dittrich - CEO
Interest Declared:	No interest to disclose
Date:	13 February 2019
Attachments:	2017-18 Annual Report

Matter for Consideration:

The Annual Report for the 2017-18 financial year is presented for consideration by the Council. In accordance with s5.55 of the Local Government Act the Annual Report will be made available to the public after it is accepted by Council.

Background:

Local Government is to prepare an Annual Report for each financial year containing:

- (a) a report from the mayor or president
- (b) a report from the CEO
- (c) an overview of the plan for the future
- (d) the financial report for the financial year
- (e) information as may be prescribed in relation to payments to employees
- (f) the auditor's report for the financial year
- (g) information regarding Disability access and inclusion
- (h) details in the register of complaints

The Annual Report is to be the first item considered at the Annual General Meeting of Electors.

Comment:

The 2017-18 Annual Report has been prepared according to section 5.53 of the Local Government Act. The Financial Statement for the Year Ending 30 June 2018, which is included in the Annual Report has been audited by RSM Bird Cameron and in their opinion, gives a true and fair view of the financial position of the Shire of Murchison as at 30 June 2018. The Independent Auditors Report is included in the Annual Financial Report.

An Electors general meeting will be convened within 56 days of Council accepting this annual report. The suggested date and time being 4 pm Friday 29th March 2019.

Statutory Environment:**5.53. Annual reports**

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president; and
 - (b) a report from the CEO; and
 - [(c), (d) deleted]
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
 - (f) the financial report for the financial year; and
 - (g) such information as may be prescribed in relation to the payments made to employees; and
 - (h) the auditor's report for the financial year; and
 - (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and
 - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
 - (i) the number of complaints recorded in the register of complaints; and
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require; and
 - (i) such other information as may be prescribed

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

* Absolute majority required.

(2) If the auditor’s report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor’s report becomes available.

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.27. Electors’ general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors’ meetings are to be those prescribed.

5.29. Convening electors’ meetings

- (1) The CEO is to convene an electors’ meeting by giving —
 - (a) at least 14 days’ local public notice; and
 - (b) each council member at least 14 days’ notice, of the date, time, place and purpose of the meeting.

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:

This is a statutory function.

Policy Implications:

Nil

Financial Implications:

Nil

Consultation:

Moore Stephens
RSM Bird Cameron

Recommendation:

- 1) That Council accepts the Annual Report for 2017-18
- 2) That the Electors Annual General meeting be held at 4pm on the 29th March 2019 at the Murchison Community Centre, Murchison Settlement.

Voting Requirements:

Absolute Majority

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

18.3 Amendment to Delegations

File:	4.16
Author:	Peter Dittrich
Interest Declared:	No interest to disclose
Date:	18 January 2019
Attachments:	Extract of Delegated Authority Register - 16. Signing of Requisitions and Purchase Orders

Matter for Consideration:

Council to consider adopting the revised Register of Delegations - 16. Signing of Requisitions and Purchase Orders.

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 28th June 2018.

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

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

Comment:

The amendment to the Delegated Authority Register - 16. Signing of Requisitions and Purchase Orders that Council is requested to consider is:

- Increase - Deputy Chief Executive Officer \$60,000 maximum
- Increase - Works Supervisor \$60,000 maximum
- Addition - Technical/Project Officer \$20,000 maximum
- Increase – Finance/Customer Service Officer \$ 2,000 maximum

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 - 16. Signing of Requisitions and Purchase Orders and adopts it as presented and attached.

Voting Requirements:

Absolute Majority

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

18.4 Bush Fire Control Officers

File:	5.1
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 th January 2019
Attachments:	Nil

Matter for Consideration:

Council to appoint such persons as it thinks necessary to be Bush Fire Control Officers for the Shire of Murchison under and for the purposes of the Bush Fires Act 1954 Section 38.

Background:

The Murchison Bush Fire Brigade met on 15 December 2018. At the meeting 7 positions were filled, namely:

- Chief Bushfire Control Officer – Peter Dittrich
- Deputy Bush Fire Control Officer North – Quentin Fowler
- Deputy Bush Fire Control Officer South – Tom Foulkes-Taylor
- Brigade Captain – Stuart Broad
- Brigade Lieutenant- William Herold
- Brigade Secretary- DCEO
- Bush Fire Committee chair – Tom Foulkes-Taylor

Three people were elected as bush fire control officers for the purposes of the Act. The Act enables Bush Fire Control Officers to issue Permits to Burn ie section 18 subsection (6) provides:

Subject to this Act a person shall not set fire to the bush on land within a zone of the State during the restricted burning times for that zone of the State unless —

- (a) he has obtained a permit in writing to burn the bush from a bush fire control officer of the local government in whose district the land upon which the bush proposed to be burnt is situated, or from the chief executive officer of the local government if a bush fire control officer is not available; and
- (b) the conditions prescribed for the purposes of this section are complied with in relation to the burning of the bush.

Comment:

The Bush Fire Brigade is considered to be the preferred organisation to recommend such appointments are made as prescribed in the Act in regards to fire control. However, under the Bush Fires Act and the Local Government Act, Council has a responsibility to appoint the officers.

The following brigade members were appointed to the position of Bush Fire Control Officers for the Shire of Murchison:

- Chief Fire Control Officer: Peter Dittrich
- Deputy Bush Fire Control Officer North – Quentin Fowler
- Deputy Bush Fire Control Officer South – Tom Foulkes-Taylor
- Community Emergency Services Manager: Richard Ryan

Statutory Environment:

Bush Fires Act 1954 Sections 38 and 67.

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Recommendation:

1. That Council note the following brigade members elected by the Murchison Bush Fire Brigade as detailed below:-
 - Chief Bushfire Control Officer – Peter Dittrich
 - Deputy Bush Fire Control Officer North – Quentin Fowler
 - Deputy Bush Fire Control Officer South – Tom Foulkes-Taylor
 - Brigade Captain – Stuart Broad
 - Brigade Lieutenant- William Herold
 - Brigade Secretary- DCEO
 - Bush Fire Committee chair – Tom Foulkes-Taylor
 - Community Emergency Services Manager Rick Ryan

2. That Council confirm the following brigade members be appointed Bush Fire Control Officers and Permit Issuing Officers for the Shire of Murchison:
 - Chief Fire Control Officer: Peter Dittrich
 - Deputy Bush Fire Control Officer North – Quentin Fowler
 - Deputy Bush Fire Control Officer South – Tom Foulkes-Taylor
 - Community Emergency Service Manager Richard Ryan

Voting Requirements:

Simple majority

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

18.5 Local Law – Standing Orders Local Law 2001

File:	4.28
Author:	Peter Dittrich – Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	15 th February 2019
Attachments:	Nil

Matter for Consideration:

Council to review the local law - Standing Orders Local Law 2001.

Background:

The Shire of Murchison is required to undertake a review of its local law every eight years. The Shire currently has a single local law - Standing Orders Local Law 2001 which was gazetted on 22nd August 2002. The Shires records indicate that this law was reviewed in March 2009.

State wide public notice of the review was given in The West on 5th November 2018. Submissions about the proposed review were invited from the public. The closing date for submissions was 1st February 2019. As at the close of the submission period no submissions had been received.

Comment:

The intended purpose and effect of this local law is as follows:

Purpose: - Is to provide the rules for the conduct of meetings of the Council, Committees and Electors.

Effect: - To result in:

- a) the orderly and effective conduct of meetings;
- b) greater community understanding of the meeting process;
- c) better decision making by the Shire; and
- d) better outcomes from decisions made.

S3.16 of the Act outlines the process to be followed in reviewing a local law.

Division 2 — Legislative functions of local governments**Subdivision 1 — Local laws made under this Act****3.16. Periodic review of local laws**

- (1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*
- (2) *The local government is to give State wide public notice stating that —*
 - (a) *the local government proposes to review the local law; and*
 - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
 - (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
- (2a) *A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.*
- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required.*

[Section 3.16 amended by No. 64 of 1998 s. 7; No. 49 of 2004 s. 24.]

At the end of the notice period the CEO is required to prepare a report to Council for its consideration in accordance with S 3.16 (3) and S 3.16 (4) as above.

Statutory Environment:

Local Government Act 1995 S 3.16

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:

Nil

Consultation:

Nil

Recommendation:

That Council having undertaken a review of Standing Orders Local Law 2001, resolves to make no amendments and thus retains without modification the following current local law: Standing Orders Local Law 2001.

Voting Requirements:

Absolute majority

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

19. NOTICE OF MOTION

Nil

20. CEO ACTIVITY REPORT

Date	Activity
11.12.2018	SKA Stakeholders Meeting
18.12.2018	Meeting with G Egan re heritage matters
19.12.2018	Discussions J Kirk re heritage matters
19.12.2018	Discussions Stuart House of House Legal re heritage matters
07.01.2019	Mark Harris of LGIS – Discuss Risk Management per Reg 17
08.01.2019	Peter Simms – Rivett Mining – Beringarra Pindar Road Review
10.01.2019	John King – Talis – Resolve floodworks supervisor invoicing
17.01.2019	LGIS – Members travel insurance
30.01.2019	Carol Wilson - CSIRO – Pilot Activated lights

30.01.2019	R Ariti – Telephone call re vermin control
05.02.2019	Auditor General – RSM appointed as auditor
07.02.2019	Meeting with Gary Sivall – Local procurement options and assistance for business’
08.02.2019	Discussions re Roadhouse Lease
12.02.2019	Discussions re extension of roadhouse lease
13.02.2019	LGIS insurance renewal meeting

Recommendation:

That the CEO’s Activity Report be accepted.

Voting Requirements:

Simple Majority

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

21. URGENT BUSINESS

Nil

22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Discuss four items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. Supply of Fuel, 2. Purchase of a loader, 3. Roadhouse Lease and 4. Appointment of Works Supervisor.

Motion to close the meeting to the Public

Recommendation:

That the meeting move behind closed doors to discuss four items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. Supply of Fuel, 2. Purchase of loader, 3. Roadhouse Lease, and 4. Appointment of Works Supervisor.

Voting Requirements:

Simple Majority

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

Motion to open the meeting to the Public

Recommendation:

That the meeting move out from behind closed doors.

Voting Requirements:

Simple Majority

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

22.1 Confidential - Supply of Fuel

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

22.2 Confidential - Purchase of Loader

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

22.3 Confidential - Roadhouse Lease

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

22.4 Confidential - Appointment of Works Supervisor

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

23. MEETING CLOSURE