



Western Australia

Agenda for the Ordinary Meeting of the Murchison Shire Council

Held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
on Thursday **28 November 2019**, commencing at 12 Noon.

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ATTACHMENTS

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3 ELECTION OF OFFICE BEARERS

3.1 Election of Deputy President

File: 4.1
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 18 October 2019
Attachments: *Deputy President Nomination Form previously been sent out to councillors*

Matter for Consideration:

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 election's day. The Deputy President is to be elected from within Council for a two-year term of office expiring in October 2021.

At the October Council Meeting when the matter was listed in the Agenda Council resolved "*That the nomination of the Deputy Shire President be adjourned until the November ordinary council meeting.*" As a result, the matter again listed for decision.

Comment

Nominations are to be lodged in writing to the CEO, indicating consent of the nominee, prior to or at the Meeting (*Deputy President Nomination Form sent out to councillors with Agenda*). 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 Nominations may be withdrawn, or further nominations may be made before or when the meeting resumes.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

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

Result of Election

Declaration of Office

The successful councillor will be required to complete the *Form 7 under the Local Government (Constitution) Regulations* as well as this declaration being verbally undertaken before an Authorised Person pursuant as outlined in *Schedule 2 of the Oaths, Affidavits and Statutory Declarations Act 2005* prior to taking Office.

4 CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting – 24 October 2019

Background

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

Recommendation

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

Voting Requirements:

Simple majority

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

5 DISCLOSURE OF INTERESTS

Nil

6 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

7 PUBLIC QUESTION TIME

7.1 Standing Orders

Council Decision		
Moved: Cr	Seconded: Cr	
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

8 NEXT MEETING

14 December 2019

9 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

10 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

- 23.1 Supply of Housing
- 23.2 Adaman Resources
- 23.3 Coolcalalaya West Road Repairs

11 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

12 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

13 ACTION LIST

Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Attachments: 13.1 Action List Update November 2019
13.2 Cemetery Niche Ashes Wall Example Pics - Options

Update

Attached is a brief progress update report of actions that have been previously identified by Council. The following monthly update status is provided.

No	Item	Update Status / Comments
1	Community Project Officer	Following a brief review of the previous background, new staff capabilities and information obtained from the Mid-West Gascoyne RDA indicates that a shandy approach could be cost effective. Ie ~ an external specialist grant identification group. (Mid-West Gascoyne RDA are well advanced in this aspect which would be available to our region for a small fee ~ a skilled base practitioner to write grants for stakeholders, with Council to facilitate a cost-effective engagement ~ a local part-time resource to supplement Council staff. Overtime it may be possible to have more applications undertaken "in house" Under these arrangements' employee housing would most likely not be required A review / refinement of arrangements is being considered along these lines.
2	Cemetery and Remembrance Walk	Contacted Paul who advised that Shire of Bridgetown-Greenbushes Cemeteries had good examples of what was envisaged. Follow up revealed that they were moving away from a wall type arrangement due to the visual look and that the ashes needed to be decanted, to more of a garden bed type approach. Refer attached Cemetery Niche Ashes Wall Example Pics – Options A review of concept considered worthwhile.
3	Review of Road Network	Discussion with Paul Dean from Landgate indicates the complexity of the review given the variety of means and records that have existed over the years. Eg Government Gazette, survey plans, diagrams etc. The Report we have received addressed evidence of any gazettal or dedication for 15 roads. There would appear to be a significant gap with the Department having limited resources for what is a state-wide issue such that any further investigation will most likely only occur when the department has some other issues to investigate

Recommendation

That the Action List Progress Update as attached be accepted.

Voting Requirements

Simple majority

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

14 REPORTS OF OFFICERS

14.1 Works Supervisor Report

File:

Author: William Herold – Works Supervisor

Interest Declared: No interest to disclose

Attachments: 14.1 Monthly Plant Report

Monthly Plant Report

As Attached

Works Report

Construction Crew

The construction crew have wrapped up on the Beringarra-Cue Rd. and have moved to the re sheet job from the Wooramel River crossing to the Shire north boundary on the Carnarvon- Mullewa Rd. The Shire has hired in an extra watercart from Squires Resources as well as two roller operators to stand in for Brent while he is away.

On behalf of the Shire I would like to congratulate Brent and Steph on the arrival of their daughter, Indianna Hazel.

As mentioned earlier water was posing a significant problem, however we have drilled a new bore and put in a turkey nest about as close to the middle of the job as possible. Bore capacity looks to be around the 4000 gph mark and has certainly increased the tempo of the works as well as saved significantly on road maintenance. Good road building material has also proved tricky and I suspect we will require a grid roller for the northern 3 to 4 km.

Maintenance Crew

The maintenance crew have had a busy and disrupted last month looking after the south end of the Carnarvon-Mullewa Rd due to additional maintenance requirements brought on by the CSIRO works at the Twin-Peaks, Boolardy and Roderick crossings and associated works. Currently they are grading from the Byro access Rd. back to the Settlement and hopefully we can then tackle the south end of the Carnarvon/ Mullewa Rd. with some help from MRWA.

Dozer Contractor

Thurkle's Dozing are stockpiling material for upcoming work.

Coolcalalaya West Road Repairs

Contractors Red Dust Holdings have commenced mobilisation and are expected to complete Road repairs shortly

Proposed New Housing

The Technical Officer and I paid a visit to the shortlisted Tenderers at their premises in Perth. Report considered in Closed Council Item.

Plant Replacement

We have commenced the process of purchasing a new grader through WALGA's eQuote Tender Process. It is expected that this should be complied for consideration by Council at the December Council Meeting.

MRWA Program

It has recently come to our attention that the works contained within Councils 2019/20 budget on the Carnarvon– Mullewa Road for a resheet south of Bullardoo (SLK 271.8-278.85) have been included in next year's Main Roads 2020/21 program. As such an amended project will be required for this year to acquit our grant.

Review of previously submitted Main Roads Projects has also revealed that a section (SLK 111.00 to 116.10) for the Carnarvon– Mullewa Road, to reform carriageway including surface drain improvements & resheet still needs to be undertaken. Main Roads WA are happy to have this minor change for 2019/20. For Council there will be no change for the 2019/20 Budget allocation, just a change in location. Council endorsement is requested.

Recommendation

1. The Works Supervisors report be received and accepted
2. That the Job the description associated with Job No C14194 within the MRWA Project Construction Section of Council's 2019/20 Budget for the Carnarvon– Mullewa Road be amended to (SLK 111.00 to 116.10) to reform the carriageway including surface drain improvements & resheet

Voting Requirements

Recommendation 1 Simple Majority
Recommendation 2 Absolute Majority

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

15 ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

15.1 Shire President

15.2 Councillors

16 REPORTS OF COMMITTEES

17 FINANCE

17.1 Accounts Paid since the last list was adopted/endorsed by Council

File: 4.37.1
Author: Tatjana Erak - Acting Chief Executive Officer
Interest Declared: No interest to disclose
Attachments: 17.1.1 EFT & Cheque Details since the last report to Council

Matter for Consideration

The Local Government (Financial Management) Regulations 1996 Regulation 34 requires that local government endorse the accounts paid since the last presentation to Council.

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 since the last report to Council 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) *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.

Consultation

Moore Stephens

Recommendation

That the accounts since the last report to Council, as per the attached Schedule presented to this meeting endorsed by Council.

Voting Requirements

Simple Majority

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

18 DEVELOPMENT

18.1 Museum Cottage

File:

Author: Bill Boehm – Chief Executive Officer

Interest Declared: No interest to disclose

Date 19 November 2019

Attachments: 18.1.1 Museum Cottage Discussion Notes Report including Brief Inspection Report

Matter for Consideration

Quantifying arrangements for the management and operation of the Museum Cottage

Background

Since commencing at Council, the current and previous arrangements between Council and the Museum Committee for the management and operational activities associated with the Museum Cottage have to a large extent seemed to be known on principle but perhaps undocumented.

Recently with the consent of Museum Committee representative Emma Foulkes-Taylor, Council has arranged to temporarily house a Council staff over the summer period as well as placed a short-term contract staff in the Cottage for a limited time in November. This seems to have been common practice.

As a result, I sought clarification as to the background to the operation of the Museum Cottage as well as having a short inspection of the Cottage. A copy of the Discussion Notes Report and including a Brief Inspection Report of the Building is attached.

Comments

The Museum is an integral part of the fabric of the Murchison Shire and the Settlement and is well appreciated and respected by all that are involved. The Museum Cottage is integral to its successful operation and from time to time has proven invaluable to assist Council as temporary staff accommodation.

The relationship between the Museum Committee and Council has been excellent and a suitable refinement to recognise what is in reality more or less the current state of play that has been undertaken in practice but perhaps not defined. The Discussion Notes Report provides a suitable clarification and is articulated in the recommendation.

As a general overview, potentially enclosing the rear verandah with a window infill to the Committees expectations is desirable and would largely round off what is a terrific character building.

Statutory Environment

Local Government Act 1995

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

Strategic Implications

Shire of Murchison Council Community Strategic Plan - Economic Objective 1 -

To develop the region’s economic potential to encourage families and businesses to stay in the area

Tourism Development

To promote and support a sustainable tourism industry in the Shire of Murchison

Policy Implications

Nil

Financial Implications

There will be a need to undertake some maintenance works in accordance with Council’s recent Inspection Report but cleaning costs going forward are not expected to require a significant ongoing increased costs. Council’s budget COA 11604 covers all operational costs with capital costs to be programmed on a year by year basis. There are likely to be grant opportunities available given the nature of the development.

Recommendation

That in relation to the Museum Cottage that Council endorse the following operational arrangements:

1. The building, whilst recognising that it is owned by the Museum Committee, continues to be treated as a Council asset and be included on the Shire’s asset base.
2. Council continue to meet all operational costs including building insurance, maintenance and utilities etc and adds cleaning between tenants.
3. Museum Committee to be primarily responsible for fit out of the building; such décor etc to befit the heritage character of the building.
4. Capital works as desired by the Museum Committee to be funded by Council noting that some could be potentially be assisted through external grant funding.
5. In recognition of these contributions that, in conjunction with the Museum Committee, Council be able to use the cottage to accommodate staff and the occasional contractor staff or other persons on an as required basis; noting that the current volunteer museum caretaker arrangement has precedence.
6. The general day to day management shall be undertaken by Council staff in consultation with the Museum Committee.
7. An appropriate level of funding shall be allocated through the normal budget process.

Voting Requirements

Simple Majority

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

18.2 Settlement Power Supply

File:

Author: Bill Boehm – Chief Executive Officer

Interest Declared: No interest to disclose

Date 19 November 2019

Attachments: Nil

Matter for Consideration:

The following update is provided in advancing improvements to the Murchison Settlements Power Supply.

At the last meeting I advised that Hybrid Systems Australia have been engaged to assist Council in what is effectively a two-stage process.

Stage 1

Review existing electrical network and performance and recommend actions with a view to ensuring it will be sufficient going forward. Also scope out specifications for the supply and installation of a replacement Generator on the basis that a renewable energy system will later be installed. Stage 1 is the urgent bit and has commenced with the Works Supervisor now in a position to seek prices.

Stage 2

There is a need to Review previous reports and documentation and how this aligns with the current market and what it would consider a suitable design for the community requirements and best fit for purpose to align with a suitable long-term renewable / diesel power supply system and update analysis of preferred options.

The Commonwealth Government has recently announced through the Department of Industry, Innovation and Science that applications are open for that Regional and Remote Communities Reliability Fund for Microgrids.

Initially Hybrid Systems were to assist in potentially preparing what was to be a Council application. Upon review of the eligibility criteria it became apparent that Local Government was ineligible to apply, meaning that another operator / consultant would need to be the applicant.

Hybrid Systems agreed to undertake this task and are on track to submit the application by the 5 December extended deadline. I was able to provide a raft of information to assist as well as facilitating letters of support.

The funding program is a national one, targeted it seems on large scale feasibility studies of between \$1-3 million making our study at the minimum end of spectrum which has been set at \$100,000. The program will be very competitive.

Statutory Environment

Local Government Act 1995

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

Strategic Implications

Shire of Murchison Council Community Strategic Plan - Economic Objective 1 -

To develop the region's economic potential to encourage families and businesses to stay in the area

Green Power Upgrade for the Settlement

Update the Settlement electricity supply network to renewable sources

Policy Implications

Nil

Financial Implications

Council has made allowance in the budget to purchase a new KVA Generator. There is no cost to Council for Hybrid Systems to submit a Microgrid application.

Recommendation

That the Chief Executive Officer's Update Report relating the Murchison Settlement Power Supply be accepted and the actions taken in facilitating Hybrid Systems to submit an application for Department of Industry, Innovation and Science Regional and Remote Communities Reliability Fund for Microgrids be endorsed.

Voting Requirements

Simple Majority

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

19 ADMINISTRATION

19.1 Shire of Murchison Information Statement 2019

File: 1.2
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 16 November 2019
Attachments: 19.1.1 Shire of Murchison Information Statement 2019

Matter for Consideration:

Council to consider accepting the Shire of Murchison Information Statement 2019

Background

The Freedom of Information Act 1992 (FOI Act) created a general right of access to documents held by state and local government agencies. The FOI Act requires agencies, including local governments, to make available details about the kind of information they hold and enables persons to ensure that personal information held by government agencies about them is accurate, complete, up-to-date and not misleading.

Section 96 (1) of the Freedom of Information Act 1992 requires each government agency, including local governments, to prepare and publish annually, an Information Statement that includes the following:

- the Agency's Mission Statement
- details of legislation administered
- details of the agency structure
- details of decision-making functions
- opportunities for public participation in the formulation of policy and performance of agency functions
- documents held by the agency
- the operation of FOI in the agency

Comment

It is the aim of the Shire of Murchison to make information available promptly, at the least possible cost and wherever possible, documents will be provided outside the Freedom of Information (FOI) process.

Statutory Environment

Freedom of Information Act 1992

Local Government Act 1995 Division 7 Access to Information

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

Strategic Implications

This is a statutory function.

Policy Implications

Nil

Financial Implications

Nil

Consultation

Nil

Recommendation

That Council accepts the Shire of Murchison Information Statement 2019 as presented and attached.

Voting Requirements

Simple Majority

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

19.2 Christmas Office Closure

File:

Author: Bill Boehm – Chief Executive Officer

Interest Declared: No interest to disclose

Date 16 November 2019

Attachments: Nil

Matter for Consideration

Council to consider the annual Christmas shutdown period.

Background

In previous years Council has closed the Office during the Christmas/New year period but in 2018 following a review of the situation the office was closed for a two-week period. From all accounts this was well received by staff with minimal impact on the Councils operation.

Comment

Following discussions with staff it has been indicated that similar arrangements should apply for this Christmas with the administration office being closed from close of business on Friday the 20 December 2019 reopening on Monday 6 January 2020.

Statutory Environment

Nil

Strategic Implications

Nil

Sustainability Implications

Environmental	There are no known significant environmental considerations
Economic	There are no known significant economic considerations
Social	There are no known significant social considerations

Policy Implications

Nil

Financial Implications

Nil

Consultation

Works Supervisor, DCEO

Recommendation

That the arrangements made by the CEO regarding the annual shutdown period be endorsed.

Voting Requirements

Simple Majority

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

19.3 Annual Report Auditors Report & Financials Update

Progress Update

Council Auditors are scheduled to attend the Council Office on 2 December 2019. The finalisation of the Audited Financials by Councils Auditors and the Auditors Report will dictate when the Financial Report can be finalised. This in turn will dictate when the Annual Report can be completed as the Financials and Auditors Report forms a significant part.

Under the *Local Government Act 1995*, The Annual Report must be accepted by the Council by 31 December unless the Auditors Report is not available in time for this to be included in the Annual Report and hence adopted within this deadline. If this does not transpire prior the next December Council Meeting the Annual Report must be adopted with two months of the Council having received the Auditors Report.

In any event given advertising and publication requirements the Annual Meeting of Electors will have to be held in the new year.

Notwithstanding the above the balance of the Annual Report has been finalised and a draft will be sent out to councillors as pre reading. Apart from any minor variations that may arise following the Audit the financials will be virtually the same to those that were presented at budget consideration and that are included for comparative purposes with the monthly financial reports that come before Council.

This year we have taken the opportunity in the Annual Report to reveal the compliance and financial requirements dictated by legislation but to also expand other relevant information by highlighting a bit of a background and a small summary of achievements.

For Information

19.4 Committee Working Groups & Outside Organisations Operation

File: 14.24
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 16 October 2019
Attachments: 19.3.1 Terms of Reference for each current Committee / Working Group
19.3.2 Membership of current Committees, Working Groups and Other Organisations

Background

These matters regarding the appointment of a third member of Councils Audit Panel and Council representatives to Committees and Working Groups was held over from the October Council Meeting.

Matter for Consideration

Pursuant to the *Local Government Act 1995* Council is to determine the membership of all Committees following the day of Ordinary Elections (19 October 2019). The opportunity is taken appoint delegates of other organisations that Council is involved in

It has also been past practice that the opportunity is taken for the renewal of membership for those groups that have been established as Working Groups that provide advice to the CEO. Following the last Council Meeting a formal email request was sent out via Councils community email database.

At this time, it would also be prudent to also review the current Terms of Reference for each Working Group or Committee.

A copy of the existing Terms of Reference for each current Committee / Working Group as well as Membership of current Committees, Working Groups and Other Organisations is attached.

Committees

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 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 election 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.

At the current time Council has one such committee being the Murchison Community Fund Management Committee. Its main purpose is to manage written applications of request for financial assistance from community members and community groups.

Working Groups

Working Groups are essentially established to make recommendations to the CEO for presentation to Council. As such they are not formal committees under the *Local Government Act 1995*.

Members are to be appointed having due regard for their particular skills and expertise in the area of interest for which the Working Group has been formed. Community Positions have historically been advertised. If there are more Community applicants than positions, then Council will decide the successful applicant(s), usually at the December Ordinary Council Meeting, having due regard for their particular skills and expertise.

I have reviewed the allocation of staff members and made minor suggested changes from the previous list as a result of a minor review of each person's role and skill sets. The recommendation includes the addition of Council's Technical Officer onto the Settlement Building Working Group and Community Advisory Group. If accepted the respective terms of Reference will need to be amended.

Delegates

Delegate positions are those that Council is required to appoint as representatives on other organisations.

Comments

In addition to the above there are a range of informal adhoc groups such as the Marketing Group that from time to time may operate. Also being new to the Shire I have no experience as to the activity of each Working Group, but I have noted that some have not met for perhaps two years. It would be prudent to also review whether some should still be required and or amalgamated.

Statutory Environment

Committees *LGA Subdivision 2 s5.8 to s5.25*

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That for each Committee, Working Group and Organisation as listed, that Council endorses the listing of staff and community positions and appointments for member positions and if required makes minor changes to the Respective Terms of Reference to reflect any positional changes.

Note that Council will need to determine from its ranks the relevant member appointments as part of a final resolution

Committee	Member	Member	Member	Staff	Staff	Community
Murchison Community Fund Management Committee	Shire President			CEO		To be advertised – 2 positions
Audit Committee	Cr R Foulkes-Taylor	Cr Q Fowler	Third vacancy required			

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 Technical Officer	N/A
Accident Prevention Working Group	1			CEO		To be advertised - 3 positions
Community Advisory Group	1	1		CEO	Works Supervisor Gardener Technical Officer	To be advertised – 3 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	1	1		CEO	Works Supervisor	N/A
WALGA Zone Delegates	1	1		CEO		N/A
Murchison GEO Region	1					N/A

Voting Requirements

Council Committees Absolute Majority.
Working Groups and Delegates Simple Majority

Council Comment

Council decided that the item required more councillors to be present to determine the councillor appointments but that advertising for community members could proceed.

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

20 NOTICE OF MOTION

Nil

21 CEO ACTIVITY REPORT

File:

Author: Bill Boehm – Chief Executive Officer

Interest Declared: No interest to disclose

Attachments: Nil

General

During the month the Office has almost returned to what we hope to be a “normal” operation. Robyn Smith from Logo appointments has assisted in our operation for Audit but has now finished her temporary placement work. Rachel King has commenced as Corporate Services Officer and has also attended Licencing Training in Perth. Both the Works Supervisor or and Technical Services Officer attended onsite inspections in Perth for prospective suppliers of Housing, which by all accounts was hugely successful.

Many congratulations to our two members of staff Steph Jeffries and Brent Cowmeadow on the birth of their little girl “Indianna Hazel”. With Rachel also bringing two children, at last reckoning the settlement population has swelled by 18%.

The activities as shown below and highlighted elsewhere in the Agenda highlight the work that has been undertaken. I am particularly pleased with the efforts of Hybrid Systems and the Regional Development Board and Mid-West Development Commission in assisting in pursuing the micro-grid application a potential for upgrade to power supply; even though I realise that it may be an uphill battle to for them / us to be successful. Following my attendance at the Cue Parliament the Hon Vince Catani has also been approached and agreed to assist.

Work with Cr Emma Foulkes-Taylor relating to all manner of things including Museum Cottage, Arts based Shows on the Go Event, Branding, Monologue and Regional Tourism Events Scheme has been positive and enjoyable.

At this stage we look like having a Shows in the Go Event in Murchison in May of next year. A significant amount of work will also be required over the next week or so to pull together a Regional Events Application for an event in May 2021.

Activities November Meeting

Date	Activity
20.10.19	Roadhouse Fuel Analysis and Agenda Preparation. General briefing with Shire President
21.10.19	Agenda Work. Telephone discussion with Frances Jones regarding Branding & Events. Consolidate Branding responses. Finalise Roadhouse Fuel Analysis
23.10.19	Establish Plant Replacement Program Template. Undertake E Quotes Training with Deputy CEO, Works Supervisor and Technical Officer.
24.10.19	Chair Local Emergency Management Committee Meeting. Attend Council, Meeting. Follow up with Works Supervisor Road Closure Email for sections of Carnarvon- Mullewa and Beringarra- Pindar Roads
29.10.19	Attend and participate in housing Tender Panel Phone hook-up. Follow up emails relating to Roads to Recovery Annul Report R2R Annual Report including briefings with Works Supervisor.
30.10.19	Meeting and update on Carnarvon-Mullewa Rd and other works with Works Supervisor. Update and revamp Policy Manual ahead of a future review. Attend to tasks from Council Meeting
31.10.19	Refine Roadhouse Fuel spreadsheet. The discussion with Works Supervisor, Shire President and Mike Hall, Steve Dart & Ashton Burton from Hybrid Systems via Phone regarding Settlement Power Supply. Attend to Housing Tender Panel Review follow up
1.11.19 to 6.11.19	Work on Annual Report plus other aspects including Adaman Resource Agreement and work on Coolcalalaya West Road Quotation Comparison and checking out and assisting in cleaning Museum Cottage
7.11.19	Check with Works Supervisor at Depot. Work on Annual Report. Follow up Regional Arts WA potential performance. Discussion with Crs Rossco and Emma Foulkes-Taylor regarding Museum Cottage arrangements. Pursue Community Development options
8.11.19 to 11.11.19	Work including Annual Report, Microgrid system application and Monologue News
11.11.19	Work on Microgrid system application. Attend Remembrance Day flag ceremony. Discussions with Mark Holdsworth (RDA) and Adam Murszewski (Mid-West Development Commission) regarding Microgrid system application
12.11.19	Microgrid Application follow up. Agenda Preparation. Follow up Arts Shows on the Go event. Meeting with Works Supervisor regarding Coolcalalaya West Road Quotations
13.11.19	Cemetery Pics. Follow up Roads status with Paul Dean at Landgate. Arrange WALGA Elected Member Training. Follow up Arts event.
14.11.19 to 21.11.19	Work including Museum Notes Follow up, Agenda Preparation, WALGA Roads Return, Microgrid Application, Adaman Resources follow up and various meetings with Works Supervisor
22.11.19	Attend WALGA Cue Parliament Meeting
23.11.19 to 24.11.19	Follow up Letter of Support for microgrid application with the Hon Catania MLA and work on the agenda

Recommendation

That the CEO's Activity Report be accepted.

Voting Requirements

Simple Majority

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

22 URGENT BUSINESS

22.1 Financial Activity Statements 30 September 2019

22.2 Financial Activity Statements 31 October 2019

22.1 Financial Activity Statements 30 September 2019

File:

Author: Tatjana Erak – Acting Deputy Chief Executive Officer

Interest Declared: No interest to disclose

Attachments: 22.1.1 Monthly Management Financial Report September 2019
(to be provided prior to the meeting)

Matter for Consideration

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

The Monthly Management Financial Report September 2019 is attached.

Comments

Details of current financial position and Term Deposits to be provide prior to the meeting

Budget/Financial Implications:

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

Consultation

Moore Stephens

Recommendation

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

Voting Requirements

Simple Majority

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

22.2 Financial Activity Statements 31 October 2019

File:

Author: Tatjana Erak – Acting Deputy Chief Executive Officer

Interest Declared: No interest to disclose

Attachments: 22.2.1 Monthly Management Financial Report October 2019
(to be provided prior to the meeting)

Matter for Consideration

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

The Monthly Management Financial Report October 2019 is attached

Comments

Details of current financial position and Term Deposits to be provide prior to the meeting

Budget/Financial Implications:

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

Consultation

Moore Stephens

Recommendation

That Council adopt the financial statements for the period ending 31 October 2019 as attached.

Voting Requirements

Simple Majority

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

23 ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Discuss the following items Pursuant to LGA s5.23(2)(c) and s5.23(2)(e) Council is to discuss the following items behind closed doors

23.1 Supply of Housing

WALGA have been engaged to undertake the tender process for the provision of two (2) new houses. Prices are being sought for two, three, and four-bedroom options; to be sited on Mulga Crescent immediately to the south of Lots 12A and 12B. Tenders closed on 3 October 2019 and were referred to a Tender Evaluation Panel for review with an evaluation with a report to be considered behind closed doors.

23.2 Adaman Resources

At the October Council Meeting an urgent item was introduced regarding a proposal from Adaman Resources to establish a mine at A Zone and use the Beringarra-Pindar Road for access and cartage of ore. An update report was then provided which followed on from previous briefings which had led to an in-principle support and a raft of conditions that would be needed for Council to consent to any approvals to use the road as proposed.

At the Council Meeting it was resolved that “Council agrees in principle to the agreement as presented and authorises the CEO to arrange for a formal agreement for council ratification”

Legal advice has been obtained and a potential agreement to be considered behind closed doors.

23.3 Coolcalalaya West Road Repairs

Update of report and progress on actions taken to repair Coolcalalaya West Road and actions relating to the cost recovery for the damage to the road from those Companies / persons responsible.

Recommendation

That the meeting moves behind closed doors to discuss an item pursuant to LGA s.5.23(2)(c), (e) and (d) relating to the following items:

- 23.1 Supply of Housing
- 23.2 Adaman Resources
- 23.3 Coolcalalaya West Road Repairs

Voting Requirements

Absolute Majority

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

Meeting was closed to the public at.

Motion to open the meeting to the public

Recommendation

That the meeting moves out from behind closed doors.

Voting Requirements

Absolute Majority

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

Meeting was reopened to the public at.

Decisions Disclosed from Closed Section of Meeting

23.1 Supply of Housing

Voting Requirements

Absolute Majority

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

23.2 Adaman Resources

Voting Requirements

Simple Majority

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

23.3 Coolcalalaya West Road Repairs

Voting Requirements

Simple Majority

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

24 MEETING CLOSURE

The Shire President closed the meeting at.