



**murchisonshire**

*Ancient land under brilliant skies*

Agenda for the Ordinary Meeting of the  
Murchison Shire Council

Held via electronic means delivered from the Council Chambers  
Carnarvon Mullewa Road, Murchison,

In accordance with the  
*(Local Government (Administration) Amendment Regulations 2020*

on Thursday **28 May 2020**, commencing at 12 Noon.

*Ancient land under brilliant skies*

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## ATTACHMENTS

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## 1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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Shire President declared the meeting open at.

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## 2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

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### Present

Via electronic means and where possible in person

#### Councillors

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

#### Staff

Bill Boehm – CEO  
Tatjana Erak – Acting DCEO  
William Herold – Works Supervisor

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## 3 CONFIRMATION OF MINUTES

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### 3.1 Ordinary Council Meeting – 23 April 2020

#### 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 23 April 2020 be confirmed as an accurate record of proceedings.

#### Voting Requirements:

Simple majority

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

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## 4 DISCLOSURE OF INTERESTS

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## 5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

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Nil

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## 6 STANDING ORDERS

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#### Matter for Consideration

It has been customary practice in the interests of a productive meeting in relation to the Conduct of Members during debates for the Council suspend Standing Orders 8.2 (Limitation on Number of speeches) and 8.3

(Duration of Speeches) under Local Law 2001. To facilitate this the following recommended resolution is required.

### **Recommendation**

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

8.2 Limitation on the number of speeches

8.3 Duration of speeches

### Voting Requirements

Simple Majority

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

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## **7 PUBLIC QUESTION TIME**

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Nil

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## **8 NEXT MEETING**

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Wednesday 24 June 2020

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## **9 APPLICATIONS FOR LEAVE OF ABSENCE**

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Nil

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## **10 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

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Nil

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## **11 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

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## **12 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

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Nil

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## **13 ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

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### **13.1 Shire President**

### **13.2 Councillors**

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## **14 REPORTS OF COMMITTEES**

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Nil

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## 15 WORKS

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### 15.1 Works Report

File:

Author: William Herold – Works Supervisor  
Interest Declared: No interest to disclose  
Date: 22 May 2020  
Attachments: 15.1.1 Monthly Plant Report  
15.1.2 Technical Officers Update Report

#### Monthly Plant Report

As Attached

#### Technical Officers Update Report

As attached

#### Construction Crew

The Construction Crew completed the re-sheet (C14186) from Muggon Road Intersection SLK 116.17 north to SLK 112.10, installed two flood-ways, one on Muggon Road and the other on the Carnarvon / Mullewa Road to address flooding and drainage at the Muggon Road intersection. A pipe culvert has also been installed at the intersection of Mt Narryer Access Road and the Carnarvon / Mullewa Road.

On 13 May a start was made on preparing a 1 km section outside the Curbur homestead for sealing, SLK 101.42 to 102.42. As this section of road is essentially a floodway that was sheeted with Calcrete  $\pm 700\text{m}$  of material had to be boxed out and carted away before gravel could be carted in. This is going to take longer than normal to complete as a result.

#### Maintenance Crew

The Maintenance Crew have completed the Carnarvon / Mullewa Road, the Woolgorong Road, the New Forrest / Yallalong Road, the Coolcalalaya Road, and this time they graded past the Coolcalalaya Homestead. This was in part paid for by the Shire of Northampton. By the time Council meets they should have completed the Twin Peaks / Wooleen Road.

#### Additional Construction Works, Beringarra / Pindar Roads

By the time Council meet two of the three packages being undertaken by Squires Resources should be complete and a start made on the third package. The problematic corner north of the Boolardy / Pia boundary has been completely re-constructed and a more sensible camber put on. The finished result is a great improvement.

#### Flood 6

The Flood 6 (AGRN 863) Tender Evaluation Working Group have met to assist the Chief Executive Officer in evaluation of the Tenders received for the Supply of Hired Road Construction Plant with Operators. In all 17 contractors requested documents with 8 submission received. Tender submissions were summarised and presented by Greenfield Technical Services as Council's appointed Superintendent.

Following evaluation tenders were awarded to THEM Earthmoving (West Package Works) and Squires Resources (East Package Works). It is hoped that the actual works should start in the second half of June 2020.

#### Flood 7

Flood 7 (TC Damien) February 2020 AGRN899 is awaiting approval and is with Bernie Miller MRWA Geraldton at present. When this is awarded it is envisaged that flood damage contractors will complete these works, but as separate packages.

Box Culvert installation on Beringarra / Pindar Road

Yuin Contractors installed a box culvert on the Beringarra / Pindar Road around SLK 300 as the existing pipe culvert was inadequate to deal with the water in larger rainfall events.

Coolcalalaya Road

At the April Council Meeting the Chief Executive Officer was authorised to pursue an agreement with the Northampton Shire to undertake maintenance works on the Coolcalalaya Road within their Shire on a cost recovery basis.

This has been undertaken and Northampton have advised that they have agreed to the cost recovery basis as submitted and authorised us to carry out the work for this year and also until further advise subsequent years.

Plant Replacement

The second-hand water truck that was pursuing has arrived from Queensland. Overall we are pleased with its condition and suitability. Quotations are being obtained to replace the P055 Toyota Prado (ex CEO/DCEO/Technical Officer Vehicle) with a Hilux 4x2 General utility which will become a pool vehicle.

Due to its condition replacement of P082 Isuzu Dmax (Works Supervisor Vehicle) is being brought forward by a month or two and will be replaced by Toyota Hilux. This is now being fitted with its long range fuel tank. As this item was not included in the latest budget review Council endorsement is requested

**Recommendation**

That Council resolve as follows

- 1 That the Works Supervisors Report be received and accepted
- 2 That actions undertaken to bring forward the replacement of P082 Isuzu Dmax (Works Supervisor Vehicle) be endorsed and that an appropriate budget variation be approved.

Voting Requirements

Simple Majority

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

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## 16 FINANCE

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

File: 4.37.1  
Author: Tatjana Erak - Acting Deputy Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 24 May 2020  
Attachments: 16.1.1 EFT & Cheque Details for April 2020

#### Matter for Consideration

The *Local Government (Financial Management) Regulations 1996 Regulation 13* requires that 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 for each month and present this to the next ordinary meeting of the Council after the list has been prepared and have this recorded in the minutes of the meeting.

A list of payments presented in accordance with *Regulation 13* of the *Local Government (Financial Management) Regulations 1996* made since the last report to Council is attached.

#### 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 be recorded in the minutes as being presented to Council.

#### Voting Requirements

Simple Majority

<b>Council Decision</b>
<b>Moved: Cr</b> <span style="margin-left: 200px;"><b>Seconded: Cr</b></span>
<b>Carried/Lost</b> <span style="margin-left: 100px;"><b>For</b></span> <span style="margin-left: 100px;"><b>Against</b></span>

## 16.2 Financial Activity Statements 31 March 2020

File:

Author: Tatjana Erak – Acting Deputy Chief Executive Officer

Interest Declared: No interest to disclose

Date: 25 May 2020

Attachments: 16.2.1 Monthly Management Financial Report March 2020

### 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. This item was held over from the April 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 March 2020 as attached.

### Voting Requirements

Simple Majority

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



### 16.3 Financial Activity Statements 30 April 2020

File:

Author: Tatjana Erak – Acting Deputy Chief Executive Officer

Interest Declared: No interest to disclose

Date: 25 May 2020

Attachments: 16.3.1 Monthly Management Financial Report April 2020

#### 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.

#### 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 April 2020 as attached.

#### Voting Requirements

Simple Majority

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

## 16.4 Differential Rates 2020-2021

File:

Author: Tatjana Erak – Acting Deputy Chief Executive Officer

Interest Declared: No interest to disclose

Date: 25 May 2020

Attachments: Nil

### Matter for Consideration

Council is to consider its rating strategy for the 2020-21 Financial Year and the supporting objects and reasons for differential rates.

### Background

The quantum of rates payable to a local government is determined by the method of valuation of the land, the valuation of the land and improvements and the rate in the dollar applied to the valuation by the local government.

### Method of Valuation:

Land is rated according to:

- (a) unimproved value for land use predominately for rural purposes; or
- (b) gross rental value for land used predominately for non-rural purposes.

### Valuation of Land and Improvements

The Valuer General values the land in accordance with the provisions of the Valuation of Land Act 1978. The local government sets a rate in the dollar which is applied to this valuation to give the rates liability for each property.

### Rate in the Dollar:

- (a) A local government may impose a single general rate which applies to all of the properties in the unimproved value or gross rental value category; or
- (b) Alternatively the local government can distinguish between land in either category on the basis of its zoning, use or whether or not it is vacant land (or a combination of these factors) and apply a differential rate to each.

### Comment

All land in the Shire of Murchison is rated according to its unimproved value and historically the Shire of Murchison has adopted the rating practice of differentiating between lands used for pastoral purposes, mineral exploration or mining. Council rates all properties used for the same purpose in the same way and aligns its annual rates with the rates strategy in the Corporate Business Plan/Long Term Financial Plan, as long as economic factors align with predictions.

2019-20 has seen many implications from COVID-19. Currently local governments have been requested to freeze their rates for the upcoming financial year and at the March Council Meeting Council resolved to do so.

In addition and the April Ordinary Meeting, Council noted that moves by the industry to defer valuations were unsuccessful meaning that only when rates modelling was undertaken could Council then be in a position to know what rates in the \$ and minimum rates would be required to deliver a total zero rate increase.

Under recent Local Government Act Ministerial Orders in order have an easement on requirements for both advertising the proposed rates in the dollar and applying to the Minister of Local Government for approval of said proposed rates both the minimum rates and rates in the \$ cannot be any higher than that which applied in 2019/20.

At the time of writing all rate rolls for 2020-21 have been received; however, we have not in time to run any models to investigate what will be the changes in rates levied for the Shire.

As per Councils March 2020 decision the Shire will be working on the basis that the rates levied for 2020-21 will remain at \$465,397 and the rates in dollars will be amended to reflect this.

Budget/Financial Implications:

Proposed differential rates are set to meet the estimated budget deficiency in the 2020-21 financial year based on those levied for the 2019-20 financial year.

Consultation

Chief Executive Officer, WALGA, Moore Stephens

**Recommendation**

That:

- 1 If required following final rates modeling that Council seeks Ministerial approval for the proposed differential rates and minimum rates for the 2020-21 Financial Year as shown in the following table (extracted from the 2019-20 Budget) (subject to change pending receipt of further interim rate rolls from Landgate):

RATE TYPE	2020-21			
	NO OF PROPS	RATEABLE VALUE \$	RATE IN \$	REVENUE
<b>Differential Rate UV</b>				
Pastoral	23	1,459,657	0.03295	48,096
Mining	9	1,295,782	0.2940	380,960
Exploration/Prospecting	20	295,775	0.07675	26,768
<b>Minimum Rates</b>				
Pastoral	6	13,263	320	1,920
Mining	0	0	450	
Exploration/Prospecting	14	37,330	450	6,300
<b>Totals</b>		<b>2,978,079</b>		<b>\$464,044</b>

- 2 That Council endorses the giving of local public notice of the proposed differential rates for 2020-21 to be advertised for a period of 21 days 6.35(6)(c).
- 3 decides that payment of rates charges may be made in a single payment or by four instalments at dates to be set as part of the budget adoption; and
- 4 decides that an administration fee of \$15 will apply to the instalment option and an 8% penalty interest will apply to late payments; and
- 5 notes that the ESL Levy and interest will be charged in accordance with instructions from DFES; and
- 6 adopts the following Objects of and Reasons for Differential Rates:

**Objects of and Reasons for Proposed Differential Rates and Minimum Payments for the 2020-21 Financial Year**

Overall Objective

The purpose of levying rates is to meet a local governments’ budget deficiency in each financial year in order to deliver services and facilities as detailed in the Strategic Community Plan and Corporate Business Plan.

The Shire of Murchison is in a unique position of being the only shire without a town, therefore having no residential, commercial or industrial rate base to draw upon. It does, however, have an important responsibility for the maintenance of a vast network of inland roads, as well as providing

support for travellers and locals through the provision of fuel services, a caravan park, recreational services, power, water and an aerodrome.

Historically, the Shire of Murchison has imposed differential rates on the basis of whether land is used for pastoral purposes, mineral exploration or mining, as it considers that this is more equitable than a flat rate, drawing more revenue from those enterprises that may cause degeneration of infrastructure through higher use.

**Reasons**

The Shire of Murchison's reasons for differentially rating according to land use are shown below:

**UV – Pastoral**

Pastoral UV applies to any land that currently has a pastoral lease granted. While recognising reduced viability caused by many years of droughts and floods and the devastation caused by the wild dog problem this category is rated to reflect the infrastructure maintenance cost to the Council as well as increased operational costs to address issues such as vermin control, fire mitigation and enhanced accessibility to pastoral properties. It also recognises the long term commitment of pastoralists to the region and their stewardship of Crown Land. Further, an annual biosecurity rate is linked to the valuations provided by the Valuer General. This biosecurity rate is payable by the pastoral sector only, even though the mining/exploration sectors pose a significant biosecurity risk.

**UV – Mining**

Mining UV applies to land for which a mining lease has been granted. The mining sector tends to be transitory in nature and benefits from established Shire services and infrastructure which is maintained in the long term by those rate payers who are established long term in the region. The purpose of setting the UV - Mining rate at a higher level than the benchmark UV – Pastoral is to ensure that the mining sector's contribution towards the maintenance of that infrastructure is proportionate to the advantage it gains.

**UV – Exploration/Prospecting**

Exploration/Prospecting UV applies to land for which an exploration/prospecting lease has been granted. As with the UV – Mining sector, the UV - Exploration/Prospecting sector tends to be transitory and the category has been rated to reflect that exploration lease holders are significant beneficiaries of established Shire services and infrastructure and is also in recognition of the future benefits that accrue to exploration lease holders though they contribute very little or no enterprise to the community.

Voting Requirements

Absolute Majority

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

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## 17 DEVELOPMENT

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### 17.1 COVID-19 Coronavirus Update

File:	4.77
Author:	Bill Boehm – Chief Executive Officer
Interest Declared:	No interest to disclose
Date	25 May 2020
Attachments:	17.1.1 WA State Governments Road Map
	17.1.2 Correspondence from the Premier and Minister for Local Government
	17.1.3 Closure and Restriction (Limit the Spread of) Directions (No 3) Order
	17.1.4 Western Australia Treasury Lending Options Paper and Presentation

#### Matter for Consideration

As we are aware the current declared COVID-19 Coronavirus Pandemic continues is to be the most significant national events in our history that affecting us all. This item formally updates Council on some of those matters that pertain to our operation.

#### Update

On an hourly basis emails and information arrives continues to arrive from all sorts of sources that further clarifies, and sometimes confuses the situation. WALGA continues to positively represent the local government sector with regular updates provides as well as information that we provide back to them so that they can articulate and inform others.

I have continued to have the opportunity to separately attend regular WALGA Webinar presentations hosted by WALGA President, Mayor Tracey Roberts for all Mayors, Shire Presidents and Chief Executive Officers. During the month these have been held on Friday 24 April, Friday 1 May, Friday 8 May, Friday 15 May and Friday 22 May 2020. The Local Government Minister David Templeton continues to attend every session with a variety of other Government Ministers and department representatives such as the Minister for Tourism, State Emergency Coordinator and Commissioner of Police, and Auditor General also attending specific sessions.

A few points arising out of these updates and meetings include the following

- ~ Health and wellbeing focus remain with social distancing governing everything eg workshops, meetings.
- ~ Generally small changes in lifting restrictions followed by monitoring, and revaluation before moving onto new ones.
- ~ Be strategic in recovery actions and seek and provide feedback to State Government with respect to innovative ways of doing things more effectively.
- ~ Let the Government know what you are doing.
- ~ Explain the story behind what you are doing and why.
- ~ Expectation that as travel restrictions ease that local government will support the changes.
- ~ The Auditor General indicated that Financial Indicators contained within the Financial Statements are only an entry point for discussion and should not be used as a reason to not proceed with any cash stimulus program merely because a ratio may alter and become outside some pre-established measure. Provided that the Council had the financial position verified and appropriately examined this would indicate responsible management by the Council.

#### Road Map & Correspondence

A copy of the WA State Governments Road Map Program to Recovery is attached is a copy of the latest correspondence from the Premier and Minister for Local Government.

### COVID Safety Guidelines

A copy of Closure and Restriction (Limit the Spread of) Directions (No 3) Order which provides the details of the current state of play is attached

Additional information has been released to assist Local Governments in managing COVID Safety Plan requirements. With Phase 2 easing of restrictions, Local Governments have been referring to guidelines as relevant to individual areas of operations; whether it be generic COVID Safety Guidelines or those guidelines for Food Businesses; and Sport and Recreation activities and facilities. The role of Environmental Health Officers is considered essential from a support advice perspective.

In recognition of the wide ranging activities covered by the Local Government sector, WALGA has been providing input to the Department of Local Government, Sport and Cultural Industries on further information for Local Governments with considerations specifically for the reopening of community, cultural and arts activities

### Local Government Legislation

As advised at the last meeting the Department of Local Government, Sport and Cultural Industries is working on a range of regulatory amendments to facilitate Council business during the COVID-19 pandemic. The following are immediately relevant to Councils deliberations:

- Local Government (Functions and General) Regulations

It is proposed the Regulations will be amended by raising the tender threshold to \$250,000; introduce a new tender exemption for purchases required during a state of emergency declaration; and permit the extension or renewal of existing contracts which are due to expire (at the Local Government's discretion). These amendments will permit a wider range of procurement activities to be conducted under Purchasing Policies and assist Local Governments in their response and recovery activities.

- Local Government (Financial Management) Regulations

The Regulations propose to ease the process for the movement and use of reserve funds, and borrowing of money while a state of emergency declaration is in force

### *Local Government Legislation Comments*

*Specific aspects relating to our operation relating to the above are detailed separately below.*

### Economic Stimulus

There is a strong push by the National and State Governments for all organisations and Local Government to actively pursue a and bring forward variety of economic stimulus programs. A few examples are highlighted as follows:

#### *WA State Government.*

\$111.6 million in important regional programs and projects across regional Western Australia. Funding for the next four years has been locked in ahead of this year's Budget. The funding package includes

- ~ \$25 million over the next four years for Healthy Estuaries WA, which continues and expands on the previous work under the Regional Estuaries Initiative and Revitalising Geopraphe Waterways projects.
- ~ Another \$18.5 million will be invested into Broome, Derby and Kalgoorlie Aboriginal Short Stay Accommodation, to ensure sustainable operations at three critical short-stay facilities in the Kimberley and Goldfields.
- ~ To continue to help protect regional communities from the risk of catastrophic bushfires, the McGowan Government will add another \$15 million to extend mitigation efforts.
- ~ \$3.2 million for the Regional Men's Health Initiative, ensuring the successful men's wellbeing program can continue to operate in regional and rural communities.
- ~ \$4.2 million for the Aboriginal Governance and Leadership Development Program, to support Aboriginal business capacity in the regions.
- ~ \$3 million for the Regional Athlete Support Program, to ensure WA continues to foster talented athletes in regional areas.

- ~ \$2.4 million for the Family and Domestic Violence Therapeutic Women's Refuge Peel to support operations at the refuge over the next four years.
- ~ \$1.5 million for regional financial counselling services.
- ~ \$1 million for the Better Beginnings program, supporting delivery of family literacy services to regional areas.
- ~ \$2.1 million to provide ongoing funding for management of the Yawuru Nagulagun/Roebuck Bay Marine Park.

#### *Australian Government*

\$73 million for WA Councils in Commonwealth Stimulus Package the Commonwealth Government has announced an additional \$500 million in funding will be made available to Australian Local Governments through the new Local Road and Community Infrastructure Program.

Murchison Shires allocation is \$602,446.

#### *Western Australian Treasury Corporation (WATC)*

WATC continues to be a major finance partner with WA local governments, currently providing close to \$600 million in loan funding supporting the development of WA local communities. During this period of challenging financial and economic conditions, WATC is able to provide support to local governments via a range of option such as a Short Term Lending Facility (STLF). The specific purpose of the STLF is to support local governments facing cash flow pressures due to COVID-19 through the following:

- ~ Initial STLF global limit of \$100 million for local governments and universities.
- ~ The STLF limit will be reviewed within three months
- ~ The State Government Loan Guarantee Fee (LGF) will not be charged on funds under the STLF
- ~ Applications for funding from the STLF will open from 1 June 2020

A copy of WATC's Lending Options Paper and Presentation is attached

#### *WALGA.*

In coming weeks, WALGA is planning to increase its public promotion of the Local Government sector's response to COVID-19 and our advocacy efforts in relation to the economic stimulus the sector would like to see from the State Government during the recovery phase. To strengthen this advocacy, we are commissioning a survey of the sector that will allow us to:

- ~ estimate the amount of economic stimulus that could be facilitated through the Local Government sector during the recovery phase of COVID-19, *if* additional support was provided from the State, and
- ~ calculate accurately the collective financial support and stimulus that the WA Local Government sector has already committed to providing local communities

Details on additional regional programs and projects that have secured funding will be released as details are known.in coming weeks.

#### *Economic Stimulus Comments*

*These few examples reinforce how serious the situation is and how important local governments response is at a local level. Putting things into context generally a local governments funding base is overall solid, stable and predictable. Rate Revenue is rarely forgone. Some Councils who are more exposed with market driven revenue streams will be more affected than others, but this situation does not apply to Murchison nor most rural based local governments. Expenditure decisions are also within our own control; meaning that projects can be programmed and or reduced later if financial circumstances change.*

*In these circumstances it is understandable that Governments are looking to local government to strongly play its part*

*In addition, it is essential that Council explore these Short Term Lending Options with WATC.*

### Resumption of In Person Council Meetings

With easing of restrictions and comments from the Minister for Local Government encouraging in person Council meetings, WALGA has received advice received from the Department of Local Government is that appropriate space to allow for the four square metres per person requirement and gathering restrictions of 20 people need to be maintained.

WALGA's advice is that each Local Government will need to review the chamber or hall that they hold Council meetings in to ensure there is sufficient space to accommodate Elected Members and staff, and then consider how many members of the public can attend, given space and gathering restrictions.

If a Local Government does not have enough room, then the meetings should continue electronically.

Where a Local Government has enough space for Elected Members and staff, they also need to consider access for the public and appropriate mechanisms that need to be in place to ensure community participation is possible.

If the chamber or hall cannot accommodate the Council members, staff and members of the public in accordance with the one person per four square metre rule, Local Governments should continue to hold electronic meetings.

### *Resumption of In Person Meetings Comments*

*The space available within the Council Chamber is considered just sufficient to accommodate 6 Councillors and 3 Staff, with space for perhaps 2 members of the public and still meet social distancing requirements. The Library can act as a queuing overflow although I understand that Council rarely has visitors. As evidenced by a recent example Council was able to effectively handle Public Question Time via a written question where the response was able to be provided on the day.*

*The Council furniture has been laid out to suit but in doing so it has become apparent that the design of the tables is not conducive to the efficient utilisation of the space*

*In these circumstances on balance it is considered appropriate for meetings to be conducted in public but with social distancing restrictions rules applying meaning that if there was a large public gallery requirement then some adaptation would be required.*

### Local Government Act Ministerial Orders

The recent amendment to introduce Part 10 to the Local Government Act permits the Minister for Local Government to make Ministerial Orders to modify or suspend specified provisions of the Act or associated Regulations while a state of emergency declaration is in force.

A recent Ministerial Order, will have the following effect on the operation of the Act and Regulations as follows:

- ~ Residential and small business ratepayers who are suffering financial hardship due to the COVID-19 pandemic will not be charged interest on overdue rates in 2020/2021.
- ~ The maximum interest rate payable by all ratepayers has also been reduced, from a maximum of 11% to a maximum of 8%. This new limit aligns with the Australian Tax Office penalty for overdue payments.
- ~ Interest on instalments remains at 5.5% if a Local Government has a Hardship Policy, and to a maximum of 3% if a Local Government does not have a hardship policy.
- ~ If adopting a minimum rate or rate in the dollar no higher than that imposed in 2019/20, then there is no need to advertise differential rates. Only requirement is to place a notice on your website.
- ~ WALGA has developed a template Financial Hardship Policy and is currently preparing a Financial Hardship Assessment Guide.

### *Local Government Ministerial Orders Comments*

*The Rating Items contained elsewhere in this agenda has been prepared in response to these changes.*



### Murchison Specifics

Local specific issues addressed include the following.

Work has commenced on expanding the works program by bringing forward projects that can stimulate the local economy and provide lasting benefits for the community as follows:

- As indicated under the Works Supervisors Report a contract for three (3) packages of resheet / rehabilitation works have been let for the Beringarra-Pindar Road and the successful tenderers for two (2) packages of Works to rectify damage from the April 2019 Flood event (AGRN863) includes in its scope of works that ability with our consent, to expand the works required to include other Council related non flood damage works that can be cost effectively undertaken if required
- As identified in the March Budget Review works associated with the minor renovations to the Council Offices / Library and Roadhouse are being actioned.
- Prices and designs are being obtained for the construction of an additional staff house.
- Prices and design for and a new Ablution Block for the Caravan Park and to refurbish and convert the central unit of the three (3) older accommodation units to provide two (2) fully ensuite units are being obtained.
- Other works associated with the sporting facilities and water supply are still to be more closely examined.
- A suite of projects in and around the Murchison Settlement are being examined as part of the 2020/21 Budget.
- Financial impacts associated with these works have been and will be include in the next budget review which will be part of next year's formal consideration.

With the lifting of some COVID-19 restrictions the operators of the Murchison Roadhouse have advised us that they can now successfully operate the roadhouse and caravan park within the new operating guidelines. As a result, both facilities are open, albeit with reduced patronage. We continue to work with them as the operational situations change.

### Reserves

Cashflow management will be critical in to respond effectively to meet the financial demands associated with COVID-19 responses, particularly relating to the funding of additional capital works. Already Councils available unrestricted cash resources are stretched.

The recent amendment to the Local Government (Financial Management) Regulations 1996 provides the opportunity for Council to re-purpose its Reserves without giving public notice so long as the reason is directly brought about by the current State of Emergency. The current cashflow issues are such a circumstance.

Councils Current Reserves with \$ balances as at 30 June 2019 are as follows.

<b>Reserves</b>	<b>Anticipated date of use</b>	<b>Purpose of the Reserve</b>	<b>Balance 2019</b>
Leave Reserve	Ongoing	To be used to fund annual and long serve leave requirements	135,709
Plant Replacement	Ongoing	To be used for the purchase of plant	1,410,356
Buildings	Ongoing	To be used for the construction / renovation of administration centre	502,893
Beringarra-Cue Road	Ongoing	To be used to convert road from bitumen to gravel as required	3,411,313
Cue Road Reserves	Ongoing	To be used to convert road from bitumen to gravel as required	125,171
Transaction Centre	N/A	Set up for development of CBD – transferred to settlements buildings and facilities reserve	0

Reserves	Anticipated date of use	Purpose of the Reserve	Balance 2019
Ballinyoo Bridge	Ongoing	To be used for the maintenance or replacement of bridge 837	0
CSIRO Beringarra - Pindar Road	Ongoing	To be used to fund additional maintenance work required due to CSIRO traffic	171,673
Flood Damage Repairs	Ongoing	To be used towards the "trigger point" for WANDRRA funded flood damage works	250,568
Settlement Buildings and Facilities	Ongoing	To be used to fund improvements to and maintenance of settlement buildings and facilities	920,425
Road Sealing Reserve	Ongoing	To be used to fund road sealing program	375,000
<b>Totals</b>			<b>7,308,108</b>

To be able more effectively to meet the current needs associated with COVID-19 responses it is considered that several reserves could be repurposed slightly as indicated below. However, from an operational view point it is considered that advertising Councils intention as required in normal operational time will not be an issue.

#### *Beringarra-Cue Road and Cue Road Reserves*

These reserves are effectively combined and treated as one as the Cue Road Reserve appears to have been used in the past as a shorter term investment option. The purpose stated for each are identical. This reserve was established with from the Jack Hill Mine to provide Council with funds to maintain the road in a post mine closure environment. Whilst Council has decided that returning the road from a wide seal road to gravel is the best solution for effective management of the allocated money, in reality other works such as providing concrete cut-off walls and constructing and sealing or resealing floodways all go towards meeting this aim. A slight rewording and broadening of the scope of the Reserves purpose is suggested without moving away from the current intent.

#### *Buildings Reserve*

The current purpose of the Reserve seems on the surface to mean dedicated for the Administration Centre. The Councils Works Depot however is effectively part of the Administration of the Shire, albeit in a location remote from the actual Office. It also has direct hard wired telephone and IT connections. Widening the scope of buildings covered but retaining the purpose of the Reserve would seem appropriate.

#### *Settlement Building and Facilities Reserve*

As it currently stands the purpose of the Reserve relates to existing and not new buildings. Extending the scope to include new Facilities has some advantages and would seem appropriate in the current COVID-19 circumstances

#### *Roads Sealing Reserve*

As it currently stands the amount already contained within the reserve is far less than the total for this year's road sealing program, which as previously noted at the February Council Meeting will continue unabated for the at least the next 10 years. Having a reserve that effectively has the same amount transferred in and out annually for a single purpose has limited value but there are some advantages if the purpose is broad enough. A broader Assets Rehabilitation Reserve would fulfill these requirements.

#### *Interim Use of Reserves*

A secondary but important consideration with Reserves is how they are used to manage the Shires overall operations. It is therefore suggested that we explore the options of being able to temporarily use money from various reserves during the year in an interim manner to manage cashflow, especially in a COVID-19 Economic Stimulus Works environment, provided that there is appropriate Council authorisation and that the end of the year any amounts withdrawn are returned with accrued interest.

### Staff Housing

As indicated above under Murchison Specifics, works have been put in train to constructing as new house to house a new Plant Operator that is to be employed in Councils Works Construction Gang. There is some urgency to engage a suitable person and to have him work as soon as is practicable, especially as we have now purchased a second-hand water truck which this person would operate.

One of the issues associated with employment of staff is having a suitable accommodation, which invariably requires some lead time. Council has a current contract in place for the supply of two houses which is well advanced. Council went through a long process to call tenders for this engagement, with the current supplier being successfully chosen from four tenderers in late 2019. Thus far we have been pleased with the selection and performance. Some local trades have also been engaged.

Given the we have a significant COVID-19 economic stimulus related capital works program to deliver, and that this project is a key part, it is considered open, through negotiation to Council to extend the terms of the current contract with the current supplier to perform these works. These expenses will likely be incurred in 2020/21 and not this year.

### Statutory Environment

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

18. When local public notice not required for change of use of money in reserve account (Act s. 6.11(3)(b))  
A local government is not required to give local public notice of a proposed change of use of money in a reserve account —
- (a) where the money is to be used to meet expenditure authorised by the mayor or president under section 6.8(1)(c); or
  - (b) where the total amount to be so used does not exceed \$5 000 in a financial year.

Regulation 18 has been amended by the Local Government Regulations Amendment Regulations 2020 with the insertion of the following paragraph (c)

- (c) *where each of the following conditions is satisfied —*
- (i) *a decision to change the use of the money is made while there is in force a state of emergency declaration applying to the district, or part of the district, of the local government;*
  - (ii) *the local government considers that the change of use is required to address a need arising from the hazard, or from the impact or consequences of the hazard, to which the state of emergency declaration relates;*
  - (iii) *the decision and the reasons for it are recorded in the minutes of the meeting at which the decision is made.*

Local Government (Functions and General) Regulations 1996

11. When tenders have to be publicly invited
- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless sub regulation (2) states otherwise.

*Note:*

*The Local Government Regulations Amendment Regulations 2020 amends Regulation 11 whilst a state of emergency is in force in the following ways as follows:*

*Sub regulation (1)*

*The amount of \$150,000 increase to \$250,000*

*Sub regulation (2)*

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if

*For the purposes of sub regulation (2)(aa) a supply of goods or services is associated with a state of emergency if —*

- (a) the contract for the supply is entered into while there is in force a state of emergency declaration applying to the district, or part of the district, of the local government; and*
- (b) the local government considers that the goods or services are required for the purposes of addressing a need arising from the hazard, or from the impact or consequences of the hazard, to which the state of emergency declaration relates.*

#### 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

Response to the COVID-19 Coronavirus Pandemic will encompass many strategies contained within all four Objectives of our Community Plan. In Economic, Environmental, Social and Civic Leadership as articulated in our Vision Statement ***“Working together to preserve the unique character of the Shire, supporting diverse and sustainable lifestyle and economic opportunities.”***

#### Policy Implications

Adaptation and potentially new policies may be required

#### Principle Implications

*March 2020 Meeting*

In responding to the COVID-19 Coronavirus that Council act in accordance with the following principles and rationale associated with health and economic activity

- (a) Our overriding responsibility is to act to protect our citizens and community to prevent, control or abate the serious public health risk presented by COVID-19 by limiting the spread of COVID-19.
- (b) Council will act to ensure that we can function and deliver the required works and services to support and stimulate the local economy.

#### Financial Implications

Yet to be fully determined but Financial impacts associated with these works have been and will be included in the next 2020/21 budget deliberations and discussions.

#### **Recommendation**

That Council resolve as follows:

- 1 COVID-19 Coronavirus Update Report.  
That the Chief Executive Officer’s Council COVID-19 Coronavirus Update Report be received and accepted.
- 2 Western Australia Treasury Corporation  
That Council explore Short Term Lending Options with Western Australia Treasury Corporation.
- 3 Resumption of In Person Council Meetings.  
That Council resume In Person Council Meetings subject to any minor variations operationally that are required to meet COVID-19 Restrictions
- 4 Reserves.  
That the following Council Reserves be repurposed as outlined below and that Public Notice of this be undertaken

- ~ *Beringarra-Cue Road and Cue Road Reserves* be officially combined and repurposed to maintain the road in a post Jack Hills mine closure environment by converting the road from bitumen to gravel and performing other associated works as required.
- ~ *Buildings Reserve*. To be used for the construction / renovation of the administration centre and Works Depot
- ~ *Settlement Building and Facilities Reserve* be repurposed to be used to fund improvements to and maintenance of settlement buildings and facilities as well as new facilities.
- ~ *Roads Sealing Reserve* to be renamed the *Assets Rehabilitation Reserve* and that it be used to fund works associated with rehabilitating Councils Infrastructure and Assets

5 Staff Housing.

That pursuant to s11 of the Local Government (Functions and General) Regulations 1996 as amended by the Local Government Regulations Amendment Regulations 2020, that in response to the current declared state of emergency associated with COVID-19, that Council authorise the Chief Executive Officer to enter into negotiations with the current supplier under RFP 01/19-20 to vary the contract so as to supply additional housing into the Murchison Settlement.

Voting Requirements

Simple Majority

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

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**18 ADMINISTRATION**

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Nil

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**19 NOTICE OF MOTION**

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Nil

## 20 CEO ACTIVITY REPORT

File:  
 Author: Bill Boehm – Chief Executive Officer  
 Interest Declared: No interest to disclose  
 Date: 20 April 2020  
 Attachments: Nil

### General

The activities below show the extent of activity undertaken with initial and continuing emphasis on short and medium term financial planning and budgeting thorough preparation, design and update and review of the budget via a Budget Review / Model. Continued work in relation to our response to the COVID-19 Pandemic activities since last Meeting

Date	Activity
21.04.2020	Budget Review / Model. Meeting with Works Supervisor and Technical Officer. Meeting with Works Supervisor and Josh Kirk of Greenfield's via video conferencing for opening Flood 6 Tenders
22.04.2020	Budget Review / Model
23.04.2020	Budget Review / Model. Council Meeting. Post Council Meeting wrap with Works Supervisor and Acting DCEO. Telephone discussion with Gary Clarke
24.04.2020	Council Minutes. Budget Review / Model. Telephone discussion with Rebecca Wheldon & Jeff Arbon CSIRO. Telephone discussion with Tanja Browning Moore Stephens over overhead calculations. Attend WALGA COVID-19 Webinar.
25.04.2020	Anzac Day. Budget Review / Model
26.04.2020	Budget Review / Model
27.04.2020	Anzac Day Public Holiday. Budget Review / Model
28.04.2020	Finalise Council Minutes. Meeting with Works Supervisor. Budget Review / Model
29.04.2020	Council Meeting Follow Up. Budget Review / Model. Meeting with Works Supervisor I regarding Flood 6 Tenders
30.04.2020	Council Meeting Follow Up. Budget Review / Model. Work on Flood 6 Tenders and Local Preference Pricing Analysis.
1.05.2020	Delegate to WALGA Murchison Zone Meeting via Zoom. Attend WALGA COVID-19 Webinar. Budget Review / Model. Telephone discussion with Shire President. Work on Flood 6 Tenders Local Preference Pricing Analysis.
2.05.2020	Phone conversation with Cr Mead over Carnarvon-Mullewa Road. Budget Review / Model
3.05.2020	Assist in Audit 2020 Work. Budget Review / Model. Flood 7 Estimate Return. General Administration
4.05.2020	Meeting with Works Supervisor. Prepare documents for Auditor. Attend to Flood 7 Submission Email. Budget Review / Model
5.05.2020	Brief inspection around Settlement. Budget Review / Model
6.05.2020	Meetings with Acting DCEO, Technical Officer and Works Supervisor. Budget Review / Model
7.05.2020	Work on Flood 6 Tenders including discussion at a meeting with Cr Whitmarsh & Works Supervisor. Prepare update Flood 6 Report. Budget Review / Model. Work discussion with Works Supervisor and Technical Officer.
8.05.2020	Send update Flood 6 Report to Working Group. Budget Review / Model. Attend WALGA Webinar
9.05.2020 & 10.05.2020	Budget Review / Model
11.05.2020	Budget Review / Model. Follow up Flood 6 Tenders
12.05.2020	Budget Review / Model. Attend DFES LMEC Meeting via electronic means

Date	Activity
13.05.2020 & 14.05.2020	Budget Review / Model. Start Activity Timesheet Preparation
15.05.2020	Follow up Flood 6 Tender incl discussions with Josh Kirk of Greenfields. Budget Review / Model. Council Chamber reset up. Attend WALGA COVID-19 Webinar
16.05.2020	Budget Review / Model. Follow up COVID-19 requirements and implications
17.05.2020	Budget Review / Model. Follow up COVID-19 requirements and implications. Council Chamber reset up
18.05.2020	Meeting with Works Supervisor at Depot. Budget Review / Model. Meeting with Ranger
19.05.2020	Budget Review / Model. Meeting with Woks Supervisor to go through budget pre-planning. Follow up Auditors queries.
20.05.2020	Budget Review / Model. Prepare COVID-19 Settlement Works Survey
21.05.2020	Budget Review / Model. Attend WALGA COVID-19 Webinar
22.05.2020	Budget Review / Model. Part attend Moore Stephens Finance Workshop. Attend WALGA COVID-19 Webinar
23.05.2020 to 25.05.2020	Budget Review Model. Workshop & Agenda work

### Recommendation

That the CEO's Activity Report be accepted.

### Voting Requirements

Simple Majority

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

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## 21 URGENT BUSINESS

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- 16.3 Financial Activity Statements 30 April 2020  
Additional Reports from Moore Stephens are to be provided prior to the Meeting

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## 22 ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

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Nil

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## 23 MEETING CLOSURE

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*The Shire President closed the meeting at.*