



murchisonshire

Ancient land under brilliant skies

Agenda for the Ordinary Meeting of the

Murchison Shire Council

To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
on Thursday **22 June 2023**, commencing at 12 Noon.

Ancient land under brilliant skies

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ATTACHMENTS

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Shire President declared the meeting open at

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present

Councillors

Cr R Foulkes-Taylor
Cr A Whitmarsh
Cr Q Fowler
Cr E Foulkes-Taylor
Cr M Fowler
Cr G Mead

Staff

Bill Boehm – CEO
William Herold – Works Manager
Travis Bate (RSM) – Financial Accountant

3 CONFIRMATION OF MINUTES

3.1 Ordinary Council Meeting – 25 May 2023

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 25 May 2023 be confirmed as an accurate record of proceedings.

Voting Requirements:

Simple Majority

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

4 DISCLOSURE OF INTERESTS

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6 STANDING ORDERS

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

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

7 PUBLIC QUESTION TIME

8 NEXT MEETING

Thursday 27 July 2023

9 APPLICATIONS FOR LEAVE OF ABSENCE

10 URGENT BUSINESS

11 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

- Item 17.1.1 Account Listings Paid since the last list was presented to Council
- Item 21.1 Legal Advice
- Item 21.2 Contract Ranger Request

12 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

13 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

14 ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

14.2 Councillors

15 REPORTS OF COMMITTEES

Nil

16 WORKS

16.1 Works Report

File: 12.42
Author: William Herold – Works Manager
Interest Declared: No interest to disclose
Date: 17 June 2023
Attachments: Nil

Construction Crew

By the time Council meets the first kilometer or so should be laid. Massive rocks have prevented us getting the pavement level in this section perfect, however it is on a hill so most water will be running parallel to the road. A significant amount of soil will also need to be removed and carted to pits and to fill some of the old deep table drains. Spoil from the old windrows on the backslopes will also need to be removed and carted away.

Maintenance Crew

Maintenance grading has continued on the Wooleen- Mt. Wittenoom Rd, Meeberrie -Wooleen Rd. as well as shoulder work and drop off repair on the bitumen section of the Carnarvon-Mullewa Rd. Errabiddy Bluff Road has also been graded as tourist traffic has started to increase. By the time Council meets a start should have been made on the Beringarra-Pindar Rd. starting from the south boundary.

Beringarra- Pindar Road

Rowe Contractors should make a start on the Beringarra-Pindar Road. re-sheet and drainage repair works sometime during the week of 19 June. I believe some gear has already been moved to site.

SKA Road Update

Walladar have continued with the SKA road upgrade works on the Wooleen Mt. Wittenoom road and seem to have overcome dealing with some hard material. They are progressing well.

Water Upgrade Works

MGP have progressed at an impressive pace, nearly all piping has been buried, compound enclosure completed, tanks in place and awaiting connection and all internal plumbing in the shed completed. We await the arrival of the chlorinator and the installation of the electrics which is a work in progress.

AGRN 1021 (Flood 10)

Once again there appears to be a hold up with progressing these works. DFES have come back with what the CEO and I believe to be an unacceptable and inappropriate method and implementation of the works to be done. Some Local Governments have apparently accepted the DFES assessment decisions, but we are of the belief that it needs to be challenged. It is recognised that DFES have their own requirements and pressures which may or may not be a contributing factor, but it seems clear that there is a lack of understanding with regard to maintenance and repair of remote roads, water behavior etc., especially relating to gravel roads.

It is clear that a collaborative approach would serve everyone better and the CEO has again indicated a willingness to proactively assist and suggest improvements which will serve everyone. He has also submitted this view to DFES and indicated that whilst this specific project could be used to assist as a case study, in the approval of this project should be undertaken ASAP as per our submissions given the significant delays already incurred by DFES.

Recommendation

That Council resolve that the Works Report be noted

Voting Requirements

Simple Majority

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

17 FINANCE

17.1 Accounts Paid since the last list was presented to Council

File: 4.37.1
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 19 June 2023
Attachments: 17.1.1 EFT & Cheque Details for May 2023 (Elected Members Only)

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 list 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

Nil

Consultation

Nil

Recommendation

- 1 That that pursuant to LGA s5.23(2)(b) & (e) of the *Local Government Act 1995* that attachment 17.1.1 EFT & Cheque Details for May 2023 be discussed behind closed doors
- 2 That Council receive and note attachment 17.1.1 EFT & Cheque Details for May 2023 and that the accounts since the last report to Council, as provided to Councillors be recorded in the minutes as being presented to Council.

Voting Requirements

Simple Majority

1 Item to be Discussed behind closed doors

Council Decision		
Moved: Cr	Seconded: Cr	
Carried	For	Against

The meeting was moved to behind closed doors at

3 Motion to open the meeting to the public

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

The meeting was moved out of closed doors at

2 Decisions Disclosed from the Closed Section of Meeting associated with Attachment Item 17.1

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

17.2 Financial Activity Statements 31 May 2023

File: 2.6
Author: Travis Bate (RSM) – Financial Accountant
Interest Declared: No interest to disclose
Date: 19 June 2023
Attachments: 17.2.1 Monthly Management Financial Report May 2023

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 and receipt the Monthly Financial Statements.

Comment

These statements are being presented to meet a statutory obligation to have each month's end and report presented within the following two months.

Budget/Financial Implications:

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

Consultation

RSM Australia

Recommendation

That Council note the financial statements as presented for the period ending 31 May 2023 as attached.

Voting Requirements

Simple Majority

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

17.3 2023 / 2024 Rates Review Update

File: 3.1
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 19 June 2023
Attachments: 17.3.1 Rating Strategy Review June 2023 (Including Rates Benchmarking Comparison May 2023 and Murchison Historical Rates Comparison June 2023)
17.3.2 Objects and Reasons for Proposed Differential Rates and Minimum Payments for the 2023/24 Financial Year

Matter for Consideration

Update review of Council's Rating Strategy as part of Council considering its proposed 2022/23 Rates and the supporting objects and reasons for differential rates.

Background

It is incumbent on the Shire administration, for equity reasons to ensure that differential rating proposals are highly equitable amongst ratepayer groupings, optimise total rate yields and are legally compliant.

At the April 2023 Council Meeting Council considered 2023 Rating Strategy Review Report which included an updated Regional Rates Benchmarking Comparison as well as several local Rates Scenarios. In doing so the following resolution was carried.

That Council note the Chief Executive Officers 2023 Rating Strategy Review Report with the intention that it will be used to inform Council's considerations when setting rates as part of future budgets.

At the May 2023 Meeting Council noted the Chief Executive Officers Asset Management - Long-Term Financial Plan – Preliminary Review Report which included a significant amount of work with major considerations identified and needed to be considered in the context of the 2023/24 Budget including the applicable rating strategy.

As a result, these documents and draft budgets that result have identified a need to lift revenue and will impact in the setting of rates in no small part as it has been identified that Council could likely be in a cash poor position in the medium to long-term without a raft of actions including a lift in rate revenue.

Following consideration of some preliminary rates modelling options amongst other things Council resolved to

- ~ *endorse the following proposed differential rates and minimum payments for 2023/24 Financial Year for the purpose of giving local public notice of its intentions to impose differential general rates and minimum payments for the 2023/24 Financial Year*

Differential Rate Types	Proposed	
	<i>Rate in dollar cents</i>	<i>Min Payment \$</i>
<i>UV Pastoral</i>	<i>8.894</i>	<i>800</i>
<i>UV Mining</i>	<i>16.941</i>	<i>800</i>
<i>UV Exploration</i>	<i>16.941</i>	<i>800</i>

- ~ *adopt the Objects and Reasons for Differential Rates and Minimum Payments for 2023/24 as attached and.*
- ~ *Invite public submissions.*

Update

Since this time the required public notices have been placed in Western Australian and Geraldton Guardian. Submissions to Council close at 4:00pm Wednesday 21 June 2023. At the time in preparing this Agenda Item no submissions have been received.

In addition, the attached Rating Strategy Review June 2023 has been updated to include previous work in benchmarking rates information with other Shires plus a review of local historical practices in Murchison. Detailed commentary and conclusions are contained within this document which provides a useful guide to support Councils actions with respect to rating thus far. Modelling local rates and changes in valuations needs to be considered. The following comments are provided.

Valuation Effects

- ~ The pastoral sector and mining sector generally see little movements in numbers of ratable assessments. This contrast with the minerals exploration sector which is highly volatile can have a number of ins and outs. This occurred in 2021, 2022 and 2023. As a result, the rates base and rates revenue can vary markedly from year to year but the average rates that are derived usually change in consistent manner.
- ~ With such a small valuation base very small changes in occupation can have a significant effect. By way of illustration in 2021/22 the pastoral sector reduced in size by only one pastoral property with changes in valuations to only two others but in both these instances there was a significant effect much greater than would otherwise be the case compared to a local government with a much larger rate base.
- ~ Landgate have able to provide the 2023 Mining Tenement Valuation Roll as well as the Unimproved Pastoral Valuation Roll which confirmed previous verbal advice received indicating that Pastoral Roll had only one minor change. Rates modelling has been able to be undertaken with confidence.
- ~ General changes in valuations will apply for 2023/24 as follows.

Pastoral	No change
Mining	Up generally 37%
Exploration & Prospecting	No change

Rate Parameters

- ~ General Rate Increase
It is prudent to consider any rate increase from year to year in terms of excluding *Natural Decline or Growth* The Corporate Business Plan 2017-2021 which allows for an average 5% rate increase each year. Recent now updated history shows the following increases excluding *Natural Decline or Growth* have been applied since 2016.

Sector	Average Rate Total % increase since 2016	Average Rate Rates % Change per annum
UV Pastoral	9.7%	1.4%
UV Mining	38.5%	5.5%
UV Exploration & Prospecting	194.6%	27.8%

- ~ As indicated in the attached Rating Strategy Review June 2023 (including Rates Benchmarking Comparison May 2023 and Murchison Historical Rates Comparison June 2023) there are a number of supporting reasons including an objective analysis by the Grants Commission that there is an inherent capacity to increase rates, especially considering the Shires large recurrent and future infrastructure spend as per Council's revised Long Term Asset Management and Financial Plan.

Objects and Reasons for Differential Rates

The proposed objects and reasons for differential rating as advertised are attached.

Budget/Financial Implications:

Proposed differential rates will be set to meet the estimated budget deficiency in the 2023-24 financial year.

Consultation

Travis Bate, Financial Accountant (RSM Australia), James McGovern (WALGA). Previous dialogue with McLeods Barristers and Solicitors, Landgate Valuation Services and DLGSC was also undertaken in 2021. A number of reference documents were also relevant at the time.

References

Previous Reports to Council

April 2023 and May 2023 Meetings

Rating Strategy Review May 2023 (including Regional Rates Benchmarking Analysis).

Analysis of rating information from 2022/23 budgets from the Shires of Murchison, Yalgoo, Mt Magnet, Cue, Menzies, Sandstone, Meekatharra, Upper Gascoyne, and Shark Bay.

Skilmar Rating Review.

Local Government Rating - A Discussion Paper prepared for Playford Council by Skilmar Systems - December 1998.

Access Economics Rating Review.

Valuation and local government rating in Tasmania: a robust framework for the Future. Prepared for Local Government Division, Department of Premier and Cabinet (Tasmania) by Access Economics – October 2010.

DLGSC Rates Detailed Discussion Paper.

Rates Fees and Charges Detailed Discussion Paper. Prepared by DLGSC March 2019

Strategic Implications:

The Corporate Business Plan 2017-2021 allows for rate increase each year. The Preliminary Draft 2023 Asset Management Plan and Long-Term Financial Plan identifies a need to increase rates to help fund community services and amenities and to address intergenerational issues.

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

Comment

On the basis that no public submissions are received prior to the Meeting then Council is able to adopt the differential rates and minimum as advertised when adopting its budgets. The recommendations below are prefaced on this scenario.

Recommendation

That Council Resolve as follows:

- 1 That the Chief Executive Officers 2023 / 24 Rates Review Update Report be noted.
- 2 That Council adopts as a policy position forming part of the 2023/24 Rates Review and for future rates scenarios that as far as practicable aspects associated with natural growth or decline are ignored when setting rates.

Voting Requirements

Simple Majority

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

18 DEVELOPMENT

18.1 Corporate Business Plan

File: 2.15
 Author: Bill Boehm - Chief Executive Officer
 Interest Declared: No interest to disclose
 Date: 19 June 2023
 Attachments: 18.1.1 Corporate Business Plan Draft June 2023

Matter for Consideration

Review of the Shire's Corporate Business Plan as part of Council's Planning for the Future.

Background

Pursuant to s 5.56 of the Local Government Act 1995 a local government is required to plan for the future its district through the preparation and adoption of various plans in accordance with Division 3 of the Local Government (*Administration*) Regulations 1996. As shown below this involves various elements with progress highlighted as follows

Reg	Plan	Latest Update	Progress
19C	<p>Strategic Community Plan</p> <p>The Community Plan Sets out the vision, aspirations and objectives of the community. It also Covers a period of at least 10 years and to be reviewed every 4 years Developed with regard to the capacity of current and anticipated resources, strategic performance indicators and demographic trends</p>	18 September 2017	Review required by 2027
19DA	<p>Corporate Business Plan</p> <p>The Corporate Business Plan</p> <p>Sets out consistently with any relevant priorities as set out in the Strategic Community Plan Council's priorities for dealing with the objectives and aspirations of the community Governs internal business planning by expressing priorities by reference to operations that are within Council's capacity Develops and integrate matters relating to resources including</p>	18 September 2017	This agenda Item
	<p>Asset Management</p>	18 September 2017	Preliminary Review May 2023. Update with 2023/24 Budget
	<p>Workforce Planning</p>	28 March 2019	To be reviewed later
	<p>Long-Term Financial Planning</p>	18 September 2017	Preliminary Review May 2023. Update with 2023/24 Budget
	<p>Covers a period at least 4 years and to be reviewed annually</p>		

Since 2017 work has continued to develop the scope of works and in delivering a range of Capital Works identified in the then Corporate Business Plan. However various significant changes have occurred since prompting a wider review. At the May Council Meeting a Preliminary Draft Asset Management - Long-Term Financial Plan update was provided and noted by Council. These documents will need to be finalised as part of the 2023/24 Budget consideration.

Comments

The attached Corporate Business Plan has not been updated since its adoption in 2017. An advance copy has also been set out to councillors prior to the Agenda being prepared.

Whilst the appearance has altered, and a preamble and other words added, the critical elements as per the *Corporate Business Plan - Strategies & Actions Outline - June 2023 Section* are essentially the same. It is this section with progress comments that also appears in the 2021/22 Annual Report.

Given changes since 2017 the *Corporate Business Plan - Strategies & Actions Outline - June 2023 Section* has been updated with the following descriptors

- current this denotes that this element is currently in the existing Corporate Business Plan. ie no change just comments
- complan this denotes that this element was not in the existing Corporate Business Plan but was mentioned in the Community Strategic Plan... ie no real change just picking up what may have been missed and adding comments
- new these are new strategies and actions identified thus far

Some of the content of the plan directly relates to aspects associated with the Preliminary Draft Asset Management - Long-Term Financial Plan presented at the May 2023 Meeting. All budget related aspects are addressed separately in the 2023/24 Budget, Asset Management Plan and Long-Term Financial Plan when these documents are updated.

Recommendation

That Council adopt the Corporate Business Plan Draft June 2023.

Voting Requirements

Simple Majority

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

18.2 Ancient Lands Under Brilliant Skies Festival

File: 13.2
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 18 May2023
Attachments: To be provided later

Matter for Consideration

Update of Ancient Lands Under Brilliant Skies Festival (ALUBSF)

Background

By now we all realise that inaugural Ancient Lands Under Brilliant Skies Festival (ALUBSF) undertaken on the weekend of 15-16 April 2023 has been and gone.

The Working Group and many others are to be congratulated for putting on a very successful festival event which from all accounts was extremely well received. Obviously, numbers were down due to the high river but nevertheless feedback has been extremely positive. Opportunities were also taken up to obtain video footage through Destination WA and to have the Festival professionally photographed. All of this work will become usable by the Shire moving forward and is opportune given we haven't much in place.

There will be a number of lessons learnt from the aftermath and in this regard the Working Group will soon meet for a debrief with a report to then follow. A survey has also been instituted to assist in this deliberation.

Update

Due to unavailability of various members of the ALUBS Festival Working Group a debrief meeting was not able to be arranged prior to the completion of the Agenda. A Meeting is scheduled for Monday 19 June 2023. A report will be prepared following the meeting and then forwarded to Councillors for review at the Council meeting.

For Information

19 ADMINISTRATION

19.1 2021/22 Annual Report

File:	1.2
Author:	Bill Boehm – Chief Executive Officer
Interest Declared:	No interest to disclose
Date	19 June 2022
Attachments:	19.1.1 2021/22 Annual Report

Background

Local Government is to prepare an Annual Report for each financial year containing information including but not limited to a report from the mayor or president, a report from the CEO, an overview of the plan for the future, the financial report for the financial year, information as may be prescribed in relation to payments to employees, the auditor's report for the financial year, information regarding Disability access and inclusion and details in the register of complaints. The Annual Report is to be the first item considered at the Annual General Meeting of Electors.

Matter for Consideration

The Annual Report for the 2021/22 financial year is presented for consideration by the Council. In accordance with s5.55 of the *Local Government Act 1995* the Annual Report will be made available to the public after it is accepted by Council.

Update

The finalisation of the Audited Financials by Councils Auditors and the Auditors Report has been completed. At the May Council Meeting, Council adopted the recommendations from the Audit Committee Meeting held on 25 May 2023 which amongst other things include a recommendation to adopt the 2021/22 Financial Report.

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.

The Annual Report has been now finalised as attached. A draft (less financials) being sent out to councillors as pre reading prior to the Agenda being finalised.

The Annual Report 2021/22 is required to be presented at the Annual Meeting of Electors to be held within 56 days of the adoption of the report. The suggested date proposed is in on the day of the next ordinary meeting of Council. Accordingly, the proposed time and date of the meeting is at 3pm on Thursday 27 July 2022.

Statutory Environment

5.53 Annual reports

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

- (iii) any other details that the regulations may require; and
- (i) such other information as may be prescribed

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.
* Absolute majority required.
- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

5.55 Notice of annual reports

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

5.27 Electors' general meetings

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

5.29 Convening electors' meetings

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

Strategic Implications

This is a statutory function.

Policy & Financial Implications

Nil

Consultation

Travis Bate Financial Accountant (RSM).

Comments

The timing of the completion of the Annual Report relative to the end of the financial year is always an issue given the period required to have the Audit undertaken and completed. This year the Annual Report has been finalised some 11 months after the completion of the 2021/22 Financial Year with the Annual Meeting of Electors held one month later. In 2020/21 the Annual Meeting of Electors was held in September, some 15 months after the end of the Financial Year. Historically an Annual Meeting of Electors is often held in February or March, a timeline that in all practicality is forever likely.

The Annual Meeting of Electors is primarily established to provide an opportunity for electors to hear a report from the Council relating to various matters as prescribed and as is listed above, but from experience rarely if ever are questions raised at these meetings that relate to the subject matter. More likely questions arise in general business and more often than not relate to topical or current issues not ones that as per the Annual Report that maybe some 12 months in the past.

In 2022 this was noted by Council and given that the 2021/22 Annual Meeting of Electors was likely to not occur well into 2023 a separate Community Meeting was arranged for Christmas Tree day. Should Council decide that this is to become a regular feature then this action could be made clear when advertising for the 2021/22 Annual Meeting of Electors, in which case the Council Chamber could be a practical venue.

Recommendation

That Council

- 1 adopts the Annual Report for 2021/22 as attached
- 2 determines that the 2021/22 Electors Annual General meeting within then Murchison Settlement and be held at 3pm on the 27 July 2023.

Voting Requirements

Absolute Majority

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

19.2 Bush Fire Brigade Management Arrangements

File: 5.2
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 19 June 2023
Attachments: Nil

Matter for Consideration:

Update on Future Bush Fire Brigade Management Arrangements.

Background

At the February Council Meeting the subject of future management of Bush Fire Brigades was discussed Council resolving that *in the first instance enter into discussions with representatives of the Department of Fire and Emergency Services (DFES) to determine likely operational and transitional issues associated with Council transferring management of its Bush Fire Brigade over to DFES*

At the April Council Meeting a meeting with DFES Management was arranged as summarised below

DFES Fire Management

Mark Bowen (Superintendent) Ian Combe (Distract Officer) and Rick Ryan (Community Emergency Services Manager – Murchison, Morawa and Perenjori and Yalgoo Shires) from the Mid-West Gascoyne Region of DFES attended at Council request to update on progress and future arrangements regarding manage of Bush Fires.

Mark Bowen

Mark indicated that currently Bush Fire Management is a Local Government responsibility with DFES support. Whilst currently some areas in the Kimberly and Goldfields have MOU's in place for DFES to be the primary manager these were non-binding with local government still ultimately responsible. DFES were not entering any new MOU's.

Legislative changes are being pursued to enable DFES to assume this role if a local government so desires. Consultation on the Bill expected later in the year.

Meanwhile DFES would welcome expressions of interests from Shires who may wish to take up this opportunity in the future so that they can provide advice to the Minister as to likely resource implications for DFES. Regardless of any changes current arrangements operations on the ground are not expected to change.

The following questions provided to DFES were responded to and also addressed as part of Mark's overview.

- 1 What will the transition process look like?*
- 2 What will be the funding arrangements going forward and how will that be different to now?*
- 3 Please talk through what might happen in a typical scenario of a fire breaking out eg Hot summer day in January with electrical storms- lightning strike starts a fire, first responders are pastoralists....next steps?*
- 4 I have concerns about the response times and agility of DFES to attend to fires quickly. We witnessed this recently with a fire on Tallering last summer. Ultimately it was a local pastoralist with a plane and pilots license (at their own cost) to advise DFES (and the leaseholder) on the status of the fire- please respond.*
- 5 How will things be handled by DFES in the case of an accident or human death during a fire?*
- 6 What is the process in the case of a dispute/disagreement between locals and DFES on the handling of a fire.*

Update

As indicated above DFES would welcome expressions of interests from Shires who may wish to take up this opportunity in the future so that they can provide advice to the Minister as to likely resource implications for DFES.

For this to occur then the council needs to request that in a letter to the Commissioner. This will add weight to the growing number of shires throughout the state requesting the change in running of Local Government Bush Fire Brigades.

Regardless of any changes current arrangements operations on the ground are not expected to change.

Comment

Given the above and DFES request it is important that Council advise DFES of whether Council wishes to formally place an expression of interest for DFES to take over management responsibility for the Murchison Bush Fire Brigade as part of future legislative changes

Given that current arrangements operations on the ground are not expected to change such an action would reduce liability and costs to Council but also assist DFES in lobbying for additional resources, hence the recommendation with conditions as shown below.

Consultation

Works Manager, James McGovern (WALGA), Craig Smith (Superintendent Mid-West Gascoyne Region DFES) Mark Bowen (Superintendent), Ian Combe (Distract Officer) and Rick Ryan (Community Emergency Services Manager Shires of Morawa Murchison Perenjori Yalgoo)

Statutory Environment

Bush Fires Act 1954 and Local Law 5 January 1961

Policy Implications

Nil at this stage, Councils Policy 6.3 Fire is subservient to the original 1961 Local Law.

Financial and Risk Implications

Council and the CEO are significantly exposed, a situation that has been aggravated under the Work Health and Safety Act 2020 (WHS Act) which was enacted in March 2022

Strategic Implications

Vision Statement	<i>Working together to preserve the unique character of the Shire, supporting diverse and sustainable lifestyle and economic opportunities.</i>
Social Objective 3	<i>To develop, co-ordinate, provide and support services and facilities which enhance the quality of community life in the Shire by:</i>
Strategies	
Regional Community Emergency Services Manager	<i>Emergency Services planning and response is a key issue for the Shire. Additional resources would improve the planning and response to emergency situations.</i>
Civic Leadership Objective 4	<i>To provide Good Governance to the Murchison Shire through:</i>
	<i>Regional collaboration where possible; Detailed and professional administration; High levels of accountability; Compliance with statutory requirements; High-quality forward planning, particularly for assets and finances;</i>
Strategies	
Bush Fire Brigade – Fast Attack	<i>The need for a fast attack unit has been identified as a required piece of equipment to respond to emergency situations.</i>

Recommendations

That Council write to the DFES Commissioner expressing an interest for DFES to take over management responsibility for the Murchison Bush Fire Brigade as part of future legislative changes on the proviso that current operational arrangements on the ground by volunteers do not appreciably alter and that local volunteers are adequately resourced and supported.

Voting Requirements

Simple Majority

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

20 CEO ACTIVITY REPORT

File:

Author: Bill Boehm – Chief Executive Officer

Interest Declared: No interest to disclose

Date 19 June 2023

Attachments: Nil

General

The following update of activities is provided.

Date	Activity
23.05.2023	Rates Evaluation Work. Meeting with Will
24.05.2023	Agenda Workshop Work. Roadhouse Engagement Work
25.05.2023	Council Workshops Meeting and Follow up Actions
26.05.2023	Council Minutes & follow up actions
27.05.2023 to 28.05.2023	Budget LTFP Template Work
29.05.2023	Budget LTFP Template Work. Minutes. Follow Up Admin. Separate telephone discussions with Main Roads WA regarding SKA Works and DFES Flood Management
30.05.2023 to 2.06.2023	Budget LTFP Corporate Plan Work.
4.06.2023	Budget LTFP Corporate Plan Work.
5.06.2023	Public Holiday. Budget LTFP Corporate Plan Work.
6.06.2023	TOIL. Emails Annual Report Work
7.06.2023 to 8.06.2023	Annual Leave. Emails Annual Report Work
9.06.2023	Annual Leave.
11.06.2023	Follow up Administration work and emails
12.06.2023	Annual Leave
13.06.2023	Meetings with Senior Works Finance Administration Officer and Works Manager. Local Gov Admin work. Telephone Discussion with Adam Murszewski (MWDC).
14.06.2023	Annual Report Work. Rates Analysis Work.
15.06.2023	Annual Report Work. Flood 10 follow up work
16.06.2023	Annual Report Work. Meeting and Briefing with Works Manager
17.06.2023	Annual Report & Agenda Work. Separate meeting catchup with current and new Roadhouse Managers.
18.06.2023	Annual Report & Agenda Work.
19.06.2023	Agenda Work. ALUBS Festival Debrief Meeting

Recommendation

That Council note the CEO's Activity Report.

Voting Requirements

Simple Majority

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

21 OTHER ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Other Items to be Discussed behind closed doors

- 21.1 Legal Advice
- 21.2 Contract Ranger Request

Recommendation

That that pursuant to LGA s5.23(2)(b)(c)(d) & (e) of the *Local Government Act 1995* that the following matters be discussed behind closed doors

- 21.1 Legal Advice
- 21.2 Contract Ranger Request

Voting Requirements

Simple Majority

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

The meeting was moved to behind closed doors at

Motion to open the meeting to the public

Recommendation

That the meeting come from behind closed doors

Voting Requirements

Simple Majority

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

The meeting was moved out of closed doors at

Decisions Disclosed from the Closed Section of Meeting

21.1 Legal Advice

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

21.2 Contract Ranger Request

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

22 MEETING CLOSURE

The Shire President closed the meeting at.