



Western Australia

MURCHISON SHIRE COUNCIL MARCH 2008

UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
Ordinary Council Meeting of Council was held,
In the Council Chambers, Shire Administration Building,
Murchison Settlement
10.05am, Tuesday, 18^h March 2008.

Dirk Sellenger
CHIEF EXECUTIVE OFFICER

SHIRE OF MURCHISON

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Murchison for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Murchison disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Murchison warns that anyone who has any application or request with the Shire of Murchison must obtain and should rely on

WRITTEN CONFIRMATION

of the outcome of the application or request of the decision made by the Shire of Murchison.

Dirk Sellenger
Chief Executive Officer

**SHIRE OF MURCHISON
COUNCIL MEETING
10.05am Tuesday, 18th March 2008**

TABLE OF CONTENTS

1. **Declaration of Opening / Announcement of Visitors**
The President declared the meeting open at 10.05am welcoming councillors and staff present.
2. **Swearing in of new councillor elected on Saturday 15th March 2008**
Cr David Pollock was sworn in as a councillor.
3. **Record of Attendances / Apologies / Leave of Absence/ Next Meeting**

3.1 Attendances

President	Cr SA Broad
Deputy President	Cr MW Halleen

Councillors

Cr R Foulkes-Taylor
Cr PM Walsh
Cr D Pollock

Staff

Chief Executive Officer	DJ Sellenger
-------------------------	--------------

3.2 Apologies

Cr W McL Mitchell was granted a Leave of Absence at the February 2008 Ordinary Council meeting. Discussion took place regarding meeting commencement time which was changed to help offset daylight savings. Council agreed that meeting commencement time would revert to 9.30am as is was prior to daylight savings.

3.3 Leave of Absence None requested

3.4 Next Meeting Date

The next scheduled meeting date is Friday 18th April 2008. Council resolved to hold the meeting on this day.

4. **Public Question Time** – (Section 5.24 of the Local Government Act)

5. **Petitions / Deputations / Presentations**

Mr Steve Douglas and Pricilla Clayton entered the Council Chambers at 10.20am

Mr Steve Douglas, CEO, Midwest Development Commission and Ms Pricilla Clayton from the CSIRO addressed council at 10.20am. They discussed various issues including Port, Rail and SKA Radio Telescope Status.

Mr Steve Douglas and Pricilla Clayton left the Council Chambers at 10.59am

Mr Robert Vagnoni and Stuart Hall entered the Council Chambers at 11.00am

Mr Robert Vagnoni, Director, and Mr Stuart Hall, CEO, Crosslands Resources addressed council from 11.00am to provide council with an overview of the Mining Operation, the Beringarra Cue Road issues and the Port and Rail bid which closes in May 2008.

Unconfirmed Minutes of the Ordinary Meeting of the Murchison Shire Council held on Tuesday 18th March 2008.

6. **Confirmation of Minutes**

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Foulkes-Taylor

That the Minutes of the Ordinary Meeting of Council held on Friday 15th February 2008, be confirmed as a true and correct record of proceedings.

**CARRIED
Record of Vote 5-0**

7. **Announcements by the President**

Cr Broad

Advised that he was unable to make the last Development Commission Meeting due to various Road Closures caused by heavy rain.

Cr Broad and Cr Halleen attended a ZCA meeting held over a two day period and once again funding problems dominated discussions. The Shire of Upper Gascoyne was the only Local Government in the region to donate funds to the ZCA and discussions took place at the Murchison Shire Ordinary Council meeting regarding cost shifting concerns if Local Government was to become involved.

8. **Items for Discussion without Notice**

Cr Halleen

Advised of the appointment of a new Biosecurity Manager, former Wiluna CEO, Tony Kirwin.

Cr Halleen queried the location of the Maintenance Graders, the CEO advised that although he had not spoken with them for several days he expected them to be on the Beringarra Pindar Road just south of Nookawarra.

Cr Walsh left the chambers at 10.28am

Cr Walsh entered the chambers at 10.34am

Cr Foulkes-Taylor

Advised that he had inspected the proposed realignment around the Twin Peaks Homestead as included in the 2007/08 Budget and provided details of this realignment for councillors and staff information.

Cr Foulkes-Taylor reported that with recent heavy rain the bunds installed immediately north of Yuin Station on the Beringarra Pindar Road are too low and require raising by approximately 300mm to prevent water flowing over the top of the bunds.

Cr Foulkes-Taylor advised that a new Depth marker is required at the Murchison River Crossing on the Twin Peaks Wooleen Road, the CEO thanked Cr Foulkes-Taylor for bringing this to his attention and advised that he would arrange for a new marker to be installed as soon as possible.

Cr Foulkes-Taylor recently travelled the Twin Peaks McNabbs Road which suffered damage after heavy rain. The road requires drains and bunds and Cr Foulkes-Taylor recommended that this road be given some work in the near future to rectify the problems as it has been outstanding for some time now.

Unconfirmed Minutes of the Ordinary Meeting of the Murchison Shire Council held on Tuesday 18th March 2008.

Cr Pollock

Nothing to report at this time.

Cr Halleen

Advised that Emma Foulkes-Taylor was recently appointed as State President of the Isolated Children's and Parents Association (ICPA) and congratulated her of this appointment.

Cr Walsh

Welcomed newly elected Cr David Pollock.

Cr Walsh congratulated Emma Foulkes-Taylor on her appointment as ICPA State President.

Cr Walsh spoke in detail regarding various aspects of the Beringarra Cue Road which was breaking up in a number of locations. The CEO advised that he and Mr Bob Roden (Mullewa Shire Works Foreman) were due to carry out an inspection of the road within the next few weeks and following this inspection would meet with representatives from Crossland Resources to discuss concerns and suggest solutions.

9. Declarations

*Council adjourned for lunch at 12.55pm
Council reconvened at 1.30pm*

10. **Agenda Items**

10.1 Works

- 0708.89 Plant Report – March 2008
- 0708.90 Motor Grader Tender 08/09 Budget
- 0708.91 Light Vehicle Purchase – Construction Crew

10.2 Finance

- 0708.92 Monthly Financial Update – March 2008
- 0708.93 Creditors for Payment – March 2008

10.3 Administration

- 0708.94 Compliance Audit Return 2007
- 0708.95 Electors Meeting Issues February 2008
- 0708.96 Code of Conduct – Review
- 0708.97 Extraordinary Election Date – Cr Jeffries Resignation
- 0708.98 Review of Council Committees
- 0708.99 Aircon Request – Murchison Sports Club
- 0708.100 Systemic Sustainability Study – The Journey
- 0708.101 Ward Review – Local Government Advisory Request
- 0708.102 Delegations by Council to Chief Executive Officer
- 0708.103 Chief Executive Officer Report – February 2008

11. **New Business of an Urgent Nature**

12. **Meeting Closure**

ITEM NUMBER: 0708.89
SUBJECT: Plant Report Update to March 2008
FILE REFERENCE: N/A
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To advise and update council on the usage and status of various council owned machinery.

Background Nil

Comments/Options/Discussions

To be read in conjunction with the plant report on the following page.

Grader MU 51 (2000)

Grader recently had a leaking transmission oil line requiring a special trip by the Mechanic to replace the hose.

Mazda Ute MU 300

Works Supervisor hit a Kangaroo causing considerable damage to the front of the vehicle including Bumper, Grill, Spotlights and Radiator. Vehicle will be freighted to Geraldton on Tuesday 18th March 2008 for repairs.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

Council has made an allowance of \$200,000 in the 2007/2008 Budget (A/C E144030) to 15th March 2008; \$153,459.00 has been expensed from this account.

Voting Requirements Simple

OFFICERS RECOMMENDATION / COUNCILS DECISION

Moved Cr Halleen Seconded Cr Pollock
That the plant information report for March 2008 be received.

CARRIED
Record of Vote 5/0

ITEM NUMBER: 0708.90
SUBJECT: Motor Grader Tender 08/09 Budget
FILE REFERENCE: Budget / Tender File
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to consider making an allowance in the 2008/09 Budget for the Purchase of a new Motor Grader which is due to be replaced in the 2008/09 financial year.

Background

Council is due to change over the oldest of its Graders next year. The oldest machine was purchased in 2000 and has completed 10590hours (as at 13th March 2008)

Comments/Options/Discussions

When council called tenders in 2005 the delivery of the new grader took just over 6 months to deliver. If council was to call tenders in the 2008 year with payment of the new machine to be made on or after 1st July 2008 this would allow council staff to take delivery of the new machine sooner, instead of waiting until 1st July 2008, calling tenders and potentially waiting until late in the 2008 calendar year to take delivery of the new machine.

Statutory Implications/Requirements

Tender Regulations / Financial Management Regulations

Policy Implications

2.2.7

Motor vehicles and utilities will be changed over on an as required basis, with factors such as changeover price, repair costs and total operating costs all considered prior to changing over a machine or vehicle. All vehicles must be considered by Council prior to being changed over with the exception of the Chief Executive Officers vehicle which may be changed over at any time provided it is at Nil cost and is the same make and model of at least equal specification.

Financial Implications

Council is yet to consider or adopt the 2008/09 Budget so no allowance for the purchase of a new grader has been made. Should council decide to make an allowance in the 2008/2009 Budget the CEO recommends the following allowances should be made.

Purchase of new grader	\$330,000ex GST
Sale of Grader (2000 model)	\$170,000ex GST
Net Changeover	\$160,000ex GST

Voting Requirements Absolute

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Walsh Seconded Cr Foulkes-Taylor

That Council make an allowance in advance for the 2008/09 Budget as follows:

Purchase of new grader	\$330,000ex GST
Sale of Grader (2000 model)	\$170,000ex GST
Net Changeover	\$160,000ex GST

That the CEO call tenders for the supply and delivery of a new grader with specifications as determined by the Plant Committee, CEO and Works Supervisor.

That tender documents clearly state that payment for the new grader will not be made prior to 1st July 2008 irrespective of the delivery date to allow it form part of the 2008/09 Budget.

**CARRIED
Record of Vote 5/0**

ITEM NUMBER: **0708.91**
SUBJECT: **Light Vehicle Purchase – Construction Crew**
FILE REFERENCE: Light Vehicle Purchase March 2008
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to consider quotes received for the purchase of a new 4x4 Dual Cab Diesel Utility as resolved at the February 2008 Ordinary Council meeting.

Background

Council considered an Amendment to the 2007/2008 Budget at the February 2008 Ordinary Council meeting as follows:

OFFICERS RECOMMENDATION / COUNCILS DECISION

*Moved Cr Halleen seconded Cr Foulkes-Taylor
That Council make an amendment to the adopted 2007/08 Budget as follows:*

Allocate the funds set aside for the changeover of the six wheel tipper for a Prime Mover (Net \$170,000) instead be used for the following purchases below and that the six wheel tipper be kept for a further 12 month period and reviewed again when the 2009/2010 Budget is adopted.

Sale of the 1976 Dual Axle Float (income \$20,000) and purchase of a new or used tri axle float with similar specification to that purchased from SFM in 2001 (expense \$100,000). Resulting in a Net outlay of \$80,000.

Sale of the 2001 Single Cab Toyota Hilux Ute (income \$8,000) and purchase of a new dual cab 4x4 diesel utility (expense \$41,000). Resulting in a Net outlay of \$33,000.

*CARRIED
Record of Vote 5-0*

Comments/Options/Discussions

The CEO obtained quotes from various dealerships in Geraldton as follows.

Vehicle Dealership	Vehicle Type	Total Inc Options
Geraldton Toyota	Toyota Hilux	\$44,750.00
Midwest Autogroup	Ford Ranger	\$36,097.47
Young Motors	Holden Rodeo	\$39,256.00
Young Motors	Mitsubishi Triton	\$37,990.00
Young Motors	Mazda BT50	\$41,518.00

Whilst price is important other vehicles such as operating costs and resale need to also be considered.

Whilst the Ford Ranger is the cheapest to purchase outright and produces the highest maximum torque at the lowest engine revolutions (380nm at 1800rpm) it also has the worst fuel economy and resale value (for non Government purchasers pay full RRP).

Whilst the Hilux offers the best resale value based on ordinary RRP it necessary to use Government discount pricing which can be in the vicinity of \$13,000 in the instance of the Ford Ranger.

Unconfirmed Minutes of the Ordinary Meeting of the Murchison Shire Council held on Tuesday 18th March 2008.

Resale based on RRP

Resale Comparison based on 2 year ownership period

Vehicle Type	RRP 2006	Trade in 2 years on	Depreciation 2 year
Toyota Hilux	\$ 41,790.00	\$ 27,700.00	\$ 14,090.00
Ford Ranger / Courier	\$ 40,290.00	\$ 21,200.00	\$ 19,090.00
Holden Rodeo	\$ 39,290.00	\$ 23,800.00	\$ 15,490.00
Mitsubishi Triton	\$ 39,644.00	\$ 21,700.00	\$ 17,944.00
Mazda BT50/ Bravo	\$ 39,555.00	\$ 24,600.00	\$ 14,955.00

Resale based on Government Pricing

Vehicle Type	Council Cost Price as quoted	Trade in 2 years on	Depreciation
Toyota Hilux	\$44,750.00	\$27,700.00	\$17,050.00
Ford Ranger / Courier	\$36,097.47	\$21,200.00	\$14,897.47
Holden Rodeo	\$39,256.00	\$23,800.00	\$15,456.00
Mitsubishi Triton	\$37,990.00	\$21,700.00	\$16,290.00
Mazda BT50/ Bravo	\$41,518.00	\$24,600.00	\$16,918.00

In the above scenario the Ford Ranger provides the highest level of depreciation for the Private buyer however this changes to the lowest level of depreciation if purchased at Government prices.

As stated above the Ford Ranger and Mazda BT50 provide the highest maximum torque at the lowest engine revolution however it seems the penalty for this is increased fuel consumption ranging in vehicles from Holden Rodeo best at 8.1ltr per 100kms to the Ford Ranger at 9.2ltrs per 100kms as follows:

Claimed Fuel Consumption Figures ltrs per 100kms

Toyota Hilux	8.3
Ford Ranger	9.2
Holden Rodeo	8.1
Mitsubishi Triton	9.1
Mazda BT50	9.2

In keeping with councils trend of keeping vehicles longer to reduce ownership costs throughout the life of the vehicle if the vehicle achieves the claimed fuel figures over a ownership period of 100,000kms total vehicle fuel costs based on a fuel cost of \$1.65ltr would be as follows:

Total fuel cost based on 100,000kms at claimed fuel consumption figures

Toyota Hilux	\$ 13,695.00
Ford Ranger	\$ 15,180.00
Holden Rodeo	\$ 13,365.00
Mitsubishi Triton	\$ 15,015.00
Mazda BT50	\$ 15,180.00

Unconfirmed Minutes of the Ordinary Meeting of the Murchison Shire Council held on Tuesday 18th March 2008.

Each of the vehicles offers a 3 year 100,000kms warranty and in this day and age it is highly unlikely to experience any mechanical breakdown or problems with any of the vehicles throughout the 100,000km ownership period.

Based on Depreciation cost and fuel costs over the life of the vehicle as follows:

	Council	Trade in		Fuel Cost	Total
	Cost Price	2 years on	Depreciation	Difference	Depr + Fuel
Holden Rodeo	\$ 39,256.00	\$ 23,800.00	\$ 15,456.00	\$ -	\$ 15,456.00
Ford Ranger / Courier	\$ 36,097.47	\$ 21,200.00	\$ 14,897.47	\$ 1,815.00	\$ 16,712.47
Toyota Hilux	\$ 44,750.00	\$ 27,700.00	\$ 17,050.00	\$ 330.00	\$ 17,380.00
Mitsubishi Triton	\$ 37,990.00	\$ 21,700.00	\$ 16,290.00	\$ 1,650.00	\$ 17,940.00
Mazda BT50/ Bravo	\$ 41,518.00	\$ 24,600.00	\$ 16,918.00	\$ 1,815.00	\$ 18,733.00

Based on the above scenario the Holden Rodeo provides the lowest total ownership period throughout the life of the vehicle.

Disclaimer

The above figures rely totally on information provided by Redbook.com.au and the vehicle achieving the manufactures claimed fuel consumption figures. No responsibility is taken for the accuracy of this information or guarantees that future trade in figures will be achieved. The information should be used as a guide only.

Toyota has established themselves as the builders of quality vehicles which are considered to the manufacturer of choice in remote areas of WA such as Murchison. Given the difference in price between the cheapest vehicle (Holden Rodeo) at \$15,456 and the Toyota Hilux at \$17,380 (total depreciation and fuel costs only) this equates to a difference of \$1,924. Assuming the vehicle will be kept by Council for a period of 100,000kms or approximately 24 months this works out to be a difference of \$80.00 per month over the life of the vehicle.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

Council made a budget amendment at the February 2008 ordinary Council meeting to expense \$41,000ex GST on a new 4x4 Dual Cab utility. Should council choose the Hilux this price will total \$40,681 or \$319 under Budget.

Voting Requirements Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

**Moved Cr Foulkes-Taylor Seconded Cr Walsh
That Council purchase a 4x4 3.0TD Toyota Hilux Dual Cab Utility from Geraldton Toyota for a total purchase price of \$44,750inc GST as per quote dated 21st February 2008.**

**CARRIED
Record of Vote 5/0**

ITEM NUMBER: 0708.92
SUBJECT: Monthly Financial Update –
March 2008
FILE REFERENCE: Monthly Financials
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF PURPOSE: Nil

Report Purpose

To provide Councillors with a monthly financial statement on the operations of Council

Background

The monthly financial update provides council with the following information.

- 1) Cash Balances to the end of the previous month
- 2) Transactions from the beginning of the month to the close of report
- 3) Reserve Investment details
- 4) Sundry debtors
- 5) Monthly Statement of Financial Activity
- 6) Any significant payments since last update

Comments/Options/Discussions

The Chief executive Officer will provide an overview and explanation as required of how to interpret the financial statement at the meeting.

Statutory Implications/Requirement

Section 6.4 of the Local Government Act states that financial records are to be prepared and presented in the manner and from prescribed.

Regulation 34(1) of the Local Government (Financial Management) Regulations states that: "A Local Government is to prepare –

(a) monthly financial reports in such a form as the Local Government considers to be appropriate"

Policy Implications Nil

Financial Implications This report discloses financial activities for the period under review

Voting Requirement Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Walsh
That the monthly financial statement to 21st March 2008 be received.

CARRIED
Record of Vote 5/0

ITEM NUMBER: 0708.93
 SUBJECT: Creditors for Payment – March 2008
 FILE REFERENCE: N/A
 NAME OF APPLICANT: N/A
 AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
 DISCLOSURE OF INTEREST: Nil

Report Purpose

For Council purpose to endorse the payment to creditors.

Background

The list of payments that is enclosed in this Agenda outlines payments made to creditors since the last Council meeting held on the 15th February 2008.

Comments/Options/Discussions

Provide details of payments in summary. Please note that the computer system allows for only a limited field for the description of goods/services purchased, therefore the description shown on the attached schedule of accounts may not show the entire description. A file containing each invoice to be endorsed for payment is available for Councillor Information upon request.

Statutory Implications/ Requirements

Local Government (Financial Management regulations 1996 – Section 11. “ A Local Government is to develop procedures for the authorisation and payment of accounts to ensure that there is effective security for the properly authorised use of..” Section 12(2) “payment from Municipal fund or Trust fund “ the Council must not authorise payment from those funds until a list is prepared under Regulation 13 (2) containing details of the accounts to be paid has been presented to Council”.

Policy Implications

Nil

Financial Implications.

Total Expenses	Municipal Account	\$90,511.06
	Trust Account	<u>\$ 7,067.30</u>
	Total Payments	<u>\$97,578.36</u>

Voting requirements Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Pollock Seconded Cr Walsh
That Council endorse payments: Trust Cheques 1648 to 1652 totalling \$7,067.30. Municipal Cheques 8186 to 8250 totalling \$90,511.06 making a grand payment total of \$97,578.36 submitted to each member of Council on Tuesday 18th March 2008, have been checked and are fully supported by vouchers and duly certified invoices with checks being carried out as to prices, computations and costing.

CARRIED
Record of Vote 5/0

ITEM NUMBER: 0708.94
SUBJECT: Compliance Audit Return 2007
FILE REFERENCE: N/A
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To seek Councils comments and endorsement for the Compliance Audit Return.

Background

The Chief Executive Officer is required to complete a Compliance Audit Return and submit to Council for comment and endorsement, before sending it to the Department of Local Government. The “Compliance Audit Return” as the name implies is a check list of compliance with statutory obligations relating to the provision of, and management of a local government. A copy of the return has been provided to each councillor as a separate document titled “Local Government Compliance Audit Return, 1 January 2007 to 31 December 2007”

Comments/Options/Discussions

The Return for the period has been completed and contains no examples the CEO is aware of where council did not fully comply with the requirements.

A copy of the letter sent to the DLGRD has been provided to each member of council as a separate document.

Statutory Implications/Requirements

Compliance Audit Return: LGA 1995 s7.13 (i) and Audit Regulations 13.

Delegation of Power, LGA 1995 s5.44 (1).

Policy Implications Nil

Financial Implications Local Government Act, Administration Regulation 19.

Voting Requirements Simple

OFFICER'S RECOMMENDATION/COUNCIL DECISION

Moved Cr Foulkes-Taylor Seconded Cr Halleen
That council receive and adopt the Statutory Compliance Audit Return for the period 1 January 2007 to 31 December 2007.
CARRIED
Record of Vote 5/0

ITEM NUMBER: 0708.95
SUBJECT: Electors Meeting Issues February 2008
FILE REFERENCE: AGM / Meeting Minutes
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

For Council to consider issues raised at the Annual Electors Meeting held at the Murchison Sports Club on Friday 15th February 2008.

Background

Council held its Annual Meeting of Electors at the Murchison Sports Club on 15th February 2008, a copy of the unconfirmed Minutes has been provided to each councillor as a separate document and uploaded to councils webpage for public information.

Comments/Options/Discussions

The Roadhouse / Interpretive Centre dominated discussion at the meeting and the CEO has prepared an expression of Interest for Regional Investment Funding as requested by Geraldton MLA, Shane Hill.

Statutory Implications/Requirements

Section 5.33 (1) All decisions made at an electors meeting are to be considered at the next ordinary council meeting.

(2) If at a meeting of council a local government makes a decision in response to a decision made at an electors meeting the reasons for the decision are to be recorded in the minutes of the council meeting.

Policy Implications Nil

Financial Implications

Council may wish to consider some of the issues raised at the council meeting for inclusion in the 2006/2007 Draft Budget.

Voting Requirements Simple

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen seconded Cr Walsh

That Council consider and accept the matters raised at the Annual Meeting of Electors held on 15th February 2008.

CARRIED
Record of Vote 5-0

ITEM NUMBER: 0708.96
SUBJECT: Code of Conduct - Review
FILE REFERENCE: Elected Members
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

Raises for Council's attention the requirement to review the Code of Conduct within 12 months of a Local Government Election.

Background

The Local Government is required to prepare or adopt a Code of Conduct to be observed by Council members, committee members and staff, within 12 months immediately following each ordinary election day, the Local Government is required to review its Code of Conduct and make changes to the code as considered necessary.

Comments/Options/Discussions

- Council's Code of Conduct, which is heavily based on the current WALGA model has been provided to each member of Council as a separate document.

Statutory Implications/Requirements

Section 5.103 (2) Local Government Act 1995 as amended.

Policy Implications Nil

Financial Implications Nil

Voting Requirements Simple

OFFICER'S RECOMMENDATION

That council adopt the amended Code of Conduct as presented.

The CEO advised that since completing the Agenda Item he has become aware that WALGA are working on a new model or template Code of Conduct with recent legislative changes and because of this the new recommendation is made

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Foulkes-Taylor seconded Cr Halleen

That the matter be left on the table to be discussed again during the April Ordinary Council meeting.

CARRIED
Record of Vote 5-0

ITEM NUMBER: 0708.97
SUBJECT: Extraordinary Election Date –
Cr Jeffries Resignation
FILE REFERENCE: N/A
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to set a date for an Extraordinary Election following the resignation of Cr Jeffries from Council on 14th February 2008.

Background

Cr Jeffries resigned from Council on Friday 14th February to take up employment with Council in the position of Works Supervisor. In Accordance with the Local Government Act 1995 Council must hold an election within four months or seek ministerial approval for an extension.

Comments/Options/Discussions

Previous attempt to join other councils holding extraordinary elections failed so council was required to run and advertise the previous extraordinary election held on 15th March 2008 alone. It is thought this election will follow the same process.

Council should note that as an extraordinary election it is not necessary for the election date to be held on a Saturday as is the case with an ordinary election.

Statutory Implications/Requirements

Section 2.3 of the Local Government Act 1995 (as amended)

Policy Implications

Nil

Financial Implications

Council has made an allowance in the 2007/2008 Budget of \$3,000 for one extraordinary election (A/C E42206 – Elections Expenses). As this will be the second extraordinary election in the financial year the allowance of \$3,000 is expected to be exceeded by a further \$3,000. This \$3,000 is not expected to have any adverse effect on councils financial position.

Voting Requirements

Absolute

OFFICER'S RECOMMENDATION/COUNCIL DECISION

Moved Cr Pollock Seconded Cr Halleen

That council set an Extraordinary Election Date of Friday 13th June 2008 to fill the vacancy from the recent resignation of Cr Peter Jeffries who held a seat in the Ballinyoo Ward.

CARRIED
Record of Vote 5/0

ITEM NUMBER: **0708.98**
 SUBJECT: **Review of Council Committees**
 FILE REFERENCE: N/A
 NAME OF APPLICANT: N/A
 AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
 DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to review council Committees as follows:

Plant Committee

Housing Committee

Audit Committee

Background

Council has undergone a significant restructure change in the past six months and several committees have been subject to change. It is considered good practice to review these Committees after each Election however with the recent appointment of Cr Elect Pollock and another Extraordinary Election to be potentially not be held until June, now is considered a reasonable time to carry out the review.

Comments/Options/Discussions

In the past council each committee has had the following number of Elected Members:

Housing	2
Plant	3
Audit	Full Council

Council may increase or decrease these numbers if it chooses.

A full housing inspection is scheduled to be carried out at the conclusion of the April 2008 Council meeting.

Statutory Implications/Requirements

Section 5.10 of the Local Government Act 1995 (as amended)

Policy Implications Nil

Financial Implications Nil

Voting Requirements Absolute

OFFICER'S RECOMMENDATION / COUNCIL DECISION

That the following Elected Members be appointed to each of the Committees as follows:

Audit Committee – Full Council
Plant Committee – Cr Foulkes-Taylor, Cr Halleen
Housing Committee – Cr Walsh, Cr Pollock

CARRIED
Record of Vote 5/0

ITEM NUMBER: **0708.99**
SUBJECT: **Aircon Request – Murchison Sports Club**
FILE REFERENCE: Sports Club / Buildings
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to consider a request from the Murchison Sports Club to fit a small air conditioner to the Bar area.

Background

Council recently received a letter from the Murchison Sports Club President, Ross Foulkes-Taylor requesting a air conditioner in the Sports Club Bar. Copy of the letter follows:

INSERT LETTER HERE

Comments/Options/Discussions

As stated in the letter with the large drinks fridge running as well as the cool room that bar area does get very hot, particularly during the hot summer months.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

Council has made an allowance of \$16,000 (A/C No. E113050) in the 2007/08 Budget for the Maintenance of the Sports Club building and surrounds. To date \$10,724 has been expensed from this account leaving a balance of \$5,276.

Voting Requirements Simple

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Foulkes-Taylor Seconded Cr Halleen

That Council authorise the purchase and installation of a 1.5hp refrigerated air conditioner to be installed in the Bar room area.

CARRIED
Record of Vote 5/0

ITEM NUMBER: 0708.100
SUBJECT: Systemic Sustainability Study – The Journey
FILE REFERENCE: WALGA
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to consider the Systemic Sustainability Study (SSS) recently released by WALGA and open for public comment.

Background

WALGA has prepared a very thorough document regarding the possible future of Local Government in the State of Western Australia. Each member of Council has been provided with a copy of the Document by way of Electronic and Hard Copy.

Comments/Options/Discussions

The report details the potential for very serious change within Local Government contained within the 400+ page document, it is not possible to comment on everything within the report however the CEO will bring what he considered to be key items to the attention of council during the meeting for Council consideration and attention.

Statutory Implications/Requirements	Nil
Policy Implications	Nil
Financial Implications	Nil
Voting Requirements	Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Foulkes-Taylor Seconded Cr Walsh

That Council receive the Systemic Sustainability Study report and discuss outcomes and options of this report.

That the CEO prepares a submission for WALGA based on the outcomes of discussion at the meeting.

CARRIED
Record of Vote 5/0

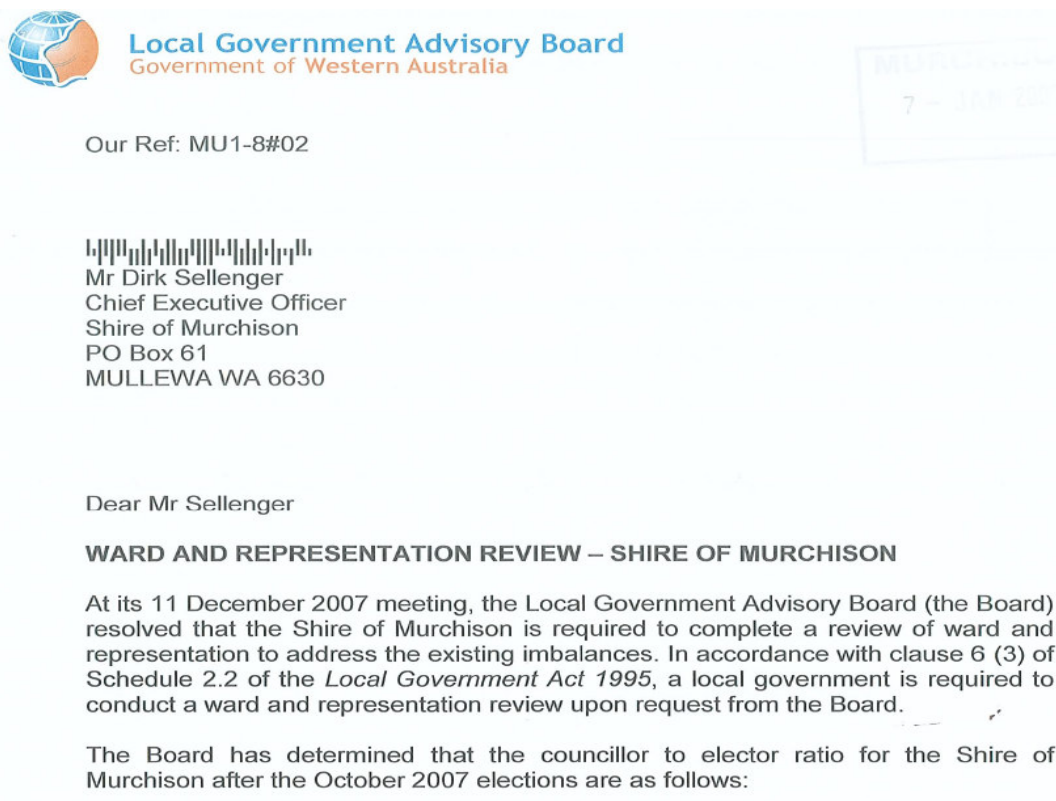
ITEM NUMBER: 0708.101
SUBJECT: Ward Review – Local Government Advisory Request
FILE REFERENCE: DLGRD
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow council to consider a request from the Local Government Advisory Board (LGAB) for Council to carry out a review of the wards within the Shire of Murchison to ensure equal representation for each ratepayer is achieved.

Background

Council recently received the following letter from the LGAB:



Dear Mr Sellenger

WARD AND REPRESENTATION REVIEW – SHIRE OF MURCHISON

At its 11 December 2007 meeting, the Local Government Advisory Board (the Board) resolved that the Shire of Murchison is required to complete a review of ward and representation to address the existing imbalances. In accordance with clause 6 (3) of Schedule 2.2 of the *Local Government Act 1995*, a local government is required to conduct a ward and representation review upon request from the Board.

The Board has determined that the councillor to elector ratio for the Shire of Murchison after the October 2007 elections are as follows:

Shire of Murchison				
Ward	No Cllrs	No. Electors	Ward Ratio Average	% Ratio Deviation
Ballinyoo	3	30	10	17.65%
Darlot	4	55	14	-13.24%
7	7	85	12	

To ensure that any changes can be implemented in time for the 2009 local government elections, the review must be submitted to the Board by 31 December 2008.

Advice regarding the conduct of ward and representation reviews is accessible through the Local Government Advisory Board link on the website of the Department of Local Government and Regional Development (www.dlgrd.wa.gov.au).

In addition, the Board is willing to arrange visits to local governments to provide assistance with the reviews. You are encouraged to give this matter priority over the coming months as a number of local governments have found that this exercise takes longer than expected.

UNCONFIRMED MINUTES of the Ordinary Meeting of the Murchison Shire Council held on Tuesday 18th March 2008.

If you require further information about conducting the review, please contact Gavin Horobin on 9217 1483 or by e-mail: advisory.board@dlgrd.wa.gov.au.

Yours sincerely



Helen Dullard OAM
CHAIR
LOCAL GOVERNMENT ADVISORY BOARD

17 December 2007

The matter was discussed at the February 2008 Ordinary meeting with council resolving as follows:

OFFICERS RECOMMENDATION / COUNCILS DECISION

*Moved Cr Foulkes-Taylor seconded Cr Walsh
That the CEO prepare an amended version of the current Darlot / Ballinyoo Ward systems as adopted by Council in July 2004.*

That the amended version of the wards satisfy the Local Government Advisory Boards Ratio Deviation percentage of not more than 10% (if possible).

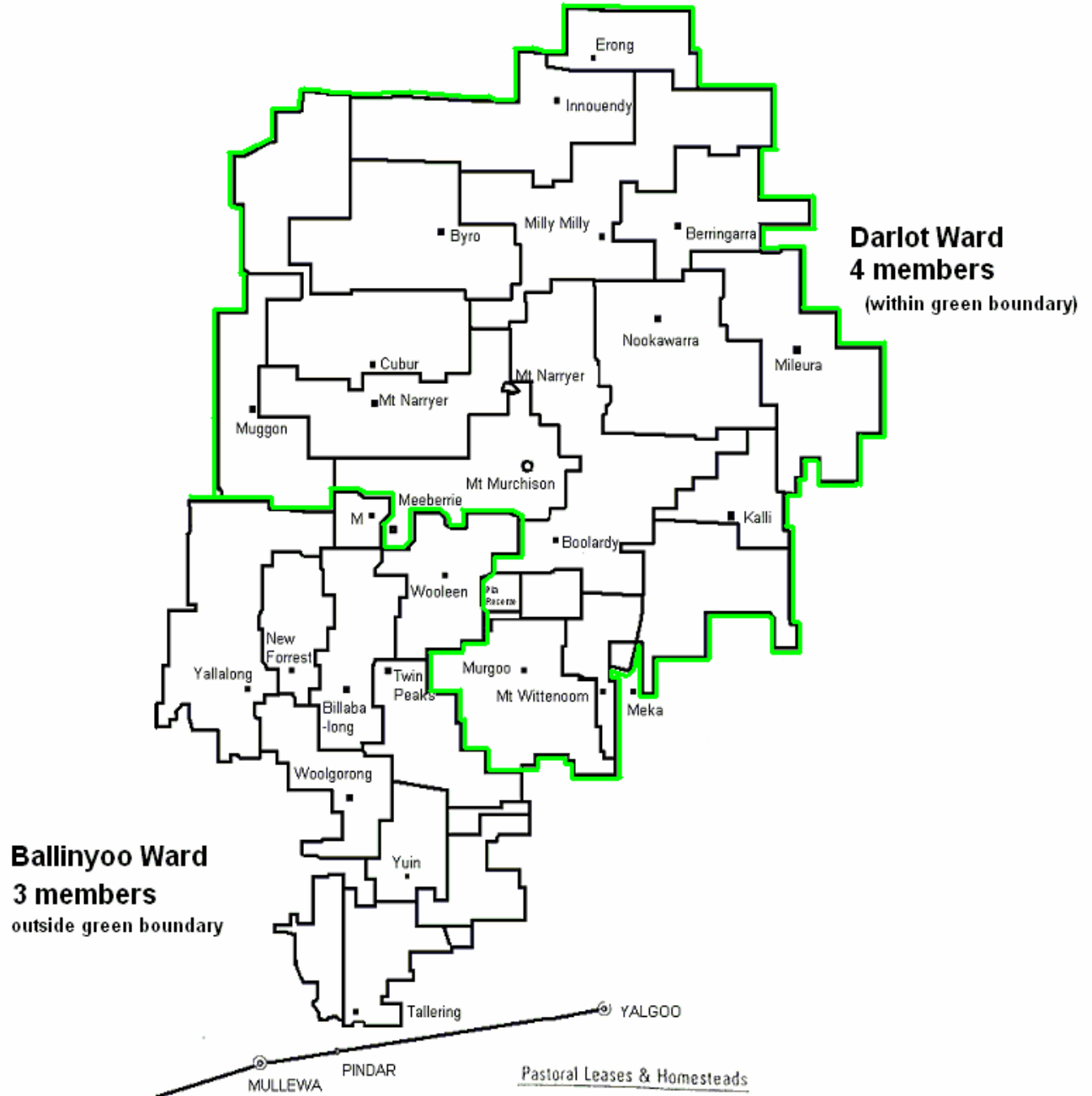
*CARRIED
Record of Vote 5-0*

Comments/Options/Discussions

The CEO as amended the Darlot / Ballinyoo Ward to provide a balance councillor / elector representation as possible. It should be noted that the balance was achieved with the roll as it was at 17th January 2008 and will vary once people are added or removed from the roll.

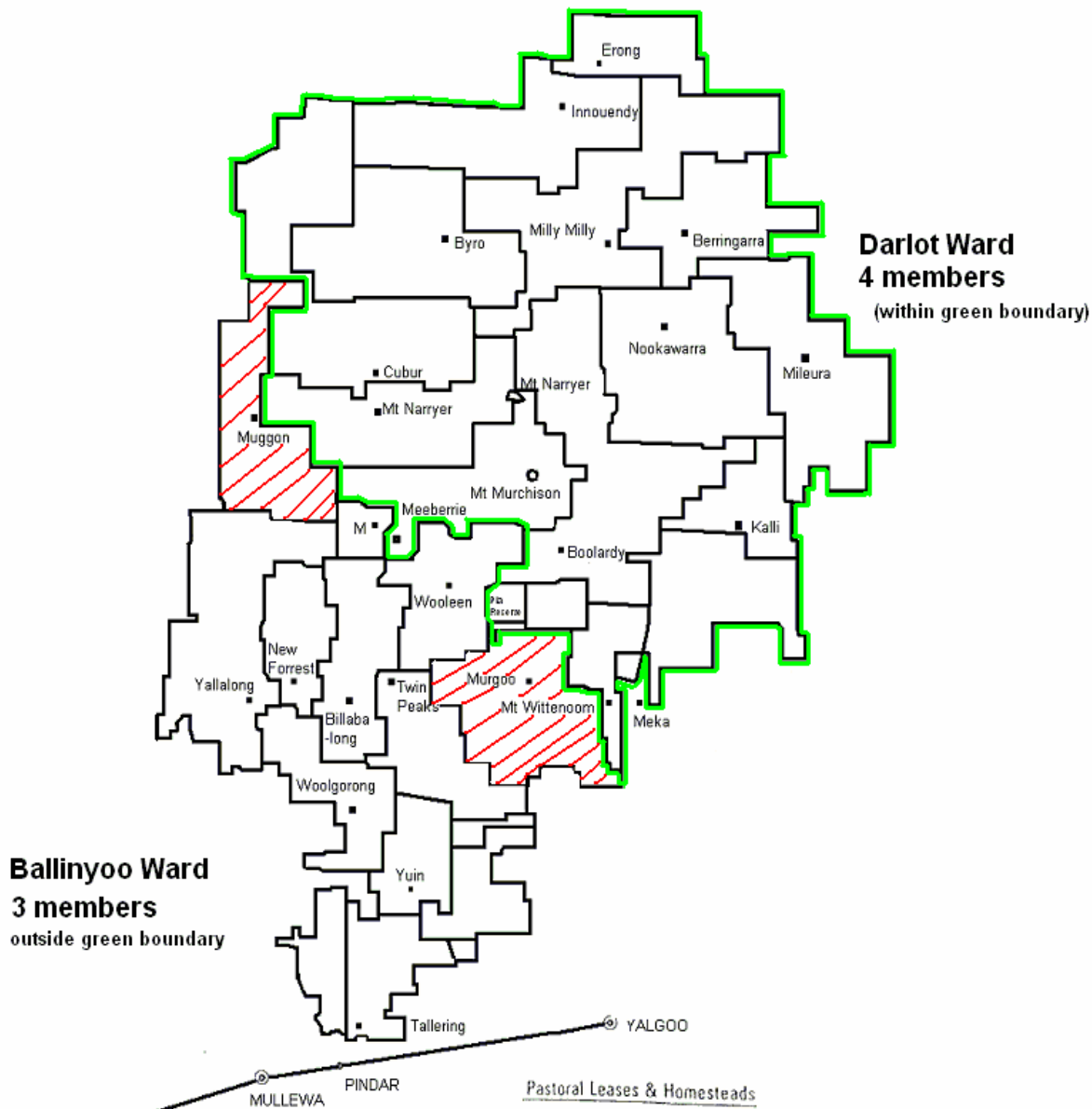
The current representation which fell outside the tolerances of the Local Government Advisory Committee is as follows:

Darlot / Ballinyoo Ward Boundary as Adopted July 2004



The proposed change falls inside the tolerances of the Local Government Advisory Committee include shifting Muggon Station and Murgoo Station from the Darlot Ward to the Ballinyoo Ward as follows:

Darlot / Ballinyoo Ward Boundary as PROPOSED CHANGE 2008



The above representation will result in an Elector to Councillor Ratio as follows:

Ward	No Crls	No. Electors	Ward Ratio Average	% Ratio Deviation
Darlot	4	51	13	-1.42
Ballinyoo	3	37	12	1.89

Statutory Implications/Requirements

Schedule 2.2, Local Government Act 1995 (as amended) Provision about names, wards and representation.

11. Inquiry by Advisory Board

- (1) For the purposes of deciding on the recommendation, if any, it is to make under clause 10 (3) (b) or (4), the Advisory Board may carry out any inquiry it things necessary.
- (2) The Advisory Boar may recover the amount of the costs connected with an inquiry under subclause (1) from the local government concerned as if it were for a debt due.

Policy Implications

Nil

Financial Implications

Council has made no allowance for the costs associated with the review however these costs will be covered by way of the ordinary Salary and Wages account.

Voting Requirements

Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen Seconded Cr Pollock

That Council approve and adopt the proposed changes to the Ward Boundary to change Muggon and Murgoo Station from the Darlot Ward to the Ballinyoo Ward.

That the CEO advertise the proposed changes and seek public submissions as required under section 2.2 of the Local Government Act 1995.

**CARRIED
Record of Vote 5/0**

ITEM NUMBER: 0708.102
SUBJECT: Delegations by Council to Chief Executive Officer
FILE REFERENCE: Delegations Register (Council Chambers)
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

The Local Government Act 1995 requires a register to be kept of Delegations made by Council to the CEO and in turn to other officers.

Background

Delegations were last reviewed by Council in June 2007, the Minute the following motion carried:

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Mitchell seconded Cr Jeffries

That Council delegate authority to the Chief Executive Officer to:

- 1. Engage and terminate employee's service, other than those positions specifically excluded under the Local Government Act (Part iv)*
- 2. Hire contractors, plant or machinery necessary to proceed with authorised or designated works or service provision.*
- 3. Act as Principal Accounting Officer*
- 4. Negotiate the entering into contracts or leases on Council's behalf with Council to make the final decision.*
- 5. Enter upon land within the district and take native growing or dead timber, earth, stone, gravel or sand necessary for road making or maintenance purposes with the district and negotiate with landowners as necessary.*
- 6. Approve applications to sell and provide alcoholic beverages at functions on Council controlled land or premises*
- 7. Payment of accounts between Council meetings – To be able to sign cheques in accordance with the bank authority of those creditor accounts, which require payment between meetings. The CEO be the sole signatory for cheques drawn from the Trust Account and Payments from the Municipal Account that the CEO deems urgent. The CEO have delegated authority to be the sole signatory of payment of Salaries and Wages from the Municipal Account.*

CARRIED
Record of Vote 6-0

Comments/Options/Discussions

A Draft Delegations Register is listed below:

Delegations Register 2007/2008

The Chief Executive Officer is authorised to:

1. Engage and terminate employee's service, other than those positions specifically excluded under the Local Government Act (Part iv)

UNCONFIRMED MINUTES of the Ordinary Meeting of the Murchison Shire Council held on Tuesday 18th March 2008.

2. Hire contractors, plant or machinery necessary to proceed with authorised or designated works or service provision.
3. Act as Principal Accounting Officer.
4. Negotiate the entering into contracts or leases on Council's behalf with Council to make the final decision.
5. Enter upon land within the district and take native growing or dead timber, earth, stone, gravel or sand necessary for road making or maintenance purposes with the district and negotiate with landowners as necessary.
6. Approve applications to sell and provide alcoholic beverages at functions on Council controlled land or premises
7. Payment of accounts between Council meetings – To be able to sign cheques in accordance with the bank authority of those creditor accounts, which require payment between meetings. The CEO be the sole signatory for cheques drawn from the Trust Account and Payments from the Municipal Account that the CEO deem urgent. The CEO have delegated authority to be the sole signatory of payment of salaries and wages from the Municipal Account.

Council should note that the only change to previous delegations for the CEO is for section number 7, concerning the payment of accounts between council meetings. The reference to the CEO's Advance account has been removed, as council no longer operates an Advance account.

Statutory Implications/Requirements

Section 5.46 - Register of, and records relevant to, delegations to CEO's and employees.

(1) The CEO is to keep a register of delegations made under this Division to the CEO and to employees.

Policy Implications	Nil
Financial Implications	Nil
Voting Requirements	Simple

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Walsh Seconded Cr Foulkes-Taylor

That Council delegate authority to the Chief Executive Officer to:

1. **Engage and terminate employee's service, other than those positions specifically excluded under the Local Government Act (Part iv)**
2. **Hire contractors, plant or machinery necessary to proceed with authorised or designated works or service provision.**
3. **Act as Principal Accounting Officer**
4. **Negotiate the entering into contracts or leases on Council's behalf with Council to make the final decision.**
5. **Enter upon land within the district and take native growing or dead timber, earth, stone, gravel or sand necessary for road making or maintenance purposes with the district and negotiate with landowners as necessary.**

6. Approve applications to sell and provide alcoholic beverages at functions on Council controlled land or premises
7. Payment of accounts between Council meetings – To be able to sign cheques in accordance with the bank authority of those creditor accounts, which require payment between meetings. The CEO be the sole signatory for cheques drawn from the Trust Account and Payments from the Municipal Account that the CEO deems urgent. The CEO have delegated authority to be the sole signatory of payment of Salaries and Wages from the Municipal Account.

CARRIED
Record of Vote 5/0

ITEM NUMBER: 0708.103
SUBJECT: Chief Executive Officers Report –
March 2008
FILE REFERENCE: N/A
NAME OF APPLICANT: N/A
AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST: Nil

Report Purpose

To allow the Chief Executive Officer to report on any issues and projects currently in progress.

Background Nil

Comments/Options/Discussions

The Chief Executive Officers Report is provided to each councillor as a separate document to this agenda.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications Nil

Voting Requirements Simple

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr Halleen seconded Cr Walsh

That the Chief Executive Officers Report for March 2008 be received.

CARRIED
Record of Vote 5-0

