



MURCHISON SHIRE COUNCIL

MINUTES

23rd AUGUST 2004

ORDINARY COUNCIL MEETING

Unconfirmed copy of Minutes of Meeting held on 23rd August, 2004, subject to confirmation at meeting to be held on 17th September, 2004

Dirk Sellenger
CHIEF EXECUTIVE OFFICER

SHIRE OF MURCHISON

DISCLAIMER

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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 MUCHISON
ORDINARY COUNCIL MEETING UNCONFIRMED MINUTES
9.42_{AM} MONDAY, 23rd AUGUST 2004**

CONTENTS

1. Declaration of Opening / Announcement of Visitors

The President opened the meeting at 9.42am, welcoming all councillors and staff present.

2. Record of Attendances / Apologies / Leave of Absence

2.1 Attendances

President	Cr S A Broad
Deputy President	Cr K L Keynes
Councillors	Cr H Pollock
	Cr M W Halleen
	Cr H R Foulkes-Taylor
	Cr W Mitchell
	Cr P M Walsh
Staff	
Chief Executive Officer	D J Sellenger

2.2 Apologies

None

2.3 Leave of Absence

None

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

4. Next Meeting

The next meeting of Council would be on the scheduled third Friday of the month being 17th September 2004.

5. Petitions / Deputations / Presentations

Jane Wardlaw for the Midwest Development commission addressed Council after adjourning for lunch to provide an update on the Path Maker project.

6. Confirmation of Minutes

Minutes of the Ordinary Meeting of Council held on Thursday 29th July 2004 be confirmed as a true and correct record.

OFFICER'S RECOMMENDATION / COUNCIL DECISION

**MOVED : Cr Halleen SECONDED : Cr Walsh
That the Minutes of the Ordinary Meeting of Council held at the Council Chambers, Murchison Settlement on Thursday 29th July 2004 be confirmed as a true and correct record.**

**CARRIED
Record of Vote: 7-0**

7. Declaration of Interest

8. Announcements by the President

Cr Broad

Cr Broad read letters received from ratepayers, Mr Merv Tompkin and Mrs Kirsty Officer, received since the last council meeting.

Cr Broad advised that he had attended a Development Commission meeting on Friday 20th August, in Mullewa. A number of issues were discussed at the meeting, including various projects in the region that had been fully or partly funded by the commission.

Cr Broad advised that the CSIRO were due to carry out more testing in October or November at the proposed SKA site on Mileura. Cr Broad mentioned that Mileura had recently been sold and that he believed the new owners were supportive of the SKA project.

Cr Broad congratulated Cr Mitchell on his appointment as WALGA President.

9. Items for Discussion without Notice

Cr Foulkes Taylor

Cr Foulkes Taylor commented on the layout and information contained within the monthly plant report.

Cr Foulkes-Taylor suggested council consider straying stock signs on roads throughout the Shire, the CEO said he would investigate signage and report to the September council meeting.

Cr Foulkes-Taylor commented on the condition of the Carnarvon-Mullewa Road south of the Murchison Shire Boundary and north of the sealed section to the Tallering Peak mine. Cr Foulkes-Taylor requested that the CEO write to the Shire of Mullewa requesting the section of road as discussed be graded as a matter of urgency.

Cr Foulkes-Taylor congratulated Cr Mitchell on his appointment as WALGA President.

Cr Foulkes-Taylor instigated discussion involving an agreement between the Shire, LCDC and NRM regarding possible funding to be used for the purpose of regeneration of Range lands throughout the Shire.

COUNCIL DECISION

MOVED: Cr Foulkes-Taylor SECONDED: Cr Mitchell

That the CEO investigate a possible agreement between the Shire of Murchison, Murchison LCDC and NRM regarding funding to be used to assist with the regeneration of the Range lands throughout the Shire.

**CARRIED
Record of Vote: 7-0**

Cr Mitchell

Cr Mitchell tabled his WALGA presidential report for council information.

Cr Keynes

Cr Keynes congratulated Cr Mitchell on his appointment as WALGA President.

Cr Keynes presented photos of the "Curbur Causeway" on the Carnarvon Mullewa Road as discussed at the July council meeting.

Cr Walsh

Cr Walsh congratulated Cr Mitchell on his appointment as WALGA President.

Cr Walsh advised of a bad washout on the Beringarra / Pindar Road, south of the Nookawarra Homestead, the CEO advised that he had seen the washout and had arranged for warning to signs to be erected. The CEO advised that work had begun on the washout and was due to be completed on Tuesday 24th August.

Cr Walsh commented on various problem areas in the north east of the Shire which required urgent attention. The CEO advised that he would liase with Cr Walsh to identify the problems and arrange a suitable solution.

Cr Halleen

Cr Halleen congratulated Cr Mitchell on his appointment as WALGA President.

Cr Halleen advised of a ZCA meeting to be held in October.

Cr Halleen discussed various aspects of the recent Murchison LCDC meeting held at the Murchison Sports Club. Discussion took place regarding the new LCDC Website which is being developed by the CEO and Mrs Meg Officer. The Webpage is due to be uploaded by the end of August and can be viewed at www.landcare.murchison.wa.gov.au once uploaded.

Cr Halleen instigated discussion regarding all future WALGA presidents becoming life members of WALGA.

COUNCIL DECISION

MOVED: Cr Halleen SECONDED: Cr Keynes

That the CEO submit an Agenda Item for the Cue Parliament to be held in November 2004, stating that the Murchison Shire recommends that all future WALGA Presidents automatically be given life membership of WALGA as recognition of service.

**CARRIED
Record of Vote: 7-0**

Cr Pollock

Cr Pollock congratulated Cr Mitchell on his appointment as WALGA President.

Cr Pollock advised that she had received several reports from Tourists that when travelling north of the Carnarvon Mullewa Road and arriving at the turnoff to Talling peak mine, due to no clear signage they have been unsure which way to proceed and on more than one occasion have proceeded towards the mine site in error. The CEO is to liase with the Mullewa Shire regarding signage to rectify this problem.

Cr Walsh left the chambers at 10.48am
Cr Walsh entered the chambers at 10.50am

Cr Pollock reported on a problem area on the Coolcalalya Road. The CEO is to arrange for additional signage to rectify the problem.

10. Agenda Items

10.1 Works

- 0405.17 Plant Report Update August 2004
- 0405.18 Murchison LCDC Dozer Hire
- 0405.19 Construction Crew Vehicle

10.2 Finance

- 0405.20 Monthly Financial Update August 2004
- 0405.21 Creditors for Payment August 2004
- 0405.22 Lotterywest Grant – Sports Club Improvements

10.3 Administration

- 0405.23 Meekatharra School of the Air
- 0405.24 Local Government Week 2004
- 0405.25 Council Budget Adoption 2004/2005
- 0405.26 Naming of Emergency Airstrip
- 0405.27 Dividing Fences – Local Laws
- 0405.28 Chief Executive Officers Report

11. New Business of an Urgent Nature

12. Declaration of Closure

ITEM NUMBER: **0405.17**
SUBJECT: **Plant Report Update – August 2004**
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 status of various council owned machinery.

Background

Nil

Comments/Options/Discussions

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

1. **928 CAT Loader** Clunking sound in bottom rear end, 2 rear lights broken, 2 front lights broken, service due, Westrac to service Loader.
2. **Komatsu Bulldozer** Difficult to start when left standing for extended periods, suggest cracked fuel line. Left front lift cylinder leaking slightly. Gauges not accurate or working at all. Tape Player not working. Left Ripper Seal leaking slightly. Westrac to rectify at next service.
3. **IVECO Prime Mover** Brake booster repaired by Purcher International Geraldton along with other various minor repairs under warranty.
4. **Ford Louisville Prime Mover** Truck sent to Purcher International Geraldton to repair brakes and replace Trunnion bushes as required.
5. **Vibrating Roller** Air con faulty – Electrical problem. Door Latch broken, can't be locked.
6. **Generator No. 1** Leaking Rocker cover gasket – caretaker to replace.
7. **Side Tipping Trailer** Severe chassis cracks (approx 16) welded by Purcher International to prevent potential chassis twisting. CEO investigated how cracks occurred in such a relatively new trailer (2001 Build), advised caused by corrugated roads, cracks will occur again.

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 plant information report be received.

CARRIED
Record of Vote: 7-0



SHIRE OF MURCHISON MONTHLY PLANT USAGE AND STATUS REPORT

PLANT ITEM	Plant No.	Year	Normal Operator	Rego	HRS / KMS 19th July 04	HRS / KMS 18th August	TOTAL	YTD Service/ Repairs Cost	COMMENT
Cat Grader 12H	P096	2003	John Schwarze	MU 121	1193.7	1304.4	110.7	\$ 395.00	
Cat Grader 12H	P065	2000	Barry Jackson	MU 51	4620	4804	184	\$ 561.00	
Cat Grader 12H	P042	1998	Noel Lucas	MU 141	8881	9067	186	\$ 370.00	
Cat Loader 928F	P053	1998	Various	MU 65	5440	5526	86	\$ -	1.
Komatsu Dozer	P070		Jason Atkins	N/A	4210	4217	7	\$ -	2.
IVECO Powerstar Prime Mover	P101	2003	Ken Deas	MU 000	32562	33977	1415	\$ 313.60	3.
Ford Louisville Prime Mover	P059	1989	Jason Atkins	MU 156	601196	602005	809	\$ 634.00	4.
IVECO Powerstar Tipper	P103	2004	Tim Schwarze	MU 00	2129	5009	2880	\$ 400.00	
Ingersol Rand Vibrating Roller	P062	1986	Various	MU 177	7360	7385	25	\$ -	5.
Generator 1	P076	2001	N/A	N/A	10288	10724	436	\$ -	6.
Generator 2	P057	1997	N/A	N/A	21832	22114	282	\$ -	
Ford Courier	P100	2003	Barry Jackson	MU 71	32402	34850	2448	\$ 237.00	
Toyota Hilux	P099	2003	John Schwarze	MU 140	41472	46770	5298	\$ 237.00	
Nissan Patrol	P094	2004	Dirk Sellenger	MU 0	63422	64500	1078	\$ -	
Toyota Hilux	P102	2001	Peter Ardley	MU 166	26610	27175	565	\$ 239.00	
Side Tipping Trailer	P092	2001	N/A		N/A	N/A	N/A	\$ -	7.
Dual Axle Low Loader			N/A	MU698	N/A	N/A	N/A	\$ 21.70	
Tri Axle Low Loader			N/A		N/A	N/A	N/A	\$ -	
19,000lt Water Tanker	P085		N/A	MU 2007	N/A	N/A	N/A	\$ -	

Cr Pollock and Cr Halleen declared a financial interest in item 0405.18 and left the chambers at 11.21am taking no part in discussions or voting. The nature of the interest is as an owner or manager of Land bordering the Roderick River.

ITEM NUMBER:	0405.18
SUBJECT:	Murchison LCDC Dozer Hire
FILE REFERENCE:	N/A
NAME OF APPLICANT:	Andrew Kay – Murchison LCDC
AUTHOR NAME AND POSITION:	Dirk Sellenger – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil

Report Purpose

To discuss the request from the Murchison LCDC for council Bull Dozer Hire to be provided free of charge.

Background

Council own a D85A Komatsu Dozer which is hired out from time to time on Private works job, the vehicle is always hired including a council operator and is hired for \$82.50inc GST for machine and operators are charged at \$22.00 for ordinary hours and \$38.50 if overtime is payable (weekend hire etc)

Comments/Options/Discussions

A request has been received from the Murchison LCDC and the request is included below:

Dear Dirk

A meeting of the Murchison LCDC held on the 3rd August 2004 passed a motion that we approach the council with a request to make the Shire Dozer available for two 5 day time periods between September and December, the likelihood being during October.

The Roderick River Project will pay the costs of fuel and the driver and we ask to have the dozer made available free of charge.

This request is made in light of the following points.

1 A group of pastoralists from the Roderick River Project recently travelled to Alice Springs to visit three stations and on ground sites relating to rangeland management.

2 Woodgreen station, in particular, has undertaken extensive conservation / rehabilitation earthworks with significant success in a region with many features similar to our own.

3 A significant aspect of the trip was learning and observing the application of the Purvis family Ponding Banks. They showed and shared expertise learnt through trial and error over thirty years. It was very impressive

4 The Roderick River Project is approaching the Purvis family from Woodgreen station with a request that we bring over their son to teach us how to construct "Ponding Banks." We feel this technique will most likely become a key tool in our Catchment Repair Plan.

5 The Roderick River project is a pilot scheme, a micro for the macro of the entire shire.

If we can demonstrate the usefulness of this technique it is most likely the Project will attract the funding necessary to either purchase or hire the Capital equipment necessary for this type of earthwork construction.

For and on behalf of the Murchison LCDC.

Andrew Kay.

The request is for two periods of five days between September and December. An operator would need to be taken from ordinary duty during this time meaning the works crew will effectively be one person down during this period.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

The Dozer is charged out on Councils jobs at \$65.00 per hour and is charged to ratepayers at \$82.50. Of these charge out rates, an allowance of \$15.00 per hour is made for fuel, of which the LCDC has offered to pay for. This effectively reduces the council operating charge to \$50.00 per hour.

Based on the request for a total of ten days on a standard 10 hour working day, this amounts to 100 hours at a base cost rate of \$50 per hour, resulting in an approximate cost to council of \$5,000 plus mobilisation and demobilisation charges.

Voting Requirements Absolute

OFFICER'S RECOMMENDATION

That Council discuss the request from the Murchison LCDC for the hire of the Dozer at no charge.

COUNCIL DECISION

MOVED : Cr Keynes SECONDED : Cr Walsh

That council decline the request from the Murchison LCDC for the use of the Bulldozer at no charge

**CARRIED
Record of Vote: 5-0**

Cr Pollock and Cr Halleen entered the chambers at 11.39am

ITEM NUMBER: **0405.19**
SUBJECT: **Construction Crew Vehicle**
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 discuss the vehicle allocation for the Construction Crew to determine if a more suitable vehicle is available given the environment, cost effectiveness and carrying capacity discussed briefly at the July Ordinary council meeting.

Background

Council currently owns a 4x4 Dual Cab Toyota Hilux Utility for the purpose of transporting members of the construction crew and associated equipment to and from various work locations throughout the shire.

Comments/Options/Discussions

Discussion took place at the July Ordinary council meeting regarding the suitability of the existing vehicle and to determine if a more suitable vehicle was available. The existing vehicle has travelled 47,000kms and must be considered for replacement.

Statutory Implications/Requirements

Tender Regulations state that any purchase which exceeds \$50,000 the Local Government must call Public tenders for such goods.

Policy Implications Nil

Financial Implications

The existing Construction Crew vehicle which was purchased in October 2003 for \$31,300 has a written down value of \$23,000 as at 30th June 2004. A new replacement vehicle of identical specifications will cost approximately \$31,500, resulting in an approximate changeover cost of \$8,500. Should council resolve to call tenders for a 4x4 Dual Cab truck the cost is estimated to be approximately \$58,000 less the trade in on the existing Toyota Hilux.

Voting Requirements Simple

Options

1. That council keep the existing vehicle and do nothing at this stage.
2. That council call tenders for a dual cab 4X4 truck to replace the existing Toyota Hilux utility.
3. That council seek quotes for a new dual cab 4X4 diesel utility to replace the existing vehicle.

OFFICER'S RECOMMENDATION / COUNCIL DECISION

<p>MOVED: Cr Foulkes-Taylor SECONDED: Cr Halleen That council call tenders for a 4X4 Dual Cab Truck to replace the existing Toyota Hilux utility VIN JTFDV626600018260 used by the Construction Crew CARRIED Record of Vote: 7-0</p>

ITEM NUMBER: **0405.20**
SUBJECT: **Monthly Financial Update – August 2004**
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 provide Councillors with a monthly financial statement on 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 Any significant payments since last update

Comments/Options/Discussions

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

Statutory Implications/Requirements

Section 6.4 of the Local Government Act states that financial records are to be prepared and presented in the manner and form 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 Requirements Simple

OFFICER'S RECOMMENDATION / COUNCIL DECISION

<p>MOVED: Cr Halleen SECONDED: Cr Foulkes-Taylor That the monthly financial statement to 19th August 2004 be received. CARRIED Record of Vote: 7-0</p>

ITEM NUMBER: **0405.21**
 SUBJECT: **Creditors For Payment – August 2004**
 FILE REFERENCE: N/A
 NAME OF APPLICANT: N/A
 AUTHOR NAME AND POSITION: Dirk Sellenger – Chief Executive Officer
 DISCLOSURE OF INTEREST: Nil

Report Purpose

Council endorsement of payment to creditors

Background

The list of payments, provided as a separate document to the Agenda outlines payment made to creditors since the Council meeting held on 29th August 2004.

Comments/ Option Discussions

Provide details of payments in summary

Please note that the computer system allows for only a limited field for the description of good/services purchased, therefore the description shown on the attached Schedule of Accounts may not show the entire description of good/services purchased. A file containing each invoice to be endorsed for payment is available for Councillors information upon request.

Statutory Implications / Requirements

Local Government (Financial Management) Regulations 1996 – Section 11

“A Local Government is to develop procedures for the authorisation of. 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 the Council”

Policy Implications

Nil

Financial Implications

Total Expenses	Municipal Account	\$169,981.08
	CEO's Advance Account	\$ 18,769.86
	Trust Account	<u>\$ 2,005.40</u>
	Total Payments	<u>\$190,756.34</u>

Voting Requirements

Simple

OFFICERS RECOMMENDATION / COUNCIL DECISION

MOVED: Cr Walsh SECONDED: Cr Keynes
That Council endorse the payments: Trust Cheques numbers from 1472 to 1473 totalling \$2,005.40. CEO Advance Account Cheques 1979 to 1990 totalling \$18,769.86 and Municipal Cheques 5600 to 5650 totalling \$169,981.08 making a Grand Payment total of \$190,756.34 submitted to each member of the Council on Monday 23rd August 2004, 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: 7-0

*Council adjourned for lunch at 12.39pm
Council reconvened at 1.45pm*

ITEM NUMBER: **0405.22**
SUBJECT: **Lotterywest Grant – Sports Club Improvements**
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 council of the successful grant application for improvements to the Murchison Sports Club and for council to resolve to either accept or decline to grant offer.

Background

The Chief Executive Officer applied for a Lotterywest grant for various improvements to the Murchison Sports Club. Advice was received on 10th August 2004 that our grant application was successful and a total of \$41,874.00 has been allocated from Lotterywest for the project.

Comments/Options/Discussions

Improvements to the Sports Club have been in planning for some time now and with the additional funding from Lotterywest the project may go ahead in the 2004/2005 year, should council resolve to accept the funding and make necessary allowances in the Budget.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications

Allowances have been made in the 2004/2005 for the acceptance of the Lotterywest funding and for the capital improvements to the Sports Club, expected to cost a total of \$120,000.

Voting Requirements Simple

OFFICER'S RECOMMENDATION

That council resolve to accept the Grant funding from Lotterywest totalling \$41,874.

COUNCIL DECISION

MOVED: Cr Halleen SECONDED: Cr Foulkes-Taylor

That council resolve to accept the Grant funding from Lotterywest totalling \$41,874 and that the CEO be congratulated on his successful grant application.

**CARRIED
Record of Vote: 7-0**

ITEM NUMBER: **0405.23**
SUBJECT: **Meekatharra School of the Air**
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 to discuss the request by the Meekatharra School of the Air (MSOTA) for a donation.

Background

A similar request has been received for the past three years and council have resolved to donate one hundred dollars (\$100.00).

Comments/ Option Discussions

The letter received by the MSOTA reads as follows:

Dear Simon,

I am writing as a member of the Meekatharra School of the Air P&C (MSOTA P&C).

Fundraising for our P&C association relies mainly on the generosity of our members and their extended families. Due to our geographic isolation it is difficult for us to fundraise in the wider community.

I am sure that you are aware of the adverse seasons the pastoral areas have been experiencing for the last three or even 5 years in some areas. These conditions obviously have a negative effect on our ability to raise funds.

At present we are fundraising for our end of year graduation and are seeking donations from Local Councils and businesses, which fall within the boundaries of our school of the Air.

Any donation would be gratefully received.

Statutory Implications / Requirements Nil

Policy Implications Nil

Financial Implications

Allowances for small donations has been made in the 2004/05 Budget

Voting Requirements Simple

OFFICERS RECOMMENDATION

That council donate \$100.00 to the Meekatharra School of the Air.

COUNCIL DECISION

MOVED: Cr Mitchell SECONDED: Cr Keynes

That council donate \$150.00 to the Meekatharra School of the Air.

**CARRIED
Record of Vote 7-0**

ITEM NUMBER: **0405.24**
SUBJECT: **Local Government Week**
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 carry out a formal discussion and discuss procedures and ideas discussed at Local Government week which can be implemented and benefit to the Murchison community.

Background

Local Government Week was held at the Burswood Resort from Saturday 7th August to Tuesday 10th August 2004. The conference was attended by the Shire President, Cr Broad, Deputy President, Cr Keynes, Cr Halleen, Cr Foulkes-Taylor, Cr Mitchell and the Chief Executive Officer.

Comments/Options/Discussions

Throughout the conference many new ideas and procedures were discussed and some of these ideas could potentially benefit the Shire of Murchison. The discussion will also give a chance for those who were unable to attend the conference the opportunity to get something from the conference via other councillors.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications Nil

Voting Requirements Simple

OFFICER'S RECOMMENDATION

That Council discuss outcomes from Local Government Week, 2004.

No motion put for Item 0405.24

ITEM NUMBER: **0405.25**
SUBJECT: **Council Budget Adoption 2004/2005**
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 adopt Council's budget for the 2004/2005 financial year.

Background

Council is required to adopt its budget for the 2004/2005 by 31st August 2004. A draft budget was presents to each councillor at the July Ordinary council meeting. A final Budget (separate document) has been compiled with regards to Council's plan of principal activities, resolutions of Council over the last 12 months and input from Council officers. A summary of major items of expenditure is included with the document to highlight particular proposals.

Comments/Options/Discussions

Council must adopt the budget by 31st August, 2004 or seek an extension from the Minister of Local Government.

Statutory Implications/Requirements

Section 6.2 of the Local Government Act, 1995 – Local Government to prepare an Annual Budget

Regulations 22-23 of the Local Government (Financial Management) Regulations, 1996 – Form and Content of Annual Budget

Policy Implications Nil

Financial Implications

The Budget sets the basis for Local Government expenditure and the presents Budget is presented as balanced without a surplus or deficiency.

Voting Requirements Absolute

OFFICER'S RECOMMENDATION / COUNCIL DECISION

MOVED: Cr Halleen SECONDED: Cr Foulkes-Taylor

(1) The Budget as presented to council be adopted.

(2) The Schedule of fees and charges as presented to council be adopted.

CARRIED
Record of Vote: 7-0

ITEM NUMBER: **0405.26**
SUBJECT: **Naming of Emergency Airstrip**
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 discuss the potential naming of the new emergency all weather Airstrip situated approximately 45kms south of the Murchison Settlement on the Carnarvon / Mullewa Road.

Background

In the 2003/2004 year council undertook what is said to be the biggest project ever undertaken for the Shire of Murchison road construction crew.

Comments/Options/Discussions

The 5km overtaking lane and emergency airstrip is nearing completion and the CEO believes that as it was such a significant project that the Airstrip deserves a name.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications Nil

Voting Requirements Simple

OFFICER'S RECOMMENDATION / COUNCIL DECISION

MOVED: Cr Walsh SECONDED: Cr Mitchell

That the CEO arrange a naming competition for the all weather emergency airstrip and that all entries received be presented to the October council meeting for consideration.

CARRIED
Record of Vote: 7-0

ITEM NUMBER: **0405.27**
SUBJECT: **Dividing Fences – Local Law**
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 to consider the following Local Law relating to Diving fences as discussed at the July 2004 Ordinary council meeting.

Background

As the Murchison Shire consists entirely of Pastoral leases and dividing fences effect every pastoralist council asked the CEO at the July council meeting to present a draft dividing fences local law to council.

Comments/Options/Discussions

The following document is a draft local law relating to dividing fences.

LOCAL GOVERNMENT ACT 1995
Municipality of the Shire of Murchison
Fencing Local-Law

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on to make and submit for confirmation by the Governor the following by-law.

1. *Citation*

1.1 *This by-law applies to the whole district.*

2. *Interpretation.*

2.1 *In those by-laws unless the context otherwise requires –*

“Building Surveyor” means a building surveyor appointed by the Shire of Murchison.

“Council” means the Council of the municipality of the Shire of Murchison.

“Dividing Fence” means a fence that separates the land of different owners whether the fence is on the common boundary of the adjoining land or on a line other than the common boundary.

“Fence” includes a free standing wall or retaining wall.

“Height” in relation to a fence means the distance between the top of a fence at any point and the ground immediately below that point.

“Residential Zone” means any portion of the Shire of Murchison from time to time classified as a Residential zone, and any portion of the Shire which is unzoned and used for residential purposes.

“Rural Zone” means any portion of the Shire of Murchison from time to time classified as a Rural zone, and any portion of the Shire which is unzoned and used for Rural purposes.

“Dangerous” in relation to a fence means a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, by reason of its faulty design, location or construction, deterioration of constituent materials, damage by termites, change in ground levels, or any other cause whatsoever.

2.2(a) *Where a fence is erected on the boundary between land in a residential zone and land in some other zone then a “sufficient fence” for the purpose of the Dividing Fences Act, 1961 shall be that prescribed as a sufficient fence for a residential zone.*

(b) *Where a fence is erected on a boundary line between land in differing zones neither of which is a residential zone the Council shall determine which schedule shall apply for the purpose of prescribing a sufficient fence for the purpose of the Dividing Fence Act 1961.*

3. Approval.

3.1 *No person shall commence to erect, construct, reconstruct or alter, or erect, construct, reconstruct or alter any fence or any hood or pergola forming part of a fence.*

(a) *exceeding one metre in height abutting or within 7.6 metres of a street alignment; or*

(b) *exceeding 1.8 metres in height on the remainder of any lot boundary or adjacent thereto unless he has lodged with the Council two copies of plans and specifications of the proposed fence or hood or pergola forming part of the fence, or the proposed reconstruction or alteration and unless the Council has approved the said plans and specifications.*

4. Fencing materials.

4.1 *Pre-used materials shall not be used in the construction of any fence unless approved by Council.*

4.2 *No person shall erect a fence constructed otherwise than of one or more of concrete. Masonry, wrought iron, tubular steel, link steel mesh, timber, fibre cement or such other materials approved by Council.*

4.3 *No person shall use or cause to be used corrugated galvanised iron as a covering to any fence on properties developed and used for residential purposes.*

4.4 *No person shall erect a fence wholly or partly of barbed wire except in accordance with these by-laws. A fence may be erected wholly or partly of barbed wire –*

(a) *in a rural zone if no barbed wire is used on the side of the fence facing a road*

(b) *in any other part of the district of the Shire of Murchison with the written approval of the Council which shall in any event only be given if no barbed wire is used below a height of 1800 mm from the ground.*

5. Fences on Rural zones.

5.1 *The owner or occupier of a fence on land within a rural zone may place or fix barbed wire thereon provided that where a fence to which such wire is fixed abuts a road or other place open to the public, such wire shall be fixed to the side of the fence posts furthest from such road or other place.*

5.2 *Within a rural zone a fence which is parallel to and within 7.5 metres of a street may be constructed to a height of not more than 1.5 metres without special permission of Council.*

5.3 *A fence constructed in accordance with specifications set out in the second schedule of this by-law shall be sufficient fence for the purpose of the Dividing Fences Act 1961.*

6. Maintenance of Fences

6.1 *The owner of land on which a fence is erected shall maintain the fence in good condition and in such a manner as to prevent it from becoming dangerous, dilapidated or unsightly.*

6.2 Where the fence is a dividing fence, each of the owners of the adjoining lands is liable to maintain it as required.

6.3 The Council may give notice in writing to the owner or the occupier of any land upon which there exists a fence that has not been maintained, requiring such owner or occupier to repair, paint, replace or maintain such fence within the time stipulated in the notice.

7. Penalty

7.1 Any person who constructs a fence, or permits a fence to be constructed, otherwise than in accordance with the provisions of this by-law, commits an offence and is liable, on conviction, to a maximum penalty of \$500 and a further penalty of \$20 for each day the offence continues.

First Schedule – Rural Zones

A fence shall consist of standard iron star pickets; concrete; sawn; split or round wooden posts set not less than 450 mm in the ground and not less than 1350 mm out of the ground and spaced not more than 3500 mm apart, or 1000 mm for a prefabricated fence, with strainer posts set at all corners, gateways, and fence line angles. Each fence post shall be bored with not less than six 10 mm diameter suitably spaced holes, or supplied with not less than six 50 mm staples, to be threaded with not less than six plain galvanised wires. Wire shall be wrapped around strainers and strained tight.

The following materials shall be used –

(a) Wire – shall not be less than 2.5 mm diameter.

(b) Posts to be standard iron star pickets or concrete or if of white gum, jarrah or other indigenous timber, or treated pine, be cut not less than 1800 mm long by 100 mm diameter at small end if round or 125 mm x 60 mm if split or sawn.

(c) Strainer posts –

(i) If cut from indigenous timber shall be not less than 1350 mm above the ground and sunk in the ground a minimum of 750 mm and shall be not less than 255 mm in diameter at the small end.

(ii) If of tubular steel shall be 50 mm in diameter, not less than 1350 mm above the ground, and sunk in the ground a minimum of 1000 mm with the portion below ground encased in concrete having a minimum diameter of 300 mm.

Statutory Implications/Requirements

Procedures for making a local laws

3.12 (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2) (3) a (l) (ii) (iii) b c (4) (5) (6) a b c (7)

Policy Implications Nil

Financial Implications Nil

Voting Requirements Simple

OFFICER'S RECOMMENDATION

That council consider the draft fencing Local Law as presented in the Agenda item.

COUNCIL DECISION

That Cr Broad and Cr Keynes liaise with Cr Mitchell in his capacity as WALGA President and that the matter be discussed at the September council meeting.

ITEM NUMBER: **0405.28**
 SUBJECT: **Chief Executive Officers Report**
 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.

Statutory Implications/Requirements Nil

Policy Implications Nil

Financial Implications Nil

Voting Requirements Simple

OFFICER'S RECOMMENDATION / COUNCIL DISISION

MOVED: Cr Halleen SECONDED: Cr Walsh
That the Chief Executive Officers Report be received.
CARRIED
Record of Vote: 7-0

11. New Business of an Urgent Nature

12. Declaration of Closure

The President thanked everyone for attending and declared the meeting closed at 6.17pm

Confirmed this.....day of

SHIRE PRESIDENT