



## **MINUTES**

# **ORDINARY COUNCIL MEETING**

Friday August 26<sup>th</sup> 2011  
Commencing At 9.10am

# SHIRE OF MENZIES



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The **Shire of Menzies** warns that anyone who has an application lodged with the **Shire of Menzies** must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the **Shire of Menzies** in respect of the application.

## SHIRE OF MENZIES

## ORDINARY COUNCILMEETING

August 26<sup>th</sup> 2011  
commencing at 9.10 am

# A G E N D A

### 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President (Cr. Gregory Dwyer) declared the meeting open, welcomed the attendees, visitors, guests and proceeded with the agenda as planned.

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

#### Attendance:

Councillors	Cr G. Dwyer Cr G.W. Stubbs Cr J.A Dwyer Cr I.R Tucker	President Deputy President (by Telephone) Councillor Councillor
Staff:	Mr L.P Strugnell Ms C. McAllan	Acting Chief Executive Officer Deputy Chief Executive Officer
Visitors:	Ms. B. Golding Mr. P. Kennedy Mr. G. Miller Mr. K. Owens Mr. J. Pianto Mr. C. Purchase	Resident Resident Resident Resident Resident Resident

### 3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Nil

### 4 PUBLIC QUESTION TIME

- 1) Mr. K. Owens asked "Why has the Shire's side tipper been left out the bush and not collected for 3 months?"

**RESPONSE:** The CEO will respond to the question in writing.

- 2) Mr. J. Pianto asked if someone was going to be accountable for leaving the Shire's side tipper and a pump out the bush for 3 months?

**RESPONSE:** The CEO will respond to the question in writing.

- 3) Ms. B. Golding asked why her letter to Council was in the Agenda for June however still remains unanswered.

**RESPONSE:** Ms Golding has been in contact with the CEO on this matter and he is dealing with it.

- 4) Mr. G. Miller asked what the Council was going to do regarding contractors for Maintenance Grading as he had been asked to quote but has had no reply.

**RESPONSE:** This will be addressed in the budget.

<b>5</b>	<b>DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.</b>
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The Acting CEO, Mr. L.P.Strugnell declared a financial Interest in item 9.13

<b>6</b>	<b>PETITIONS / DEPUTATIONS / PRESENTATIONS</b>
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Nil

<b>7</b>	<b>CONFIRMATION OF PREVIOUS MINUTES</b>
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- 7.1 Confirmation of the Previous Minutes of Council held 29<sup>TH</sup> July 2011 as presented, be adopted.

MOVED Cr J.A. Dwyer

SECONDED Cr I.R. Tucker

That the minutes of the Ordinary Meeting of Council July 29<sup>th</sup> be adopted subject to the following changes:

Item 9.7 Resolution to read:

*To decline the devolving of the authority and management committee of the "Lake Ballard Association (Inc)" to the Department of Conservation.*

Item 9.9 Resolution to read:

*"To decline the sale of the Generator."*

**Carried 4/0**

*Ms. B. Golding, Mr. P. Kennedy,  
Mr. C. Purchase, Mr. J. Pianto  
and Mr. K. Owens vacate chambers at 9.50am.*



<b>8</b>	<b>QUESTIONS ON NOTICE.</b>
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8.1 Questions on Notice

<b>9</b>	<b>REPORTS OF COMMITTEES AND OFFICERS</b>
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**TABLE OF CONTENTS**

- 9.1 Financial Statements & Reports to June 30<sup>th</sup> 2011
- 9.2 Accounts For Payment to June 30<sup>th</sup> 2011
- 9.3 Aged Rate and Sundry Debtors Report to July 30<sup>th</sup> 2011
- 9.4 Maintenance Grading
- 9.5 Menzies Store – Business Development Application
- 9.6 Conduct of Council Meeting at Tjuntjuntjara and Kookynie
- 9.7 Request for Support – Tjuntjuntjara – Vibe For Life
- 9.8 Works Manager – Conditions and Position Description
- 9.9 Extended Time For Budget Preparation
- 9.10 Extended Time for Preparation of Annual Financial Reports
- 9.11 Caravan Park – Fees and Charges
- 9.12 Amalgamation of Reserves 7745 and 12202
- 9.13 Confidential Item

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	the author has no disclosure of interest in this item
<b>DATE:</b>	August 20 <sup>th</sup> 2011
<b>AUTHOR:</b>	Carol McAllan, Deputy Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

That the Financial Statements and Reports to the Statements to June 30<sup>th</sup> 2011 as presented be adopted.

**BACKGROUND:**

The Financial Reports (AAS27) are presented monthly, generated by our off-site Accountants, UHY Haines Norton and printed in our office.

**COMMENT:**

Included in these Financial reports, (which are equivalent of a quarterly financial report) are a rates report and a report on reserves funds.

“The Financial Statements were not available at the time of printing.”

**CONSULTATION:**

Ms Mandy Wynne, Haines Norton.

**STATUTORY ENVIRONMENT:**

Local Government (Financial Management)  
Regulations 1996 Regulation 34

34. *Financial activity statement report — s. 6.4*

(1A) *In this regulation —*

*committed assets means revenue unspent but set aside under the annual budget for a specific purpose.*

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*

- (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
- (b) *budget estimates to the end of the month to which the statement relates;*
- (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) *the net current assets at the end of the month to which the statement relates.*

(2) *Each statement of financial activity is to be accompanied by documents containing —*

- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
- (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*

- (c) *such other supporting information as is considered relevant by the local government.*
  - (3) *The information in a statement of financial activity may be shown —*
    - (a) *according to nature and type classification; or*
    - (b) *by program; or*
    - (c) *by business unit.*
  - (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
    - (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
    - (b) *recorded in the minutes of the meeting at which it is presented.*
  - (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*
  - [(6) *deleted*]
- [Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50; amended in Gazette 20 Jun 2008 p. 2724.]*

**POLICY IMPLICATIONS:**

Not Applicable

**FINANCIAL IMPLICATIONS:**

**VOTING REQUIREMENTS:**

Simple Majority required

<b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION NO: 0033</b>
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*MOVED Cr G.W Stubbs*

*SECONDED Cr Dwyer J.*

*That the presentation of the Financial Statements and Reports to the statements to June 30<sup>th</sup>, 2011 be deferred to the August meeting.*

***“Carried 4/0”***

**MOVED Cr G.W. Stubbs**

**SECONDED Cr J.A. Dwyer**

**That the presentation of the Financial Statements and Reports to the Statements to June 30<sup>th</sup> 2011 be adopted.**

***“To defer to the next meeting of Council on 22<sup>nd</sup> September 2011”***

***“Carried 4/0”***

The reason for not adopting the Officers Recommendation is the Financial Reports were not available.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies - Administration
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	The author has no disclosure of interest in this item
DATE:	August 20 <sup>th</sup> 2011
AUTHOR:	Carol McAllan, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	L.P. Strugnell, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

**SUMMARY:**

To note cheque numbers from....to ....including direct debits and bank statement transfers totalling \$.... as presented for payment in terms of the submitted lists.

**BACKGROUND:** This report is a standard mandatory requirement.

**COMMENT:** Accounts for payment were not available at the time of printing.

**CONSULTATION:** Ms. Mandy Wynne, Haines Norton.

**STATUTORY ENVIRONMENT:** Local Government (Financial Management) Regulations 1996 Regulation 13,34

**13. Lists of accounts**

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
  - (a) *the payee's name;*
  - (b) *the amount of the payment;*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
  - (a) *for each account which requires council authorisation in that month —*
    - (i) *the payee's name;*
    - (ii) *the amount of the payment; and*
    - (iii) *sufficient information to identify the transaction;**and*
  - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under subregulation (1) or (2) is to be —*
  - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

*[Regulation 13 inserted in Gazette 20 Jun 1997 p. 2838-9; amended in Gazette 31 Mar 2005 p. 1048.]*

### 34. *Financial activity statement report — s. 6.4*

(1A) *In this regulation —*

**committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
  - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
  - (b) *budget estimates to the end of the month to which the statement relates;*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
  - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
  - (a) *according to nature and type classification; or*
  - (b) *by program; or*
  - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
  - (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*
- [(6) *deleted*]

*[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50; amended in Gazette 20 Jun 2008 p. 2724.]*

#### **POLICY IMPLICATIONS:**

All signing of cheques were carried out as per Policy 3.8. (All amounts over \$15,000.00 were counter signed by a Council member.

#### **Policy No. 3.8 – SIGNING OF CHEQUES**

*\* Originally adopted 19<sup>th</sup> March 2004*

*The Chief Executive Officer is authorised to sign all cheques up to and including the amount of \$15,000. Cheques over this amount are to be signed by the Chief Executive Officer AND a member of Council.*



**FINANCIAL IMPLICATIONS:**

Reduction to the Municipal Fund Balance.

**VOTING REQUIREMENTS:**

Simple Majority required

<b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION: 0034</b>
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Council Resolution No: 0002

*MOVED Cr G.W Stubbs*

*SECONDED Cr I.R Tucker*

*That the Accounts for Payment schedule to June 30<sup>th</sup>, 2011 be deferred to the August meeting.*

***"Carried 4/0"***

**Council Resolution No: 0034**

**MOVED Cr J.A. Dwyer**

**SECONDED Cr I.R Tucker**

**To note the payment of Cheque numbers, including direct debits and bank statement transfers totalling, were paid as presented in terms of the submitted lists.**

**"To defer to next meeting of Council on 22<sup>nd</sup> September 2011"**

**"Carried 4/0"**

**9.3 AGED RATE AND SUNDRY DEBTOR REPORT TO JULY 30<sup>TH</sup> 2011.**

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies - Administration
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	The author has no disclosure of interest in this item
<b>DATE:</b>	20 <sup>th</sup> August 2011
<b>AUTHOR:</b>	Carol McAllan, Deputy Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the report of aged rate debtors and sundry debtors as at July 30<sup>th</sup> 2011 as required by Council on a monthly basis, to evidence the extent of outstanding indebtedness and to display the evident controls being applied and the collections achieved in this critical aspect of the Shire's operations..

**BACKGROUND:** This reporting mechanism is a standard requirement as called for by Council

**CONSULTATION:** Not Applicable

**STATUTORY ENVIRONMENT:** Not Applicable

**POLICY IMPLICATIONS:** Not Applicable

**FINANCIAL IMPLICATIONS:**

**VOTING REQUIREMENTS:** Simple Majority required

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION NO: 0035**

**MOVED** Cr J.A. Dwyer

**SECONDED** Cr I.R. Tucker

To receive the report of aged Rate debtors and Sundry debtors as at July 30<sup>th</sup> 2011, as required by Council to be submitted on a monthly basis, to evidence the extent of outstanding indebtedness and to display the evident controls being applied and the collections achieved in this critical aspect of the Shire's operations.

**"Carried 4/0"**

**SHIRE OF MENZIES**  
**AGED "SUNDRY"**  
**DEBTOR REPORT**

DATE TO	NO OF ENTRIES	CURRENT	30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS	TOTAL	COMMENTS
30.09.10	36	\$524,694	\$3,787	\$275	\$518,182		\$1,046,937	
31.10.10	37	\$630,578	\$22,452	\$1,093	\$520,398		\$1,174,521	
30.11.10	38	\$200,350	\$986	\$803	\$333,607		\$535,747	
31.12.10	40	\$181,144	\$22,452	\$1,093	\$334,410		\$539,100	
31.01.11	39	\$217,980	\$22,441	\$1,093	\$334,410		\$575,925	
28.02.11	41	\$145,819	\$130,134	\$70	\$357,791		\$683,815	
31.03.11	39	\$40,526	\$4,143	\$179,734	\$352,293		\$576,698	
30.04.11	39	\$38,143	\$3,943	\$179,734	\$352,293		\$574,115	
31.05.11	39	\$32,583	\$3,344	\$179,734	\$352,073		\$567,675	
30.6.11	46	\$55,669	\$2,344	\$179,234	\$352,013		\$589,260	
31.7.11	46	48,536	1,543	179,234	352,013		581,327	

L.P. Strugnelli  
 CHIEF EXECUTIVE OFFICER

**SHIRE OF MENZIES**  
**AGED "RATE"**  
**DEBTOR REPORT**

DATE TO	NO OF ASSESSMENTS	CURRENT	30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS	% OVER 90 DAYS	TOTAL
30.09.10	1962	\$1,838,184			\$58,817	\$454,421	19%	\$2,351,422
31.10.10	1661		\$1,495,548			\$487,157	25%	\$1,982,705
30.11.10	1513	\$40,095	\$2,767	\$881,112		\$400,890	30%	\$1,324,863
31.12.10	1495	\$6,655	\$40,085	\$2,662	\$878,063	\$400,298	30%	\$1,327,764
31.01.11	1367	\$6,655		\$32,139	\$1,334	\$936,958	96%	\$977,085
28.2.11	1085	0	\$1,390	\$14,190	\$159	\$831,060	98%	\$846,799
31.3.11	1046	0	0	\$634	0	\$773,715	100%	\$774,349
30.4.11	1124	\$12,564	0	0	\$634	\$757,036	98%	\$770,234
31.5.11	1019	\$10894	\$10183	0	0	\$666,024	97%	\$687,101
30.6.11	967	\$2277	\$1467	\$3643	0	\$661,014	99%	\$668,401
31.7.11	952	0	0	2839	1820	508,721	99%	513,382

L.P. Strugnell  
CHIEF EXECUTIVE OFFICER

## Debtors Aged Balance Report

As At: 31-Jul-2011

Charge Date From:

Charge Date To:

Debtor Type: Sundry - Sundry Debtor

Debtor Num	Current	30 Days	60 Days	90 Days	Total
2	-	-	-	167.20	167.20
5	-	-	-	103.63	103.63
92	3,172.00	-	-	-	3,172.00
91	440.00	-	-	-	440.00
69	-	-	100.00	-	100.00
10	-	-	-	15.40	15.40
21	35.00	-	-	-	35.00
7	-	-	-	135.00	135.00
86	220.00	-	-	-	220.00
36	-	-	-	792.00	792.00
34	-	-	-	110,000.00	110,000.00
6	-	-	-	1,641.68	1,641.68
42	-	-	-	838.00	838.00
80	1,249.73	-	-	-	1,249.73
28	-	-	-	48,567.42	48,567.42
17	-	-	-	37,400.00	37,400.00
25	-	-	-	104,804.00	104,804.00
43	-	-	-	10.58	10.58
90	240.00	-	-	-	240.00
18	304.85	797.38	-	-	1,102.23
9	936.77	-	400.00	270.00	1,606.77
87	369.69	-	-	-	369.69
22	169.38	-	-	64.64	234.02
29	-	-	-	100.00	100.00
66	-	-	-	130.00	130.00
65	-	-	400.00	240.00	640.00
46	110.00	-	-	-	110.00
30	-	-	-	228.85	228.85
13	-	-	-	31.60	31.60
31	33,000.00	-	-	-	33,000.00
11	232.15	77.23	353.38	948.95	1,611.71
32	-	-	-	10.00	10.00
74	-	669.10	-	-	669.10
89	72.05	-	-	-	72.05
33	-	-	-	44,000.00	44,000.00
40	-	-	178,181.00	-	178,181.00
93	864.00	-	-	-	864.00
63	37.50	-	-	-	37.50
45	-	-	-	275.00	275.00
88	7,150.00	-	-	-	7,150.00
72	-	-	-	69.95	69.95
35	558.25	-	-	-	558.25
35	65.00	-	-	95.85	160.85
15	-	-	-	489.70	489.70
20	-	-	-	775.68	775.68
95	1,086.35	-	-	-	1,086.35
	48,536.22	1,543.71	179,234.38	352,013.41	581,327.72
	48,536.22	1,543.71	179,234.38	352,013.41	581,327.72

Selection Criteria

Sort Order



**Shire of Menzies - Aged Outstanding Rates by Property**

Rate Balances greater than \$- as at: 31/07/2011

Printed: 23/08/2011

<u>Property ID</u>	<u>Property Address</u>	<u>Current</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>&gt; 90 Days</u>	<u>Total</u>
4306	E29/00773	0.00	0.00	19.06	0.00	0.00	19.06
4307	E29/00778	0.00	0.00	3.34	0.00	0.00	3.34
4310	E30/00421	0.00	0.00	874.88	0.00	0.00	874.88
4314	E39/01576	0.00	0.00	3.07	0.00	0.00	3.07
4315	E40/00283	0.00	0.00	93.79	0.00	0.00	93.79
4319	P29/02168	0.00	0.00	70.10	0.00	0.00	70.10
4323	E29/00788	0.00	0.00	320.04	0.00	0.00	320.04
4324	E31/00944	0.00	0.00	40.55	0.00	0.00	40.55
4325	E31/00946	0.00	0.00	40.55	0.00	0.00	40.55
4327	E39/01543	0.00	0.00	203.25	0.00	0.00	203.25
4328	E39/01544	0.00	0.00	72.11	0.00	0.00	72.11
4330	E39/01583	0.00	0.00	157.64	0.00	0.00	157.64
4332	E77/01519	0.00	0.00	40.55	0.00	0.00	40.55
4333	E77/01521	0.00	0.00	369.32	0.00	0.00	369.32
4336	P29/02172	0.00	0.00	46.03	0.00	0.00	46.03
4337	P31/01991	0.00	0.00	42.74	0.00	0.00	42.74
<b>Grand Total</b>		<b>0.00</b>	<b>0.00</b>	<b>2,839.60</b>	<b>1,820.93</b>	<b>508,721.50</b>	<b>513,382.03</b>

Deputy CEO vacates chambers at 10.24am  
Deputy CEO returns to chambers at 10.26am

<b>9.4</b>	<b>MAINTENANCE GRADING</b>
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<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies- Depot
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	N/A
<b>DISCLOSURE OF INTEREST:</b>	The author has no interest to disclose in this item
<b>DATE:</b>	20 <sup>th</sup> August 2011
<b>AUTHOR:</b>	Brian Seale, Past Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the issues surrounding maintenance grading in terms of contract labour driving Shire graders and only grading to 90km from town and/or contract grading to private enterprise.

**BACKGROUND:**

The Shire has in the past used its own staff for maintenance grading. The Shire provided camping equipment and supplies and the road crew worked continually on the road for the duration.

**CONSULTATION:**

Council has discussed this issue in the past, though not in a formal sense, and the three issues before council is now to consider:

1. Contract labour grading driver hire with the use of Shire owned Graders,
2. Contract grading by private enterprise where they provide their own graders and the Shire sells its existing plant,
3. Council continues with the current arrangements with the Shire employees driving Shire plant within the 90km radius of Menzies.

**COMMENT:**

In recent times the Shire has dispensed with this element of maintenance grading and limited travel to 90km from town. This reduces the amount of real time spent grading as a minimum of two hours each day is spent travelling to the job.

The Shire has taken to using contract labour and offering contractors the opportunity to quote for the grading work. Should the Shire take the step and offer the opportunity for staff to do grading beyond the current limit of 90km, the Shire may have to make provision for its staff to camp out at the site.

The Shire in conjunction with the works supervisor should be allowed to exercise judgement and decide what method of labour utilisation is required for each job. This allows for a more flexible arrangement whereby a mix of contractors and Shire staff can provide a more cost effective outcome for the Benefit of the Shire.

**STATUTORY ENVIRONMENT:** Not Applicable

**POLICY IMPLICATIONS:** Not Applicable

## FINANCIAL IMPLICATIONS:

Additional capital budget purchases for caravans and camping equipment will be required if camp out option is supported.

Budget provision will be required if contract labour hire is supported and/or if contract grading without Shire equipment is supported.

Income will be derived from Shire selling existing plant if contract labour hire is supported.

**VOTING REQUIREMENTS:** Simple Majority required

<b>OFFICER RECOMMENDATION/ COUNCIL RESOLUTION NO: 0036</b>
--

This item was presented at item 9.10 of the Ordinary Meeting of Council of July 29<sup>th</sup> 2011 and was deferred to August 26<sup>th</sup> 2011

Council Resolution No: 0012

*MOVED Cr*

*SECONDED Cr*

*To consider the issues surrounding maintenance grading in terms of Contract labour driving Shire Graders and/or Shire employees only grading to 90 km from town and/or Contract Grading to Private enterprise without Shire Graders, where the following options of potential remains available to council and where the resolution is provided to the CEO during the meeting as follows .....*

- 1. Contract labour grading driver hire with the use of Shire owned Graders, and/or*
- 2. Contract Grading by Private Enterprise where they provide their own Graders and the Shire sells its existing plant and/or*
- 3. Council continues with the current arrangements with Shire employees driving Shire plant within the 90 kilometre radius of Menzies.*

*MOVED Cr Dwyer J.*

*SECONDED Cr Stubbs*

***"Defer to the August Meeting."***

***"Carried 4/0"***

*The reason for not adopting the officer's recommendation was to allow opportunity to provide more information.*

**Council Resolution No: 0036**

**MOVED Cr G.W. Stubbs**

**SECONDED Cr J.A. Dwyer**

**To consider the issues surrounding maintenance grading in terms of Contract labour driving Shire Graders and/or Shire employees only grading to 90 km from town and/or Contract Grading to Private enterprise without Shire Graders, where the following options of potential remains available to council and where the resolution is provided to the CEO during the meeting as follows :**

- 4. Contract labour grading driver hire with the use of Shire owned Graders, and/or**
- 5. Contract Grading by Private Enterprise where they provide their own Graders and the Shire sells its existing plant and/or**
- 6. Council continues with the current arrangements with Shire employees driving Shire plant within the 90 kilometre radius of Menzies.**

**Subject to Chief Executive Officer providing information on all aspects of the matter.**

**“Carried 4/0”**

Mr. G. Miller vacates chambers at 10.35am.

Moved Cr. J.A. Dwyer                      Seconded Cr. I.R. Tucker to adjourn the meeting at 10.35am

Meeting resumes at 10.50am

## 9.5 MENZIES GENERAL STORE – BUSINESS DEVELOPMENT APPLICATION

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	M/5/1
<b>DISCLOSURE OF INTEREST:</b>	The author has no disclosure of interest in this item
<b>DATE:</b>	20 <sup>th</sup> August 2011
<b>AUTHOR:</b>	Brian Seale, Past Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

### SUMMARY:

To consider the application from the “Leonora Supermarket.” for use of the former Roadhouse premises as a General Store.

### BACKGROUND:

Earlier advices received recently from the Roadhouse proprietors sought approval from Council to convert the roadhouse premises to accommodation facilities. This was supported, subject to satisfaction of some prescribed conditions. Furthermore, initial and subsequent advices from the “Goldfields Esperance Development Commission” indicated the former “Pioneer Store” was intended to be utilized as the General store and intended to commence trading on July 1<sup>st</sup>, 2011. Since then Council has received notice that the Pioneer Store concept will not proceed and it appears arrangements have been entered into with the “Roadhouse” for the use of their premises for the purpose of a General Store. Council is however not at date in receipt of formal advices to this effect.

<b>COMMENT:</b>	Not Applicable
<b>CONSULTATION:</b>	Not Applicable
<b>STATUTORY ENVIRONMENT:</b>	Not Applicable
<b>POLICY IMPLICATIONS:</b>	Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	Not Applicable
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

### OFFICER RECOMMENDATION / COUNCIL RESOLUTION NO: 0037

This item was presented at item 9.22 of the Ordinary Meeting of Council of July 29<sup>th</sup> 2011 and was deferred to August 26<sup>th</sup> 2011

Council Resolution no: 0023

*MOVED Cr*

*SECONDED Cr*

*To approve of the application from the “Leonora Supermarket.” for use of the former Roadhouse premises as a General Store, subject to the following:*

- 1. Receipt of a formal letter of application as to the intention of the proposal;*
- 2. Satisfaction of Statutory requirements.*
- 3. Rating amendment and/or Town Planning amendment, if required.*
- 4. Evidence of controls and approval from the Health Officer relative to “Food Preparation” practices, if applicable.*



5. Approval from the Shire health and building surveyor, as to the premises and legislation.

MOVED Cr Dwyer

SECONDED Cr

Stubbs

***"Defer to the August Meeting".***

***"Carried 4/0"***

*The reason for not adopting the officer's recommendation is that significant doubt exists over this proposal proceeding as the owners of the roadhouse are not yet aware of it.*

**Council Resolution No: 0037**

**MOVED Cr J.A. Dwyer**

**SECONDED Cr G.W. Stubbs**

**That no further action be taken on this item as information received indicates that the "Leonora Supermarket" is in discussion with the proprietors of the Menzies Roadhouse considering a private sale.**

***"Carried 4/0"***

**Brian Seale**

---

**To:** Pip McCahon  
**Subject:** RE: Menzies Store Update

Reply

July 3<sup>rd</sup>, 2011.

Thanks Pip for this update and request that a "Development Application" be submitted to Council for assessment and approval, as required.

In this I await the formal request and will tentatively hold an item for the July meeting to accommodate this request.

I await these advices.

In the interim,

Kindest regards,

Brian Seale

---

**From:** Pip McCahon [mailto:[pip.mccahon@gedc.wa.gov.au](mailto:pip.mccahon@gedc.wa.gov.au)]  
**Sent:** Tuesday, 14 June 2011 1:17 PM  
**To:** Brian Seale  
**Subject:** Menzies Store Update

Hi Brian,

As promised, here is an update on the Menzies Store, for your information. I have just spoken to Rick, Manager of the Leonora Supermarket, for an update on the Store.

Alana Cameron from Menzies is currently undertaking a Retail Management course in Leonora with the Leonora Supermarket/MEEDAC. She will be running the Menzies Store.

Officers from Canberra will be calling in today to finalise paperwork/lease agreement etc for the Store. Community members have been cleaning, painting and preparing the building in Menzies.

Rick tells me they are on target to open the Store on 1 July 2011!

Best regards,

*Pip McCahon*

Senior Project Officer - Northern Goldfields



**Goldfields Esperance Development Commission**

PO Box 56, Leonora WA 6438

Phone: (08) 9037 6944

Fax: (08) 9037 6295

1

Mobile Phone: 0419 839 234

e-mail: [pip.mccahon@gedc.wa.gov.au](mailto:pip.mccahon@gedc.wa.gov.au)

***Perpetrators, collaborators, bystanders, victims: we can be clear about three of these categories. The bystander, however, is the fulcrum. If there are enough notable exceptions, then protest reaches a critical mass - 'The only thing necessary for the triumph of evil is for good men to do nothing.'***

Learn more about GEDC at: [www.gedc.wa.gov.au](http://www.gedc.wa.gov.au)

Read our newsletter at [www.gedc.wa.gov.au/newsletter.php](http://www.gedc.wa.gov.au/newsletter.php)

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**Menzies Community Store Meeting  
Wednesday 25<sup>th</sup> May 2011**

**Attendees:**

Alana Cameron – Menzies Aboriginal Corporation  
Nadine Tucker - Menzies Aboriginal Corporation  
Gary Tucker - Menzies Aboriginal Corporation  
Justin Lee – MEEDAC Leonora  
Rick Berry – Leonora Supermarket  
Pip McCahon – GEDC

**Background**

Since the closure of the Menzies Roadhouse, the Menzies Community has not had access to a local food/grocery store, other than a very limited selection of goods located in the local Hotel. This has resulted in residents being forced to travel to Leonora, 105km away or to Kalgoorlie, 135km in order to access food and basic household essentials.

Members of the Menzies Aboriginal Corporation contacted the Northern Goldfields GEDC Office for assistance in setting up a grocery store in the community.

**Proposal**

Several discussions were held in regard to the best solution for setting up such an enterprise, including discussions with officers from Indigenous Business Australia and with Rick Berry, the Manager of the Leonora Supermarket.

Rick Berry has proposed that the Leonora Supermarket open a sub store in Menzies.

**Discussion**

The Menzies Aboriginal Corporation have offered a building they own to house the store. This building is an original shop front located on the main street of Menzies (see attached photos).

Kalgoorlie-Boulder  
Viskovich House  
377 Hannan Street  
PO Box 751  
Kalgoorlie WA 6430  
Ph: 08 9080 5000  
Fax: 08 9021 7941  
[gedckal@gedc.wa.gov.au](mailto:gedckal@gedc.wa.gov.au)

Esperance  
Port Authority Building  
The Esplanade  
PO Box 632  
Esperance WA 6450  
Ph: 08 9083 2222  
Fax: 08 9071 3765  
[gedcesp@gedc.wa.gov.au](mailto:gedcesp@gedc.wa.gov.au)

Leonora  
Leonora Shire Office  
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P O Box 56  
Leonora WA 6438  
Ph: 08 9037 6944  
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[gedcleo@gedc.wa.gov.au](mailto:gedcleo@gedc.wa.gov.au)

Website: [www.gedc.wa.gov.au](http://www.gedc.wa.gov.au)



An inspection of this building was conducted during the meeting and it was found to be a perfect solution for locating a store. The building provides ample space in the correct configuration for a small supermarket. There are sufficient power outlets already located in the building.

Menzies community members have volunteered to clean the building and repaint the internal floors and walls as required.

The Leonora Supermarket will provide the equipment necessary to set up a small supermarket, will provide administrative support and will take responsibility for training local community members to run the store.

MEEDAC will work with the local Job Services Networks to ensure that suitable people are identified, mentored and trained to provide ongoing staff necessary to run this facility.

The store will be restocked twice a week from trucks making deliveries to the Leonora Supermarket. Additional stock can also be provided from the Leonora outlet as required.

#### **Summary**

All personnel attending this meeting have committed to working together to develop this store for the Menzies Community.

Given the assurances of support from the local residents to clean and prepare the building as a matter of priority, Rick Berry anticipates that the store can be fully operational in 4 – 5 weeks.

Pip McCahon  
Senior Project Officer – Northern Goldfields

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## 9.6 CONDUCT OF COUNCIL MEETINGS AT TJUNTJUNTJARA AND KOOKYNIE

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	C/9/6
<b>DISCLOSURE OF INTEREST:</b>	The author has no disclosure of interest in this item
<b>DATE:</b>	20 <sup>th</sup> August 2011
<b>AUTHOR:</b>	Brian Seale, Past Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

### SUMMARY:

To consider the preference of dates for the conduct of the meeting for the ordinary council meetings to be convened at Tjuntjuntjara and Kookynie

### BACKGROUND:

It has been usual over recent years to conduct the September meeting of Council at Kookynie. In 2010 after consultation with Gordon Jacob, the August meeting of Council was held at the Tjuntjuntjara Community.

### CONSULTATION:

### COMMENT:

It would be seen as a mark of respect to hold one meeting a year at Kookynie and one at the Tjuntjuntjara Community, recommending the Tjuntjuntjara meeting be convened in September and the March meeting in Kookynie.

### STATUTORY ENVIRONMENT:

### POLICY IMPLICATIONS:

### FINANCIAL IMPLICATIONS:

Airfares for the Council and provision of Luncheon at an estimated cost of \$7,000 (Approximately) are anticipated.

**VOTING REQUIREMENTS:** Simple Majority required

### OFFICER RECOMMENDATION / COUNCIL RECOMMENDATION NO: 0038

This item was presented at item 9.10 of the Ordinary Meeting of Council of July 29<sup>th</sup> 2011 and was deferred to August 26<sup>th</sup> 2011

*MOVED Cr*

*SECONDED Cr*

*To approve of the conduct of the September 2011 meeting of Council at the Tjuntjuntjara Community and the March 2012 meeting of Council at Kookynie subject to approval from the Elders of the community approving of the visit and for the March meeting at Kookynie being subject to the approval from the proprietors of the Grand Hotel approving of the use of the premises, and the statutory advertising being undertaken beforehand.*

**"Not Addressed"**

**Council Resolution No: 0038**

**MOVED Cr J.A. Dwyer**

**SECONDED Cr I.R. Tucker**

**That Council take no further action on this item as the Time and Place for meetings is already set and advertised for 2011 will be set in January for 2012.**

**"Carried 4/0"**

## 9.7 REQUEST FOR SUPPORT – TJUNTJUNTJARA – VIBE FOR LIFE

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	Ms. F. Pemberton, Tjuntjuntjara Community
<b>FILE REF:</b>	T/6/2
<b>DISCLOSURE OF INTEREST:</b>	The author has no disclosure of interest in this item
<b>DATE:</b>	20 <sup>th</sup> August 2011
<b>AUTHOR:</b>	Carol McAllan, Deputy Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

### **SUMMARY:**

To consider budget provision of \$16,500 (max) or partially supported in order to attend the festival in Kalgoorlie

### **BACKGROUND:**

The community has supported attendance at this function in the past, but unable to continue to do so without financial support

### **CONSULTATION:**

Ms. F. Pemberton Tjuntjuntjara Community

### **COMMENT:**

### **STATUTORY ENVIRONMENT:**

### **POLICY IMPLICATIONS:**

### **FINANCIAL IMPLICATIONS:**

Budget adjustment of \$16,500.00 will be needed to support this proposal.

### **VOTING REQUIREMENTS:**

Simple Majority required

## **OFFICER RECOMMENDATION / COUNCIL RESOLUTION NO: 0039**

This item was presented at item 9.26 of the Ordinary Meeting of Council of July 29<sup>th</sup> 2011 and was deferred to August 26<sup>th</sup> 2011

*MOVED Cr*

*SECONDED Cr*

*To approve a budget provision of \$16,500 (max) to support the Tjuntjuntjara Community in order to attend the festival in Kalgoorlie, planned for August 2011, in terms of the data presented and as attached.*

***“Not Addressed.”***

**Council Resolution No: 0039**

**MOVED Cr J.A. Dwyer**

**SECONDED Cr I.R. Tucker**

**This matter was deferred from the July 29<sup>th</sup> 2011 meeting. That as the festival in Kalgoorlie has already taken place and the Tjuntjuntjara Community did not attend, no further action is required.**

**“Carried 4/0”**

## 9.8 WORKS MANAGER – CONDITIONS AND POSITION DESCRIPTION

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies - Depot
APPLICANT:	N/A
FILE REF:	Personal File / Works Manager
DISCLOSURE OF INTEREST:	The author has no disclosure of interest in this item
DATE:	16 <sup>th</sup> August 2011
AUTHOR:	L.P. Strugnell, CEO
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	L.P. Strugnell, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

### SUMMARY:

To clarify the proposal to create a position of Works Manager as a Senior Employee and to define the position description for this officer and the conditions to apply.

### BACKGROUND:

The resolution to Agenda Item 9.18 of the Ordinary Meeting of Council dated 26<sup>th</sup> July 2011 reads:

*"To approve of the creating of the position of Works Manager as a Senior Officer subject to:*

- 1. Editing the Organizational Structure and,*
- 2. Deleting the role of Works Supervisor.*
- 3. Statutory advertising as required for a Senior position."*

### COMMENT:

The Resolution to item 9.18 of the Ordinary Meeting of Council did not define the Position Description for this Officer nor address the conditions of employment.

It did however approve the creating of a Senior Officer position which involves adhering to the provisions of section 5.37 and section 5.39 of the Local Government Act 1995 and the Local Government (Administration) Regulations 18A and 18B.

It is suggested that the President, available Councillors and the Chief Executive Officer meet informally to discuss all of the issues associated with the employment of a Senior Officer and report back to Council at the September 2011 meeting or any prior Special Meeting.

### CONSULTATION:

President G. Dwyer.

### STATUTORY ENVIRONMENT:

Local Government Act 1995 sections 5.37 and 5.39

Local Government (Administration) Regulations 18A and 18B

#### 5.37. *Senior employees*

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.*
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.*
- (3) Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.*

- (4A) Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
- (4) For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.

[Section 5.37 amended by No. 49 of 2004 s. 45 and 46(4); No. 17 of 2009 s. 22.]

**18A. Advertisement for position of CEO or senior employee — s. 5.36(4) and 5.37(3)**

- (1) If a position of CEO, or of a senior employee, of a local government becomes vacant, the local government is to advertise the position in a newspaper circulating generally throughout the State unless it is proposed that the position be filled by —
- (a) a person who is, and will continue to be, employed by another local government and who will fill the position on a contract or contracts for a total period not exceeding 5 years; or
  - (b) a person who will be acting in the position for a term not exceeding one year.
- (2) An advertisement referred to in subregulation (1) is to contain —
- (a) the details of the remuneration and benefits offered;
  - (b) details of the place where applications for the position are to be submitted;
  - (c) the date and time for the closing of applications for the position;
  - (d) the duration of the proposed contract;
  - (e) contact details for a person who can provide further information about the position; and
  - (f) any other information that the local government considers is relevant.

[Regulation 18A inserted in Gazette 31 Mar 2005 p. 1037-8; amended in Gazette 19 Aug 2005 p. 3872; 3 May 2011 p. 1594.]

**18B. Matters to be included in contracts for CEO's and senior employees — s. 5.39(3)(c)**

For the purposes of section 5.39(3)(c), a contract governing the employment of a person who is a CEO, or a senior employee, of a local government is to provide for a maximum amount of money (or a method of calculating such an amount) to which the person is to be entitled if the contract is terminated before the expiry date, which amount is not to exceed whichever is the lesser of —

- (a) the value of one year's remuneration under the contract; or
- (b) the value of the remuneration that the person would have been entitled to had the contract not been terminated.

[Regulation 18B inserted in Gazette 13 May 2005 p. 2086.]

**POLICY IMPLICATIONS:**

Staff Section 5 of Policy manual.

**FINANCIAL IMPLICATIONS:**

The salary and benefits for a Works Manager can be expected to exceed that of a Works Supervisor. As the budget for 2011/2012 has not been compiled as yet, provision can be made in this budget.

**VOTING REQUIREMENTS:**

Simple Majority required

**OFFICERS RECOMMENDATION – COUNCIL RESOLUTION NO: 0040**

**MOVED** Cr I.R. Tucker

**SECONDED** Cr G.W. Stubbs

**That Council delegate to the President, two available Councillors and the Chief Executive Officer to prepare the necessary documentation for the employment of a Works Manager as a Senior Employee and report back to the September 2011 Ordinary Meeting of Council.**

**“Carried 4/0”**

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies – Administration.
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	B/3/1
<b>DISCLOSURE OF INTEREST:</b>	The author has no disclosure of interest in this item
<b>DATE:</b>	17 <sup>th</sup> August 2011
<b>AUTHOR:</b>	L.P. Strugnell Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

As at the 17<sup>th</sup> August 2011, Council has not progressed the budget process nor completed the financial statements for the month of June 2011. It is highly unlikely that the budget will be prepared and adopted by the 31<sup>st</sup> August 2011. An extended time should be sought from the Minister for Local Government to the 31<sup>st</sup> October 2011 to prepare and adopt the 2011/2012 Budget.

**BACKGROUND:**

It is a requirement of the Local Government Act 1995 that during the period 1<sup>st</sup> June in a financial year to 31<sup>st</sup> August in the next financial year the Local Government is to prepare and adopt a municipal budget.

Section 6.2 of the Act also makes provision for the Minister to allow an extended time to prepare the budget.

**COMMENT:**

It is important that Council operate within the provisions of the Local Government Act 1995 and the Regulations that relate to that Act. Leaving the budget preparation preparation to this date when the Financial Management Regulations provide the period June 1<sup>st</sup> 2010 to August 31<sup>st</sup> 2011 puts everyone under pressure and leaves little time for producing accurate work.

**CONSULTATION:** President G. Dwyer.

**STATUTORY ENVIRONMENT:** Local Government Act 1995 section 6.2(1)  
Local Government (Financial Management)  
Regulations 33 and 33A.

**6.2. *Local government to prepare annual budget***

- (1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt\*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

*\* Absolute majority required.*

**33. *Completion of annual budget***

*A copy of the annual budget of a local government is to be submitted to the Departmental CEO within 30 days of its adoption by the local government.*

*[Regulation 33 amended in Gazette 20 Jun 2008 p. 2723.]*



### **33A. Review of budget**

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
  - (2A) *The review of an annual budget for a financial year must —*
    - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
    - (b) *consider the local government's financial position as at the date of the review; and*
    - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
  - (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
  - (3) *A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- \*Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

*[Regulation 33A inserted in Gazette 31 Mar 2005 p. 1048-9; amended in Gazette 20 Jun 2008 p. 2723-4.]*

#### **POLICY IMPLICATIONS:**

Not Applicable

#### **FINANCIAL IMPLICATIONS:**

Due to time restraints and the lack of staff, outside consultants or assistance will be required to complete the budget process. This will result in extra expenditure.

#### **VOTING REQUIREMENTS:**

Absolute Majority required

<b>OFFICER RECOMMENDATION – COUNCIL RESOLUTION NO: 0041</b>
---

**MOVED Cr G.W. Stubbs**

**SECONDED Cr I.R. Tucker**

**That Council apply to the Minister for Local Government under provisions of section 6.2(1) of the Local Government Act 1995 for an extended period of time to the 31<sup>st</sup> October to complete and adopt the 2011/2012 Annual Budget.**

**“Carried 4/0”  
Absolute Majority.**

<b>9.10 EXTENDED TIME FOR PREPARATION OF THE ANNUAL FINANCIAL REPORTS</b>
---

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies Financial
<b>APPLICANT:</b>	Acting CEO – L.P. Strugnell
<b>FILE REF:</b>	A/6/1
<b>DISCLOSURE OF INTEREST:</b>	The author has no disclosure of interest in this item
<b>DATE:</b>	17 <sup>th</sup> August 2011
<b>AUTHOR:</b>	L.P. StrugnellChief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

At the 17<sup>th</sup> August 2011 the Financial Statements to the 30<sup>th</sup> June have not been completed and it may be some weeks before they are submitted to the auditor.

**BACKGROUND:**

Section 6.4(3) makes provision for the Minister to extend the period for the time to submit the accounts of the Local Government and the Annual Financial Report to the Auditor.

**COMMENT:**

As members are aware the accounting function carried out in the office is not of a very high standard and consequently UHY Haines Norton, who compile the monthly statements and prepare the Annual Financial Statements cannot produce the required documents on time.

**CONSULTATION:** President G. Dwyer

**STATUTORY ENVIRONMENT** Section 6.4 of the Local Government Act 1995

**6.4. *Financial report***

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) *The financial report is to —*
  - (a) *be prepared and presented in the manner and form prescribed; and*
  - (b) *contain the prescribed information.*
- (3) *By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —*
  - (a) *the accounts of the local government, balanced up to the last day of the preceding financial year; and*
  - (b) *the annual financial report of the local government for the preceding financial year.*

**POLICY IMPLICATIONS:** Not Applicable

**FINANCIAL IMPLICATIONS:**

UHY Haines Norton are already engaged to carry out certain financial functions. Further costs can be expected depending on the amount of work that they carry out.

**STRATEGIC IMPLICATIONS:** Not Applicable.

**VOTING REQUIREMENTS:** Simple Majority required

**MOVED Cr I.R. Tucker**

**SECONDED Cr J.A. Dwyer**

**That Council apply to the Minister for Local Government under the provisions of section 6.4 of the Local Government Act 1995 for an extended period of time to the 30<sup>th</sup> November 2011 to complete the Annual Financial Statements for the year ended 30<sup>th</sup> June 2011.**

**“Carried 4/0”**

## 9.11 CARAVAN PARK – FEES AND CHARGES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	C/1/1
DISCLOSURE OF INTEREST:	The author has no disclosure of interest in this item
DATE:	20 <sup>th</sup> August 2011
AUTHOR:	L.P. Strugnell, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	L.P. Strugnell, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

### SUMMARY:

Minute 9.17 of the July 29<sup>th</sup> 2011 Meeting deals with the review of the fees and charges for the Caravan Park. The process used does not comply with the provisions of the Local Government Act 1995.

### BACKGROUND:

Section 6.16 of the Local Government Act 1995 gives the power to Council to impose fees and charges. Section 6.17 of the Local Government Act 1995 deals with setting the level of the fees and charges and section 6.19 deals with Local Governments having to give local public notice if it adopts fees and charges after the budget has been adopted.

### COMMENT:

The item 9.7 indicates that the voting requirement was a simple majority whereas an absolute majority is required. There is no indication that the requirements of section 6.19 have been complied with – giving local public notice of the intention to introduce new fees and charge or the date they will be imposed.

The motion to Item 9.17 (29<sup>th</sup> July 2011) should be revoked and fees and charges revert to the previous fees and charges and the imposing of new charges be considered in the 2011/2012 budget.

### CONSULTATION:

President G. Dwyer.

### STATUTORY ENVIRONMENT:

Local Government Act 1995  
Fees and Charges section 6.16, 6.17, 6.19  
Local Government (Administration) regulation 10

### *Subdivision 2 — Fees and charges*

#### **6.16. Imposition of fees and charges**

- (1) *A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

*\* Absolute majority required.*

- (2) *A fee or charge may be imposed for the following —*

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) supplying a service or carrying out work at the request of a person;*
- (c) subject to section 5.94, providing information from local government records;*

### 6.17. *Setting level of fees and charges*

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*
  - (a) *the cost to the local government of providing the service or goods;*
  - (b) *the importance of the service or goods to the community; and*
  - (c) *the price at which the service or goods could be provided by an alternative provider.*
- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
  - (a) *under section 5.96;*
  - (b) *under section 6.16(2)(d); or*
  - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
  - (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
  - (b) *limit the amount of a fee or charge in prescribed circumstances.*

### 6.19. *Local government to give notice of fees and charges*

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —*

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

**POLICY IMPLICATIONS:** Not Applicable

**FINANCIAL IMPLICATIONS:** Revert to previous fees.

**VOTING REQUIREMENTS:** Simple Majority required

<b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION NO: 0043/0044</b>
--

MOVED Cr

SECONDED Cr

That Council:

1. Seek the support of at least one third of the number of members of Council to revoke the decision to Item 9.17 of the 29<sup>th</sup> July 2011.

Show of hands: Cr's Dwyer J.A, Tucker I.R, Dwyer G show hands.

2. If one third of the members support to revoke the motion to Item 9.17 of the 29<sup>th</sup> July 2011.

**Council Resolution No: 0043**

**Moved Cr.**

**Dwyer J.A**

**Seconded Cr. Stubbs G.W**

**That Council revoke the Item 9.17 which reads:**

**"Moved Cr. Dwyer**

**Seconded Cr. Tucker.**

**To adopt a revised schedule of fees as follows for the Menzies Caravan Park:**

<b>1. Powered Site</b>	<b>\$20 per day.</b>	<b>\$115 per week</b>
<b>2. Unpowered Site</b>	<b>\$12.50p/d</b>	<b>\$85 per week.</b>
<b>3. Extra Adult</b>	<b>No charge.</b>	
<b>4. Extra Children</b>	<b>No charge."</b>	

**Carried 4/0"**

**Moved Cr. Dwyer J.A**

**Seconded Cr. Tucker I.R**

**Council Resolution No: 0044**

**3. That Council:**

- **revert to the previous fees and charges :**

<b>1. Powered Site</b>	<b>\$26per day</b>	<b>\$156 per week</b>
<b>2. Unpowered Site</b>	<b>\$20 per day</b>	<b>\$120 per week</b>
<b>3. Extra Adult</b>	<b>\$10</b>	
<b>4. Extra Children</b>	<b>\$5</b>	

**from the 29<sup>th</sup> August 2011**

- **Impose fees and charges through the budget system for the 2011/2012 financial year.**

**"Carried 4/0"**

# CARAVAN PARK RATES

<u>Menzies</u>	<u>Daily</u>	<u>Weekly</u>	<u>Recommended Pricing</u>		
			<u>Daily</u>	<u>Pension</u>	<u>Weekly Pension</u>
				<u>Discount</u>	<u>Discount</u>
Powered	\$26.00	\$156.00	\$20.00	\$17.50	\$85.00 \$80.00
Unpowered	\$20.00	\$120.00	\$12.50	\$11.00	\$85.00 \$80.00
Extra Adult	\$ 10.00		No Charge		
Extra Children	\$5.00		No Charge		
No Pension Discount					

**Kambalda**

Powered	\$20.00	\$85.00
Unpowered	\$12.50	\$85.00
No Charge for extra People		
No Pension Discount		

**Leonora**

Powered	\$30.00	\$150.00
Unpowered	\$20.00	\$120.00
\$5.00 charge per person		
No Pension Discount		



Laverton

Powered	\$35.00	\$130.00
Unpowered	\$20.00	\$80.00
Extra People	No Charge	
No Pension Discount		

Other Caravan Parks have said that because we are a small town to consider not following the pricing of the bigger caravan parks as people will just drive straight past.

A lot of tourists are telling other not to stop in Menzies as you do not get what you pay for eg. NO tree to sit under, No grass. The only thing going for it at the moment is the ablution blocks.

# CARAVAN PARK FEES

## COUNCIL DECISION

ITEM 9.24

MOVED Cr Dwyer (J)

SECONDED Cr Kelly

To approve and adopt the following:

For the new Menzies Caravan Park - "Fees and Charges" for the 2010/2011 financial year, subject to the required statutory advertising being undertaken.

Menzies Caravan Park 'Fees & Charges'	Daily	Weekly
Powered Site - (2 adults)	\$26.00	\$156.00
Unpowered Site - (2 adults)	\$20.00	\$120.00
Extra adult	\$10.00	
Extra child	\$5.00	
Shower only	\$3.00	
Caravan storage - off-site	\$10.00	\$ 60.00
Permanent Powered site rate: (6 weeks or more - Permission to be sought in writing)		\$130.00

### Menzies Caravan Park - Laundry facilities 'Fees & Charges'

Washing machines	- \$3.00 per load
Drying machines	- \$3.00 per load

# Customer Survey

Customer Survey Forms are postage paid to Tourism Council WA. The forms are then forwarded to the operator in question if permission is received to do so.



Trust the tick!

## For each question tick one box only

	Strongly Agree	Agree	Disagree	Strongly Disagree	Not Applicable
1. Was your first impression of this business positive?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. If you had received a brochure or other advertising material about this operation, do you believe it reflected the true picture?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Was your booking/reservation (if applicable) handled efficiently?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. While visiting this business, did you feel comfortable with your safety and well-being?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Were the facilities clean?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Were the facilities well maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Were the staff attentive to your needs and able to offer assistance when required?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Were your expectations about this business met?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Were your expectations about this business exceeded?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Would you care to expand on any of the above questions? (Attach an extra sheet if necessary)

*I got put off parties which change me, a single traveller, the same as 2 people. The least you can do is reduce the price by the cost of a shower. I can't use this facility again, unless I don't have to pay for 2 people. After all, a third person is charged an extra \$10.*

What is the name of the business?

Menzies CP

Are they an Accredited Tourism Business? Y ☐ N ☐

ie: Does the business display the "tick"

Your name (optional)

Marika McKerral

Your address (optional)

Giddeide SA

Email (optional)

Dates of stay/visit/tour

10/6/11 - 12/6/11

Do we have your permission to forward your input to the operator in question?

(Permission is required before Tourism Council WA is able to follow up any complaints)

Y ☒ N ☐

Mengis Shire, W.A. W.F. & J. M. Jones  
 9 Banool Cres  
 Bayonet Head  
 24-11-11  
 Dear Brian Seal,  
 We received your letter in late Feb & say thanks for answering our unhappy over priced Caravan stay, as we have said in our earlier letter the \$140.00 we were charged for our tent site is still outrageously dear & we want be ever staying again in your park especially as we stated before it's only \$8.00 per night at Sandstone.  
 My friends (we have told them about your prices) came up from Holgarville for the day & went & looked at the Servitins & then went back to Hol. & stayed again in Hol. & still feel done by \$ for our stay. Still waiting for the second

letter from you regarding the results of your enquiries you said you were going to send us.  
 Awaiting your reply

W.F. Jones

W. F. & J. M. Jones  
 9 Banool Cres.  
 Bayonet Head  
 Albany W.A. 6330

**From:** june chapman (chappiesx2@yahoo.com.au)  
**To:** riflepoint@bigpond.com;  
**Date:** Thu, 5 May, 2011 1:16:06 PM  
**Cc:**  
**Subject:** re Menzies caravan park observations

Mr. Greg Dwyer President.

4th May 2011

Dear Sir,

My name is June Chapman, my husband and I visited Menzies about 7 years ago and loved it. We have travelled extensively and we are very surprised that Menzies has gone backwards instead of forwards. I can see that you have updated the caravan park, hence my letter to Council.

We stayed at Kalgoorlie for 2 weeks and we recommended this park to many people as I said it was cheap. now that is the main criteria for travellers like ourselves. we will stay off road and just come in for one night if we find it is not worth it.

I was disappointed when I found out that the cost of a site was \$26 even the weekly fee was exorbitant, as this town of Menzies has nothing to offer. but most people would stay more than one night if the price was right. The first day we arrived 3 travellers from Kalgoorlie that we had advised of the park, arrived and when they found out the price they left. Then at least another 3 during the day said to us that it was too dear and moved on too. Every day it is the same, you are losing out on customers. Travellers talk to each other and recommend parks. e.g wouldn't it be better for you to have 8 vans stay a week at a cheap weekly rate than approx 8 vans a week for one night. even though Menzies doesn't have a lot to offer, the cheap rate. (I suggest \$120 ) would encourage them to stay a week to rest and relax. This would bring more money into the town and then maybe the town can afford to open a food and grocery store. one small step forward is better than 10 steps backward, or this town could end up a ghost town like Kookynie.

My husband and I have been involved over the years managing parks, motels, properties, etc. and in my experience the renovation of this park has not had the input of travellers.

**No. 1 issue.** You need a person at check-in to have a personality, which we found lacking.

**. 2 issue** The slabs are far too big at least 3-4ft too wide. no one will stay any longer than a few days as they cannot get their annexes up, caravan park travellers like to have privacy and security by putting up their annexes.

**No. 3 issue** The shower and toilets to your credit are lovely and clean, but the cubicle doors cannot be opened when bench seats are down

When we arrived there was only the 3 permanents in the park, and everywhere we have been from gold coast to here, especially in W.A. and going up further to Leonora and Laverton we have to book. most of the people travelling this way are doing detecting and I found from the mines dept. in Kalgoorlie that with the coloured map they gave us that there is a lot more area here than Leonora where the people have moved on to. I have recommended that the council chambers in Menzies contact the Mines Dept and get copies of the areas that people are free to detect, this would also be a good plus to encourage people to stay. Also maybe there could be a book that travellers could fill in with suggestions.

I realise your caravan park is rather new, it has no personality, which means no trees, shrubs or grass, which will most probably come in the future. but I heard today that someone passed by thinking it was miners camp it was so bare.

Print

Page 2 of 2

I do hope this constructive criticism is not taken lightly, I would like to think I have been of help in promoting your town.  
until things have changed I will not be recommending Menzies again.

Yours sincerely,




Mrs June Chapman

Copies sent to DCEO, and CEO and Councillors of the shire of Menzies

**From:** june chapman (chappiesx2@yahoo.com.au)  
**To:** riflepoint@bigpond.com;  
**Date:** Thu, 5 May, 2011 1:26:58 PM  
**Cc:**  
**Subject:** re Menzies cravan park observations.

Dear Sir

Furthermore to my previous correspondence I would like to say when we visited the hotel we found the people of Menzies town were most hospitable, and I feel that this is a plus point for visitors to your town, as most tourists will call in to the local and find out about your town.  
thankyou for your consideration  
June Chapman



3

<b>9.29 CARAVAN PARK – SCHEDULE OF FEES.</b>
--

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	None
<b>DATE:</b>	January 27 <sup>th</sup> , 2011.
<b>AUTHOR:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	Brian Seale, Chief Executive Officer.
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the opportunity to revisit the fees as applied to the restructured scheduled of charges as applies currently to the caravan park in view of the attached letter of concern, as received recently.

**BACKGROUND:**

The complainant alleges the Sandstone caravan park charged \$8 per night per person, Beverley \$15, Laverton \$16 and Carnarvon \$16, where our fee is \$20 per person, which is more expensive than the other examples alleged.

**COMMENT:**

**CONSULTATION:**

Margaret Inkpen also complained regarding the fees (0428-133340).

**STATUTORY ENVIRONMENT:**

**POLICY IMPLICATIONS:**

**FINANCIAL IMPLICATIONS:**

Limited financial impact results from this comment.

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION</b>
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<b>ITEM 9.29</b>
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MOVED Cr Kelly

SECONDED Cr Pusey

To agree to revisit the fees as applied to the restructured scheduled of charges as applies currently to the caravan park in view of the attached letter of concern, as received recently, with a submission to be presented to Council By March 2011 reflecting a range of fee structures as applies to other Shire owned Caravan Parks.

**Carried 4/0**



**9.10 CARAVAN PARK – METERED POWER BAY SITES**

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	None
<b>DATE:</b>	September 2 <sup>nd</sup> , 2010
<b>AUTHOR:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the potential of a facility to provide "Metered Power to the Bays" in order to ensure appropriate cost recovery for the power utilized is captured.

**BACKGROUND:**

It seems this concept was raised as a verbal advice from Council, though it was not pursued at the time and was raised again more recently for further consideration.

**COMMENT**

The estimated cost associated with the supply and installation of metered sites is likely to be \$30,000 for which it appears little value will accrue to justify this process. Having metered sites is not typical for Caravan Parks in W.A. and coupled with the additional administrative time required to read the metres and apply an appropriate fee seems to be over-administrative, where the application of a standard fee for a powered site and a fee for a non-powered site seems more appropriate.

Given that Council has now adopted a schedule of Fees and Charges to incorporate a distinction between "Powered Sites and Non-Powered Sites from the August meeting, it seems further consideration is not justified

**CONSULTATION**

Simon De Been – Duncan Jack Consulting Engineers of Kalgoorlie

**STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:****FINANCIAL IMPLICATIONS:**

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION****ITEM 9.10**

MOVED Cr Kelly

SECONDED Cr Pusey

To not pursue further consideration into the provision of Powered sites at the Menzies Caravan Park, but to monitor the cost of power and note to provide a schedule of evaluation in approximately twelve months as to the revenues received and the costs associated with Power expended, with a submission to be raised at the July 2011 meeting for Council to further assess this provision for Council deliberation.

**Carried 6/0**

Some suggested places to visit while staying in the Shire of Menzies

'Former' Lady Shenton Hotel ~ Menzies Community esour

Aboriginal Art Gallery, Tele Centre Access Point, Historic Information, Community Postal Agency and Library.

A range of books, souvenirs, brochures & local information available at the Menzies Visitor Centre.

Open 9am - 4.30pm Weekdays (Open weekends generally from April to October)

Menzies Historic Town Hall and Municipal Chambers

Office Hours - Monday to Friday 8.30am to 4.30pm Ph: 08 9024 2041 Fax: 08 9024 2110

Menzies Historic Pioneer Cemetery - Unique Tin Grave Surrounds (1km on Sandstone Road)

Lake Ballard - Antony Gormley "Inside Australia" Sculptures (51kms west of Menzies),

Free camping facilities & BBQ's. Sunrise or Sundown best for photos. Viewing point at Snake Hill.

Niagara Dam (60kms north east of Menzies on the way to Kookynie), Scenic Water Reserve, Free Camping, Toilets, BBQ's, (bring your own Firewood in), 1 gas BBQ, 2 Walk Trails & Black Water Dump Station.

Ghost Towns of Niagara, Kookynie & Malcolm

Goongarrie Railway Cottages (42kms south of Menzies)

**Many of the above sites are also incorporated on the Golden Quest Trail with interpretive signage.**

Fuel, Food and Supplies

Menzies Caltex Roadhouse - Located in Shenton Street, the main street of Menzies, unleaded, diesel, sit-in or take-away foods, refreshments, limited grocery supplies.

Menzies Hotel - Commercial & after hours diesel, counter meals 11am-2pm & 5-8pm

Kookynie Grand Hotel - Diesel, unleaded, meals, refreshments, limited supplies.

520 for an unpaved site and the grass to pitch a tent  
a pretty ride! Might as well camp in the bush.  
8 unpaved site with kitchen + toilet/shower facilities (new)  
in November Shire for the - Just a comparison!!

Accommodation in Menzies and Surrounding District

Menzies Hotel (Open 7 days, Accommodation and Meals) Ph 08 9024 2016

Menzies Caravan Park - Bookings Ph 08 9024 2702

Morapoi Station - Indigenous Station Stay & Cultural Tours Ph 08 9031 3380

Kookynie Grand Hotel (Open 7 days, Accommodation and Meals) Ph 08 9031 3010

Goongarrie Homestead 14kms from Goongarrie Cottages -

Onsite Camping & Accommodation Bookings Ph 08 9080 5555

Dept. Environment & Conservation (DEC), Kalgoorlie.

**Please drive safely with consideration of gravel road conditions & wildlife.**

Further information regarding Menzies may be found in the following web-sites

[www.menzies.wa.gov.au](http://www.menzies.wa.gov.au) [www.antonygormley.com](http://www.antonygormley.com) [www.morapoi.com.au](http://www.morapoi.com.au)

[www.australiasgoldenoutback.com](http://www.australiasgoldenoutback.com) [www.goldenquesttrail.com](http://www.goldenquesttrail.com)

[www.northerngoldfields.com.au](http://www.northerngoldfields.com.au)

**9.12 AMALGAMATION OF RESERVES 7745 AND 12202**

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	Department of Regional Development & Lands
<b>FILE REF:</b>	G/3/18
<b>DISCLOSURE OF INTEREST:</b>	The author has no disclosure of interest in this item
<b>DATE:</b>	22 <sup>nd</sup> August 2011
<b>AUTHOR:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

Approval is sought to amalgamate Water Reserves 7745 with the Common Reserve 12202 and for the Shire to accept management over the amalgamated reserves.

**BACKGROUND:** The Department of Water currently holds Reserve 7745 however it is not being managed and is surplus to their requirements. The Shire manages the Common Reserve.

Refer to attached Department of Regional Development and lands letter and plan.

**COMMENT:**

It is common practice for reserves located within Commonages to be amalgamated if they are no longer required for the original purpose.

There does not appear to be any reason to reject the proposal.

<b>CONSULTATION:</b>	NIL
<b>STATUTORY ENVIRONMENT:</b>	If approved The Department of Regional Development & Lands would attend to the formalities.
<b>POLICY IMPLICATIONS:</b>	Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	Not Applicable
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION NO: 0045**

**MOVED Cr Dwyer J.A**

**SECONDED Cr Stubbs G.W**

**That Council:**

- Advise the Department of Regional Development that Council has no objection to reserve 7745 being amalgamated with Reserve 12202 and becoming part of the Common.
- Council agree to accept management of the amalgamated reserves.

**“Carried 4/0”**



Government of Western Australia  
Department of Regional Development and Lands

Lands Division

Chief Executive Officer  
PO Box 4  
124 Shenton Street  
MENZIES WA 6436

J.E. 613118	
CEO	C
15 AUG 2011	
DOES	1
MVS	1
2	1

Your ref:  
Our ref: 3470-1990 Job No: 111236  
Enquires: Kumaran Sathiyaseelan  
Ph: (08) 9347 5137 Fax: (08) 9347 5001  
Email: Kumaran.sathiyaseelan@rdl.wa.gov.au

Dear Sir/Madam

**PROPOSED AMALGAMATION OF RESERVES 7745 AND 12202 – SHIRE OF MENZIES**

The Department of Water (DoW) has advised that an examination of their water reserves has shown that reserve 7745 is not being managed and is surplus to their requirements. This reserve is currently vested to Water and Rivers Commission for the purpose of "Water".

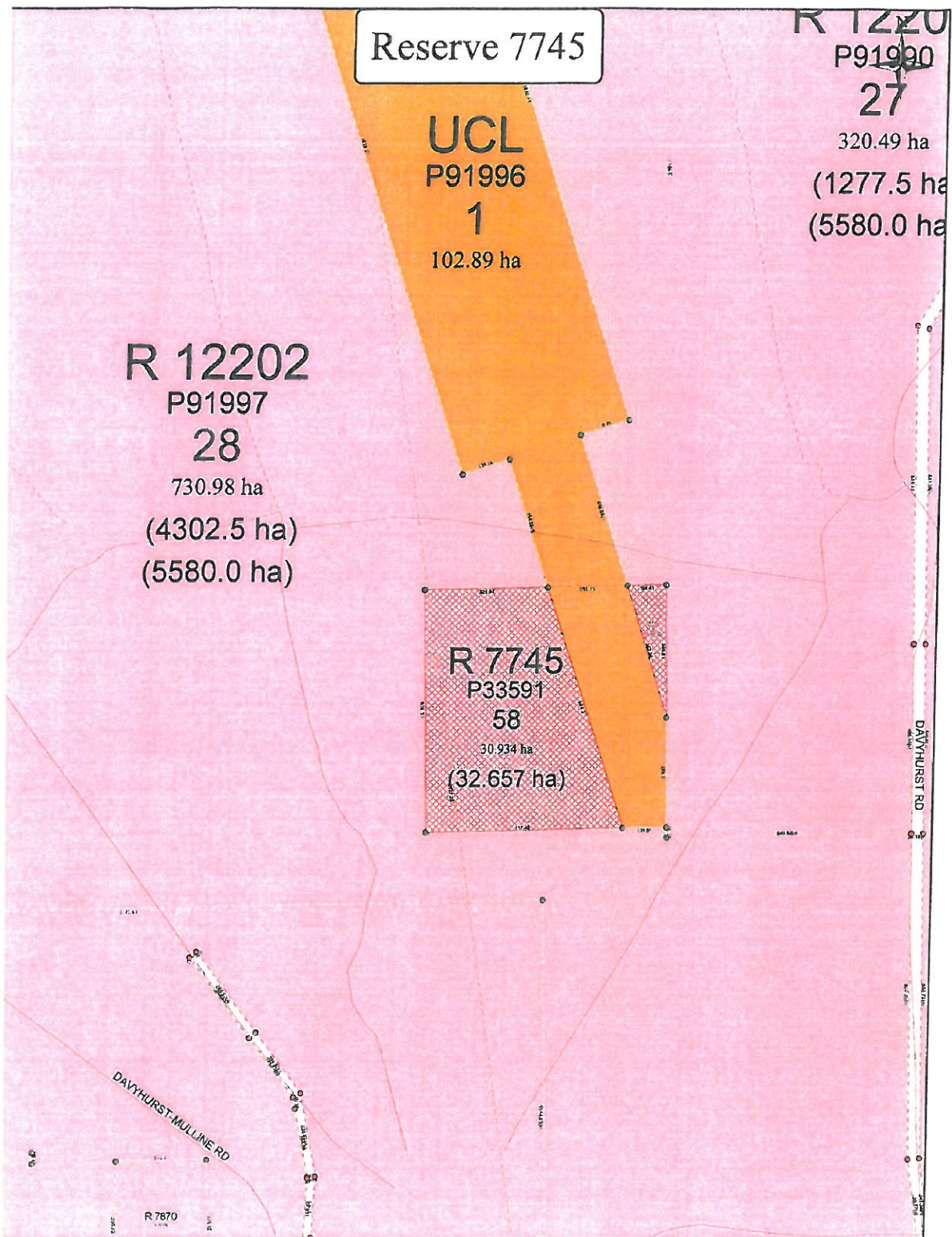
As the DoW has suggested a change in management, its now proposed to amalgamate this reserve into adjoining reserve 12202 which is vested to Shire of Menzies for the purpose of "Common". As such could you please advise if the Shire is willing to accept management over these amalgamated reserves.

Please contact this office quoting the above reference and job number should you require further information or if you wish to discuss this matter.

Yours sincerely

Kumaran Sathiyaseelan  
for MANAGER SOUTH WEST SETTLEMENTS  
STATE LAND SERVICES  
15 August 2011





Scale : 1:12330 (MGA)  
MGA : SW=270711.848,6674627.845 Zone 51 / NE=273197.041,6677869.038 Zone 51  
Lat/Long : -30°02'16.589", 120°37'19.582" / -30°00'33.044", 120°38'54.785" H 263mm by W 202mm

Printed : 11:32 Mon 15/Aug/2011  
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The Chief Executive Officer then presented a late item which was accepted by Council

<b>9.13</b>	<b>TERMS AND CONDITIONS OF EMPLOYMENT - CEO</b>
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<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	Mr. L.P. Strugnell
<b>FILE REF:</b>	CEO Personal File
<b>DISCLOSURE OF INTEREST:</b>	The author declares a financial interest in this item
<b>DATE:</b>	22 <sup>nd</sup> August 2011
<b>AUTHOR:</b>	L.P. Strugnell, Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	L.P. Strugnell Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

The Chief Executive Officer declares a financial interest in this item in that the Terms and Conditions of employment relate to him.

Moved: Cr Dwyer J.A                      Seconded: Cr. Tucker I.R

That Council move behind closed doors.

**“Carried 4/0”**

Moved: Cr Dwyer J.A                      Seconded: Cr Stubbs G.W

That Council move from behind closed doors.

**“Carried 4/0”**

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION NO: 0046**

Moved: Cr Dwyer J.A

Seconded: Cr Stubbs G.W

That Mr. L.P. Strugnell be appointed Acting Chief Executive Officer for the period 1<sup>st</sup> August 2011 to the 23<sup>rd</sup> November 2011 on the following conditions:

- **Salary per week:** **\$3,600.00**
- **Superannuation of 15% based on 9% superannuation Contribution and an additional 6% with a contribution Of 6% by myself.** **\$540.00**
- **Provision for Salary Sacrifice.**
- **Rent free accommodation including electricity, Gas, water and telephone.**
- **Private use of CEO's vehicle in accordance with Council Policy.**
- **Travel – Private vehicle hire (vehicle allowance) will be paid for One trip from Busselton to Menzies and return at award rate.**
- **On job travel allowance as required or approved by the President.**

- *Pro Rata Annual Leave.* N/A
- *Public Holidays.* N/A
- *Study Allowance.* N/A
- *Professional Membership.* N/A
- *LGMA Conference.* N/A
- *This offer is for a sixteen (16) week period commencing approximately the 3<sup>rd</sup> August 2011 and terminating on the 23<sup>rd</sup> November 2011.*

*In the event that the position can be filled by a permanent Chief Executive Officer prior to the 23<sup>rd</sup> November 2011, I will agree to an alternative termination date.*

*Should you not make an appointment by 23<sup>rd</sup> November 2011, I would be prepared to renegotiate an extension of employment.*

- *Hours – Package is based on 40 hours per week, however I will work whatever hours are required to accomplish the requirements of Council.*
- *Staff – I understand there may be some staff issues and it may be necessary to bring qualified people in to assist. I would require the Council meets the requirements of Section 5.2 of the Local Government Act and sufficient provisions are made in the 2011/2012 budget for this purpose.”*  
*“Carried 4/0”*

<b>10</b>	<b>STATUS REPORTS</b>
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<b>10.1</b>	<b>SHIRE OF MENZIES STATUS REPORT</b>
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Not Presented.

<b>10.2</b>	<b>TJUNTJUNTJARA COMMUNITY STATUS REPORT</b>
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Not Presented

<b>11</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>
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<b>11.1</b>	<b>ELECTED MEMBERS MOTIONS WITH PREVIOUS NOTICE</b>
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<b>11.2</b>	<b>CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS</b>
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<b>11.3</b>	<b>REPORTS OF COUNCILLORS AND STAFF</b>
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*Cr. G. Stubbs:*  
*No Reports.*

*Cr I.R. Tucker*  
*No Reports.*

*Cr DwyerJ:*

*No Reports.*

*Mr L.P. Strugnell.*

*No Reports.*

*Pres: Dwyer G.*

*Attended Goldfields Tourism Network Meeting.*

<b>12 INFORMATION BULLETIN</b>
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12.1 Information Bulletin as presented for discussion and resolutions (if required).
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<b>13. NEXT MEETING / MEETING CLOSURE</b>
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There being no further business to discuss, the President declared the meeting closed at: 12.15pm.

The next Ordinary Meeting of Council will be held on Thursday September 22<sup>nd</sup> at 9.am.