



## **MINUTES**

# **ORDINARY MEETING OF COUNCIL**

Tuesday 24<sup>TH</sup> April  
Commencing At 10.21am

# SHIRE OF MENZIES



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**SHIRE OF MENZIES**

**ORDINARY MEETING OF COUNCIL**  
commencing at 10.21 am

## MINUTES

**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

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

**COUNCIL RESOLUTION**

MOVED: Cr. J.A. Dwyer

SECONDED: Cr. I.R. Tucker

That Council, in accordance with Administration Regulation 14A, authorise by absolute majority the attendance by Cr P Twigg at this meeting by simultaneous audio contact on the basis that he is in a suitable place being a residence near Mt Barker WA.

**Carried 4/0**

**2 RECORD OF ATTENDANCE LEAVE OF ABSENCE PREVIOUSLY APPROVED**

*Attendance:*

Councillors:

In person.

Cr G. Dwyer  
Cr J.A Dwyer  
Cr I.R Tucker

President  
Councillor  
Councillor

By Teleconference.

Cr. C. Bennell  
Cr. P.J. Twigg

Councillor (at Tjuntjuntjara)  
Councillor (at Mt. Barker &  
Albany)

Staff:

Mr. K. Hastie  
Ms. C. McAllan

Acting Chief Executive Officer  
Deputy Chief Executive Officer

Visitors:

Mr. D. McKenna  
Mr. J. Pianto  
Mr. K. Owens

Menzies Hotel  
Member of the public  
Member of the public

Apologies:

Cr. C.K. Purchase  
Cr. E. Hansen

Councillor  
Councillor

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

Nil

**4 PUBLIC QUESTION TIME**

Mr. K. Owens asked why one particular staff member was living in a house that had since been promised to someone else.



Acting Chief Executive Officer replied: that a consultant had been hired to conduct an organisational review and the review will also focus on staff housing allocations once the organisational structure had been determined. A first draft of the consultant's report had been received and the final version will be completed in the near future.

Acting Chief Executive Officer asked Mr. Owens if he would like a written reply to his question and Mr. Owens replied, no.

Mr. J. Pianto commented on the state of the public toilets and questioned if Council would look at them to see for themselves what they are like.

Acting Chief Executive Officer replied that Council acknowledge the need to replace the public toilets and they are planned for in the future new facility near the town oval.

It was noted that more signage is needed advising the public of the location of the public toilets.

Mr. J. Pianto asked if now that the Mining Company were moving out of the Railway Station, would the Shire be having a caretaker in there as it is common knowledge that when buildings are left vacant, vandalism occurs.

Acting Chief Executive Officer replied: that the mining company were vacating the premises by the end of the month and the reason for this was Council intended to commence work on restoring the building. Once the building was vacant and more information was available as to restoration, Council may or may not consider a caretaker.

Acting Chief Executive Officer asked Mr. Pianto if he would like a written reply to his question and Mr. Pianto replied, no.

<b>5</b>	<b>DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.</b>
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Acting Chief Executive Officer, Kim Hastie declared a financial interest in item 9.5

<b>6</b>	<b>PETITIONS / DEPUTATIONS / PRESENTATIONS</b>
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The A/CEO advised Council that as the discussions to be held with Mr McKenna were confidential it would be appropriate to continue behind close doors.

Messrs Pianto and Owens vacated the chamber at this point.

MOVED: Cr. J.A. Dwyer

SECONDED: Cr. I.R. Tucker

That Council move behind closed doors.

**Carried 5/0**

MOVED: Cr. J.A. Dwyer

SECONDED: Cr. P.J. Twigg

That Council come out from behind closed doors.

**Carried 5/0**

While there was no specific resolution to come from the discussion with Mr McKenna it was agreed that the A/CEO, in conjunction with other staff members, would continue to develop a solution to the matter discussed.

Mr McKenna left the chamber at this point.



<b>7</b>	<b>CONFIRMATION OF PREVIOUS MINUTES</b>
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- 7.1 Confirmation of the Minutes of the Special Meeting of Council held on Thursday 15<sup>th</sup> March 2012 as presented be adopted.

MOVED: Cr.J.A. Dwyer

SECONDED: Cr.I.R. Tucker

**Carried 5/0**

- 7.2 Confirmation of the Minutes of the Ordinary Meeting of Council on Friday 30<sup>th</sup> March 2012 as presented be adopted.

MOVED: Cr J.A. Dwyer

SECONDED Cr: C. Bennell

**Carried 5/0**

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

**Nil**

<b>9</b>	<b>REPORTS OF COMMITTEES AND OFFICERS</b>
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- 9.6 Tender 3/11 – Hire of Plant & Services – Use of Common Seal
- 9.7 Tender 4/11 – Road Sealing Services – Use of Common Seal
- 9.8 Tender 5/11 – Design and Construction of Two (2) Liquid Waste Evaporation Basins – Use of Common Seal
- 9.9 Menzies Main Street Project
- 9.10 Shire of Menzies – Roads to Recovery Program

SUBMISSION TO:	Ordinary Meeting of Council 24 <sup>th</sup> April 2012
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	A/2/6
DISCLOSURE OF INTEREST:	Nil
DATE:	18 <sup>th</sup> April 2012.
AUTHOR:	C McAllan, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Kim Hastie , Acting Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

## SUMMARY

That the Financial Statements and Reports to the statements to March 31st 2012 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 an equivalent of a quarterly financial report) are a rates report and a report on reserves funds.

## CONSULTATION:

Ms.Mandy Wynne UHY Haines Norton.

## STATUTORY ENVIRONMENT:

Local Government (Financial Management Regulations 1966 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 sub regulation (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 sub regulation (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.]*

<b>POLICY IMPLICATIONS:</b>	Nil
<b>FINANCIAL IMPLICATIONS:</b>	Nil
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

<b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION No: 136</b>
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MOVED Cr J.A Dwyer

SECONDED Cr: I.R. Tucker

That the Council Adopt the Financial Statements and Reports to 31<sup>ST</sup> March 2012 as presented.

**Carried 5/0**



**SHIRE OF MENZIES**  
**MONTHLY STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012**



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## SHIRE OF MENZIES

## STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

	NOTE	31-Mar 2012 Actual \$	31-Mar 2012 Y-T-D Budget \$	2011/12 Adopted Budget \$	Variances Budget to Actual Y-T-D %
<b><u>Operating</u></b>					
<b>Revenues</b>	1,2				
Governance		14,757	2,005	2,673	636.01%
General Purpose Funding		1,425,310	1,504,137	1,905,516	(5.24%)
Law, Order, Public Safety		6,061	18,792	25,056	(67.75%)
Health		616	1,387	1,849	(55.59%)
Education and Welfare		0	23,753	31,670	(100.00%)
Housing		36,646	167,926	223,901	(78.18%)
Community Amenities		11,669	5,830	7,774	100.15%
Recreation and Culture		13,998	182,030	262,711	(92.31%)
Transport		609,062	648,927	865,236	(6.14%)
Economic Services		367,499	1,076,635	1,408,847	(65.87%)
Other Property and Services		12,115	87,368	116,491	(86.13%)
		<u>2,497,733</u>	<u>3,718,790</u>	<u>4,851,724</u>	<u>(32.83%)</u>
<b>(Expenses)</b>	1,2				
Governance		(161,785)	(243,743)	(107,606)	33.62%
General Purpose Funding		(80,234)	(80,709)	(324,996)	0.59%
Law, Order, Public Safety		(60,317)	(62,304)	(83,071)	3.19%
Health		(16,232)	(13,954)	(18,606)	(16.33%)
Education and Welfare		0	(34,822)	(46,430)	100.00%
Housing		(22,873)	(11,270)	(15,027)	(102.95%)
Community Amenities		(100,775)	(143,137)	(190,848)	29.60%
Recreation & Culture		(117,183)	(193,265)	(257,686)	39.37%
Transport		(1,523,222)	(1,960,316)	(2,613,753)	22.30%
Economic Services		(818,366)	(998,275)	(1,324,366)	18.02%
Other Property and Services		(330,634)	(25,699)	(34,558)	(1186.56%)
		<u>(3,231,621)</u>	<u>(3,767,494)</u>	<u>(5,016,947)</u>	<u>(14.22%)</u>
<b><u>Adjustments for Non-Cash</u></b>					
<b><u>(Revenue) and Expenditure</u></b>					
(Profit)/Loss on Asset Disposals	4	0	(86,533)	(129,800)	(100.00%)
Depreciation on Assets		1,222,718	1,163,627	1,498,343	5.08%
<b><u>Capital Revenue and (Expenditure)</u></b>					
Purchase Land and Buildings	3	(33,241)	(540,000)	(1,185,108)	(93.84%)
Purchase Infrastructure Assets - Roads	3	(44,223)	(1,094,133)	(1,641,200)	(95.96%)
Purchase Infrastructure Assets - Other	3	(632,773)	(523,982)	(2,828,894)	20.76%
Purchase Plant and Equipment	3	0	(93,200)	(688,810)	(100.00%)
Purchase Furniture and Equipment	3	(3,600)	(107,200)	(107,200)	(96.64%)
Proceeds from Disposal of Assets	4	0	0	178,100	0.00%
Repayment of Debentures	5	(14,071)	(14,071)	(28,563)	0.00%
Transfers to Reserves (Restricted Assets)	6	(63,212)	(79,774)	(119,661)	20.76%
Transfers from Reserves (Restricted Assets)	6	0	0	1,131,154	0.00%
<b>ADD Net Current Assets July 1 B/Fwd</b>	7	2,306,535	2,267,114	2,267,114	(1.74%)
<b>LESS Net Current Assets Year to Date</b>	7	4,009,564	2,561,283	0	(56.55%)
<b>Amount Raised from Rates</b>	8	<u>(2,005,319)</u>	<u>(1,718,139)</u>	<u>(1,819,748)</u>	

This statement is to be read in conjunction with the accompanying notes.

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

**1. SIGNIFICANT ACCOUNTING POLICIES**

The significant accounting policies which have been adopted in the preparation of this statement of financial activity are:

**(a) Basis of Accounting**

This statement has been prepared in accordance with applicable Australian Accounting Standards, other mandatory professional reporting requirements and the Local Government Act 1995 (as amended) and accompanying regulations (as amended).

**(b) The Local Government Reporting Entity**

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 9.

**(c) Rounding Off Figures**

All figures shown in this statement, other than a rate in the dollar, are rounded to the nearest dollar.

**(d) Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

**(e) Goods and Services Tax**

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables are stated inclusive of applicable GST.

**(f) Fixed Assets**

Property, plant and equipment and infrastructure assets are brought to account at cost or fair value less, where applicable, any accumulated depreciation or amortisation and any accumulated impairment balances.

**(g) Depreciation of Non-Current Assets**

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Buildings	5%
Furniture and Equipment	10%
Plant and Equipment - Heavy	15%
Plant and Equipment - Sundry	25%
Electronic Equipment	25%
Tools	20%
Infrastructure - Grids	4%
Infrastructure - Floodways	6%
Pavement	2.5%
Seal	6.7%
Curbing	2%
Other Infrastructure	2%



NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

**2. STATEMENT OF OBJECTIVE**

In order to discharge its responsibilities to the community, the Shire has developed a set of operational and financial objectives. These objectives have been established both on an overall basis and for each of its broad activities/programs.

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

**GENERAL PURPOSE FUNDING**

The reporting of the Shire's general rating income and the recognition of the Western Australian Grants Commission payment together with interest on investments and costs associated with the collection of funds.

**LAW, ORDER, PUBLIC SAFETY**

The reporting of income and expenditure involved in the supervision of fire prevention and animal control.

**HEALTH**

The reporting of income and expenditure involved with the administration with the Health Act.

**EDUCATION AND WELFARE**

Expenditure to assist in the education of the children and youth within the Shire.

**HOUSING**

Income and expenditure associated with the cost of providing housing to staff and others.

**COMMUNITY AMENITIES**

The reporting of expenditure involved in the provision of rubbish depot sites. This activity also includes expenditure on cemeteries.

**RECREATION AND CULTURE**

The reporting of income and expenditure associated with the Town Hall, library and recreation area, oval and reserves operated by Council.

**TRANSPORT**

The reporting of income and expenditure associated with the construction and maintenance of roads, grids and traffic signs together with the maintenance of Council's airstrip.

**ECONOMIC SERVICES**

The reporting of income and expenditure includes the operation of Council's caravan park and administration of the Building Code of Australia.

**OTHER PROPERTY & SERVICES**

Involves the expenditure and allocation of employee overheads and plant costs, also included is the accounting for private works, salary and wage reconciliation and other incomes and expenditures not included elsewhere.

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

## 3. ACQUISITION OF ASSETS

31-Mar 2012 Actual \$	2011/12 Adopted Budget \$
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The following assets have been acquired during the period under review:

**By Program****Governance**

Laptop computers	F	3,428	3,000
Chairs for Council Chambers	F	0	10,000
Relocate Council Chambers	B	0	100,000
Referbish Council Chambers	B	0	50,000
Computing Costs - Other	F	172	0

**Housing**

Purchase of Residence from GROH	B	0	197,250
Solar Hot Water Heaters	B	0	30,000
Security Screens	B	0	10,000
Tjuntjunjarra Housing - Power and Water Headworks	B	0	100,000
Upgrade Housing (Shenton and Wilson Asbestos and Drainage)	B	0	188,000

**Recreation and Culture**

Anzac Memorial Carryover	I	0	25,000
Waterpark carryover	I	0	400,000
Tjuntjunjarra Basketball Lighting	I	0	20,000
Town Oval Development - Menzies	I	0	50,000
Town Park Facilities	I	0	50,000
Menzies Walk Trail	I	45,611	0
Ride on Mower	P	0	13,200

**Transport**

Depot facilities	B	0	45,000
Main Street Upgrade - Carryover and reserves	I	569,220	1,163,894
Tjuntjunjarra upgrade - new Grant	I	0	1,000,000
Indigenous Access Roads WALGCC 11/12	R	0	117,981
RRG - Menzies Evanston 11/12	R	0	85,429
RRG - Menzies NW 11/12	R	0	82,290
RRG - Aboriginal Access 11/12	R	36,364	231,000
Niagara Dam Road	R	7,859	0
Gindalbie fencing	R	0	21,000
Purchase Reid Street Block behind truck bay	R	0	10,000
Grids - Kookynie Rd	R	0	50,000
Gravel Pit rehabilitation	R	0	200,000
Gregory St	R	0	150,000
Mercer St	R	0	100,000
Tjuntjunjarra - ConnieSue - Tropicana - New Grant	R	0	343,500
Florence St	R	0	250,000
Truck - 6 wheeler	P	0	251,350
Loader	P	0	267,000
Small Truck	P	0	70,000
Utility	P	0	30,000
Side Tipping Trailer	P	0	7,260

# SHIRE OF MENZIES

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

		31-Mar 2012 Actual \$	2011/12 Adopted Budget \$
<b>3. ACQUISITION OF ASSETS</b>			
<b>Economic Services</b>			
Post Office Restoration - New Grant	B	0	201,858
Railway Station & Post Office - Carryover	B	0	25,000
Lady Shenton Restoration	B	24,142	200,000
Butcher Shop - Carryover	B	9,099	38,000
Community Resource Centre	F	0	69,200
Lake Ballard Development - Lotterywest grant carryover	I	0	70,000
Caravan Park Upgrade	I	17,942	50,000
<b>Other Property and Services</b>			
Administration Server	F	0	25,000
CEO Vehicle	P	0	50,000
		<u>713,837</u>	<u>6,451,212</u>

### By Class

Land and Buildings	B	33,241	1,185,108
Infrastructure Assets - Roads	R	44,223	1,641,200
Infrastructure Assets - Other	I	632,773	2,828,894
Plant and Equipment	P	0	688,810
Furniture and Equipment	F	3,600	107,200
		<u>713,837</u>	<u>6,451,212</u>

## 4. DISPOSALS OF ASSETS

No assets have been disposed in the period under review.



## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

## 5. INFORMATION ON BORROWINGS

## (a) Debenture Repayments

Particulars	Principal 1-Jul-11	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Adopted Budget \$	Actual \$	Adopted Budget \$	Actual \$	Adopted Budget \$
Loan 17 Teachers Units	91,003	0	14,071	28,563	76,932	62,440	2,726	5,030
	91,003	0	14,071	28,563	76,932	62,440	2,726	5,030

All debenture repayments were financed by general purpose revenue.

## (b) New Debentures

No new debentures were drawn down during the period under review.

## SHIRE OF MENZIES

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

	31-Mar 2012 Actual \$	2011/12 Adopted Budget \$
<b>6. RESERVES</b>		
<b>Cash Backed Reserves</b>		
<b>(a) Leave Reserve</b>		
Opening Balance	148,163	148,163
Amount Set Aside / Transfer to Reserve	3,913	7,408
Amount Used / Transfer from Reserve	0	0
	<u>152,076</u>	<u>155,571</u>
<b>(b) Plant Reserve</b>		
Opening Balance	328,100	328,100
Amount Set Aside / Transfer to Reserve	8,666	16,405
Amount Used / Transfer from Reserve	0	(72,422)
	<u>336,766</u>	<u>272,083</u>
<b>(c) Building Reserve</b>		
Opening Balance	456,790	456,790
Amount Set Aside / Transfer to Reserve	12,065	22,840
Amount Used / Transfer from Reserve	0	(188,000)
	<u>468,855</u>	<u>291,630</u>
<b>(d) TV Reserve</b>		
Opening Balance	7,887	7,889
Amount Set Aside / Transfer to Reserve	208	394
Amount Used / Transfer from Reserve	0	0
	<u>8,095</u>	<u>8,283</u>
<b>(e) Road Reserve</b>		
Opening Balance	342,186	342,186
Amount Set Aside / Transfer to Reserve	9,038	17,109
Amount Used / Transfer from Reserve	0	0
	<u>351,224</u>	<u>359,295</u>
<b>Main Street Reserve</b>		
Opening Balance	709,871	709,871
Amount Set Aside / Transfer to Reserve	18,750	35,494
Amount Used / Transfer from Reserve	0	(745,365)
	<u>728,621</u>	<u>0</u>
<b>(g) Staff Amenities Reserve</b>		
Opening Balance	168,092	168,092
Amount Set Aside / Transfer to Reserve	4,440	8,405
Amount Used / Transfer from Reserve	0	0
	<u>172,532</u>	<u>176,497</u>
<b>(h) Caravan Park Reserve</b>		
Opening Balance	81,308	81,308
Amount Set Aside / Transfer to Reserve	2,149	4,065
Amount Used / Transfer from Reserve	0	0
	<u>83,457</u>	<u>85,373</u>

# SHIRE OF MENZIES

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

	31-Mar 2012 Actual \$	2011/12 Adopted Budget \$
<b>6. RESERVES</b>		
<b>Cash Backed Reserves</b>		
<b>(i) Rates Future Claims Reserve</b>		
Opening Balance	31,427	31,427
Amount Set Aside / Transfer to Reserve	830	1,571
Amount Used / Transfer from Reserve	0	0
	<u>32,257</u>	<u>32,998</u>
<b>(j) Bitumen Road Reserve</b>		
Opening Balance	119,399	119,397
Amount Set Aside / Transfer to Reserve	3,153	5,970
Amount Used / Transfer from Reserve	0	(125,367)
	<u>122,552</u>	<u>0</u>
<b>Total Cash Backed Reserves</b>	<u>2,456,435</u>	<u>1,381,730</u>

All of the above reserve accounts are supported by money held in financial institutions.



SHIRE OF MENZIES

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

	31-Mar 2012 Actual \$	2011/12 Adopted Budget \$
<b>6. RESERVES (Continued)</b>		
<b>Summary of Transfers To Cash Backed Reserves</b>		
<b>Transfers to Reserves</b>		
Leave Reserve	3,913	7,408
Plant Reserve	8,666	16,405
Building Reserve	12,065	22,840
TV Reserve	208	394
Road Reserve	9,038	17,109
Main Street Reserve	18,750	35,494
Staff Amenities Reserve	4,440	8,405
Caravan Park Reserve	2,149	4,065
Rates Future Claims Reserve	830	1,571
Bitumen Road Reserve	3,153	5,970
	<u>63,212</u>	<u>119,661</u>
<b>Transfers from Reserves</b>		
Leave Reserve	0	0
Plant Reserve	0	(72,422)
Building Reserve	0	(188,000)
TV Reserve	0	0
Road Reserve	0	0
Main Street Reserve	0	(745,365)
Staff Amenities Reserve	0	0
Caravan Park Reserve	0	0
Rates Future Claims Reserve	0	0
Bitumen Road Reserve	0	(125,367)
	<u>0</u>	<u>(1,131,154)</u>
<b>Total Transfer to/(from) Reserves</b>	<u>63,212</u>	<u>(1,011,493)</u>

**SHIRE OF MENZIES**  
**MONTHLY STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012**

**6. RESERVES (Continued)**

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Leave Reserve

- to be used to fund annual and long service leave requirements.

Plant Reserve

- to be used for the purchase of major plant.

Building Reserve

- to be used for the acquisition of future buildings and renovation of existing buildings.

TV Reserve

- to be used to fund upgrades to the rebroadcasting equipment.

Road Reserve

- to be used to fund major roadworks.

Main Street Reserve

- established for beautification of the main street.

Staff Amenities Reserve

- established for the purpose of providing staff housing and amenities.

Caravan Park Reserve

- established for the purpose of upgrading the caravan park.

Rates Future Claims Reserve

- established for future rates claims.

Bitumen Road Reserve

- established for the purpose of resealing established bitumen roads

None of the above reserves are expected to be used within a set period as further transfers to the reserve accounts are expected before funds are utilised.

The Rates Future Claims Reserve will be maintained until there are any claims made against Rate book credits.

**SHIRE OF MENZIES**

**NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY**

**FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012**

	<b>31-Mar 2012 Actual \$</b>	<b>Brought Forward 1-Jul \$</b>
<b>7. NET CURRENT ASSETS</b>		
<b>Composition of Estimated Net Current Asset Position</b>		
<b>CURRENT ASSETS</b>		
Cash - Unrestricted	1,987,760	1,517,277
Cash - Restricted	2,456,435	2,393,223
Receivables	3,010,895	1,669,982
Less: Provisin for Doubtful Debts	(827,843)	(827,843)
Inventories	<u>73,712</u>	<u>73,712</u>
	6,700,959	4,826,351
<b>LESS: CURRENT LIABILITIES</b>		
Payables and Provisions	<u>(234,960)</u>	<u>(126,593)</u>
	6,465,999	4,699,758
Less: Cash - Reserves - Restricted	<u>(2,456,435)</u>	<u>(2,393,223)</u>
<b>NET CURRENT ASSET POSITION</b>	<u><u>4,009,564</u></u>	<u><u>2,306,535</u></u>

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

8. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2011/12 Rate Revenue \$	2011/12 Interim Rates \$	2011/12 Back Rates \$	2011/12 Total Revenue \$	2011/12 Adopted Budget \$
<b>Differential General Rate</b>								
GRV Vacant	0.0614	3	13,208	811	0	0	811	811
GRV Residential	0.0614	21	97,968	6,015	0	0	6,015	6,015
GRV Commercial	0.0614	4	80,808	4,962	0	0	4,962	4,962
UV Pastoral/Kookynie	0.0212	19	1,199,249	25,424	0	0	25,424	25,424
UV Mining	0.1235	1,226	14,039,961	1,796,867	73,749	0	1,870,616	1,763,936
<b>Sub-Totals</b>		1,273	15,431,194	1,834,079	73,749	0	1,907,828	1,801,148
<b>Minimum Rates</b>								
GRV Vacant	200	103	16,280	20,600	0	0	20,600	20,600
GRV Residential	200	8	9,341	1,600	0	0	1,600	1,600
GRV Commercial	200	2	2,125	400	0	0	400	400
UV Pastoral	200	8	26,275	1,600	0	0	1,600	1,600
UV Other/Kookynie	200	29	79,500	5,800	0	0	5,800	5,800
UV Mining	200	571	435,969	114,200	0	0	114,200	113,600
<b>Sub-Totals</b>		721	569,490	144,200	0	0	144,200	143,600
Write-offs							2,052,028	1,944,748
Discounts							0	(50,000)
							(46,709)	(75,000)
<b>Totals</b>							2,005,319	1,819,748

All land except exempt land in the Shire of Menzies is rated according to its Gross Rental Value (GRV) in town sites or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above for the 2011/12 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

# SHIRE OF MENZIES

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2011 TO 31 MARCH 2012

### 9. TRUST FUNDS

Funds held at balance date over which the local government has no control and which are not included in this statement are as follows:

Detail	Balance 1-Jul-11 \$	Amounts Received \$	Amounts Paid (\$)	Balance 29-Feb-12 \$
Housing Bonds	3,800	250	(2,190)	1,860
Nomination Deposits	0	240	0	240
	3,800	490	(2,190)	2,100

# Balance Sheet

## Shire of Menzies

As At Period End: March  
2011/12

Page 1 of 2

	YTD Actual \$	Prior Year Actual \$
<b>Current Assets</b>		
Cash & Cash Equivalents	4,444,194.99	3,910,499.89
Trade & Other Receivables	2,137,065.61	842,139.13
Inventories	72,315.65	72,315.65
Investments	0.00	0.00
<b>Total</b>	<b>6,653,576.25</b>	<b>4,824,954.67</b>
<b>Non-Current Assets</b>		
Inventories	1,395.71	1,395.71
Other Receivables	(25,784.80)	(59,920.50)
Property, Plant & Equipment	4,224,289.20	4,523,032.70
Infrastructure	67,550,569.46	67,760,707.70
<b>Total</b>	<b>71,750,469.57</b>	<b>72,225,215.61</b>
<b>Total Assets</b>	<b>78,404,045.82</b>	<b>77,050,170.28</b>
<b>Current Liabilities</b>		
Trade & Other Payables	(163,187.39)	(66,673.63)
Provisions	(47,645.17)	(47,645.17)
Current Portion of Long Term Borrowings	(14,492.03)	(28,562.65)
<b>Total</b>	<b>(225,324.59)</b>	<b>(142,881.45)</b>
<b>Non-Current Liabilities</b>		
Trade & Other Payables	(76,260.67)	(76,260.67)
Provisions	(12,533.80)	(12,533.80)
Long Term Borrowings	(62,440.46)	(62,440.46)
<b>Total</b>	<b>(151,234.93)</b>	<b>(151,234.93)</b>
<b>Total Liabilities</b>	<b>(376,559.52)</b>	<b>(294,116.38)</b>
<b>Net Assets</b>	<b>78,027,486.30</b>	<b>76,756,053.90</b>
<b>Equity</b>		
Retained Surplus	(11,383,503.29)	(10,175,281.90)
Reserves - Cash Backed	(2,456,435.16)	(2,393,223.23)
Reserves - Asset Revaluation	(64,187,547.85)	(64,187,547.85)
<b>Total</b>	<b>(78,027,486.30)</b>	<b>(76,756,052.98)</b>



	YTD Actual \$	Prior Year Actual \$
<b>Total Equity</b>	<b>(78,027,486.30)</b>	<b>(76,756,052.98)</b>

# Income Statement By Nature or Type

## Shire of Menzies

As At Period End: March  
2011/12

Page 1 of 1

	Notes	YTD Actual \$	YTD Budget \$	Prior Year Actual \$
<b>Revenue From Ordinary Activities</b>				
Rates		2,004,307.39	1,894,748.00	1,853,488.08
Operating grants, subsidies and contributions		1,348,656.87	1,101,843.91	1,872,448.11
Non-Operating grants, subsidies and contributions		765,671.00	2,132,318.70	1,648,040.87
Profit on asset disposals		0.00	105,470.28	71,655.68
Fees and charges		199,753.07	125,402.31	177,484.56
Interest Earnings		183,037.31	177,601.50	179,145.52
Other Revenue		1,626.92	1,152.90	2,771.88
<b>Total</b>		<b>4,503,053</b>	<b>5,538,538</b>	<b>5,805,035</b>
<b>Expense From Ordinary Activities</b>				
Employee Costs		-882,610.57	-796,846.84	-1,020,737.02
Material and Contracts		-952,631.40	-1,449,834.41	-1,919,927.19
Utilities Charges		-43,303.47	-138,464.01	-95,251.86
Depreciation and Amortisation		-1,222,718.40	-1,163,626.92	-1,577,832.50
Loss on Asset Disposal		0.00	-8,120.25	-41,378.34
Insurance Expenses		-69,817.88	-81,144.81	-104,534.07
Other Expenditure		-58,003.81	-121,522.23	-607,184.46
<b>Total</b>		<b>(3,229,086)</b>	<b>(3,759,559)</b>	<b>(5,366,845)</b>
<b>Borrowing Costs Expense</b>				
Interest Expenses		-2,534.63	-7,934.70	-6,661.27
<b>Total</b>		<b>(2,535)</b>	<b>(7,935)</b>	<b>(6,661)</b>
<b>Net Result</b>		<b>1,271,432</b>	<b>1,771,043</b>	<b>431,528</b>

# Income Statement By Program

## Shire of Menzies

As At Period End: March  
2011/12

Page 1 of 1

	Notes	YTD Actual \$	YTD Budget \$	Prior Year Actual \$
<b>Revenue From Ordinary Activities</b>				
General Purpose Funding		3,430,629.11	3,323,884.64	4,162,822.71
Governance		14,756.62	2,004.57	6,073.82
Law, Order, Public Safety		6,061.00	18,791.73	35,778.28
Health		616.36	1,386.72	1,918.36
Education & Welfare		0.00	23,752.44	30,599.12
Housing		36,646.39	167,926.22	28,459.41
Community Amenities		11,668.61	5,830.65	7,628.04
Recreation And Culture		13,997.83	182,030.04	116,964.50
Transport		609,062.13	648,927.18	712,434.97
Economic Services		367,499.04	1,076,635.01	537,439.61
Other Property And Services		12,115.47	87,368.40	164,915.88
Suspense		0.00	0.00	0.00
<b>Total</b>		<b>4,503,053</b>	<b>5,538,538</b>	<b>5,805,035</b>
<b>Expense From Ordinary Activities</b>				
General Purpose Funding		-80,234.20	-80,708.94	-610,389.65
Governance		-161,785.05	-243,747.46	-158,046.51
Law, Order, Public Safety		-60,317.16	-62,303.56	-47,163.51
Health		-16,423.10	-13,954.05	-14,989.68
Education & Welfare		0.00	-31,050.00	-40,000.00
Housing		-20,147.29	-11,270.43	-36,148.54
Community Amenities		-100,774.61	-143,136.90	-279,806.73
Recreation And Culture		-117,183.30	-193,265.10	-329,880.25
Transport		-1,523,221.47	-1,960,315.92	-2,376,039.43
Economic Services		-818,365.53	-994,107.86	-932,845.61
Other Property And Services		-330,633.82	-25,699.25	-541,535.53
Transfer to Reserves		0.00	0.00	0.00
Suspense		0.00	0.00	0.00
<b>Total</b>		<b>(3,229,086)</b>	<b>(3,759,559)</b>	<b>(5,366,845)</b>
<b>Borrowing Costs Expense</b>				
General Purpose Funding		0.00	4.23	5.40
Health		190.91	0.00	0.00
Education & Welfare		0.00	-3,772.26	-6,666.67
Housing		-2,725.54	0.00	0.00
Economic Services		0.00	-4,166.67	0.00
Other Property And Services		0.00	0.00	0.00
<b>Total</b>		<b>(2,535)</b>	<b>(7,935)</b>	<b>(6,661)</b>
<b>Net Result</b>		<b>1,271,432</b>	<b>1,771,043</b>	<b>431,528</b>



Acting Chief Executive Officer  
Shire of Menzies  
Shenton Street  
Menzies WA 6436

**COMPILATION REPORT TO THE SHIRE OF MENZIES**

We have compiled the accompanying Local Government special purpose financial statements of the Shire of Menzies, which comprise the Statement of Financial Activity, a summary of significant accounting policies and other explanatory notes for the period ending 31 March 2012. The financial statements have been compiled to meet compliance with the Local Government Act 1995 and associated Regulations.

***The Responsibility of the Shire of Menzies***

The Shire of Menzies are solely responsible for the information contained in the special purpose financial statements and are responsible for the maintenance of an appropriate accounting system in accordance with the relevant legislation.

***Our Responsibility***

On the basis of information provided by the Shire of Menzies we have compiled the accompanying special purpose financial statements in accordance with the requirements of the Local Government Act 1995, associated Regulations and APES 315 *Compilation of Financial Information*.

Our procedures use accounting expertise to collect, classify and summarise the financial information, which the Shire of Menzies provided, in compiling the financial statements. Our procedures do not include verification or validation procedures. No audit or review has been performed and accordingly no assurance is expressed.

The Local Government special purpose financial statements were compiled exclusively for the benefit of the Shire of Menzies. We do not accept responsibility to any other person for the contents of the special purpose financial statements.

*UHY Haines Norton (WA) Pty Ltd.*

UHY Haines Norton (WA) Pty Ltd  
Chartered Accountants



Paul Breman  
Director

17 April 2012

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UHY Haines Norton (WA) Pty Ltd as trustee - ABN 99 433 544 961  
Liability limited by a scheme approved under Professional Standards Legislation

17 April 2012

Mr. Kim Hastie  
Acting Chief Executive Officer  
Shire of Menzies  
Shenton Street  
MENZIES WA 6436

Dear Mr. Hastie

**ACCOUNTING SERVICE INFORMATION REPORT FOR THE PERIOD ENDED 31 MARCH 2012**

We advise that we have completed the compilation of your Statutory Monthly Statement of Financial Activity for the month ended 31 March 2012 and enclose our Compilation Report and Statements.

We are required under APES 315 *Compilation of Financial Information* to report certain matters in our compilation report. Other matters which arise during the course of our compilation that we wish to bring to your attention are raised in this report.

It should be appreciated that our procedures are designed primarily to enable us to compile the monthly financial statements and therefore may not bring to light all weaknesses in systems and procedures, or all financial matters of interest to management and Council, which may exist. However, we aim to use our knowledge of the Shire's financial operations gained during our work to make comments and suggestions, which, we hope, will be useful to you.

**Financial Matters Noted**

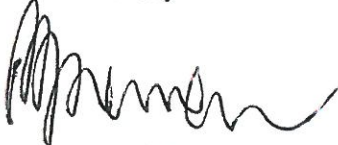
- The Shire's cash handling and banking procedures remain of concern and we note there is no municipal receipt numbers being allocated to monies received from the visitor centre.
- It is vital a daily count of money is undertaken and all monies accounted for, including banking (which should match receipts), petty cash (including vouchers and petty cash receipts) and the float/s with a responsible officer reviewing the count and verifying the reconciliation. Not receipting money into a bank account is considered a serious breach of control and Reg. 10 of the Local Government (Financial Management) Regulation 1996.
- A substantial under allocation of \$80,512 for Plant Operation Costs and \$102,571 for Public Works Overheads is apparent. It is recommended the actual allocations are reviewed as soon as possible. Please contact us to discuss progressing this matter.
- A provision for Doubtful Debts was raised at 30 June 2011 and we note the outstanding rates balance (not including credits) is currently at \$917,535 of a total debtor's outstanding amount before the provision of \$3,010,895. We recommend the Shire review these receivables and determine if they are collectable and commence debt collection procedures as soon as possible. If the debt is not collectable, you may consider actions to write these amounts off. If you require assistance with collection please contact us.
- An amount of \$76,261 exists as a liability in the balance sheet for unclaimed overpayment of rates which dates back some years. This liability is cash back by a reserve for this purpose. There has been no repayment of these funds during the period since its inception. We recommend this matter be reviewed.



- No movement in stock or materials has been recorded so far this financial year. We are concerned the stock allocation system is not being maintained and therefore stock usage is not being allocated to jobs per plant item. Please review and advise us if you require assistance in this area as soon as possible.
- On a related matter, we have not received Fuel Tax Credits advice since November 2011, and we have been advised that AITS (the company who calculates the fuel tax credits on Council's behalf) has not been informed of fuel purchases and usage. Please advise us if you require assistance in this area. ✓
- Leave accruals have been recalculated and we are awaiting confirmation of the balances prior to displaying the leave accruals on payslips again.
- The missing \$80 from the trust nominations from last September has still not been resolved. The deposit is still outstanding on the trust bank. Please advise what is being done to resolve these missing funds. ✓
- Our queries regarding sales from Artworks have not been addressed. ✗

Should you wish to discuss any matter relating to our service or any other matter, please do not hesitate to contact us.

Yours faithfully



PAUL BREMAN  
Director



SUBMISSION TO:	Ordinary Meeting of Council – 24th April 2012
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	A/2/6
DISCLOSURE OF INTEREST:	Nil
DATE:	18 <sup>th</sup> April 2012.
AUTHOR:	C McAllan, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Kim Hastie , Acting Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

**SUMMARY:**

To approve cheque numbers from 1941 to 7582 including direct debits and bank statement transfers totalling \$1,543,127.46 as presented for payment in terms of the submitted lists.

**BACKGROUND:**

This report is a standard mandatory requirement.

**COMMENT:**

**CONSULTATION:**

Ms.Mandy Wynne UHY Haines Norton.

**STATUTORY ENVIRONMENT:**

Local Government (Financial Management Regulations 1996 Regulation 13

**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.]*

**POLICY IMPLICATIONS:**

Nil

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*

- a) *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.*
- b) *To approve of the Deputy CEO (Carol McAllan) to become a signatory to the Shire Bank Accounts in the absence of the incumbent CEO, and where all current Councillors will be signatories to sign cheques conjointly with either the Deputy CEO or the CEO when the value exceeds \$15,000.00 and where "Any Two Councillors can Sign on the Shire Account conjointly for any Sum"*

**FINANCIAL IMPLICATIONS:**

Nil

**VOTING REQUIREMENTS:**

Simple Majority required

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION No: 137**

MOVED Cr: I.R. Tucker

SECONDED Cr: J.A. Dwyer

That Council approve cheque numbers from 1941 to 7582 including direct debits and bank statement transfers totalling \$1,543,127.46 as presented for payment in terms of the submitted lists.

**Carried 5/0**



# Creditor Monthly Payments Shire of Menzies

For the period:

1/03/2012 to 31/03/2012

Date	Peri	Num	Name	Memo	Amount
23/03/2012	9	001941	Tai Shing Diary Australia		211.37
8/03/2012	9	001997	Westscheme		109.53
8/03/2012	9	001998	Colonial First State Superannuation	Employer Super Guarantee Contribution	311.61
8/03/2012	9	001999	WALGS	Employer Super Guarantee Contribution	2,881.81
14/03/2012	9	002000	Bunnings Group Limited		129.77
14/03/2012	9	002001	Courier Australia		104.81
14/03/2012	9	002001	Courier Australia		104.81
14/03/2012	9	002002	Dell Australia		464.20
14/03/2012	9	002002	Dell Australia		464.20
14/03/2012	9	002003	Dwyer, Jill		310.00
14/03/2012	9	002003	Dwyer, Jill		310.00
14/03/2012	9	002004	Eagle Petroleum (WA) Pty Ltd		7,694.50
14/03/2012	9	002004	Eagle Petroleum (WA) Pty Ltd		7,694.50
14/03/2012	9	002005	Garry Miller Grading Contracting Pty Ltd		39,105.00
14/03/2012	9	002005	Garry Miller Grading Contracting Pty Ltd		39,105.00
14/03/2012	9	002006	Heron Resources Ltd		2,029.38
14/03/2012	9	002006	Heron Resources Ltd		2,029.38
14/03/2012	9	002007	McAllan, Carol		212.70
14/03/2012	9	002007	McAllan, Carol		212.70
14/03/2012	9	002008	Menzies Hotel		383.06
14/03/2012	9	002008	Menzies Hotel		383.06
14/03/2012	9	002009	Municipal Employees Union		17.40
14/03/2012	9	002009	Municipal Employees Union		17.40
14/03/2012	9	002010	Seeley Auto Electrical Pty Ltd		1,279.75
14/03/2012	9	002010	Seeley Auto Electrical Pty Ltd		1,279.75
14/03/2012	9	002011	Stationery Plus		205.55
14/03/2012	9	002011	Stationery Plus		205.55
14/03/2012	9	002012	Telstra		45.00
14/03/2012	9	002012	Telstra		45.00
14/03/2012	9	002013	Tucker, Cr Ian		190.00
14/03/2012	9	002013	Tucker, Cr Ian		190.00
14/03/2012	9	002014	Department of Transport Payment		48.60



14/03/2012	9	002014	Cancelled Cheque	Department of Transport Payment		
14/03/2012	9	002015	Cheque	Robyn McCarthy		\$ -
14/03/2012	9	002015	Cancelled Cheque	Robyn McCarthy		\$ 48.60
14/03/2012	9	002016	Cheque	Q'Lee Bandry		\$ 200.92
14/03/2012	9	002016	Cancelled Cheque	Q'Lee Bandry		\$ 200.92
14/03/2012	9	002017	Cheque	Crescent Gold Ltd		\$ 150.00
14/03/2012	9	002017	Cancelled Cheque	Crescent Gold Ltd		\$ 150.00
14/03/2012	9	002018	Cheque	Internickel Australia Pty Ltd Mining		\$ 301.26
14/03/2012	9	002018	Cancelled Cheque	Internickel Australia Pty Ltd Mining		\$ 301.26
14/03/2012	9	002019	Cheque	Coopers Carpet Cleaning		\$ 630.42
14/03/2012	9	002019	Cancelled Cheque	Coopers Carpet Cleaning		\$ 630.42
14/03/2012	9	002020	Cheque	Desert Fox Resources		\$ 530.00
14/03/2012	9	002020	Cancelled Cheque	Desert Fox Resources		\$ 530.00
14/03/2012	9	002021	Cheque	Kim Hastie		\$ 133.55
14/03/2012	9	002021	Cancelled Cheque	Kim Hastie		\$ 133.55
14/03/2012	9	002022	Cheque	Goldfields Party Hire		\$ 22.00
14/03/2012	9	002022	Cancelled Cheque	Goldfields Party Hire		\$ 22.00
14/03/2012	9	002023	Cheque	Outback Energy Supply		\$ 1,458.40
14/03/2012	9	002023	Cancelled Cheque	Outback Energy Supply		\$ 1,458.40
14/03/2012	9	002024	Cheque	Central West Resources		\$ 89.85
14/03/2012	9	002024	Cancelled Cheque	Central West Resources		\$ 89.85
14/03/2012	9	002025	Cheque	Beacon Minerals		\$ 160.77
14/03/2012	9	002025	Cancelled Cheque	Beacon Minerals		\$ 160.77
14/03/2012	9	007502	Cheque	Courier Australia	Freight from WA Local	\$ 462.10
14/03/2012	9	007503	Cheque	Dell Australia	Dell Toner Cartridges	\$ 462.10
14/03/2012	9	007504	Cheque	Dwyer, Jill	28/2/12 Council Meeting & Communications	\$ 104.81
14/03/2012	9	007505	Cheque	Eagle Petroleum (WA) Pty Ltd	Diesel	\$ 464.20
14/03/2012	9	007506	Cheque	Garry Miller Grading Contracting Pty Ltd	Grader Hire	\$ 310.00
14/03/2012	9	007507	Cheque	Heron Resources Ltd	Rates refund on many properties	\$ 7,694.50
14/03/2012	9	007508	Cheque	McAllan, Carol	Reimbursed Dwyer flight	\$ 39,105.00
14/03/2012	9	007509	Cheque	Menzies Hotel	Drinks for Xmas Do	\$ 2,029.38
14/03/2012	9	007510	Cheque	Municipal Employees Union	Municipal Employees Union	\$ 212.70
14/03/2012	9	007511	Cheque	Seeley Auto Electrical Pty Ltd	Repairs to P0124 Isuzu, P0138 Trailer & P0129. Glc	\$ 383.06
14/03/2012	9	007512	Cheque	Stationery Plus	Stationery Items	\$ 17.40
14/03/2012	9	007513	Cheque	Telstra	Mobile 0147159706	\$ 1,279.75
14/03/2012	9	007514	Cheque	Tucker, Cr Ian	28/2/12 Council Meeting	\$ 205.55
14/03/2012	9	007515	Cheque	Department of Transport Payment	MN980 12 month licence	\$ 45.00
14/03/2012	9	007516	Cheque	Robyn McCarthy	Refund of overpayment of Debtors account	\$ 190.00
14/03/2012	9	007517	Cheque	Q'Lee Bandry	Christmas Lights Competition Winner 2010	\$ 48.60
14/03/2012	9	007518	Cheque	Crescent Gold Ltd	Rates Refund - Property ID 1079	\$ 200.92
						\$ 150.00
						\$ 301.26



14/03/2012	9	Cheque	007519	Internicke' Australia Pty Ltd Mining	Rates Refund	\$	630.42
14/03/2012	9	Cheque	007520	Coopers Carpet Cleaning	Carpet cleaning Unslow, Wilson, Walsh	\$	530.00
14/03/2012	9	Cheque	007521	Desert Fox Resources	Rates Refund Prop ID 4237	\$	133.55
14/03/2012	9	Cheque	007522	Kim Hastie	Reimbursement	\$	22.00
14/03/2012	9	Cheque	007523	Goldfields Party Hire	Party Goods for Christmas	\$	1,458.40
14/03/2012	9	Cheque	007524	Outback Energy Supply	12v 7A/H NP7-12 4.7mm	\$	89.85
14/03/2012	9	Cheque	007525	Central West Resources	Refund on Prop ID 4239 & 4183	\$	160.77
14/03/2012	9	Cheque	007526	Beacon Minerals	Refund on Rates	\$	462.10
14/03/2012	9	Cheque	007527	Australian Tax Office	Withholding Tax (PAYG)	\$	15,464.00
22/03/2012	9	Cheque	007528	AMP Superannuation	Employer Super Guarantee Contribution	\$	619.39
22/03/2012	9	Cheque	007529	Colonial First State Superannuation	Employer Super Guarantee Contribution	\$	324.78
22/03/2012	9	Cheque	007530	WALGS	Employer Super Guarantee Contribution	\$	2,961.85
22/03/2012	9	Cheque	007531	Westscheme	Employer Super Guarantee Contribution	\$	146.26
22/03/2012	9	Cheque	007532	Municipal Employees Union	Municipal Employees Union	\$	17.40
23/03/2012	9	Cheque	007533	Water Corporation	Annual Charges Caravan Park	\$	94.85
23/03/2012	9	Cheque	007536	City of Kalgoorlie Boulder	GVROC Dinner	\$	34.48
23/03/2012	9	Cheque	007537	Abco	Cleaning Supplies	\$	380.56
23/03/2012	9	Cheque	007538	Bunnings Group Limited	Concrete. Fuel cans and lattice	\$	1,057.83
23/03/2012	9	Cheque	007539	Courier Australia	Freight	\$	171.92
23/03/2012	9	Cheque	007540	Department Housing and Works	Rent 13/02/2012-11-03/2011	\$	2,240.00
23/03/2012	9	Cheque	007541	Department of Transport and Licensing	Licence MN857	\$	52.15
23/03/2012	9	Cheque	007542	Dwyer, G	Travel and meeting fees	\$	5,193.24
23/03/2012	9	Cheque	007543	Dwyer, Jill	Audit Finance Meeting and Travel	\$	261.62
23/03/2012	9	Cheque	007544	Eagle Petroleum (WA) Pty Ltd	ULP	\$	448.51
23/03/2012	9	Cheque	007545	Esplanade Hotel Fremantle		\$	1,305.55
28/03/2012	9	Cancelled Cheque	007545	Esplanade Hotel Fremantle		\$	1,305.55
23/03/2012	9	Cheque	007546	Goldfields Locksmith	Locks and keying change	\$	756.21
23/03/2012	9	Cheque	007547	Goldline Distributors	Food, cups amenities	\$	565.54
23/03/2012	9	Cheque	007548	Haines Norton Pty Ltd	Rates Comparison Report	\$	198.00
23/03/2012	9	Cheque	007549	Horizon Power	Power	\$	8,529.97
23/03/2012	9	Cheque	007550	Jason Signmakers	Signs for Depot & footwear	\$	224.40
23/03/2012	9	Cheque	007551	Landgate	Land enquiries	\$	1,968.00
23/03/2012	9	Cheque	007552	Menzies Hotel		\$	337.90
23/03/2012	9	Cheque	007553	Office National	Mouse and Folders Foolsap	\$	59.11
23/03/2012	9	Cheque	007554	Paupiyala Tjarutja Aboriginal Corp.	Tjun tjun community event	\$	8,437.68
23/03/2012	9	Cheque	007555	Purchase, Keith	Feb and March fees	\$	470.00
23/03/2012	9	Cheque	007556	Shire of Leonora	Health and Building 13-24 feb	\$	1,524.46
23/03/2012	9	Cheque	007557	Shire of Menzies.	Stamps	\$	132.00
23/03/2012	9	Cheque	007558	Telstra	1211846210	\$	857.62
23/03/2012	9	Cheque	007559	Tucker, Cr Ian	Meeting fees March	\$	210.00

23/03/2012	9	Cheque	007560	Western Australian Local Government	Advertising hire plant	1,063.43
23/03/2012	9	Cheque	007561	McAllan, John		41.14
23/03/2012	9	Cancelled Cheque	007561	McAllan, John		41.14
23/03/2012	9	Cheque	007562	Zipform	Cheques Print	1,778.82
23/03/2012	9	Cheque	007563	Caltex Energy WA		191.35
23/03/2012	9	Cheque	007564	Goldrush Tours GRT Express	188528 - GREEN (1CO-1CF - 73378	22.10
23/03/2012	9	Cheque	007565	Pivotel Satellite Pty Limited	Satellite	140.00
23/03/2012	9	Cheque	007566	CPS	Wear Parts - tooth, lock and pins	440.00
23/03/2012	9	Cheque	007567	Howson Technical	Site visits period ending March 2	14,107.50
23/03/2012	9	Cheque	007568	Cardno Spectrum Survey	Site Survey Shenton St	3,080.00
23/03/2012	9	Cheque	007569	Goldfields Septic Disposals	Pump out and flush tank	2,475.00
23/03/2012	9	Cheque	007570	Willweld Pty Ltd	as per quote	8,349.00
23/03/2012	9	Cheque	007571	First Strategic Development Corp Ltd	Refund of Overpaid Rates	23.63
23/03/2012	9	Cheque	007572	Peak Resources	Rate Refund Props 3562-9	1,152.33
23/03/2012	9	Cheque	007573	Colleagues Print solutions	Purchase Books	795.00
23/03/2012	9	Cheque	007574	McLeods Barristers and Solicitors	Legal Advice	1,727.88
23/03/2012	9	Cheque	007575	Squire Sanders	Professional Fees Minter Allison	2,499.97
23/03/2012	9	Cheque	007576	Tai Shing Diary Australia	LGMA Quarto	211.37
23/03/2012	9	Cheque	007577	McAllan, John	Refund for goods brought at	62.32
23/03/2012	9	Cheque	007577	McAllan, John	re-entered	62.32
23/03/2012	9	Cheque	007577	McAllan, John	Refund for cleaning materials 160 Onslow	62.32
23/03/2012	9	Cheque	007577	McAllan, John	Refund for Cleaning materials 160	62.32
28/03/2012	9	Cheque	007578	Esplanade River Suites	Accommodation Kim Hastie & G Dwyer	1,305.55
29/03/2012	9	Cheque	007579	Peter J Twigg C Bennell, D Hansen	Refund of Nomination Deposit	80.00
29/03/2012	9	Cheque	007582	Midas Resources	Refund Overpaid Rates E39/01352	261.89
1/03/2012	9	\$APJNL		NAB	Merchant fees	66.90
5/03/2012	9	\$APJNL		Westnet	Westnet internet	90.75
13/03/2012	9	\$APJNL		NAB	Stop payment fee	15.00
13/03/2012	9	\$APJNL		Golden Quest	MV lease Golden Quest	1,249.73
26/03/2012	9	\$APJNL		Australia Post	Australia Post account	495.91
27/03/2012	9	\$APJNL		NAB	NAB connect fee	20.00
28/03/2012	9	\$APJNL		NAB	Stop payment fees	15.00
27/03/2012	9	\$APJNL		Star Track	Star track commissions	7.92
30/03/2012	9	\$APJNL		NAB	Account fees	94.90
5/03/2012	9	\$APJNL		NAB	Pay Credit Card	1,106.19
30/03/2012	9	\$APJNL		NAB	Merchant Fees	45.71
23/03/2012	9	\$JOURNAL		NAB	Transfer to Term Deposit (3 x Accounts)	1,350,000.00
23/03/2012	9	\$HRPAYJNL		Employees	Payroll week ending 23/3/12	21,660.53
9/03/2012	9	\$HRPAYJNL		Employees	Payroll week ending 09/3/12	15,114.52



**Total    \$ 1,543,127.46**

The following schedule of accounts has been paid under delegation, by the Chief Executive Officer from 1/03/2012 to 31/03/2012. Cheques numbered **from 001941 to 007582, and Direct Transactions** totalling **\$1,543,127.46** submitted to each member of the Council on **Tuesday, 24 April, 2012** have been checked and are fully supported by vouchers and duly certified invoices with checks being carried out as to prices, computations and costing.

Printed: 17/04/2012 by PAULA.SANDS

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### 9.3 DISCOUNT ON ANNUAL RATES

SUBMISSION TO:	Ordinary Meeting of Council – 24 <sup>th</sup> April 2012
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	Nil
DATE:	13 <sup>th</sup> April 2012.
AUTHOR:	Carol McAllan, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Kim Hastie, Acting Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

#### SUMMARY:

To consider the need to allow a discount for payment of rates by the due date.

#### BACKGROUND:

Council presently allows a 5% discount on Annual Rates which are paid by the due date.

This is to encourage ratepayers to pay their rates on time.

A lot of Shire of Menzies Annual rates are on mining tenements. If a client pays his/her rates within the due date and only pays the discounted amount, then everything is fine.

#### COMMENT:

We have had a lot of instances where this discount is causing us to have to refund quite a bit of money. If a client pays their rates within the due date but pays the full amount instead of the discounted amount, then this causes some problems.

The credit for the full amount is recorded to bring the balance to zero, then the discount is applied which puts the balance in to credit. When another interim is recorded, especially if it is a credit, or an amount less than the discount amount, this increases the credit and the client requests a refund. Rates refunds are time consuming as each notice has to have a letter from the client, a printout of the charges and a cheque requisition.

It is common knowledge that no other company except for Local Government offers a discount to pay your account on time. If you owe the money, you pay it, if you don't pay on time you get charged interest.

#### CONSULTATION:

Acting Chief Executive Officer

#### STATUTORY ENVIRONMENT:

Section 6.46 Local Government Act

#### 6.46. Discounts

*Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may, when imposing a rate or service charge, resolve\* to grant a discount or other incentive for the early payment of any rate or service charge.*

*\* Absolute majority required.*

#### POLICY IMPLICATIONS:

Policy No: 3.4

*Policy No. 3.4 – DISCOUNT ON RATES*

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

*It is Council policy that when a discount is allowed for early payment of rates, ratepayers that post their payments prior to the end of the discount period be allowed the discount. The Chief Executive Officer is to assess the postmarks that are retained to ensure that decisions to allow the discount, in accordance with this policy, cannot be disputed.*

**FINANCIAL IMPLICATIONS:**

There is currently a budget of (\$75,000) in budget code M A0321 1017 for Rates-Discount

**VOTING REQUIREMENTS:**

Absolute Majority required

<b>OFFICER RECOMMENDATION/COUNCIL RESOLUTION No: 138</b>
----------------------------------------------------------

MOVED Cr J.A. Dwyer

SECONDED Cr C. Bennell

That the Council discontinue the practice of giving a discount on payment of rates

**Carried 4/1**

Cr. I.R. Tucker wishes to be recorded as voting against.

Mr. Bret Howson enters chambers at 11.43.

#### 9.4 2011/12 PLANT REPLACEMENT PROGRAM

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council – 17 <sup>th</sup> April 2012.
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	Nil
<b>FILE REF:</b>	P/5/3
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	13 <sup>TH</sup> April 2012
<b>AUTHOR:</b>	Bret Howson, Project Manager (Consultant)
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	Kim Hastie, Acting Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

#### **SUMMARY:**

This item is to have the Council endorse the modifications to the 2011/12 financial year's plant replacement program.

#### **BACKGROUND:**

The 2011/12 Plant replacement program shows:

- Ride-on Mower - \$13,200 (trade \$4,000)
- 6wheeler truck - \$251,350 (trade \$100,000)
- Frontend Loader - \$267,000 (trade \$80,000)
- Gardeners Truck - \$70,000 (trade \$25,000)
- Depot Utility - \$30,000 (trade \$7,000)
- Side Tipper trailer - \$7,260?
- CEO Vehicle - \$50,000 (trade \$20,000)

TOTAL \$688,810 (trade \$216,000) \$472,810 balance required

Council Officers will be recommending the following program:

- Ride-on Mower - \$13,200 (trade \$4,000)
- 8wheeler truck - \$280,000 (trade \$100,000)
- Frontend Loader - \$300,000 (trade \$80,000)
- MWS Vehicle - \$60,000
- Two (2) axle dolly - \$20,000 (\$10,000)
- Trade/Sell 3axle Side tipper trailer (\$40,000)
- Trade/Sell Depot dual cab utility - (\$7,000)
- Trade/Sell Graders single cab utility - (\$7,000)
- Trade/Sell 12H Caterpillar Grader (\$150,000)

TOTAL \$673,200 (trade \$398,000) \$275,200 balance required

#### **COMMENT:**

The following is the assessment and recommendation for each item for the Council to consider:

- Ride-on Mower – Currently due for replacement for age and machine hours, \$13,200 (trade \$4,000)
- 8wheeler truck – The Shire currently owns a 6 wheel side tipper truck. It is recommended to trade the existing 6 wheel tipper, and replace with an 8 wheel tipper with same side tipping configuration. This will allow greater capacity and ability to tow the float trailer, \$280,000 (trade \$100,000)



- Frontend Loader – The Shire's current Komatsu loader (~2m<sup>3</sup> bucket) is due to replacement. The recommendation is that the Council trades this loader and replaces with a larger loader (~3.5m<sup>3</sup> bucket) for greater efficiency when loading trucks and trailers. \$300,000 (trade \$80,000)
- Manager Works and Services Vehicle - Purchased Toyota Prado with Council resolution in March – (\$60,000)
- Trade/Sell tri-axle dolly – Current tri-axle dolly does not fit under float trailer and too large for other shire equipment. It is recommended to trade or sell this item and replace with 2 axle dolly trailer to be able to tow float trailer behind 8 wheel truck. \$20,000 (\$10,000)
- Trade/Sell 3axle Side tipper trailer – If the Council endorses the replacement of the tri-axle dolly with a 2 axle dolly, then the truck can tow the semi side tipper trailer, giving greater capacity and efficiency. (\$30,000)
- Sell Depot dual cab utility – This vehicle is a general depot/gardeners utility, however is the officer opinion that it is surplus to needs of the depot workforce as the gardeners mostly uses the actual gardeners truck, (\$7,000)
- Sell Graders single cab utility – This vehicle is due to replacement, however with the purchase of the MWS vehicle, this vehicle becomes surplus to needs of the depot workforce (\$7,000)
- Sell 12H Caterpillar Grader – The Shire current owns a newer 120M grader and only has one grader operator. Given that the Shire has recently awarded multi-year panel contracts for grading services, it is the officer's opinion that having 2 graders is surplus to the needs of the Shire. (\$150,000)

#### **CONSULTATION:**

Shire officer has consulted with supplier to obtain estimated trade value for the recommended plant program.

#### **STATUTORY ENVIRONMENT:**

Legally a Local Government, as a public body, has the responsibility to follow the appropriate processes and to treat all tenderers fairly. The terms and conditions set out in this contract is the standard WALGA contract document and imply that the Shire of Menzies has acted legally and fairly to all tenderers in this case.

Section 3.57(1) of the Local Government Act 1995 requires a Local Government to invites tenders before it enters into a contract for a purchase of a prescribed kind, however Part 4 (Provision of Goods and Services) of the Local Government (Functions and General) Regulations 1996, Regulation 11 states this is only required for purchases worth more than \$100,000 unless Council have delegated otherwise.

Regulation 11 (2), (b) allows exclusion for Local Government from the obligations to tender if the supply of goods or services is obtained through the Council Purchasing service of WALGA. The supply of all recommended plant item in this report are available through the WALGA Preferred Contracts Panel. Shire officers will seek 3 quotations for each item of plant listed in the recommendation from this service.

#### **POLICY IMPLICATIONS:**

There are no known policy implications at the time of preparing this report.



**FINANCIAL IMPLICATIONS:**

The officer's recommendation requires an estimated \$673,200 allocated to purchases, approximately \$398,000 in trade or market value in return, therefore requiring \$275,200 to be transferred from the Council's plant reserve account.

As of 29<sup>th</sup> February 2012 the cash balance of the Shire's Plant Reserve account is \$336,766

**VOTING REQUIREMENTS:**

Absolute Majority

<b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION No: 139</b>
------------------------------------------------------------

MOVED: Cr I.R. Tucker

SECONDED: Cr P.J. Twigg

That the Council approve the recommendations of the Audit / Finance Committee to

**1. That Council endorse the 2011/12 plant replacement program to be as follows:**

- Purchase New
  - a. Ride-on Mower
  - b. 8wheeler truck
  - c. Frontend Loader
  - d. 2 axle dolly
- Trade for above new purchases
  - a. Trade/Sell ride on mower
  - b. Trade/Sell 6 wheel side tipper truck
  - c. Trade/Sell tri-axle dolly
  - d. Trade/Sell 3axle Side tipper trailer
- Sell outright by public Tender
  - a. Sell Depot dual cab utility
  - b. Sell Graders single cab utility
  - c. Sell 12H Caterpillar Grader

**2. That Council transfer \$275,200 from the Plant Reserve account for the above program.**

**Carried 5/0**

At this juncture the President directed the meeting to agenda items 9.6 to 9.10 while Mr Howson was in the chamber.

Mr. Peter Crawford enters chambers at 1.44pm.

Acting CEO Kim Hastie declared a financial interest in the following item.

Council requested that Kim Hastie remain in chambers for this item.

Deputy CEO Carol McAllan vacates chambers at 1.45pm.

## 9.5 RECRUITMENT OF CHIEF EXECUTIVE OFFICER

As this is a confidential staff matter it is appropriate and recommended that Council discuss the item behind closed doors.

Moved Cr J. Dwyer

Seconded Councillor I. Tucker

That Council go behind closed doors to consider this item.

Carried 5/0

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council – 24 <sup>th</sup> April 2012.
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	The Acting Chief Executive Officer declares a financial interest in this matter as it will impact upon his employment tenure with the Shire of Menzies.
<b>DATE:</b>	20 <sup>th</sup> April 2012
<b>AUTHOR:</b>	Kim Hastie, Acting Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	Kim Hastie, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

### SUMMARY:

The Shire President and the Acting Chief Executive Officer will brief Council as to progress on this matter.

### BACKGROUND:

The Council has been attempting to recruit a CEO for several months, including two advertising and interviewing processes, but without success.

Recently a former CEO of the Shire of Menzies, Mr Peter Crawford, came to the notice of the Council as being very interested in the position. Mr Crawford subsequently submitted his Resume which Council reviewed at the March 2012 meeting in discussion with Mr Crawford. Council was impressed with Mr Crawford and keen to progress the matter further.

Following the discussion at the March 2012 Council meeting further enquiries were made in regard to referees and salary packaging.

Considerable discussion, by the A/CEO and Shire President, with the Salaries and Allowances Tribunal, resulted in a package being consolidated that could be offered to someone of Mr Crawford's standing and reputation in the local government sector. It was particularly important that this agreement with SAT was achieved as we are in a transition phase regarding the SAT issuing determinations rather than recommendations in regard to local government CEO packages.

### COMMENT:

It was particularly important that matters with the SAT were resolved prior to any offer being made to Mr Crawford (or in fact any applicant) as if Council had offered a package that was outside the SAT determination then the Council would be in breach of the new regulations.

A draft contract has been circulated to Councillors for review. Included in the draft contract is the Position Description together with the Performance Criteria.

Also included in the draft contract, in several clauses, is the expression "*The Council (or, if the Council so resolves, the President) ...*" This expression relates to an approval required before the CEO can perform a task.

Normally one employee has one superior. For the CEO to have to report to the Council on each occasion that these approvals are required will be quite administratively cumbersome.

Accordingly it is recommended that Council authorise the President to approve these processes where applicable in the contract. If Council determines as such the President still retains the right to refer a particular matter to Council if he/she so determines.

#### **CONSULTATION:**

Shire President and Councillors.

#### **STATUTORY ENVIRONMENT:**

The Local Government Act requires in regard to the employment of a CEO:-

##### ***5.36. Local government employees***

- (1) A local government is to employ —
  - (a) a person to be the CEO of the local government

- (2) A person is not to be employed in the position of CEO unless the council —
  - (a) believes that the person is suitably qualified for the position; and
  - (b) is satisfied\* with the provisions of the proposed employment contract.

*\* Absolute majority required.*

Additionally a CEO is to be employed under a contract for a period not exceeding five years.

The contract of employment is to contain:-

##### ***5.39. Contracts for CEO and senior employees***

- (1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.

- (1a) Despite subsection (1) —
  - (a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting; and
  - (b) a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract.

- (2) A contract under this section —
  - (a) in the case of an acting or temporary position, cannot be for a term exceeding one year;
  - (b) in every other case, cannot be for a term exceeding 5 years.

- (3) A contract under this section is of no effect unless —
  - (a) the expiry date is specified in the contract;
  - (b) there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and



- (c) any other matter that has been prescribed as a matter to be included in the contract has been included.
- (4) A contract under this section is to be renewable and subject to subsection (5), may be varied.
- (5) A provision in, or condition of, an agreement or arrangement has no effect if it purports to affect the application of any provision of this section.
- (6) Nothing in subsection (2) or (3)(a) prevents a contract for a period that is within the limits set out in subsection 2(a) or (b) from being terminated within that period on the happening of an event specified in the contract.

**POLICY IMPLICATIONS:**

N/A

**FINANCIAL IMPLICATIONS:**

The costs of employing all staff are factored into each annual budget.

**VOTING REQUIREMENTS:**

Simple majority for recommendations 1 and 3.

Absolute majority for recommendation 2.

2.20pm Mr Crawford left the Chamber

<b>OFFICER RECOMMENDATION/COUNCIL RESOLUTION No: 145</b>
----------------------------------------------------------

1 MOVED Cr J Dwyer

SECONDED Cr I Tucker

That Council accept a late application for the position of Chief Executive Officer from Mr N P Crawford.

**Carried 5/0**

2 MOVED Cr P Twigg

SECONDED Cr J Dwyer

That Council resolve by absolute majority that Council:-

- a) Is of the belief that Mr N P Crawford is suitably qualified for the position of Chief Executive Officer;
- b) Is satisfied with the provisions of the proposed employment contract;
- c) Offer Mr N P Crawford a four year employment contract, based on the draft contract distributed to Councillors, to commence duty on a date to be determined with the Shire President; and
- d) Authorise the Shire President and the Acting CEO to seal and sign the employment contract with Mr Crawford.

**Carried 5/0**

3 MOVED Cr J Dwyer

SECONDED Cr I Tucker

That Council resolve that where stated in the employment contract "or if the Council so resolves, the President" is stated then that authority be given to the President.

**Carried 5/0**

That Council come out from behind closed doors.

**Carried 5/0**

The Shire President directed the meeting to item 10 on the agenda.

<b>No: 9.6 TENDER 03/11 HIRE OF PLANT AND SERVICES – TWO (2) YEAR PANEL CONTRACT – USE OF COMMON SEAL</b>
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<b>SUBMISSION TO:</b>	Ordinary Meeting of Council- 24 <sup>TH</sup> April 2012
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	Tender 3/11
<b>DISCLOSURE OF INTEREST:</b>	The author has no interest to disclose in this item
<b>DATE:</b>	20 <sup>th</sup> April 2012
<b>AUTHOR:</b>	Bret Howson, Project Manager, (Consultant)
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	Kim Hastie, Acting Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

This Item is to obtain the Council's endorsement to use the Common Seal for the execution of the contract documents for Tender 03/11 the Hire of Plant and Services –Two (2) Year Panel Contract

**BACKGROUND:**

At the March 2012 Ordinary meeting of Council it was resolved to award specific items of Tender 03/11 to the following contractors:

- Ilkurlka Aboriginal Corporation, Kalgoorlie WA
- Sherrin Rentals, Welshpool WA
- Gary Miller Grading Contracting, Menzies WA
- Hampton Transport Services, Kalgoorlie WA
- Zarzal Pty Ltd (Ashley Johns), Busselton WA

**COMMENT:**

This item has been prepared to ensure the contract documents are executed in line the Council Policy No: 2.9, which has a formal Council resolution for the use of the Common Seal. Council Officers are still in the process of obtaining certificates of insurances and signatures from the successful tenderers. Once all certificates and signatures are obtained, then the Chief Executive Officer will sign the contract documents and use the Common Seal as per Policy No: 2.9.

**CONSULTATION:**

Acting Chief Executive Officer, L.P. Strugnell

**STATUTORY ENVIRONMENT:**

**POLICY IMPLICATIONS:**

Compliance with Council Policy No: 2.9 for the use of the Common Seal will ensure the contract document and legal and binding.

***Policy No. 2.9 - COMMON SEAL, AGREEMENTS AND LEGAL DOCUMENTS***

*\* Originally adopted 17<sup>th</sup> July 2008*

- a) All agreements, legal documents, title deeds and Vesting / Management Orders are to be securely stored and an appropriate register maintained with adequate details being recorded to clearly identify each item listed.*
- b) The CEO is to have charge over the Common Seal and is responsible for the Safe Custody and proper use of it.*
- c) The Common Seal may only be used when a resolution of council approves it for execution of documentation and / or agreements.*
- d) The CEO is to maintain a register to record every time the Common Seal is affixed to a document.*

**FINANCIAL IMPLICATIONS:**

There are no known financial implications with this item at the time the report was prepared.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICERS RECOMMENDATION – COUNCIL RESOLUTION No: 140**

MOVED Cr: J.A. Dwyer

SECONDED Cr: C. Bennell

That the Council allows the use of the Common Seal as per Policy No 2.9 for the execution of the contract documents for Tender 03/11 the Hire of Plant and Services – Two (2) Year Panel Contract

**Carried 5/0**



**No: 9.7 TENDER 04/11 ROAD SEALING SERVICES – TWO (2) YEAR PANEL CONTRACT – USE OF COMMON SEAL.**

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council – 24 <sup>TH</sup> April 2012
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	Tender 04/11
<b>DISCLOSURE OF INTEREST:</b>	The author has no interest to disclose in this item
<b>DATE:</b>	20 <sup>th</sup> April 2012
<b>AUTHOR:</b>	Bret Howson, Project Manager, (Consultant)
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	Kim Hastie, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

This Item is to obtain the Council's endorsement to use the Common Seal for the execution of the contract documents for Tender 04/11 the Supply of Road Sealing Services – Two (2) Year Panel Contract.

**BACKGROUND:**

At the March 2012 Ordinary meeting of Council it was resolved to award specific items of Tender 04/11 to the following contractors:

- Total Asphalt, Kalgoorlie WA
- RnR Contracting P/L, Guildford WA
- Boral Resources (WA) P/L, Welshpool WA

**COMMENT:**

This item has been prepared to ensure the contract documents are executed in line the Council Policy No: 2.9, which has a formal Council resolution for the use of the Common Seal. Council Officers are still in the process of obtaining certificates of insurances and signatures from the successful tenderers. Once all certificates and signatures are obtained, then the Chief Executive Officer will sign the contract documents and use the Common Seal as per Policy No: 2.9.

**CONSULTATION:**

Acting Chief Executive Officer, L.P. Strugnell.

**STATUTORY ENVIRONMENT:**

Nil

**POLICY IMPLICATIONS:**

Compliance with Council Policy No: 2.9 for the use of the Common Seal will ensure the contract document and legal and binding.

*Policy No. 2.9 - COMMON SEAL, AGREEMENTS AND LEGAL DOCUMENTS*

*\* Originally adopted 17<sup>th</sup> July 2008*

- a) *All agreements, legal documents, title deeds and Vesting / Management Orders are to be securely stored and an appropriate register maintained with adequate details being recorded to clearly identify each item listed.*
- b) *The CEO is to have charge over the Common Seal and is responsible for the Safe Custody and proper use of it.*
- c) *The Common Seal may only be used when a resolution of council approves it for execution of documentation and / or agreements.*
- d) *The CEO is to maintain a register to record every time the Common Seal is affixed to a document.*

**FINANCIAL IMPLICATIONS:**

There are no known financial implications with this item at the time the report was prepared.

**VOTING REQUIREMENTS:**

Simple Majority.

<b>OFFICERS RECOMMENDATION – COUNCIL RESOLUTION No: 141</b>
-------------------------------------------------------------

MOVED: Cr I.R. Tucker

SECONDED: Cr P.J. Twigg

That the Council allows the use of the Common Seal as per Policy No 2.9 for the execution of the contract documents for Tender 04/11 the Supply of Road Sealing Services – Two (2) Year Panel Contract.

**Carried 5/0**

SUBMISSION TO:	Ordinary Meeting of Council – 24 <sup>TH</sup> April 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	Tender 5/11
DISCLOSURE OF INTEREST:	The author has no interest to disclose in this item
DATE:	20 <sup>th</sup> April 2012
AUTHOR:	Bret Howson, Project Manager, (Consultant)
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Kim Hastie, Acting Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

**SUMMARY:**

This Item is to obtain the Council's endorsement to use the Common Seal for the execution of the contract documents for Tender 05/11 The Design and Construction of Two (2) Evaporation Basins.

**BACKGROUND:**

At the March 2012 Ordinary meeting of Council it was resolved to award Tender 05/11 to Yarnell Civil and Mining, Midland.

**COMMENT:**

This item has been prepared to ensure the contract documents are executed in line the Council Policy No: 2.9, which has a formal Council resolution for the use of the Common Seal. Council Officers are still in the process of obtaining certificates of insurances and signatures from the successful tenderers. Once all certificates and signatures are obtained, then the Chief Executive Officer will sign the contract documents and use the Common Seal as per Policy No: 2.9.

**CONSULTATION:**

Acting Chief Executive Officer, L.P. Strugnell

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

Compliance with Council Policy No: 2.9 for the use of the Common Seal will ensure the contract document and legal and binding.

***Policy No. 2.9 - COMMON SEAL, AGREEMENTS AND LEGAL DOCUMENTS***

*\* Originally adopted 17<sup>th</sup> July 2008*

- a) All agreements, legal documents, title deeds and Vesting / Management Orders are to be securely stored and an appropriate register maintained with adequate details being recorded to clearly identify each item listed.*
- b) The CEO is to have charge over the Common Seal and is responsible for the Safe Custody and proper use of it.*

- c) *The Common Seal may only be used when a resolution of council approves it for execution of documentation and / or agreements.*
- d) *The CEO is to maintain a register to record every time the Common Seal is affixed to a document.*

**FINANCIAL IMPLICATIONS:**

There are no known financial implications with this item at the time the report was prepared.

**VOTING REQUIREMENTS:**

Simple Majority.

<b>OFFICERS RECOMMENDATION – COUNCIL RESOLUTION No: 142</b>
-------------------------------------------------------------

MOVED Cr: J.A. Dwyer

SECONDED: Cr I.R. Tucker

That the Council allows the use of the Common Seal as per Policy No 2.9 for the execution of the contract documents for Tender 05/11 The Design and Construction of Two (2) Evaporation Basins.

**Carried 5/0**



SUBMISSION TO:	Ordinary Meeting of Council – 24 <sup>TH</sup> April 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	R/6/5.12
DISCLOSURE OF INTEREST:	The author has no interest to disclose in this item
DATE:	20 <sup>th</sup> April 2012
AUTHOR:	Bret Howson, Project Manager, (Consultant)
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Kim Hastie, Acting Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

**SUMMARY:**

This item is to obtain the Council's endorsement of the works for the 2011/12 financial year for the Menzies Mainstreet Project.

**BACKGROUND:**

The Menzies Mainstreet Projects runs from Florence Street to Wilson Street and involves the street scaping of the roads and paths in this area. The Council recently completed the installation of underground power and street lighting.

**COMMENT:**

The proposal for this financial year is to repair the footpaths after the underground power project resulted in unrepaired trenches and uneven surfaces on both sides of the road in this area.

Council officers have assessed the site and will be recommending that the entire area of footpath be replaced. The damage to the brown asphalt surface in most cases will require removal of the surrounding material to ensure new works are on even compacted surfaces.

Unfortunately the removal of poor asphalt will result in a majority of the current asphalt being removed, combined with the new asphalt will not be the same colouring as the existing asphalt, is the reason for the officer's recommendation of removing all of the asphalt and relaying new asphalt from the building or property line to the existing kerbing.

Another consideration assessed by Council officers was that the repair work was mostly going to be "hand" work or manually laid asphalt due to the small and irregular shaped areas. It would be more economical to lay full width with a machine, so the price for repairs would likely exceed the price for full replacement.

At this stage the Shire does not have the capacity to complete this work in house, so quotes will be called from suitable contractors for the removal of the existing asphalt and preparation of the surface ready for new asphalt.

The recent tender award for the sealing services allows the council to use Boral Resources for the supply and lay of brown asphalt.

It is proposed to commence works (with the Council's endorsement) in May 2012 to be complete before the Menzies Cycling event in June 2012.

**CONSULTATION:**

Consultation was held with the Council at a walk through the mainstreet in January.

**STATUTORY ENVIRONMENT:**

There are no known statutory implications at the time of preparing this report.

**POLICY IMPLICATIONS:**

There are no known policy implications at the time of preparing this report.

**FINANCIAL IMPLICATIONS:**

Council staff have measured the areas of works and put forward the following estimate of works:

- Removal of existing asphalt footpaths and preparation of the surface for new asphalt - \$55,000
- Supply and lay of new brown asphalt footpaths - \$259,200
- Repairs for water erosion to Lot 29 (Shire units) - \$20,000
- TOTAL Project Estimate - \$334,200

It will be the officer's recommendation that the Council made a project allowance of \$350,000 for the mainstreet works in 2011/12; this will require a transfer from the Council's Mainstreet reserve account.

As of 29<sup>th</sup> February 2012 the cash balance of the Shire's Mainstreet Reserve account is \$728,621

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICERS RECOMMENDATION – COUNCIL RESOLUTION No: 143**

MOVED Cr:

SECONDED Cr :

1 That the Council endorse the 2011/12 works on the Menzies Mainstreet Project to be as follows:

- Removal of existing asphalt footpaths and preparation of the surface for new asphalt
- Supply and lay of new brown asphalt footpaths
- Repairs for water erosion to Lot 29 (Shire units)

2 That Council transfer \$350,000 from the Mainstreet Reserve account for the above program.

Deputy CEO Carol McAllan vacates chambers at 12.29pm

Deputy CEO Carol McAllan returns to chambers at 12.35pm

**COUNCIL RESOLUTION**

MOVED Cr P Twigg

SECONDED Cr J A Dwyer

That the matter be deferred to allow for community consultation regarding the option of using brick paving on the footpaths.

**Carried 5/0**

In not adopting the officer recommendation at this point Council was of the view that given the Cyclclassic weekend in early June was approaching this would be a good opportunity to arrange for a display of brick pavers, as an option to asphalt, and gauge community input as to the preferred option.

**COUNCIL RESOLUTION**

12.40PM

MOVED: Cr. I.R Tucker

SECONDED: Cr. J.A. Dwyer

That Council adjourn the meeting for lunch.

At this juncture Cr Twigg advised that he needed to relocate to Albany WA during the lunch adjournment and would ring in once established at a new location.

The President re-convened the meeting at 1.20pm with all previous attendees, except Cr. P.J. Twigg, in attendance.



SUBMISSION TO:	Ordinary Meeting of Council – 24 <sup>TH</sup> April 2012
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	R/5/4
DISCLOSURE OF INTEREST:	The author has no interest to disclose in this item
DATE:	20 <sup>th</sup> April 2012
AUTHOR:	Bret Howson, Project Manager, (Consultant)
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Kim Hastie, Acting Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

**SUMMARY:**

This item is to obtain the Council's endorsement to claim the outstanding funding from the Roads to Recovery Program for the 2009/10, 2010/11 and 2011/12 financial years and allocate to the Menzies Northwest Road (Sandstone Road) for gravel reheeting.

**BACKGROUND:**

The Roads to Recovery Program falls under the Department of Transport's Nation Building Program which provides unmatched funding to assist national, regional economic and social development aimed at improving the performance of land transport infrastructure.

The current program runs from 2009/10 to 2013/14.

**COMMENT:**

The Shire of Menzies has an allocation of \$2,161,352 for this round of funding; however the Shire had been suspended from the Road to Recovery program for breach of the Nation Building Act which is the legislation which governs this funding allocation. Not correcting this breach has resulted in the suspension of the full amount above.

The current Council staff has spent considerable effort resolving the Shire's breach which occurred in 2010. The breach revolves around the Nation Building Act's requirements for a Council to maintain its own level of expenditure on roads each year, which needs to be proven with an independently audited annual financial report.

In 2009/10 Council did not maintain its level of own expenditure therefore breaching the Act.

The breach was compounded by failure to complete the 2009/10 financial report, and not returning correspondence, emails or phone calls from the Roads to Recovery office in Canberra.

This resulted in the Shire of Menzies suspension from the program and the funding.

In the past few weeks, the Shire of Menzies has been reinstated to the Road to Recovery program on the following conditions:

- *Resolves the breach as mentioned above regarding reduction in level of own expenditure in 2009/10.*
- *Completes and returns an audited annual financial return for 2009/10 financial year*
- *Completes and returns an audited annual financial return for 2010/11 financial year*
- *Claims all outstanding funds due to the Shire of Menzies and spends them before June 30<sup>th</sup> 2012.*
- *Does all of the above before 30<sup>th</sup> April 2012.*

Whilst the above conditions seem like a considerable task, it is the officer's recommendation that these are achievable. The following program is recommended for Council endorsement.

1. In regards to the breach of expenditure, seeing as the Council was suspended from the Road to Recovery Program, it has only been spending its own funding for the past two years, therefore by this default it is likely that the Council has made up for the reduction



in own funding expenditure in 2009/10. Figures collected by the Council staff show this is likely, however this will be confirmed following the auditors reports.

2. The 2009/10 Road to Recovery annual return has been complete and is currently with the Council's auditor
3. The 2010/11 Roads to Recovery annual return has been complete and is currently with the Council's auditor
4. It is recommended that the Council Officers claim all outstanding funding from the Road to Recovery Program and allocate them to gravel resheeting the Menzies Northwest Road (Sandstone Road) this financial year.

It should be pointed out to the Council, that the information used to resolve the Roads to Recovery breach was only the information available at the time. The records of previous expenditure did contain unanswerable questions (related to how the 2009/10 and 2010/11 annual budgets were prepared) and required a small level of assumption to be made. If the above 4 points are confirmed as mentioned, then the Shire of Menzies will be reinstated to the Roads to Recovery program. If final auditing proves the Shire of Menzies did not make up expenditure for the breach, then this will result in prosecution under Nation Building Act.

This Act is not clear as to any penalty for prosecution; however will result in returning funding that has been previously claimed.

#### **CONSULTATION:**

Consultation was held with Alan Chisholm and Stan Marks from the Roads to Recovery Office in Canberra and also Haines Norton, the Shire of Menzies accountants.

#### **STATUTORY ENVIRONMENT:**

The Roads to Recovery funding is governed by the Nation Building Program (National Land Transport) Act 2009.

#### **POLICY IMPLICATIONS:**

There are no known policy implications at the time of preparing this report.

#### **FINANCIAL IMPLICATIONS:**

At the time of this report the outstanding funding due to the Shire of Menzies is \$864,540. It is the officer's recommendation that the full amount of outstanding Roads to Recovery funding be claimed and allocated to the Menzies Northwest Road (Sandstone Road).

#### **VOTING REQUIREMENTS:**

Absolute Majority.

At this juncture Cr Twigg re-established audio contact with the meeting.

#### **COUNCIL RESOLUTION**

Moved Cr I Tucker

Seconded Cr J Dwyer

That Council, in accordance with Administration Regulation 14A, authorise by absolute majority the attendance by Cr P Twigg at this meeting by simultaneous audio contact on the basis that he is in a suitable place being within the town site of Albany WA.

**Carried 4/0**

MOVED: Cr I.R Tucker

SECONDED Cr J.A Dwyer

1. That the Council claim all outstanding funding from the Road to Recovery Program and allocate the full amount to gravel resheeting the Menzies Northwest Road (Sandstone Road) this financial year, 2011/12.

**Carried 5/0**

MOVED: Cr. J.A. Dwyer

SECONDED: Cr. P.J. Twigg

That Mr Bret Howson be congratulated on his significant efforts in retrieving the Roads to Recovery situation for the Shire of Menzies.

**Carried 5/0**

- 1.40pm. Mr Bret Howson vacated the chamber and the Shire President directed the meeting back to agenda item 9.5.

**10. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**10.1 ELECTED MEMBERS MOTIONS WITH PREVIOUS NOTICE**

Nil.

**10.2 CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS**

Nil.

**11 REPORTS OF COUNCILLORS AND STAFF**

*Cr. C. Bennell: Nil*

*Cr Dwyer J: Nil*

*Cr. P.J. Twigg: Nil*

*Cr. I.R. Tucker: Raised the matter of members meeting fees. The A/CEO advised that there will be a report in the next round of meetings. Cr Tucker also queried the progress on his refund of travel expenses relating to his recent Departmental course in Perth. The A/CEO advised that the matter would be dealt with in the near future.*

*Cr. G. Dwyer: Nil.*

*Chief Executive Officer: Nil.*

**12. NEXT MEETING / MEETING CLOSURE**

The next Ordinary Meeting of Council will be held on Tuesday 22<sup>nd</sup> May 2012 at Tjuntjuntjara.

There being no further business to discuss, the President declared the meeting closed at 3.05pm.