



MINUTES

ORDINARY COUNCIL MEETING

The Menzies Council Chambers, Shenton Street Menzies
Thursday October 28th, 2010
Commencing At 9.10am

SHIRE OF MENZIES



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SHIRE OF MENZIES

**ORDINARY COUNCIL MEETING
OCTOBER 28TH, 2010**

In the Shire Council Chambers in Shenton St Menzies commencing at 9.10 am

MINUTES

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President (Cr. Gregory Dwyer) declared the meeting open, welcoming the attendees and proceeds with the agenda as planned

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

Attendance:

Councillors	Cr Gregory Dwyer	President
	Cr Greg Stubbs	Deputy President
	Cr Kevin Pusey	Councillor
	Cr Ian Tucker	Councillor
	Cr Aileen Kelly	Councillor
	Cr Jill Dwyer	Councillor
	Cr Lloyd Lansdown	Councillor
Staff:	Mr Brian Seale	Chief Executive Officer
	Ms Carol McAllan	Deputy Chief Executive Officer
Visitors:	Mr. Jim Pianto	(from 9-10 am)
	Mrs Christine Nellis	(from 9.29 am.)
	Mr Bradden Corlett	(from 4-17 pm)
	Mrs Helen Bullock	(from 5-07 pm)

3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.

Cr. G. Stubbs declared an interest in item 9.20

Cr. J. Dwyer requested a leave of absence for November, December, January and February meetings.

Cr. L. Lansdown may be absent from November meeting.

6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

- 7.1 Confirmation of the Previous Minutes of the Extra-Ordinary Council held September 7th, 2010 as presented be adopted.

Moved: Cr. A. Kelly

Seconded: Cr. J. Dwyer

Carried 7/0

- 7.2 Confirmation of the Minutes of the ordinary Council held September 23^d, 2010 as presented, be adopted.

Moved: Cr. A. Kelly

Seconded: Cr. J. Dwyer

Carried 7/0

QUESTIONS ON NOTICE.

- 8.2 Questions on Notice

Nil

TABLE OF CONTENTS

- 9.1 Financial Statements and Reports to August 31st, 2010
- 9.2 Accounts for Payment to August 31st, 2010.
- 9.3 Financial Statements and Reports to September 30th, 2010
- 9.4 Accounts for Payment to September 30th, 2010.
- 9.5 Truck Bay Assembly Area
- 9.6 Tea-Rooms and Burcher Shop Revision for Budget Purposes
- 9.7 Replacement Vehicle for the Works Supervisor.
- 9.8 Purchase of Land for Business Purposes
- 9.9 Kookynie School Building Premises Purchase.
- 9.10 Tjuntjuntjara Status Report
- 9.11 Solar Heating for 2011/12
- 9.12 Councillor Training Opportunities
- 9.13 Request for Rate Dispensation – Ron Andrei
- 9.14 Stage Left – Lighting Bar and Patch Panel
- 9.15 Christmas arrangements, Admin Closure, December meeting, Annual Function
- 9.16 Provision of an Economic Development Strategy for the Future of Menzies
- 9.17 Depot Vehicle
- 9.18 Use, Modification and Rental for the Former Police Station Building
- 9.19 Grants Commission Visit – November 25th, 2010.
- 9.20 Menzies Outback Rodeo Event - 2010
- 9.21 Staff Housing Project Design.
- 9.22 Dog Impounding Fees.
- 9.23 Basketball Court lights
- 9.24 Bronze Busts Concept
- 9.25 Tender Number 5/11 – Supply of front –End Loader
- 9.26 Aged Rate Debtor Report for September 2010.
- 9.27 Purchase of Diesel Fuel Tank and Trailer
- 9.28 Position Description Form for the C.D.O.
- 9.29 Business Development Proposal. Reserve number 5109
- 9.30 Menzies Classic Cycle Race
- 9.31 Extension/Renewal/Conclusion of the C.E.O.'s Contract

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

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

We have experienced some difficulties with the production of the Financial Reports for the end of May and with Mandy Wynne from the Haines Norton group being absent may have contributed to this delay.

Accordingly, at the time of writing the item for the September meeting the reports were not available and Council rightfully deferred attention of the item until the October meeting.

CONSULTATION:

Ms Mandy Wynne, Haines Norton. Reporting on Financial Activity

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996 Regulation 34

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.1

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

That the Financial Statements and Reports to the statements to August 31st, 2010 as presented be adopted.

Carried 7/0

9.2 ACCOUNTS FOR PAYMENT TO AUGUST 31ST, 2010 .

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

Cheque numbers from 306 to 421 including direct debits and bank statement transfers totalling \$339,917-55 are presented for payment as per the submitted lists.

COMMENT:

CONSULTATION:

Ms Mandy Wynne, Haines Norton.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 Regulation 13, 34

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).

FINANCIAL IMPLICATIONS: Reduction to the Municipal Fund Balance

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.2

MOVED Cr. A. Kelly

SECONDED Cr J. Dwyer

To approve cheque numbers from 306 to 421 including direct debits and bank statement transfers totalling \$339,917-55 as presented for payment in terms of the submitted lists.

Carried 7/0

Mrs. Christine Nelis enters chambers at 9.29 am.

9.3 FINANCIAL STATEMENTS AND REPORTS TO SEPTEMBER 30TH, 2010

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

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) is a rates report and a report on reserves funds

We have experienced some difficulties with the production of the Financial Reports for the end of May and with Mandy Wynne from the Haines Norton group being absent may have contributed to this delay.

Accordingly, at the time of writing this item, the reports were not available and we are hopeful of receiving these so these can be prepared for inclusion on the agenda and the Haines Norton group have assured this office that this will occur.

CONSULTATION:

Ms Mandy Wynne, Haines Norton. Reporting on Financial Activity

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996 Regulation 34

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.3

MOVED Cr. A. Kelly

SECONDED Cr. J. Dwyer

That the Financial Statements and Reports to the statements to September 30th, 2010 as presented be adopted.

Carried 7/0

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28 th , 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

Cheque numbers 422 to 492 and 7314, including direct debits and bank statement transfers totalling \$532,517-25 are presented for payment as per the submitted list.

COMMENT:

CONSULTATION:

Ms Mandy Wynne, Haines Norton.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 Regulation 13, 34

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).

FINANCIAL IMPLICATIONS:

Reduction to the Municipal Fund Balance

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.4

MOVED Cr. A. Kelly

SECONDED Cr. G. Stubbs

To approve Cheque numbers 422 to 492 and 7314, including direct debits and bank statement transfers totalling \$532,517-25 are presented for payment as per the submitted list.

Carried 7/0

CEO Vacates chambers at 10.16am
CEO Returns to chambers at 10.18am

9.8 PURCHASE OF LAND FOR BUSINESS PURPOSES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the proposal as presented to Council for the acquisition of land for the purpose of business development in the town-site for an accommodation facility, with a Bird and Reptile park as an additional/ancillary business.

BACKGROUND:

The proponent's application is appended for council consideration with three options, as follows in order of preference:

1. The block of residential land constituting forty lots (including a section of Reid Street), bounded by Shenton, Archibald Wilson and Mercer Streets, which incorporates the current truck bay assembly area.
2. The block of thirty four lots (including a section of Archibald Street), bounded by Corlis, Reid, Shenton and Wilson Streets, which incorporates the current Truck bay assembly area.
3. The block of twenty residential lots as bounded by Archibald, Reid, Shenton and Wilson Street, which is currently the area utilized as the Truck Bay assembly area.

COMMENT:

Council addressed the area presently utilized as the truck bay at item 5 previously in this agenda.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

There has been no costs or revenues captured in the current budget for this purpose.

VOTING REQUIREMENTS:

Simple Majority required

MOVED Cr A. Kelly

SECONDED Cr I. Tucker

To approve in principle the proposal as presented to Council for the acquisition of land for the purpose of business development in the town-site for an accommodation facility, with a Bird and Reptile park as an additional/ancillary business, in terms of the proposal as attached (Option 1).

“Carried 7/0”

Mrs. Christine Nelis vacates chambers at 10.46am.

9.5 TRUCK BAY ASSEMBLY AREA

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the facilities of the Truck Assembly area in terms of dust suppression, ablutions, access and egress as presented in terms of the attached data.

BACKGROUND:

This long standing issue has been protracted as a result of concerns expressed by the Planning commission in considering an approval for this facility in such close proximity to residential housing. As such the Shire proposal was declined, subject to further advices as to alternatives, one of which was to consider relocating the facility approximately 200 metres further North of the present site which then impacts on the Air-Field location.

COMMENT:

Furthermore, the health issues resulting from the drivers utilizing the scant bush available as a toilet is most untenable and then justifies urgent consideration to the provision of a transportable; ablution.

Quotes for the provision of this facility are appended approximating the sum of \$20,000, though delivery, installation and power need inclusion. Given the cost associated with the provision of Power and water, it is felt that a "Stand alone" facility with a sealed vault arrangement with a water tank would suit the circumstances as it could be removed and retained by council, if at any time the Main Roads office refuse approval or demand the facility be removed.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.5

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To approve the facilities of the Truck Assembly area in terms of dust suppression by the provision of appropriate aggregate, ablutions, access and egress as presented in terms of the attached data, with quotes attached with budget provision of \$50,000 to be applied in the 2011/12 budget year.

Carried 7/0

9.6 TEA ROOMS AND BUTCHER'S SHOP BUDGET VARIATION

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	Thursday 28th October, 2010
AUTHOR:	Justin Lee, Community Development Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider a budget variation as required for the final stage of restoration works, which would bring to completion the butcher's shop and tearooms project. Any further work, such as fit-out, would be determined by the future use of the buildings, which is yet to be determined by Council.

BACKGROUND:

The butcher's shop and tearooms were in a very poor state of disrepair prior to works commencing in April 2009. David Johns (builder) had requested consideration be given to unknown costs that may arise during works in progress because of the state of decay of the building.

Works completed so far have included:

- Installation of external & internal steel structure to support both walls & ceilings
- Repair parapet walls
- Reconstruction of back southern & western walls
- Re-sheet roof and all box gutters
- Installation of sub-floor steel structure and steel support to cellar
- New Jarrah floorboards through-out
- Remove external door frames and replace with new jarrah frames & doors
- Remove shopfronts for future restoration
- Repair & re-instate butcher's shop counter (*not yet complete*)

To bring the project to completion the following scope of works is provided:

- Refurbish, rebuild and re-instate the shopfronts
- Repair ripple iron ceilings
- Remove hardi flex ceilings and replace with ripple iron
- Re-instate skylight
- New scotias around all ceilings
- Repair major cracks to internal diving wall
- Tooth out and replace fretting bricks on northern wall at ground level
- Repair and render façade above verandah with same mouldings
- Install new flashing on façade over verandah

The price for the above works is \$38,999. (See attachment for quote provided.)

Still to be finalised:

- Glass to shopfronts (to be measured on site)
- Marble top to butcher's shop counter

Estimate for these works is at \$20,000

COMMENT:

The officer recommends reducing the budget allocation assigned to the 'former' Post Office restoration by \$50,000 from \$250,000 to \$200,000 and increasing the budget allocation for the restoration works to the Butcher's Shop & Tearooms to \$150,000. John's family builders are ready to recommence works on Monday 8th November.

A grant application is in progress with Lottery West to support the 'former' Post Office restoration works.

CONSULTATION:

Chief Executive Officer, David Johns (Builder)

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

Budget allocation for 2010/2011 was \$100,000. A revised budget allocation of \$150,000 is required to bring the project to finalisation.

Lottery West contribution received: \$85,600 (not budgeted for in 2010/2011)

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION	ITEM 9.6
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MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To proceed with the final stage of works to the Butcher's Shop and Tearooms with a revised and increased budget allocation of \$50,000 to a new total budget limit of \$150,000, with a revision from the 'former' Post Office restoration budget allocation from \$250,000 being reduced to \$200,000 in the 2010/2011 financial year, in terms of the attached data as presented.

Carried 7/0

9.7 REPLACEMENT VEHICLE FOR WORKS SUPERVISOR.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 22nd, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the proposed replacement vehicle for the Works Supervisor, as submitted.

Funds have been allocated in this budget for this purpose and where the incumbent is requesting consideration to the replacement being a "Dual; Cab" utility for the purposes of practicality in the capacity to cart plant and equipment.

BACKGROUND:

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

Whilst not a policy of council per se', the purchase of plant has been made clear by council that although purchases may be less than the Statutory threshold of \$100,000 the council wish to be involved in the decision making process. Accordingly, this item is raised to highlight the request from the Works Supervisor to purchase a dual cab utility and if the concept is approved, then tender processes can proceed.

FINANCIAL IMPLICATIONS:

\$30,000 has been allocated for this purpose, where the changeover as proposed is approximately \$20,000

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.7

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To approve the concept of the proposed replacement vehicle for the Works Supervisor, as submitted, where funds have been allocated in this budget for this purpose and where the council consideration to the replacement vehicle being a "Dual; Cab" utility for the purposes of practicality is sought and where a tender for this purpose is to be advertised with submissions to be presented to the November meeting for resolution.

Carried 7/0

Cr. G. Dwyer and Cr. J. Dwyer declare a proximity interest in this item, and where Council agreed to permit both councillors to remain in the chambers. Cr. Greg Stubbs assumes the role of Chairman of the meeting..

9.9 KOOKYNIE SCHOOL BUILDING PURCHASE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	OCTOBER 28TH, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the purchase of the Kookynie School building premises as being presented for sale at \$36,000.

BACKGROUND:

This item was raised at the June meeting and deferred for further consideration as it seems the price is negotiable and Council may be interested in acquiring this location. This item was again submitted to the September meeting, though deferred to the October meeting as it seems two public consultation submissions were omitted in error which we understand supported the acquisition, though Council is now in receipt of two additional submissions opposing the acquisition, albeit received after the closing time, nevertheless they represent the views of the community. Thus the status quo remains, with largely a tied vote with a divided community view presented in this matter.

CONSULTATION

Contact was made with the owner Eddie Mc Kenzie 0429-374 560 for the June meeting and also attempts were made on July 3rd, 2010, where a negotiated figure of \$36,000 was determined. Furthermore, the September meeting called for a report from a Valuer, builder and Building surveyor. At date, these have not been received, though we are hopeful of being in receipt by October 28th, 2010 for presentation at the meeting (or earlier, if received.)

Copies of the previous items are appended to assist council in this deliberation.

I am given to understand that some vandalism has recently occurred on the premises.

STATUTORY ENVIRONMENT:	Not Applicable
POLICY IMPLICATIONS:	Not Applicable
FINANCIAL IMPLICATIONS:	\$40,000 in Budget Provision will be required, if approved.
VOTING REQUIREMENTS:	Simple Majority required

MOVED Cr I. Tucker

SECONDED Cr. A. Kelly

To Decline the opportunity to purchase the former Kookynie School premises as offered at \$36,000.00, as proposed at this time, subject to suitable budget provision being made to accommodate this purchase.

Carried 5/0

11-40 am.Cr. Dwyer (G.) Resumes the role of Chairman of the meeting

9.10 TJUNTJUNTJARA COMMUNITY STATUS REPORT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the contents of the attached report as reflecting the views and comments made at a meeting on Tuesday June 22nd, 2010 relative to the Tjuntjuntjara community and to identify support for these comments, to consider including this report format in the Council monthly agenda as a method of ensuring Council is kept regularly informed of the progress being made by the administration in fulfilling the comments made.

BACKGROUND:

Whilst President Dwyer was in attendance at the meeting, as were Cr's Dwyer (J) and Kelly also in attendance, the Council has not been given prior opportunity to comment on this proposal and President Dwyer has not approved of this provision as he has not yet been asked to consider this aspect.

COMMENT:

Contact with the Operations Manager (Gordon Jacob) confirmed a strong willingness and support for the council to cooperate with this office.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.10

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To approve of the contents of the attached Status report as reflecting the views and comments made at a meeting on Tuesday June 22nd, 2010 relative to the Tjuntjuntjara community and to identify support for these comments, as advised and modified in terms of advises provided to the CEO during the meeting and to approve of including this report format in the Council monthly agenda as a method of ensuring Council is kept regularly informed of the progress being made by the administration in fulfilling the comments made relative to this community.

Carried 7/0

9.11 SOLAR HEATING FOR SHIRE OWNED RESIDENCES.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th,2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the provision of solar heating for shire owned premises, with a budget recommendation of \$30,000 be applied to the 2011/12 year, as proposed in the attached schedule of submission.

BACKGROUND:

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

\$30,000 required in 2011/12

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.11

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To approve of the conversion of the heating facilities the provision of solar heating for shire owned premises, with a budget recommendation of \$30,000 to be applied to the 2011/12 year, as proposed in the attached schedule of submission.

Carried 4/3

9.12 ELECTED MEMBER TRAINING.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider training opportunities for elected members, if required, as presented in the attached schedule.

BACKGROUND:

Whilst this item has been presented previously, elected members were unable to attend at that time and perhaps now those circumstances may have altered to permit participation.

COMMENT:

Additional and further training modules are available and a list can be provided if required. Opportunity to conduct a course at either of Menzies or Kalgoorlie has been floated with the WALGA group and details are being collated, with further details to issue.

CONSULTATION:

W.A.L.G.A. group (Angie)

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

Budget provision as required is included in the current budget for this purpose.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.12

MOVED Cr A. Kelly

SECONDED Cr K. Pusey

To consider training opportunities for elected members, if required, as presented in the attached schedule and with details as advised to the CEO during the meeting.

Carried 7/0

9.13 REQUEST FOR A RATE DISPENSATION – RON ANDREI

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th,2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the verbal request recently received from the rate-payer to write-off the extent of outstanding rates as currently applies in the sum of \$12,511-27

BACKGROUND:

The ratepayer has had some previous difficulties some years ago with this same issue.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

By not paying the Shire the entitled value of rates due to the Shire, the Shire is effectively subsidizing the ratepayer at the expense of other ratepayers who are paying the rates due.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.13

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To decline the verbal request recently received from the rate-payer to write-off the extent of outstanding rates as currently due to the Shire in the sum of \$12,511-27 as provided in the attached schedule of data.

Carried 7/0

Jim Pianto leaves chambers 12-03 pm

Council adjourns at 12.03pm
Council resumes at 1.56pm.

9.14 STAGE LEFT – TOWN HALL LIGHTING BAR

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Carol McAllan Acting Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Carol McAllan Acting Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider donating the Shire owned Town Hall Lighting bar, patch panel/cabling to the Theatrical troupe', "Stage Left "of Kalgoorlie, as currently in the Town Hall, but unused, in terms of the attached letter of request.

BACKGROUND:

This theatrical troupe' has performed in Menzies on a number of occasions and all very successfully and noticed the patch pane at one of the recent performances, which has never been connected and seems surplus to current needs.

CONSULTATION:

STATUTORY ENVIRONMENT:

Section 3.58 of the Local Government Act 1995 requires determination of how to dispose of an asset.

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.14

MOVED Cr A. Kelly

SECONDED Cr I. Tucker

To decline donating the Shire owned Town Hall Lighting bar, patch panel/cabling to the Theatrical troupe', "Stage Left "of Kalgoorlie, as currently in the Town Hall, but unused, in terms of the attached letter of request, subject to the satisfaction of the provisions of section 3.58 of the Local Government Act 1995.

Carried 7/0

9.15 CHRISTMAS ARRANGEMENTS 2010 FOR:

- 1. THE DECEMBER COUNCIL MEETING.**
- 2. ADMINISTRATION CLOSURE.**
- 3. ANNUAL CHRISTMAS FUNCTION.**
- 4. ANNUAL MEETING OF ELECTORS.**

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28 th , 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the arrangements for December 2010 to accommodate the issues related to:

1. The Councillors December meeting date.
2. The possibility of the Administration closing over the break between Christmas and New Year.
3. Arrangements for the Annual Christmas function
4. Arrangements and approval for the Annual Electors Meeting.

BACKGROUND:

COMMENT This request for consideration was raised before council last year.

STATUTORY ENVIRONMENT	Not Applicable
POLICY IMPLICATIONS:	Not Applicable.
FINANCIAL IMPLICATIONS:	\$2,500.
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.15
MOVED Cr J. Dwyer	SECONDED Cr A. Kelly

To approve of the arrangements for December 2010, as proposed to accommodate the issues related to:

1. The Councillors meeting to be held on Thursday December 16th, 2010 at 9 am.
2. Approval for the Administration closing over the break between Christmas and New Year from Monday December 27th to Friday December 31, 2010, where the staff will avail of accrued annual leave days for this purpose (with Monday January 3rd being a Public Holiday)
3. The Annual Christmas function to be held in the Shire Town Hall as a Community function only and catered for by the Hotel and limited to cost at \$2,500 on Thursday December 16th, 2010 following conclusion to the Annual Electors Meeting.
4. Approval for the Annual Electors Meeting to be conducted at 5pm on Thursday December 16th in Council chambers following conclusion of the Ordinary Council meeting for December, subject to appropriate and statutory advertising being undertaken.

Carried 7/0

9.16 PROVISION OF AN ECONOMIC DEVELOPMENT STRATEGY FOR THE FUTURE OF MENZIES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the option and opportunity to establish an Economic Development Strategy for the future of Menzies, as proposed in the attached quote.

BACKGROUND:

This item was raised at the September meeting but required attention.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

Not Applicable.

FINANCIAL IMPLICATIONS:

\$45,000 in consulting fees is planned for in this financial year.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

ITEM 9.16

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To decline the provision of services of a consultant to provide an economic Development Strategy for the future of Menzies, as proposed in the attached quote, at this time to represent to Council at March meeting.

Carried 7/0

9.17 PURCHASE OF GRADER DRIVER MAINTENANCE VEHICLE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the purchase of a depot vehicle in terms of the attached data as presented.

BACKGROUND:

This item was approved "In Principle" for budget provision purposes in May and where \$30,000 was applied to this purpose in the current budget.

COMMENT:

The Works Supervisor has furnished Council with his report to support this acquisition, as attached.

CONSULTATION:

STATUTORY ENVIRONMENT:

Budget provision is included in the adopted budget

POLICY IMPLICATIONS: Not Applicable

FINANCIAL IMPLICATIONS:

Budgeted for in the Draft for 2010/11 at \$30,000

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.17

MOVED Cr A. KELLY

SECONDED Cr J. Dwyer

To approve the purchase of a depot vehicle in terms of the attached data as presented in the sum of \$32,358.68 (incl. GST), in terms of the attached quote provided.

Carried 7/0

9.18 MODIFICATIONS TO THE FORMER POLICE STATION BUILDING

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th,2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the modifications to the former police station building as requested by the Mining company keen on leasing same (i.e.) Intermin Resources Limited, as proposed in the attached detail.

BACKGROUND:

Intermin Resources Limited presently lease the Railway station from the Shire on a rent free basis. However, the Shire has asked the tenant to vacate in order to proceed with the Heritage Restoration of the Premises.

COMMENT:

It seems that approximately \$30,000 is required to modify the premises to suit the requirements of the tenant, though the Tenant is prepared to pay \$250-00 per week rental.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: Budget Provision accommodates this cost

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.18

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To approve of the modifications to the former police station building as requested by present Railway station building tenant/Mining Company in the sum of \$30,000 on the understanding that no improvements are started until land vesting is finalized.

Carried 7/0

9.19 GRANTS COMMISSION VISIT TO MENZIES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the planned visit from the Grants Commission (panel of four), scheduled for Thursday November 25th, 2010 as part of their Triennial visitation programme, as proposed in the attached data.

BACKGROUND:

I am given to understand the Grants Commission visit each Shire every three or four yours to identify if there is concerns or issues applicable to their particular Shire that the commission is not aware of and justifies further consideration.

CONSULTATION

Council may engage a consultant to prepare a submission for presentation to the Commission, but not obligated to do so.

STATUTORY ENVIRONMENT:

Not applicable.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Given the commission will travel from Kalgoorlie on that morning leaving at 10-30 am, it is likely the entourage' will arrive approximately at 12 noon. Accordingly, it might be a nice gesture to invite the panel to join council for lunch and proceed with the presentation after lunch and where they will need to leave promptly in order to attend Leonora fro a 4 pm session.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.19

MOVED Cr A. Kelly

SECONDED Cr K. Pusey

To consider the issues as planned for the visit from the Grants Commission (panel of four), scheduled for Thursday November 25th, 2010 at 12 noon as part of their Triennial visitation programme, as proposed in the attached data.

Carried 7/0

Cr. G. Stubbs has declared an interest in this item number 9-20 and where Council permits Cr. Stubbs to remain in the chambers..
CEO vacates chambers at 3.19pm.
CEO returns to chambers at 3.23pm.

9.20 MENZIES OUTBACK RODEO EVENT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To address the issues surrounding the administration of the Menzies Outback Rodeo Event as conducted earlier in October at the Morapoi Station, as approved by Council for this purpose.

BACKGROUND:

It appears that some issues emerged from this event which may justify discussion and although the event was described as a huge success, recent comments suggest that some administrative matters could be tweaked up to improve the event for future years.

COMMENT:

Some details are attached to assist council in this deliberation.

STATUTORY ENVIRONMENT:	Not applicable.
POLICY IMPLICATIONS:	Not applicable
FINANCIAL IMPLICATIONS:	Not applicable
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.20
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MOVED Cr J. Dwyer

SECONDED Cr I. Tucker

To address the administrative issues as related to the Menzies Outback Rodeo Event as presented in terms of the improvements that could be implemented for future year's events relative to some administrative matters as raised and as advised to the CEO during the meeting, subject to a further report at the November meeting and with a policy to be determined for this event for future occasions..

Carried 6/0

Council adjourns at 3.52pm.
Council resumes at 4.17pm.
Bradden Corlett attends chambers 4.17 pm
Bradden Corlett vacates chambers 4.35 pm

9.21 STAFF HOUSING DESIGN ISSUES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To receive details and general guidance from Council as to the parameters of design as planned for relative to the new staff house planned for Onslow Street for this financial year.

BACKGROUND:

Council is keen to have a strong involvement in the design, development and construction of the house to be constructed in Onslow Street and has furthermore resolved to convene a Committee Structure to deal with the issues resulting from these deliberations. However, in order to start the process, the administration is keen to learn from Council some of the basic parameters applicable to this project so as to focus attention on producing plans and proposals that will suit the general concept council have in mind.

Accordingly, if this residence is intended to accommodate the C.E.O. then some basic parameters as follows should be applied, for council consideration and editing

An executive residence, with four bedrooms, separate Study, Separate dining room
Theatre room, Shed for caravan/trailer/vehicle, Ducted air-conditioning throughout, Alfresco
Outdoor entertainment area. Two bathrooms, with one en suite'

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority required

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To receive details and general guidance from Council as to the parameters of design as planned for, as related to the new staff house planned for Onslow Street for this financial year to include the following, as edited or modified in terms of advices provided to the CEO during the meeting, and with some plans to be presented to the Housing Committee in readiness for the November meeting.

An executive residence, with four bedrooms, with separate Study, dining and Theatre rooms. Shed for caravan/trailer/vehicle, Ducted air-conditioning throughout, Alfresco Outdoor entertainment area. Two bathrooms, with one en suite'

Carried 7/0

9.22 DOG IMPOUNDING FEES.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider appropriate fees for Dog impounding, as required.

BACKGROUND:

Council is required to adopt a schedule of fees to accommodate the possibility of applying a fee when impounding a dog. Without first adopting a fee by absolute majority decision of Council, it is not legal to apply the fee.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT: The Dog Act 1974.

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: "Absolute " Majority required

COUNCIL DECISION

ITEM 9.22

MOVED Cr. A. Kelly

SECONDED Cr J. Dwyer

To adopt the following fees for issues related to the Dog Act as follows:

1. Impounding fee. \$50-00
2. Sustenance Fee \$15-00 per day
3. Any infringement penalty applicable under the Dog Act 1976.

Subject to appropriate advertising being undertaken, with application of fee to apply from December 1st, 2010.

Carried 7/0

9.23. BASKETBALL LIGHTS

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:

SUMMARY:

To replace four basketball; lights on the courts which have blown and the suggestion is that the remaining two are also likely to blow out soon.

BACKGROUND:

It seems these globes were installed some years ago and have expired their life expectancy and a more long term solution is required.

COMMENT:

Three quotes are appended to assist Council in this matter.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.23

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To replace four basketball; lights on the courts which have blown and accept the quote as provided by Mine and Trade Maintenance Services and Plumbing to supply and install these lights at a quoted price of \$5,527-50, as provided in the attachments.

Carried 7/0

9.24 BRONZE BUSTS CONCEPT.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the concept of the Bronze Busts to respect prominent citizens of Menzies, in terms of the submission from the artists, as attached and as presented, with consideration being made as to which citizens should be considered..

BACKGROUND:

Council adopted this concept last year, though other pressing issues prevented this from reaching fruition.

CONSULTATION Angie Leech.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: \$20,000 in Budget Provision has been approved.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.24

MOVED Cr J. Dwyer

SECONDED Cr A. Kelly

To approve the concept of a Bronze Bust to respect a prominent citizen of Menzies, in terms of the submission from the artists, as attached and as presented, with support from the sculpture preferred being "Meridian of Melbourne" with quotes to be received for one bust being made to local citizen Mr. Jim Brennan.

Carried 7/0

Cr. G. Stubbs vacates chambers at 4.56pm
Cr. G. Stubbs returns to chambers at 4.59pm

9.25 TENDER NO 5/11 – SUPPLY OF BACKHOE LOADER.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th,2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the submissions to council for the supply of a Front End Loader as submitted in terms of Tender Number 5/11, as advertised.

BACKGROUND:

Tenders are required to be called where the price is expected or anticipated to exceed the threshold of \$100,000

COMMENT:

The closing date for this Tender is Friday – October 22nd, 2010 and at the time of writing this item the closing date had not arrived. As such it was not possible to include the details In the agenda.

It is hoped to include this detail prior to despatch of the agendas on Friday.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.25

MOVED Cr K. Pusey

SECONDED Cr J. Dwyer

To accept the submission to council for the supply of a Backhoe Loader as submitted in terms of Tender Number 5/11, as advertised and received from Komatsu Australia Pty Ltd in the sum of \$163,500 with a trade-in value of \$38,500, with a changeover of \$124,850.00

Carried 7/0

9.26. AGED RATE DEBTOR REPORT AT SEPTEMBER 30TH, 2010

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To receive the report on Aged Rate Debtors as required by council to be submitted monthly to give evidence of the extent of outstanding and the efforts to collect this sum and to give guidance to the administration as advised to the CEO during the meeting.

BACKGROUND:

Council requested a monthly submission be presented in order to provide detail to council of the extent of outstanding due to Council.

CONSULTATION

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.26

MOVED Cr A. Kelly

SECONDED Cr J. Dwyer

To receive the report on Aged Rate Debtors as required by council to be submitted monthly to give evidence of the extent of outstanding and the efforts to collect this sum and to give guidance to the administration to assist in the collection process as advised to the CEO during the meeting.

Carried 7/0

9. 27 PURCHASE OF FUEL TANK AND TRAILER

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY: To “Not “give further consideration to this item, as alternative arrangements have been made.

BACKGROUND: This item was raised at the September meeting, but with insufficient detail being available, the item was deferred to the October meeting.

COMMENT:

Copy of the previous item is appended to assist Council “only: and no action is required.

CONSULTATION:

STATUTORY ENVIRONMENT: The item is raised because a resolution required this to be represented to the October meeting. No action is required.

POLICY IMPLICATIONS: Not Applicable.

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.27

MOVED Cr J. Dwyer

SECONDED Cr I. Tucker

To “Not “give further consideration to the item regarding the acquisition of a Fuel Trailer and Tank as presented to the September meeting, as alternative arrangements have been made.

Carried 7/0

Ms. Helen Bullock MLC. Enters chambers at 5.07pm

Cr. G. Dwyer vacates chambers at 5.16pm.

Cr. G. Dwyer returns to chambers at 5.18pm.

Ms. Helen Bullock addresses Council and asks for questions.

Concerns of Council included:

Broadband network.

Cattle on the Roads.

Need for a Pastoral Training Facility in the Goldfields.

9.29 BUSINESS DEVELOPMENT PROPOSAL – RESERVE NO 5109

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the release of Reserve number 5109 to private ownership for the purpose of Business Development for a market garden project, in terms of the attached data.

BACKGROUND:

The clients are keen to commence a market garden type venture and feel Menzies is ideally suited to this purpose. Some details are appended to assist council in this matter.

COMMENT:

History has displayed that the Department of Regional Development and Lands has not previously permitted reserve land to be sold directly to the applicant, but agree to enter into lease arrangements with the lessee for a term and will address the freehold aspect subsequently.

CONSULTATION:

Terri Newman – Department of Regional Development and Lands.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: Not Applicable.

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.29

MOVED Cr J. Dwyer

SECONDED Cr A. Kelly

To approve of the support to the Department of Regional Development and Lands to the release of Reserve number 5109 to private ownership for the purpose of Business Development for a market garden project, in terms of the attached data. subject to :

1. Appropriate agencies providing approval.
2. Town Planning amendment being adopted by council and accepted by the W. A. Planning Commission.
3. Formal letter of application required from the applicants seeking this Reserve lot and accepting these conditions of acquisition.

Carried 7/0

Cr. G. Stubbs vacates chambers at 5.44pm.
Council adjourns at 5.45pm.
Council resumes at 5.55pm.
Cr. G. Stubbs resumes chambers at 5.55 pm

9.30 – THE MENZIES CLASSIC CYCLE RACE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the promotion of the Menzies Classic Cycle Race for the future to function in conjunction with the Shire of Leonora “Golden Gift” event, in terms of the attached data.

BACKGROUND:

Council has supported this concept in principle and is keen to see a joint function which supports Menzies.

COMMENT:

President Dwyer attended a meeting recently with John Bowler M.L.A. and may wish to comment on this issue.

CONSULTATION: Not Applicable.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: Not Applicable.

FINANCIAL IMPLICATIONS: Unknown at this point.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.30

MOVED Cr J. Dwyer

SECONDED Cr A. Kelly

To consider the promotion of the Menzies Classic Cycle Race for the future to function in conjunction with the Shire of Leonora “Golden Gift” event, in terms of the attached data with a committee to be formed to manage the event.

Carried 7/0

6.13 pm – Council resolves to go behind closed doors – Moved Cr Dwyer (J.)
Seconded Cr. Kelly
“Carried 7/0”

9. 28 POSITION DESCRIPTION FORM FOR THE C.D.O.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the position description form as attached and as required for the current role of the C.D.O.

BACKGROUND:

This item was presented to the September meeting, though it was requested by Council to re-submit this item for consideration to the October meeting following negotiation with the officer, as required.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: Not Applicable.

FINANCIAL IMPLICATIONS:

Given the brief discussion provided by Council at the September meeting, it is felt the following details satisfy the requirement of this position, with existing provisions of entitlement to remain for the officer, and where the following is presented subject to modification from Council:

1. Title Project Officer/ Internal Relief.
2. Reporting to C.E.O. subject to amendment of the Organisational Chart.
3. Salary \$50,000 p.a. to apply from October 28th, 2010.
4. Allowances.
 - a.) Industry Award provisions to apply, plus
 - b.) Council Incentive allowance of \$1,000 p.a. to limit of four years and remains whilst the officer remains an employee of the Shire of Menzies.
 - c.) Home owner/occupier allowance of \$50 per week whilst occupying own home/property within the Shire boundary.
5. Duties.
 - a.) Assistance to Works Depot person with computer work.
 - b.) Community Engagement.
 - c.) Grant Applications/controls/acquittals.
 - d.) Project Assistance.
 - e.) Miscellaneous Administrative duties, as directed.
 - f.) Internal administrative relief Duties, for staff absences.
 - g.) Meeting attendance management –
 1. Tourism Meeting. (Northern Goldfields)
 2. Interagency Meeting.
 3. Tidy Towns.
 4. Golden Quest Discovery Trail Committee

5. Road wise Committee.
6. Local Emergency Management Committee
7. Mt Walton Intractable Waste Disposal Facility.
- 8 Visitors Centre Management Committee
- h.)Tjuntjuntjara Community Liaison support, as required.
- i.) Area Promotion – Lake Ballard.
- j.) Events promotion/co-ordination/management.
- k.) Publicity / Media Releases / Editorials for newspapers
- l.) Quarterly Property Inspections/Tenancy Agreements (e.t.c.)
- m.)Municipal Heritage Inventory Management

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.28
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MOVED Cr J. Dwyer

SECONDED Cr A. Kelly

To approve the details as follows for position description form and as required for the current role of the C.D.O., as presented to council.

The following details satisfy the requirement of this position, with existing provisions of entitlement to remain for the officer, and where the following is presented.

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Title 2. Reporting to 3. Salary 4. Allowances. | <p>Community Development officer.
 C.E.O. subject to amendment of the Organisational Chart.
 \$50,000 p.a. to apply from October 28th, 2010.</p> <ol style="list-style-type: none"> a.) Industry Award provisions to apply, plus c.) Council Incentive allowance of \$1,000 p.a. to limit of four years and remains whilst the officer remains an employee of the Shire of Menzies. c.) Home owner/occupier allowance of \$50 per week whilst occupying own home/property within the Shire boundary, subject to Council Policy. |
| <ol style="list-style-type: none"> 5. Duties. | <ol style="list-style-type: none"> a.) Assistance to any other staff with computer work. b.) Community Engagement. c.) Grant Applications/controls/acquittals. d) Project Assistance. e.) Miscellaneous Administrative duties, as directed. f.) Internal administrative relief Duties, for staff absences. g) Meeting attendance management – <ol style="list-style-type: none"> 1. Tourism Meeting. (Northern Goldfields) 2. Interagency Meeting. 3. Tidy Towns. 4. Golden Quest Discovery Trail Committee 5. Road wise Committee. 6. Local Emergency Management Committee 7. Mt Walton Intractable Waste Disposal Facility. 8 Visitors Centre Management Committee h.)Tjuntjuntjara Community Liaison support, as required. i.) Area Promotion – Lake Ballard. j.) Events promotion/co-ordination/management. k.) Quarterly Property Inspections/Tenancy Agreements (e.t.c.) l.) Municipal Heritage Inventory Management. |

Carried 7/0

6.53 pm B.W.Seale vacates chambers
6.53 pm Carol Mc Allan vacates chambers
6.53 pm Cr. Greg Stubbs vacates chambers

9.31 EXTENSION / RENEWAL / CONCLUSION OF THE CONTRACT OF EMPLOYMENT OF THE INCUMBENT C.E.O

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	October 28th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the renewal, extension or conclusion to the contract of employment of the incumbent C.E.O. at expiry on July 16th, 2011.

BACKGROUND:

The conclusion of a satisfactory performance review was conducted at the September meeting of Council resulting in a salary increase and there was no statutory obligation to connect the Performance review with the "End of Contract" issue. However, council elected to address this matter at the same time and verbally advised the intention not to renew or extend the contract at the conclusion. This heralds an issue, as this has not been resolved by council as it does not feature in the minutes and as such cannot be acted upon. Accordingly, this item formalizes that requirement.

COMMENT:

An annual review of the performance is a statutory requirement and the requirement to address the renewal or conclusion is a contractual obligation at clause 5 of the contract, with advices in writing to be provided to the officer..

CONSULTATION:

Gary Martin.

STATUTORY ENVIRONMENT:

Clause 5.38 of the Local Government Act 1995.

POLICY IMPLICATIONS:

Not Applicable.

FINANCIAL IMPLICATIONS:

Advertising and/or consultant fees associated with the recruitment process is required and these costs have been captured in the budget.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

ITEM 9.31

MOVED Cr Dwyer J.

SECONDED Cr Tucker

1. To endorse the formal discussion that the K.P.I.'s as previously approved by Council at July 17th, 2009 will apply for the last triennium of the CEO's contract.

"Carried 7/0"

MOVED Cr Dwyer J.

SECONDED Cr Tucker

2. To approve of the conclusion of the contract of employment of the incumbent C.E.O (B.W.Seale). at expiry on July 16th, 2011.

"Carried 4/3"

MOVED Cr Dwyer J.

SECONDED Cr Tucker

3. To engage Gary Martin to facilitate the replacement / recruitment arrangements process for a subsequent C.E.O at an appropriate time.

"Lost 2/5"

Explanation – The reason for not adopting the officer's recommendation is that council did not want to lock in a "named" consultant, but wanted to broaden the base of opportunity in this matter.

Resolved to come oput from behind closed doors.

Moved Cr Dwyer J.

Seconded Cr. Lansdown

"Carried 7/0"

10 STATUS REPORTS

10.1 Shire of Menzies Status Report

Presented, in case there are any Council resolutions to be addressed from this report.

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Elected Members motions with previous notice.

11.2 Confidential Business to be held behind closed doors.

11.3 Reports of Councillors and Staff

Cr Stubbs:

T-ball and Baseball has started again. It is difficult but it is happening and the teams are going well.

The team name is Morapoi/Menzies and they are at present looking for uniforms to reflect this.

Cr Tucker:

When is the Social Club going to be finalized?

Comment once again about the cattle on the roads.

Cr Pusey:

Nothing to report.

Cr Kelly:

Unhappy that a small town like Menzies had to compete with the City of Kalgoorlie-Boulder in the Tidy Towns Competition. Suggested that as a protest Council not attend the awards presentation in Perth.

The Awareness Day Planning has begun and the theme this year will be "Emergency – Essential – Environmental". The day will be on 16th April 2011.

Cr Dwyer J:

The sign at the start of Kookynie Road is still showing 4wd only.

Will Council be privy to the report on Greg Clark. Agenda item to be raised for the November meeting.

Cr Lansdown L

The Kookynie Rail Crossing still needs more signage. 40 km per hour sign.

Also the floodway just after the crossing needs work.

Floodlight on the Fire Shed requires securing.

7.44 pm Cr Dwyer J. vacates chambers.

Cr Dwyer G:

Had a phone call from Drug & Alcohol office to make a comment on the liquor accord and wondering why he was called.

Attended a meeting about cattle on the town common.

Attended a Community resource Centre meeting.

Attended a Lake Ballard Association meeting. At this meeting the question was asked if Menzies Council was going to pay the travel for people to attend the meeting. Proxies required.

Attending the Golden Quest Trail Association AGM tomorrow at 11am.

Mr Seale: B.

Council has been offered \$4,400.00 for the sale by Private Treaty of the Side-Tipper body as offered by Matt Taylor, as presented.

Moved: Cr. K. Pusey

Seconded: Cr. A. Kelly

Council accepts the offer of \$4,400.00 for the sale by Private Treaty of the Side-Tipper body as offered by Matt Taylor, as presented.

“Carried 6/0”

12 INFORMATION BULLETIN

12.1 Information Bulletin as presented for discussion and resolutions (if required).

NEXT MEETING / MEETING CLOSURE

The next Meeting will be held on Thursday, November 25th, 2010 at the Shire of Menzies Council Chambers, commencing at 9.00am.

There being no further business to discuss, the President declared the meeting closed at: 7.56pm

**These minutes were confirmed
As a true and accurate record of proceedings at the
Ordinary Meeting of Council, held Thursday, November 25th 2010**

**Confirmed by the Shire of Menzies,
President Gregory Dwyer** _____
