



Shire of Menzies

**MINUTES**

**ORDINARY COUNCIL MEETING**

SHIRE OF MENZIES COUNCIL CHAMBERS

Thursday, July 23rd 2009 commencing at 9.25 AM

# SHIRE OF MENZIES

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SHIRE OF MENZIES



**ORDINARY COUNCIL MEETING  
JULY 23RD 2009  
IN COUNCIL CHAMBERS COMMENCING AT 9-00 AM**

## **MINUTES**

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

The Shire President welcomed all elected Members, Staff and Visitors and declared the meeting open at 9.25 am.

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

PRESENT:	<i>Cr S. Tonkin</i>	<i>Shire President</i>
	<i>Cr G Stubbs</i>	<i>Deputy President</i>
	<i>Cr K Pusey</i>	<i>Councillor</i>
	<i>Cr I Tucker</i>	<i>Councillor</i>
	<i>Cr J Dwyer</i>	<i>Councillor</i>
	<i>Cr G Dwyer</i>	<i>Councillor</i>
	<i>Cr A Kelly</i>	<i>Councillor</i>

STAFF:	<i>Mr B Seale</i>	<i>Chief Executive Officer</i>
	<i>Mr Justin Lee</i>	<i>Community Development Officer</i>
	<i>Mrs Robyn McCarthy</i>	<i>Coordinator - Resource Centre</i>

VISITORS:	<i>Dr Christine Jeffries-Stokes</i>
	<i>Jeffrey Stokes</i>
	<i>Allan McCooke</i>

APOLOGIES:           NIL

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

**4 PUBLIC QUESTION TIME**

Allan McCooke asked the Council, "What does the council propose with Dog Control as to Bounty at \$20.00.

President Tonkin responded that further research will be addressed shortly.

**5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.**

## 6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Dr Jeffries Stokes – Paediatrician

- Kidney Disease and Depression issues
- Nutrition related issues
- Menzies doubles the Nations average
- High Rates of still-birth, Heart Disease and Miscarriages (Linked to Folate Deficiency)
- High Insulin Levels which caused by:
  - Lack of exercise
  - Stress
  - Caffeine (soft drinks & coffee)
  - Carbohydrates / Pasta Noodles

Dr Jeffries Stokes plans to screen the whole Community for any of the above related issues as well as increase fruit and vegetable intakes and to encourage the community to plant their own gardens.

Council to consider the following:

- Having gardens for free selection of edible fruit and vegetables.
- Running a market day to sell jams
- Have Food Bank (Transport may be costly)

Robyn, Justin, Christine and Jeffrey vacated the Chambers at 10.19am

## 7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Confirmation of the Previous Minutes of Council held **June 25th**, 2009, as presented be adopted.

MOVED Cr Pusey

SECONDED Cr Dwyer J

“Carried 7/0”

## 8 ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION / QUESTIONS ON NOTICE.

8.1 Announcements by the President without Discussion.

The President announced the following to Council:

1. The President attended court (Mazza v Shire of Menzies) held at the Leonora Court on July 13<sup>th</sup> 2009. To date no results have come from this.
2. President Tonkin attended the amalgamation workshop where he admits there was no support for the amalgamation process.
3. President Tonkin attended the Great Western Woodlands Inaugural Meeting with the endeavours to preserve the “Woodlands”

8.2 Questions on Notice

NIL

**COUNCIL RESOLUTION****ITEM 8.1**

That the Presidents Report as presented be received.

MOVED Cr Pusey  
SECONDED Cr Dwyer J  
"Carried 7/0"

**QUESTIONS ON NOTICE****ITEM 8.2**

Nil

- ❖ 10.50 AM Meeting adjourned
- ❖ 11.04 AM Meeting re-commenced

**9 REPORTS OF COMMITTEES AND OFFICERS**

**Chief Executive Officer**

**9.1 Financial Statements to June 30<sup>th</sup> 2009**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd 2009</b>
<b>AUTHOR:</b>	
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**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

**CONSULTATION:**

Ms Mandy Wynne, Haines Norton.

**STATUTORY ENVIRONMENT:**

As per Local Government (Financial Management) Regulations 1996 Regulation 34

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

- (1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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;*
  - (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 to the council -*
    - (i) *At the next ordinary meeting of the council following the end of the month to which the statement relates; or*
    - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;*

*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 AAS 5, to be used in statements of financial activity for reporting material variances.*
- (6) *In this regulation -*
  - } **committed assets**~ *means revenue unspent but set aside under the annual budget for a specific purpose;*
  - } **restricted assets**~ *have the same meaning as in AAS 27.*

*[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50.]*

<b>POLICY IMPLICATIONS:</b>	None
<b>FINANCIAL IMPLICATIONS:</b>	Reporting on Financial Activity
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 9.1</b>
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MOVED Cr Tucker	SECONDED Cr Dwyer J
	“Carried 7/0”

That the Financial Statements to **June 30<sup>st</sup> 2009** as presented be adopted

## 9.2 Reports to the Financial Statements to JUNE 30<sup>TH</sup>, 2009

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

### **BACKGROUND:**

Associated reports requested by Council are attached

### **COMMENT:**

Included in these reports are the Balance Sheet, Income Statement, Investment Register and Road reports.

### **CONSULTATION:**

Council and the Chief Executive Officer.

### **STATUTORY ENVIRONMENT:**

As per Local Government (Financial Management) Regulations 1996 Regulation 34

#### **Reg/34. Financial activity statement report - s. 6.4**

- (1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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;*
  - (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 to the council –*
    - (i) *At the next ordinary meeting of the council following the end of the month to which the statement relates; or*
    - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;*
  - 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 AAS 5, to be used in statements of financial activity for reporting material variances.*
- (6) *In this regulation -*
- } **committed assets**~ means revenue unspent but set aside under the annual budget for a specific purpose;*
  - } **restricted assets**~ have the same meaning as in AAS 27.*

*[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50.]*

<b>POLICY IMPLICATIONS:</b>	None
<b>FINANCIAL IMPLICATIONS:</b>	Reporting on Financial Activity
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>
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<b>ITEM 9.2</b>
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MOVED Cr Kelly  
"Carried 7/0"

SECONDED Cr Pusey

That the Reports to the Financial Statements to **June 30<sup>th</sup>, 2009** as presented be received.

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**BACKGROUND:**

Cheque number 2422 to 2423, 2432-2434, 6246-6361 and 6246-6361 excluding 6393, 6398, 6404 **including** direct debits and bank statement transfers totalling \$445,528-73 are presented for payment as per the submitted lists as well as Receipts totalling \$1,008,590-24.

**COMMENT:** Nil

**CONSULTATION:** Nil

**STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996 Regulation 13

**Reg/13. LIST 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 sub regulation (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:**

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

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>
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<b>ITEM 9.3</b>
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That cheque number 2422 to 2423, 2432-2434, 6246-6361 and 6246-6361 excluding 6393, 6398, 6404 **including** direct debits and bank statement transfers totalling \$445,528.73 are presented for payment as per the submitted lists as well as Receipts totalling \$1,008,590.24, be approved as submitted

Cr Pusey declared an Interest in Cheque number 6279

MOVED Cr Pusey

SECONDED Cr Kelly

“Carried 6/0”



**9.5 LAKE BALLARD MAINTENANCE REQUIREMENTS**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the provision of a full-time employee to address the issues of ensuring the ablutions are pumped out regularly and that both potable water and water suitable for the operations of the ablutions are provided.

**BACKGROUND:**

The facilities at Lake Ballard are nearing completion and will shortly require maintenance. Given that Council manages the two ablution facilities and drinking water service at Lake Ballard and the ablutions at Niagara Dam, the provision of a fulltime employee is approaching a time for consideration.

**COMMENT**

It could well be that council may have to purchase a 4,000 litre water tank for the sullage pump outs. Alternatively, the use of external contractors could be utilized.

**CONSULTATION:**

**STATUTORY ENVIRONMENT:** N/A

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:**

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 9.5</b>
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To approve of the provision of the fulltime employee for the purpose of attending to the provision of water services at Niagara dam and Lake Ballard in the sullage pump-outs and delivery of potable water supplies, subject to the following:

1. Date of commencement of the employee to be determined with Council involvement.
2. Wages factor to be determined and advices provided to Council
3. Evidence of how to accommodate the expense of wages, vehicle and tank is to be advised to Council for approval prior to incurring the cost.
4. Provision of a "Position Description Form "to be provided to Council for consideration.
5. How this is to be funded (Grant Funding)
6. Details of Plant/Equipment required.

MOVED Cr Kelly

SECONDED Cr Tucker

"Carried 7/0"



<b>9.7 LOCAL GOVERNMENT ELECTIONS - 2009</b>
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<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	None
<b>DATE:</b>	July 23rd, 2009
<b>AUTHOR:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the appointment of the Chief Executive Officer as the Returning Officer for the Bi-ennial election, scheduled for October 2009. Council does have a choice to engage the services of the W.A. Electoral Commission to fulfil this function if required.

**BACKGROUND:**

Local Government Elections are historically conducted on the third Saturday in October every second year and where this year's election is scheduled for October 17<sup>th</sup>, 2009.

**COMMENT**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	Section 4.20 of the Local Government Act 1995.
<b>POLICY IMPLICATIONS:</b>	Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	None
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>
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<b>ITEM 9.7</b>
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To approve of the Chief Executive Officer as the Returning Officer for the next Bi-ennial election scheduled for October 17<sup>th</sup>, 2009

MOVED Cr Pusey

SECONDED Cr Kelly

“Carried 7/0”





**9.9 APPLICATION FOR EXPLORATION LICENSE. – 39/1484**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the application for an exploration License from Rubicon Resources Limited, for an area south east of Mt Celia near Deep Well. As attached.

**BACKGROUND:**

This application does not see to impact adversely on any town-site within the Shire boundary

**COMMENTS**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	Not Applicable
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION** **ITEM 9.9**

To approve of the exploration Licence application from Rubicon Resources Ltd number 39/1484 for a site near Deep Well at Mt Celia, as presented to Council in terms of the attached data

MOVED Cr Pusey SECONDED Cr J Dwyer “Carried 7/0”

**9.10 SALE OF LAND – LOT 364 COSMOS STREET KOOKYNIIE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the sale of lot 364 Cosmos Street Kookynie to Marlene Hansen, in terms of the attached letter of request. The vacant site is owned freehold by the Shire

**BACKGROUND:**

This item was raised at the June meeting (where a copy of that item attached for background purposes.), but as the applicants letter had not been received in time for the June meeting, the item lapsed for want of a Mover and Secunder.

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:** N/A

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:**

Sale proceeds in the sum of \$2,000 have not been budgeted for in the 2009/10 budget.

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 9.10</b>
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To approve of the sale of Lot 364 Cosmos Street Kookynie to Marlene Hansen for \$2,000 as proposed, subject to the following:

1. Satisfactory withdrawal of the condition of the Grant as an Endowment to Local government purposes.
2. Valuation from an independent appraiser that the price offered represents value.
3. Building plan approved by Council within twelve months of the contract date and evidence of building commencement within twenty four months from the date of the contract.
- 4.

MOVED Cr Tucker

SECONDED Cr Kelly

“Lost 0/7”

**Explanation for not supporting the recommendation item 9.10**

“Retained for Shire Purposes and Clients to be provided with a list of available Land.”

**9.11 SALE OF LOT 42 - COSMOS STREET KOOKYNIE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the sale of Lot 42 Cosmos Street Kookynie to Melissa Dimer for \$2,000, in terms of the letter of application as attached.

**BACKGROUND:** Not Applicable

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:** N/A

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:** This is not budgeted for in the 2009/10 year.

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 9.11</b>
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To approve of the sale of Lot 42 - Cosmos Street Kookynie to Melissa Dimer for \$3,000 as proposed, subject to the following:

1. Satisfactory settlement conclusion.
2. Valuation from an independent appraiser that the price offered represents value.
3. Building plan approved by Council within twelve months of the contract date and evidence of building commencement within twenty four months from the date of the contract.

MOVED Cr Kelly

SECONDED Cr Pusey

“Carried 7/0”

**9.12 PROPOSAL SALE OF LOT 95 - COSMOS STREET**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the application received from the Department of Planning and Infrastructure to "Take lot 95 Cosmos Street Kookynie." It appears the freehold owner of the adjacent lot, (lot 96) has applied to acquire this vacant lot, presently (Reserve number 8648 –Church Site.) to be merged with his current ownership. Details are attached, as required.

**BACKGROUND:** Not applicable

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:** N/A

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 9.12</b>
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To decline of the application as received from the Department for Planning and Infrastructure to sell lot 95 Cosmos Street to the adjacent owner at lot 96 to be merged with the existing freehold title, subject to there being no objections received as a result of the Statutory advertising being undertaken by the Dept. for Planning and Infrastructure, in terms of the attached data

MOVED Cr Dwyer J

SECONDED Cr Pusey

"Carried 7/0"





**9.15 REVIEW OF THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the process for the Chief Executive Officer's performance for the year ended July 16<sup>th</sup>, 2009, in terms of the contractual obligation, as attached.

**BACKGROUND:**

This is a mandatory requirement and is not restricted to annual reviews and may be more frequent, but a minimum of an annual review is required.

An extract of the copy of the relevant pages from the contract are enclosed, confirming the contract with the Chief Executive Officer is for three years and where the Council can conduct the review themselves in-house or engage the services of an external facilitator, as it so chooses.

To assist Council in this matter, I have contacted Gary Martin who has responded indicating a willingness to provide this service, but after August 31<sup>st</sup>, 2009, if required.

**COMMENT**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	A fee is required if the services of an external Contractor is to be engaged.
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION** **ITEM 9.15**

To approve of the engagement of Mr Gary Martin with Presidential involvement to conduct the review of the performance of the Chief Executive Officer, Mr B.W. Seale, for the first review due July 17<sup>th</sup>, 2009, as contractually required, and to be conducted after August 31<sup>st</sup>, 2009 on a date determined by council as mutually acceptable to both Mr Martin and the Council for the Shire of Menzies.

MOVED Cr Pusey SECONDED Cr Kelly "Carried 7/0"

❖ **12.23pm Council adjourned**

❖ 1.13pm Council resumed in chambers

**9.16 INTEREST ON RATE ARREARS**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider a penalty for rate arrears for the year commencing July 1<sup>st</sup>, 2010 of 11%

**BACKGROUND:**

It appears Council does not apply a penalty rate for "Rate Assessment Arrears", though it is entitled to do so, if it so desires.

Council does however; apply an administrative fee of \$20 where the ratepayer seeks authority to pay the assessment in four instalments.

Accordingly, without a rate penalty dis-incentive, there is no encouragement or reason for the rate payer to pay the Shire rates as there is no penalty applicable to not paying.

The curious conundrum is that we apply a fee to the ratepayer who is paying his rates by instalments, but not applying a fee to the ratepayer who isn't paying the rates.

To assist the administration in the collection of the rates due to Council, the application of a fee on arrears is a significant step towards encouraging prompt payment.

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:** N/A

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:**

Not Applicable to this year, though if approved, will impact positively on the 2010/11 year

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.16.**

To approve a Penalty rate of 11% per annum on rate arrears where the rate payer fails to effect payment within the statutory thirty five days and is without an approved repayment arrangement, with effect to the 2010/11 budget year.

MOVED Cr Pusey

SECONDED Cr Dwyer G Carried 7/0"



**9.17 SUB-DIVISION OF LOT 200, SHENTON STREET - (ROAD-HOUSE.)**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the application for sub-divide the property at lot 200 in Shenton Street and the re-zoning of same, if approved, in terms of the letter of application as attached.

**BACKGROUND:**

The proprietors of the Roadhouse are seeking to sub-divide the property in order to retain the residence and sell the Roadhouse. A sketch of the proposal is enclosed, as required.

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	None
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION** **ITEM 9.17**

To approve of the application for a sub-division of the roadhouse property as proposed, and to commence the re-zoning process of rezoning the site to Residential purposes, together with the required Town Planning scheme amendment process.

MOVED Cr Stubbs SECONDED Cr Dwyer G

**“DEFERED TO AUGUST COUNCIL MEETING”**

**9.18 TRUCK BAY ASSEMBLY AREA – MENZIES TOWNSITE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To reconsider this project and clearly identify “Why Do We Want It?” and develop a focused direction for the future of this project concept as to a desired end point. This item is raised for Council discussion as it was raised in June with a request for attention at the July meeting.

**BACKGROUND:**

Council has had this as a significant project for some years and during that time it has burgeoned into a much larger project than was first envisaged. Initially it appears it was intended to be just an ablution block facility at the site, where today the clearing and developing of five acres of land for the purposes of a Truck Bay Assembly area is becoming an enormous task and Council is now asking: “Why do we want it”??

It is however prudent to comment that the present arrangements of being a truck bay assembly area is not approved by the M.R.W.A. and contains some irregularities which would not be approved if we had applied.. Thus, it necessitates a bigger picture approach to this matter. Council has now gained control through direct purchase or by Vesting Order over the nineteen titles and opportunity exists to effect a purchase of the remaining title. However, if Council is thinking twice about this project, then perhaps that purchase will not be required.

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 9.18</b>
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MOVED Cr Pusey	SECONDED Cr Tucker	“Carried 5/2”
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- Opposed G Dwyer and G Stubbs

To proceed with the “Menzies Truck Bay Assembly Area” project, which includes purchase of the final title in this location, provision of an ablution, rubbish bins, lighting, delineating pine logs, access and egress roads to and from the site in terms of approvals required from the Main Roads Office

## 9.19 OVERTAKING LANE FOR MENZIES

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	None
<b>DATE:</b>	July 23rd, 2009
<b>AUTHOR:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

### SUMMARY:

To consider an overtaking lane near Menzies to accommodate the potential of the need to overtake a truck containing the Yellow Cake Uranium product from the Sandstone Shire

### BACKGROUND:

With the advent of the public consultation process from the BHP Billiton group personnel at the last Council meeting a comment was raised as to the possibility of an overtaking lane being constructed to assist in the traffic management issue in Menzies. This was seen as a valuable suggestion and where it was asked to be raised at the July meeting.

### COMMENT:

### CONSULTATION

**STATUTORY ENVIRONMENT:** N/A

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:**

**VOTING REQUIREMENTS:** Simple Majority required

### COUNCIL DECISION / OFFICER RECOMMENDATION

**ITEM 9.19**

To approve “**In Principle Only**” the provision of an Overtaking Lane near Menzies to assist in the Traffic Management issues applicable to vehicles wanting to overtake, heavy vehicles, especially the Trucks carrying Yellow Cake Uranium Ore from the mine sites in neighbouring Shires, subject to the following :

1. M.R.W.A. approval being granted.
2. Design and location of the lane to be approved by Council prior to approaching the MRWA office for approval.

MOVED Cr Stubbs

SECONDED Cr Kelly

“Carried 7/0”

**9.20 SAFE HOUSE FACILITY**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23<sup>rd</sup>, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the provision of the former Police Station office as a “Safe House” facility for the residents of the Shire of Menzies as a measure of protection and security for the wives and children of spouses who become violent and where the spouses feel vulnerable and endangered.

**BACKGROUND:**

The Police Dept have advised the Shire that they have no further need of the Station building and this may well be a useful application for the premises. It is however, not yet under the control of the Shire, though that process is in-hand and proceeding. As a determined purpose for the Police Station has not yet been formed up, it may be possible to use the premises for this sought after purpose

I am given to understand that a safe house was previously provided in the “Railways station Masters House for some years though allegedly not utilized.

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:** N/A

**POLICY IMPLICATIONS:** None – Not Applicable

**FINANCIAL IMPLICATIONS:**

The cost of this concept is unknown at this point and will be obtained following receipt of guidance from Council.

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 9.20</b>
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MOVED Cr

SECONDED Cr

To approve “ **In Principle Only**” the use of the former Police station premises as a “Safe House” to assist in protecting the residents in the Shire of Menzies when they are under threat or intimidated and have nowhere to go to escape the threat subject to:

1. Control and access over the site to be formalised.

2. Cost to convert the premises from a Police Station to a residence to be determined and approved by Council prior to commitment.
3. Management details of applicable fee structure, cleaning, provision of furniture and bedding, use by professional visitors (e.t.c.) when not in use, to be approved by Council prior to commencement.

**“DEFERED FOR FURTHER INFORMATION AND FUNDING OPTIONS”**

- **2.07 pm**      **Cr Pusey, Cr Dwyer J & Cr Dwyer G declared an interest in Item 9.21 and vacated the Chambers.**
- **2.09 pm**      **Cr Pusey, Cr Dwyer J & Cr Dwyer G return to Council in chambers**

**9.21 KOOKYNIE WALK TRAIL AND INTERPRETATIVE PLAN**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the brochure for the Kookynie Interpretative Plan as presented and to progress the project of the Interpretative Plan as presented and attached recommending as following the advices received from Councils consultant. Copies of the previous items are appended.

1. *To approve the brochure of the Kookynie Interpretative Plan, as submitted.*
2. *To accept the Quote for the entry statements in the sum of \$\$21,653 (plus G.S.T.)*
3. *To accept the quote for the three ghosts in the sum of \$6,865 (plus G.S.T.)*
4. *To defer the remainder of the Ghosts at this time.*
5. *To delete reference to the Web Page, at this point.*

**BACKGROUND:**

These items were raised at both the May and also June meetings where unfortunately where not able to be addressed dur to a loss of quorum.

Accordingly, as we anticipate the same situation will arise this month with the absence of Cr Kelly, Council has sought Ministerial approval to reduce the quorum to three Councillors for this one item. (Accordingly, it is hoped that approval will be received in time for the meeting.)

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

To approve the brochure for the Kookynie Interpretative Plan as presented and to progress the project of the Interpretative Plan in terms of the details as presented and attached as received and recommended by Councils consultant. Copies of the previous items are appended.

1. To approve the brochure of the Kookynie Interpretative Plan, as submitted.
2. To accept the Quote for the entry statements in the sum of \$\$21,653 (plus G.S.T.)
3. To accept the quote for the three ghosts in the sum of \$6,865 (plus G.S.T.)
4. To defer the remainder of the Ghosts at this time.
5. To delete reference to the Web Page, at this point.

MOVED Cr Kelly

SECONDED Cr Stubbs

“Carried 4/0”

**9.22 ULARRING ROCK TOURIST FACILITY**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>July 23rd, 2009</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the upgrade of the facility at Ullarring Rock in the sum of \$30,000 to be accommodated in the 2009/10 year for this purpose, in terms of the advices as attached.

**BACKGROUND:**

It seems the Shire has previously contributed to the development of the site and there exists an ablution, table and BBQ ring, though it appears they require repair or maintenance.

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	\$30,000 in the 2009/10 budget year
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION** **ITEM 9.22**

To approve the agreement with the Department of Environment and Conservation to work cooperatively in the joint provision towards the repair and maintenance of the facilities of the ablution, table and BBQ ring at the Ullarring Rock tourist site, subject to a budget variation of \$30,000 being made available ensuring a balanced budget is maintained, in terms of the attached advices received from the Department of environment and Conservation.

MOVED Cr Kelly

SECONDED Cr Dwyer J

**“DEFER TO AUGUST PENDING FURTHER DETAILS”**



- 2.22pm Cr Tucker declared an interest in Item 9.22 and vacated Chambers
- 2.24pm Cr Tucker returned to Chambers

**9.23 APPLICATION TO AMALGAMATE LOTS 500, 501, AND 502 SHENTON ST.**

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	None
<b>DATE:</b>	July 23rd, 2009
<b>AUTHOR:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	.....
<b>SENIOR OFFICER:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	.....

**SUMMARY:**

To consider the application to amalgamate lots 500, 501, and 502 Shenton Street for the Menzies Aboriginal Corporation, in terms of the attached application.

**BACKGROUND:** Not Applicable

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:** N/A

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION** **ITEM 9.23**

To approve the application received on behalf of the Menzies Aboriginal Corporation to amalgamate lots 500, 501, and 502, Shenton Street in terms of the attached application.

MOVED Cr Kelly SECONDED Cr Dwyer G “Carried 6/0”

<b>10</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>
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- 10.1 Elected Members motions with previous notice.
- 10.2 Confidential Business to be held behind closed doors.

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**3.41pm      The Council agrees to "Move into Camera"**  
**Moved: Cr Dwyer J    Seconded: Cr Kelly**  
**"Carried 7/0"**

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**4.07pm      The Council agrees to "Move out of Camera" at**  
**Moved: Cr Pusey      Seconded: Cr Dwyer**  
**"Carried 7/0"**

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- 10.3 Reports of Councillors and Staff

Cr Stubbs

- 1. What does Rates provide the ratepayer?
- 2. How are Rubbish Bins to be collected and arranged at Kookynie?
- 3. Details of Capacity Building Officer and Community Development Office – Updates Required
- 4. What can Council do to assist the Community overcome boredom and Inactivity? – Community Development Officer to address.

Cr Tucker

- 1. Extend bitumen up to Webb Street and the School
  - Prepare item for August meeting.
- 2. Update on the Brown Street re-alignment
  - Prepare item for August meeting.

Cr Pusey

- 1. Collection of Rubbish Bin at Kookynie
- 2. Solar Powered Street Lights issue to be pursued
- 3. Volume of scrap being dumped in Menzies is unsightly
  - Work Manager to Address and arrest.
- 4. Tree Planting programme to include Fruit and Pistachio Nut Trees

Cr Kelly

- No Comments

Cr Dwyer G

- 1. Gazebo at Cemetery completed with Rifle Point Contractors providing service for free.
- 2. Old Post Office has no Fire Alarms
  - CEO to address
- 3. Refuse at the Rubbish Tip to be tidied regularly
  - CEO to arrange
- 4. Floodway's to be cleared at Kookynie
  - CEO to arrange

5. Send card to Mertyl Brennan – Get Well Soon  
– CEO to arrange

Cr Dwyer J

1. Town Hall Kitchen to be upgraded & include cutlery, trestles and chairs prior to the 25<sup>th</sup> August.  
– CEO to arrange
2. Kookynie Road - unswept road and metal to be removed  
– CEO to arrange
3. Signs reinstated on Kookynie-Malcolm Road  
– Reinstated by Shire Personnel

Cr Tonkin

1. Yarri Road is not in good condition
2. Works Manager report does not include “Maintenance Grading”
3. Visit from Dr Jeffries-Stokes – Support the freight for “Food Bank” facilities to be subsidized.
4. Consider Subsidizing the Roadhouse to ensure fresh fruit and vegetables are in town.
5. Invitations to the Opening of the Outback Highway on August 31<sup>st</sup> 2009

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**Recommendation:**

To support President Tonkin with travel and accommodation to attend the “Outback Highway” Opening scheduled to commence on 30<sup>th</sup> August 2009 and conclude on 2<sup>nd</sup> September 2009.

**Moved: Cr Dwyer J    Seconded: Cr Kelly**

**“Carried 7/0”**

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*Chief Executive Officer’s Supplementary Report*

1. Grader Driver wage rate \$25.00 per hour “Flat Rate” applies.

**Recommendation:**

To receive Late Item.

**Moved: Cr Pusey    Seconded: Cr Tucker**

**“Carried 7/0”**

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2. Prospecting Licence – K Owen Number 29/2083/2084

**Recommendation:**

To approve of the Licence application as submitted subject to there being no activity undertaken without Councils prior approval.

**Moved: Cr Pusey    Seconded: Cr Dwyer J.**

**“Carried 7/0”**

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3. ***Cr Tucker declared an interest in Item (3) – Closure of R.O.W adjoining Lot 302 Gregory Street***

**Recommendation:**  
To receive Late Item.

***Moved: Cr Pusey    Seconded: Cr Dwyer G.***  
***“Carried 6/0”***

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**Recommendation:** To approve of the amalgamation of the R.O.W adjoining Lot 302, Gregory Street to satisfy the provisions of Section 58 of the Land Administration Act 1999.

***Moved: Cr Dwyer J.    Seconded: Cr Kelly***  
***“Carried 6/0”***

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<b>11    INFORMATION BULLETIN</b>
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11.1    Information Bulletin as presented for discussion and resolutions (if required).

<b>12    CLOSURE NEXT MEETING / MEETING CLOSURE</b>
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***The next Meeting will be held on Thursday, August 27<sup>th</sup>, 2009 in Council Chambers, Menzies, commencing at 9.00am.***

There being no further business to discuss, the President declared the meeting closed at: 4.08pm.

These minutes were confirmed as a true and accurate record of proceedings at the Ordinary Meeting of Council, held Thursday 23<sup>rd</sup> July 2009.

Confirmed

Shire President.....

