

Shire of Menzies



ORDINARY COUNCIL MEETING

MINUTES

Held on Thursday April 23rd, 2009
In Council Chambers – Menzies

**ORDINARY COUNCIL MEETING
APRIL 23RD, 2009,
IN COUNCIL CHAMBERS COMMENCED AT 9.19 AM**

MINUTES

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President welcomes all elected Members, and Staff, declares the meeting open at 9.19am.

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 A Kelly</i>	<i>Councillor</i>
	<i>Cr G Dwyer</i>	<i>Councillor</i>
	<i>Cr I Tucker</i>	<i>Councillor</i>
	<i>Cr K Pusey</i>	<i>Councillor</i>
STAFF:	<i>Mr B Seale</i>	<i>Chief Executive Officer</i>
VISITORS:	NIL	
APOLOGIES:	<i>Cr J Dwyer</i>	<i>Councillor</i>

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.

Nil

6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Confirmation of the Previous Minutes of Council held March 26th, 2009, as presented, be adopted.

Moved By: Cr. Tucker
Seconded By: Cr. Pusey
CARRIED: 6/0

8 ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION / QUESTIONS ON NOTICE.

Announcements by the President without Discussion.

The attended meeting with Tropicana Gold in Perth confirmed the E.P.A. had received the application of 'Scope of works' (and this is progressing) with Shire of Menzies given opportunity to comment.

COUNCIL RESOLUTION

ITEM 8.1

That the Presidents Report as presented be received.

Moved By: Cr. Pusey
Seconded By: Cr. Kelly
CARRIED: 6/0

QUESTIONS ON NOTICE

ITEM 8.2

Nil

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
AUTHOR:	
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

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.]

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

Reporting on Financial Activity

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION	ITEM 9.1
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That the Financial Statements to March 31st, 2009 as presented be adopted.

MOVED: Cr Pusey
 SECONDED: Cr Kelly
 CARRIED: 6/0

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

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
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.]

POLICY IMPLICATIONS:	None
FINANCIAL IMPLICATIONS:	Reporting on Financial Activity
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION	ITEM 9.2
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That the Reports to the Financial Statements to March 31st 2009 as presented be received.

MOVED: Cr Kelly
 SECONDED: Cr Pusey
 CARRIED: 6/0

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

BACKGROUND:

Cheque numbers 5992 to 6083 excluding 6010, 6002, 6082 and direct debits and bank payments totalling \$848,443.59 **are** presented for payment as per the submitted lists as well as Receipts totalling \$1347, 033.45

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 CHIEF EXECUTIVE OFFICER the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CHIEF EXECUTIVE OFFICER 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

COUNCIL DECISION

ITEM 9.3

That cheques numbers 5992 – 6083 excluding 6010, 6002, 6082 and direct debits and bank payments totalling \$848,443.59 which have been paid by the Chief Executive Officer under delegated authority, and Receipts totalling \$1,347,033.45 be adopted.

MOVED: Cr Tucker
SECONDED: Cr Pusey
CARRIED: 6/0

9.4 TENDER NUMBER 14/09 – DUAL CAB TRUCK

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

SUMMARY:

To consider the tender for the provision of a Dual cab Truck, in terms of budget provision.

BACKGROUND:

The tender advertisement for the provision of this budgeted plant item featured in the newspaper on April 8th, 2009 and allowing the statutory fourteen days permitting submissions, applications close at 12 noon, on Wednesday 23rd, 2009. Accordingly, as the closing date had not arrived in time for this agenda preparation, the particulars will be presented to Council on April 23rd, 2009

COMMENT:

This item was presented to the February meeting and deferred for further consideration at the April meeting

CONSULTATION:

STATUTORY ENVIRONMENT:

Local Government (Functions and General Regulations) 1996 – Clause 11.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.4

To adopt the Tender submission from 'PURCHER INTERNATIONAL', for the provision of a Dual Cab Truck, in terms of tender specifications number 14/09, as advertised on April 8th, 2009, in the sum of \$105,223.00 for the purchase of the vehicle and in the sum of \$38,500.00 for the trade in vehicle, as proposed and presented to Council.

MOVED: Cr G Dwyer
SECONDED: Cr Stubbs
CARRIED: 6/0

9.5 TENDER NUMBER 15/09 – SKID STEER LOADER (BOB-CAT)

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

SUMMARY:

To adopt the tender submission from “**WESTRAC EQUIPMENT PTY LTD**” for the provision of the supply of a replacement Skid Steer Loader (Bob-Cat.), as submitted in terms of Tender number 15/09

BACKGROUND:

This tender was advertised in the West Australian newspaper on Wednesday April 8th, 2009 and allowing the statutory fourteen days to permit submissions, applications close at 12 noon, on Wednesday April 23rd, 2009. Accordingly, as the closing date had not arrived in time for this agenda preparation, the particulars will be presented to Council on April 23rd, 2009

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT: Local Government (Functions and General Regulations) 1995. Clause 14 and 22.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Existing budget provision exists

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.5

To adopt the tender submission from ‘**WESTRAC EQUIPMENT PTY LTD**’ in the sum of \$74,347.90 (incl. of GST.) as submitted in terms of Tender 15/09, for the supply of a new Skid Steer Loader and trade in the sum of \$15,400.00 with a changeover of \$58,947.00 for the trade in vehicle, as proposed and presented to council.

MOVED: Cr Pusey
SECONDED: Cr Tucker
CARRIED: 6/0

9.6 TENDER NUMBER 16/09 – CONSTRUCT AND SEAL KOOKYNIE ROAD RAIL CROSSING RE-ALIGNMENT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Dev 20
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the tender submissions for the Kookynie Road Rail crossing re-alignment, in terms of the submissions received and presented to council

BACKGROUND:

This contract was advertised in the forming, re-aligning and sealing of the Kookynie road at the Rail Crossing on Saturday April 11th, 2009 and where the following submissions received by the closing date will be listed and provided to councillors. However, as the statutory requirement for tenders is fourteen days, the closing date is Friday 24/4/09 and where it is requested the details be provided to councillors by email/fax/phone on Friday 24/4/09 for councillors opinion.

COMMENT:

This project initially included a design adopted by Council to re-locate the crossing approximately 70 metres to the West of the existing crossing, where it appears that re-aligning the road will provide the same safety aspect, as depicted in the attached plan of the site. This amendment will reduce the cost by approximately \$200,000

CONSULTATION: West Net Rail, MRWA, Shaw Mac Engineering

STATUTORY ENVIRONMENT: Local Government (Functions and General Regulations) 1995 - Clause 14.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS

Budget provision in the sum of \$337,000 is provided for which includes MRWA Black Spot funding in the sum of \$220,000 (approx) in this financial year

VOTING REQUIREMENTS: Simple Majority required

To approve the amendment to the proposed plan of the re-alignment of the Kookynie Road Rail re-alignment project to effectively re-align the road and not the crossing in terms of the attached plan, subject to confirmation of approval from MRWA and Westnet Rail and accept the tender from the list to be provided and advised by the Chief Executive Officer on April 24th 2009 and to be submitted to the May meeting for endorsement as submitted.

MOVED: Cr Pusey
SECONDED: Cr Stubbs
CARRIED: 5/1
OPPOSED: Cr Tonkin

9.7 CARAVAN PARK UPGRADE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Dev 3
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the revised plan of the caravan park in view of the previous advices provided by council at the February meeting and with the amendments as provided at that meeting.

BACKGROUND:

This is the major project for council as recognized as the priority for promotion and conclusion prior to June 30th, 2009. Accordingly, the adoption of the plan of the site is important to ensuring the satisfactory conclusion to this project and to enable the controlled progress of the project consistent with the direction from Council.

COMMENT:

The revised plan as designed by the consulting engineer is appended, reflecting the amendments of the three items advised to the Chief Executive Officer, being:

- 1) The location of the two ablutions,
 - 2) The conversion of the two locations to Caravan Park bays,
- And
- 3) The extension of the West side bays to accommodate buses and larger vehicles by deleting the proposed tree line from inside the boundary fence.

CONSULTATION:

It is advised that Grant funding is approved to assist in the provision of a Camp Kitchen, though this appears not to be consistent with the direction of Council for which guidance is sought.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

\$1,100,000 is made available this financial year for this project

VOTING REQUIREMENTS:

Simple Majority required

1. To adopt the revised version of the plan for the caravan Park as submitted and as attached, subject to any amendments required as advised to the Chief Executive Officer during the meeting;
And
2. To determine the provision of the “Camp Kitchen” in terms of guidance issued to the Chief Executive Officer during the meeting.

MOVED: Cr Kelly
SECONDED: Cr Tucker
CARRIED: 6/0

9.8 POLICY MANUAL AMENDMENT – Temporary Relief for the Chief Executive Officer

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

SUMMARY:

To consider the temporary relief for the Chief Executive Officer, when the incumbent is absent for five or more days.

BACKGROUND:

This is an administrative issue and revolves around the requirement for the Shire to always have an appointed Chief Executive Officer and in the event of his absence during terms of approved annual leave, conferences, sickness, or other approved leave to appoint a temporary officer to handle the administration during these terms.

COMMENT:

Whilst there are numerous times when the Chief Executive Officer is absent for a day or a part of a day and these events don't constitute a concern, though absences of five weeks for annual leave for example would create a concern. Thus, somewhere between absences of one day and twenty five days, there is a need for temporary relief officer to handle the administration. Accordingly, it is felt that with access to mobile phones, lap top computer access for email, five days should be a reasonable time for the administration to function without the incumbent being physically on the premise, as long as communications are available.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: Not applicable

VOTING REQUIREMENTS: Simple Majority required

To create a Policy clause to reflect the requirement to provide a temporary Chief Executive Officer Relief Officer when the incumbent Chief Executive Officer is absent for five days or more and to include this clause at item 5.15 of the current manual.

MOVED: Cr Pusey
SECONDED: Cr Stubbs
CARRIED: 6/0

➤ **10.50am Councillor G Dwyer 'declares financial interest' in Item 9.9;**

-
- ❖ 10.52am Cr. Stubbs vacates Chambers.
 - ❖ 10.57am Cr. Stubbs returns to Chambers
-

9.9 LAKE BALLARD DEVELOPMENT PROJECT

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

SUMMARY:

To consider the following issues.

1. Renewal of the M.O.U. dated 14/3/08
2. To convene a meeting of the advisory committee.
3. Consider future budget funding.
4. Provision of a caretaker's cottage.
5. Local Laws to Govern the Area.

BACKGROUND:

This project has arguably the greatest potential impact on the future of the shire of all current projects and significant strategic direction is required to ensure this facility is promoted or marketed according to a well defined plan, to achieve the desired outcomes.

COMMENT:

Appropriate data is appended for council deliberation to assist in the direction in this project.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: *Simple Majority required*

➤ **11.07am Cr. G Dwyer vacates Council Chambers**

1. To approve of the Renewal of the M.O.U with the D.E.C. office dated 14/3/08 to expire June 30th, 2009 for the project management aspect of the Lake Ballard development project, as previously provided to date.
2. To promptly convene a meeting of the Lake Ballard Management Association (Inc.) Committee of the Lake Ballard Group to assess any outstanding issues, the Conical Hill use, future development issues, status update, official opening, and management of the site.
3. To consider future budget funding for operational costs of \$50,000 for 2009/10.
4. To consider tentative provision of a Caretaker's cottage in terms of the attached plan.
5. To decline further progress on the Local Laws at this point, given the legal difficulties associated with promoting this aspect, the monitoring of the laws and enforcing them.
6. To vigorously pursue funding for this project.

MOVED: Cr Kelly
SECONDED: Cr Stubbs
CARRIED: 5/0

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- ❖ 11.12AM Council Adjournment
 - ❖ 11.30AM Council Resumes in Council Chambers
-

➤ **Cr G Dwyer returns to Council chambers.**

9.10 LOCAL AUTHORITY REFORM STRATEGY - AMALGAMATIONS

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

SUMMARY:

To consider an approach for a strategy to defend the potential for an amalgamation as proposed by the Minister for Local Government, issue the required questionnaire by April 30th and the formal reform submission to the Minister by August 30th, 2009

BACKGROUND:

The attached data refers to the details of the issues relative to local Government reform.

COMMENT:

Advices of concern have been issued to the Minister seeking his response as to what it is he has in mind in terms of increased efficiencies. Copy of the Shire letter is enclosed.

CONSULTATION:

Council is required to issue the attached Questionnaire to the Minister by April 30th, 2009, with a submission of a possible reform strategy to be in the hands of the Minister by August 30th, 2009. A meeting with the Laverton and Leonora Shires is scheduled for April 24th, 2009.

STATUTORY ENVIRONMENT: This is a State Government directive.

POLICY IMPLICATIONS: Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.10

To issue the attached questionnaire submission to the Minister by April 30th, 2009 relative to the required Reform directives as issued by the Minister for Local Government and Regional Development, noting to provide the Shire's reform proposal by August 30th, 2009, subject to further advices being submitted to Council for approval, following the formation of a "Reform Panel (Project Team) of at least three Persons", expected to be possibly the President, Deputy President and Chief Executive Officer.

MOVED: Cr Pusey
SECONDED: Cr Kelly
CARRIED: 6/0

9.11 APPLICATION FOR AN EXPLORATION LICENSE FOR A MINING TENEMENT NUMBER 57/792 'CLIFFS ASIA PACIFIC IRON PTY LTD' AND MISCELLANEOUS LICENSE NUMBER 31/59 – 'SARACEN GOLD MINES PTY LTD'

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

SUMMARY:

To consider the application for an exploration license, in terms of the attached data provided for Cliffs Asia Pacific Iron Pty Ltd and the Miscellaneous License number 31/59, from Saracen Gold Mines Pty Ltd as attached..

BACKGROUND:

Council has previously approved in principle the provision of the Saracen road re-alignment of the Yarri road.

COMMENT:

These applications do not appear to impinge on any town sites within the boundary of the Menzies Shire and appears to be located near the Bulga downs and Edjudina regions.

CONSULTATION: None

STATUTORY ENVIRONMENT: N/A.

POLICY IMPLICATIONS: N/A.

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: *Simple Majority required*

COUNCIL DECISION	ITEM 9.11
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To approve of the application for an exploration license number 57/792 in the name of 'Cliffs Asia Pacific Iron Pty Ltd' and the application for a miscellaneous License application from 'Saracen Gold Mines Pty Ltd', in terms of the attached applications.

MOVED: Cr Tucker
 SECONDED: Cr G Dwyer
 CARRIED: 6/0

9.12 LEONORA / MENZIES LOCAL JUSTICE AGREEMENT

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

SUMMARY:

To consider support for the "Leonora/Menzies Local Justice Agreement", as attached.

BACKGROUND:

COMMENT:

Council is in receipt of advices from the Attorney Generals Department relative to the agreement, as attached, with the intention of the following:

1. To achieve Safe and Sustainable communities.
2. To reduce the number of crimes in the region
3. To reduce the number of aboriginal people caught up in the criminal system.

CONSULTATION:

It appears the next meeting is scheduled for May 13th, 2009 in the Leonora Recreation Centre.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

ITEM 9.12

To support in principle the agreement for the provision of services to Leonora and Menzies in the "Leonora / Menzies Local Justice Agreement", as presented, subject to the final document being presented council for approval, prior to execution.

MOVED: Cr Pusey
SECONDED: Cr Kelly
CARRIED: 6/0

**9.13 EXPLORATION LICENSE NO. 31/866
- 'WHITE CLIFF NICKEL PTY LTD'**

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

SUMMARY:

To consider approval of the exploration license application number 31/866 for White Cliff Nickel Pty Ltd, as proposed and attached.

BACKGROUND:

Council has resolved on previous occasions to provide temporary approval subject to further advices being received as the area of interest impinges on the Yerilla town site.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:	N/A
POLICY IMPLICATIONS:	None
FINANCIAL IMPLICATIONS:	None
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION

ITEM 9.13

To approve of the proposed exploration license as submitted and attached by White Cliff Nickel Pty Ltd for application number 31/866, in terms of the attached data, subject to further advices being received prior to any works being undertaken over freehold land on where it impacts on the Yerilla townsite.

MOVED: Cr Pusey
SECONDED: Cr Kelly
CARRIED: 6/0

9.14 RATE WRITE-OFF (Raised in Error.)

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	
DATE:	April 23RD, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the write off of a rate debtor, in the name Charlton Young, for a property at lot 47 Cosmos Street, Kookynie, in the sum of \$10,326-55, being raised in error, in terms of the attached data.

BACKGROUND:

This lot is an "Old Lot" and was considered as part of the recent sale of vacant land, sold on behalf of the deceased vendor. I suspect the rates value was re-constituted in June 2006 in an endeavour to highlight the value of rates written off and thereby justifying the retention of the proceeds received from the sales. However, be that as it may, the value of the outstanding debtor remains and distorts the true value of the "outstanding entitlement" of the Shire, as this cannot ever be recovered.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: *Simple Majority required.*

COUNCIL DECISION

ITEM 9.14

To write off the value of \$10,326-55 for a deceased rate debtor in the name Charlton Young for the property at lot 47 Cosmos Street, Kookynie with assessment number 908049, having been raised in error, subject to an entry being recorded in the bad debts register, in terms of the data presented and attached.

MOVED: Cr Pusey
SECONDED: Cr Tucker
CARRIED: 6/0

- | | | |
|---|---------|-------------------------------|
| ❖ | 12.06pm | Cr. Stubbs vacates Council |
| ❖ | 12.09pm | Cr. Stubbs returns to Council |

-
- 'Declarations of Interest' Interest of Item 9.15, received from:
Cr Pusey and Cr Dwyer, who then vacate Council chambers.
-

9.15 KOOKYNIE INFORMATION BAY

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

SUMMARY:

To consider the issues surrounding the provision of the “Kookynie Information Bay”, in terms of the data presented and for which public consultation has been provided.

BACKGROUND:

Council approved of this project and made appropriate budget provision for the 2008/09 year to accommodate this facility. However, as a consultant was engaged for this purpose, and for the purpose of the Kookynie Walk Trail”, coupled with the Interpretative Plan”, it seems that these have been merged and an increase in value approved by an additional \$30,000.

COMMENT:

CONSULTATION: None

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: *Simple Majority required*

COUNCIL DECISION

ITEM 9.15

To approve of the proposed data as provided, on the Interpretative panel of the Information Bay, as proposed, in terms of the data presented for the Kookynie Information Bay project, in terms of the three recommendations as follows:-

1. That quotes received from Rifle Point Contractors be accepted as submitted.
2. That the Concrete Pathways be deleted from the Project at this time.
3. That the two elements of the project (i.e.) the entry statements and the twenty (20) free standing steel ghosts be excised from the project at this time.

MOVED: Cr Tucker
SECONDED: Cr Stubbs
CARRIED: 4/0

❖ 12.26pm Council adjourns for Lunch

❖ 1.11pm Council resumes in Council chambers.

➤ Cr G Dwyer and Cr K Pusey return to Council chambers.

9.16 ROADS TO RECOVERY FUNDS – 2009/10

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

SUMMARY:

To consider the application of "Roads to Recovery " funding anticipated in the sum of \$364,270-40 for the year 2009/10, being one fifth of the programme life for this Shire of \$1,821,352 and where it is proposed to apply these funds to sealing of three kilometres of the Kookynie road.

BACKGROUND:

This is the commencement of a new programme of funding for five years to commence 1/7/09.

COMMENT:

Confirmatory advices from the Federal Minister for Infrastructure, Transport Regional Development and Local Government are appended as required.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.16

To approve of the revenue for budget provision of \$364,270-40 from the Roads to Recovery funding programme for the 2009/10 year, and to make budget provision for the sealing of three kilometres of the Kookynie road resulting there from.

MOVED: Cr Kelly
SECONDED: Cr G Dwyer
CARRIED: 6/0

9.17 SUPPLY OF DIESEL FUEL TO THE SHIRE

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

SUMMARY:

To consider the supply of diesel fuel from the Menzies roadhouse and/or by Tender for the year 2009/10

BACKGROUND:

Council is in receipt of advices from the Roadhouse proprietors offering to sell diesel to the Shire at a reduced pump rate of \$0-05c per litre, in terms of the attached advices.

COMMENT:

Council has a diesel dispensing facility in the depot yard and purchases fuel at a wholesale rate.

CONSULTATION:

STATUTORY ENVIRONMENT:

Functions and General Regulations – clause 11.2.(g)(1.) Provides exemption to the Shire to have to tender for the provision of Fuel.

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.17

To retain the services of Link Energies for the provision of Diesel Fuel for the year commencing 1/7/09 for the Shire’s heavy vehicle fleet.

MOVED: Cr Pusey
SECONDED: Cr Dwyer
CARRIED: 6/0

9.18 REVIEW OF THE COMMUNITY SAFETY AND CRIME PREVENTION PLAN

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

SUMMARY:

To consider the revision of the Community Safety and Crime Prevention Plan as submitted.

BACKGROUND:

The attached document was adopted some years ago and required revision and where Shire input will indeed be gratefully received.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION **ITEM 9.18**

To approve of the review of the “Community Safety and Crime Prevention Plan”, as submitted and edited in terms of advices provided to the Chief Executive Officer during the meeting.

“Defer to next Council meeting”.

9.19 POLICY MANUAL AMENDMENT – GRID MAINTENANCE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status 112.
DISCLOSURE OF INTEREST:	None
DATE:	April 23, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider a policy to accommodate the maintenance aspect by sealing twenty metres on either side of each grid to prevent the Grader drivers from inadvertently filling up the grids during the process of grading the roads.

BACKGROUND:

This issue was raised in council at the August 21st, 2008 meeting, with a resolution to re-visit this issue for the purpose of designing a policy.

COMMENT:

Ross Wood alleged that a number of Grids in the Shire were too small to be effective and that consideration to replacing them should be provided.

CONSULTATION: None

STATUTORY ENVIRONMENT: Uniform Local Provisions Regs. 1996 – Clause 9.

POLICY IMPLICATIONS: Clause 7.4 (Page 26.) Of the manual

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.19
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- 1. To adopt policy clause number 7.4 (2.) in terms of Grid Maintenance , that twenty metres either side of each Grid be sealed in order to prevent the inadvertent filling up of the Grid during the process of Maintenance Grading.**
- 2. Furthermore each Grid within the Shire be determined at no less than 8 metre wide.**

MOVED: Cr Stubbs
SECONDED: Cr Tucker
CARRIED: 6/0

9.20 MENZIES TRUCK BAY ASSEMBLY AREA

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Dev 32.
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To progress the concept of the Truck Bay assembly area for the Shire of Menzies with adoption of the access – egress plan as submitted.

BACKGROUND:

This project has been a long time coming and exacerbated by the conversion from the provision of a simple ablution to a five acre assembly area as a "Fatigue/Rest Area". However, council has agreed to purchase a number of lots in order to ensure control over the site and settlement was effected on Tuesday 7/4/09. Thus, progress can proceed.

COMMENT:

Proposed map of the road aspect is enclosed as designed by Councils engineers for Council consideration.

CONSULTATION: Duncan Jack (Simon Debeen)

STATUTORY ENVIRONMENT: None

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: \$100,000 is provided for in this financial year.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.20

To approve of the proposed access and egress plan as submitted for the "Menzies Truck Bay Assembly Area", as submitted and the receive advices from Council as to other factors applicable to this concept in terms of advices provided to the Chief Executive Officer during the meeting, relative to the location for the ablution, refuse bins, lighting facilities, delineating posts, water storage tank and water services; subject to further advices being submitted to Council as to cost of these services prior to commitment.

MOVED: Cr Pusey
SECONDED: Cr Tucker
CARRIED: 6/0

9.21 AGED CARE HOUSING CONCEPT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
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 a “Whole of Concept” idea of providing a progressive support system from within the town site for aged people in terms of a village concept where the following would be provided. (Perhaps over a number of years)

1. Aged Care facility for able people that feel they can no longer care for their own home.
2. Frail aged facility for people converting from the “Aged Care” facility, funded in year 2.
3. Retirement Home services where 24 hours per day nursing service is afforded the occupants, for funding in year three, dependant on funding and demand for the facility.

BACKGROUND:

Substantial funding is available through the Dep’t. of Housing and Works and a village of four units for each of the three categories would seem very suitable. Some detail is appended suggesting a location in Mercer Street would suffice.

COMMENT:

Council has endorsed the concept of providing this type of facility subject to further advices as to cost and consultation.

CONSULTATION:

Public consultation has **not yet** been undertaken.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

It is anticipated that the provision of four units for the “Aged Care” facility would cost approximately M\$1.2, though substantial funding from the Department of housing and Works will ease that burden significantly and where Shire contribution is largely in the provision of the land and “In Kind” works and management of the facility.

VOTING REQUIREMENTS:

Simple Majority required

To approve “In Principle Only” the tentative budget provision of a “Well Aged” village concept of four units for the 2009/10 year, to be constructed in Mercer Street, subject to funding being made available with further advices to issue to Council once the Public Consultation “process has been undertaken, with plans to be designed to accommodate future development of the four “Frail Aged” units and the four Retirement village units.

MOVED: Cr Dwyer
SECONDED: Cr Stubbs
CARRIED: 6/0

9.22 ANNUAL REVIEW OF THE DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

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

SUMMARY:

To review the delegations to the Chief Executive Officer as is statutorily required, on an annual basis.

BACKGROUND:

Delegations to the incumbent Chief Executive Officer was resolved by an "Absolute Majority" of Council on June 19th, 2009 and subsequently included an additional delegation number 47 to approve the issuance of purchase orders to effect the essential purchase of Goods and Services.

COMMENT:

Council can only delegate powers to the Chief Executive Officer and no other staff, though the Chief Executive Officer can delegate powers to other staff. The list of delegated powers is appended, as required for review, which is required to be effected by June 30th, 2009.

CONSULTATION:

STATUTORY ENVIRONMENT: Local Government Act 1995 – Clause 5.42 (1.)

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: "Absolute Majority" required

COUNCIL DECISION	ITEM 9.22
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To endorse and renew the review of Delegated Powers to the incumbent Chief Executive Officer, Mr B.W. Seale, powers numbered one to forty seven, in terms of the list provided, as required by Clause 5.46 (2.) of the Local Government Act 1995 and subject to any advices provided to the Chief Executive Officer during the meeting.

MOVED: Cr Kelly
SECONDED: Cr Tucker
CARRIED: 6/0

9.23 PURCHASE OF A REPLACEMENT PHOTOCOPIER – 2009/10

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

SUMMARY:

To consider budget provision for the replacement of the existing photocopier in the 2009/10 budget year deliberations, in the sum of \$25,000

BACKGROUND:

The existing copier was purchased in 2006 and has exceed its intended capacity by approximately double and whilst there hasn't been a lot of issues, there have been sufficient to cause a concern in terms of timeliness of statutory obligations.

COMMENT:

A quote from a consultant is appended for council consideration, where both purchase and leasing is provided..

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

Not Applicable

FINANCIAL IMPLICATIONS:

\$25,000 will be required. In the 2009/10 year, for a purchase, if approved..

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

ITEM 9.23

To make budget provision of \$25,000 in the 2009/10 budget year for the purchase of a replacement photocopier, subject to the budget adoption meeting scheduled for mid June 2009

MOVED: Cr Tucker
SECONDED: Cr Pusey
CARRIED: 6/0

9.24 POLICY MANUAL – AMENDMENT (LOCAL EMPLOYMENT POLICY)

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

SUMMARY:

To consider a policy for “Local Employment” of residents of Menzies for the stability of the Shire.

BACKGROUND:

This issue was raised by a councillor in the February meeting for Consideration.

COMMENT:

CONSULTATION:

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

COUNCIL DECISION	ITEM 9.24
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- To adopt a “Local Employment Policy” as follows and listed as Policy number 5.16:
1. To develop and provide employment and training opportunities for local residents within the Shire boundary.
 2. The Shire of Menzies will seek to employ where possible local people for all vacant positions.
 3. The Shire of Menzies will advertise all vacancies whether fulltime, part-time, temporary or relief positions, in local newspapers, State wide newspapers and on towns notice boards.
 4. The Shire of Menzies will provide training and/or scholarship programmes as such to employ local people to enhance their skill for employment.
 5. The Shire of Menzies will appoint a panel of two or three persons (perhaps including a commonwealth government Representative, plus the Chief Executive Officer to interview and appoint persons for traineeships.

MOVED: Cr Pusey
SECONDED: Cr G Dwyer
CARRIED: 6/0

9. 25 'COMMUNITY NEEDS' SURVEY RESULTS

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status No 117
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd ,, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the results of the recently conducted community "Needs Survey" in terms of the attached.

BACKGROUND:

Not applicable

COMMENT:

The attached summary received, indicates the areas of interest in the community are largely focused on quality of life issues. (i.e) activities, recreation, sport, games, services entertainment, health.

CONSULTATION: None

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: Not applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.25

To incorporate the results of the 'Community Needs' survey into the "Corporate Plan" as presented and as is being prepared at present and develop strategies to incorporate these aspects into the development of the Shire in the "Plan for the Future of the District" for presentation to the May meeting of Council for consideration.

MOVED: Cr Kelly
SECONDED: Cr Pusey
CARRIED: 6/0

9. 26 COUNCILLOR TRAINING

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
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 councillors as presented in the attached manual.

BACKGROUND:

Council has budgeted \$20,000 for conference expenses in the 2008/09 year against which there is no expenditure incurred to date.

COMMENT:

The range of courses available is extensive and valuable and all councillors would benefit from participation.

CONSULTATION:	None
STATUTORY ENVIRONMENT:	Not applicable
POLICY IMPLICATIONS:	Not applicable
FINANCIAL IMPLICATIONS:	\$20,000 is potentially available for this purpose.
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION

ITEM 9.26

To consider the opportunities for councillor training in terms of the details provided in the manual attached and in terms of the advices provided to the Chief Executive Officer during the meeting.

MOVED: Cr Pusey
SECONDED: Cr Kelly
CARRIED: 6/0

9. 27 POLICE WORK CAMP / DETENTION CENTRE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status No 298
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd ,, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To embrace the concept of the "Work Camp" facility and engage the candidates with meaningful activities where the town will benefit from their participation and they will benefit by being involved in a worthwhile activity.

BACKGROUND:

Council resolved at the December 2008 meeting to consider this concept.

COMMENT:

The opportunity exists and where Menzies is seen as an ideal location as it is much closer to Kalgoorlie than the Mt Morgan's facility near Laverton.

CONSULTATION:

John Moore is the Senior Officer at the Mt Morgan's centre (9031-1964)

STATUTORY ENVIRONMENT: Not Applicable

POLICY IMPLICATIONS: Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS *Simple Majority required*

COUNCIL DECISION

ITEM 9.27

To approve of the concept of the Police Work Centre and prepare a list of meaningful duties for the candidates application and present this for council deliberation, together with the Agreement for Council scrutiny to the May meeting in readiness for commencement from July 1st, 2009.

MOVED: Cr Kelly
SECONDED: Cr Pusey
CARRIED: 6/0

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
AUTHOR:	Justin Lee, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

The Banking services proposal (attached) includes the introduction of EFTPOS and B Pay facilities. It is proposed that the EFTPOS facilities be located at the Lady Shenton Resource Centre and B Pay facilities made available as an alternate payment option for Rates notices.

BACKGROUND:

Cash and cheque are the only two options for payment at the Lady Shenton Resource Centre. Many sales are lost because of the unavailability of EFTPOS facilities and also as no ATM facilities exist in town.

Items for sale range from stamps at 5c each to major artworks from the Spinifex collection valued at \$705.00 each. Customers tend not to carry large sums of money with them because of readily available access to EFTPOS in most businesses throughout Australia.

A certain level of venerability exists with cheques as they take a minimum of five days to clear and in particular when the item is collected at the time of the transaction by the purchaser.

The majority of Local Governments offer B Pay as an option for rates payment. It is quick and convenient, and can be processed by the customer through internet and/or phone banking. It works particularly well with absent rate payers which are the majority in the Shire of Menzies.

COMMENT:

It is recommended that as a Shire both EFTPOS facilities & B Pay for the payment of rates be implemented as described. Rates and charges for the implementation and ongoing costs are included in the NAB Shire of Menzies Banking services proposal dated 6 January, 2009.

That the implementation of EFTPOS facilities for the Lady Shenton Resource Centre proceeds.

CONSULTATION:

Chief Executive Officer, Customer Service Officer, Rates & Accounts Officer & Resource Centre Co-ordinator

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

Fees and charges as per Banking Services Proposal. Potential increase in sales at the Visitor Centre with readily available access to EFTPOS facilities.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.28
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That the implementation of B Pay facilities for Rates payments and E.F.T.P.O.S facilities be implemented for the commencement of the 2009/2010 rates period at the Lady Shenton Resource Centre.

MOVED: Cr Kelly
SECONDED: Cr Pusey
CARRIED: 6/0

9.29 INTERAGENCY COMMITTEE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
AUTHOR:	Justin Lee, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

It is proposed that within the Shire of Menzies that a structure for regular interagency meetings be put in place. The focus of Interagency meetings is community development and agenda items may include such diverse areas as: RoadWise, Safety & Crime Prevention Plan (Review), Community Resource Centre (Lady Shenton), Sport & Recreation, Community Education, Health, Policing, Emergency Services and the Arts.

BACKGROUND:

Many Local Governments already have well established Interagency groups with representatives from the Health, Education, Police, Community, Shire Councillors and Staff. This usually falls under the Community Development area of the Shire's responsibility and is often a sub-committee of the Shire Council. In particular smaller Shires and communities only need to have one committee rather than multiple committees for each area requiring attention.

COMMENT:

A typical interagency group would have the following representation:

- School – Principal
 - Nursing post - Nurse
 - Policing – Leonora Police representative
 - Shire Council – Councillor
 - Sport & Recreation – Sport & Recreation Co-ordinator (Shared)
 - Shire Staff - Community Development Officer
 - Shire Staff - Capacity Building Officer
 - Fire & Emergency Services (Ambulance & Bush Fire Brigade) – Representative
 - Community Member
- Meetings to be held 6 – 8 times per year at regular intervals.
- Each meeting to be 60 – 90 minutes in length and the agenda to reflect the diverse nature of Community Development e.g. RoadWise, Safety & Crime Prevention Plan (Review), Community Resource Centre (Lady Shenton), Sport & Recreation, Community Education, Health, Policing, Emergency Services and the Arts.
- Sub-committee reports to the Shire Council with minutes tabled.

CONSULTATION: Chief Executive Officer

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.29

To adopt the structure of the Interagency Group as a Committee with commencement July 1st, 2009, to meet bi-monthly on the 2nd Thursday of each second calendar month in Shire Chambers at 9:00am.

MOVED: Cr Pusey
SECONDED: Cr G Dwyer
CARRIED: 6/0

9.30 REVIEW OF FEES AND CHARGES

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status No
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider amendments to the schedule of fees and charges for the year ended 30/6/10.

BACKGROUND

This is an annual consideration and provides opportunity for Council to address any amendments prior to the budget deliberation process.

COMMENT:

Whilst a fee has been applied to staff housing, the fee has not been included in the schedule of fees and charges and this is an appropriate time to include this fee for the new budget period.

CONSULTATION:

STATUTORY ENVIRONMENT:	Not Applicable
POLICY IMPLICATIONS:	Not Applicable
FINANCIAL IMPLICATIONS:	None
VOTING REQUIREMENTS	<i>Simple Majority required</i>

COUNCIL DECISION

ITEM 9.30

To include a fee of \$25 per week for staff housing into the schedule of fees and charges for the Shire of Menzies, as the standard weekly rental factor for the year commencing July 1st, 2009.

MOVED: Cr Tucker
SECONDED: Cr Stubbs
CARRIED: 6/0

9. 31 TOWN PLANNING SCHEME AMENDMENT No 3.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status No 9
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd ,, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To adopt the proposed amendment number three to re-zone the caravan park area to “Caravan Park – Special Use.”, as approved by Council on 23/1/07.

BACKGROUND

This process commenced in January 2007 as part of the caravan park development and has been advertised, as required. There were no objections received.

COMMENT:

Public consultation was requested for the statutory 42 days, as required and to finalize this process the council is required to adopt the proposed amendment document and forward same onto the Planning Commission, under Seal of the Shire.

CONSULTATION:

Advices were forwarded to all appropriate offices, as required, included Tourism W.A. and State Land Services. No objections were received.

STATUTORY ENVIRONMENT: Not Applicable

POLICY IMPLICATIONS: Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS Simple Majority required

COUNCIL DECISION

ITEM 9.31

To adopt the proposed amendment No. 3 for the Town Planning Scheme No. 1 to re-zone the caravan park land from Commercial to “Caravan Park – Special Use”, as advertised and resolved on January 2007; with the copies to be executed by the President and Chief Executive Officer under the ‘Seal of the Shire’ and forwarded to the WA Planning Commission with the check list, as required.

MOVED: Cr Pusey
SECONDED: Cr Kelly
CARRIED: 6/0

9. 32 TOWN PLANNING SCHEME AMENDMENT No 4.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status No 11
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd ,, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider obsoleting this process of a scheme amendment, given the Hotel owners do not wish to proceed with the process due to cost of relocating the water main.

BACKGROUND

The previous owners applied to have the land at the rear of the Hotel zoned "Hotel Accommodation" and not commercial. However, the cost of relocating the water main was cost prohibitive to the new owners and they have asked for the process to cease.

COMMENT:

1. It is possible that approving the re-zoning to "Special Use" might satisfy the requirements for the land in question, but not including the R.O.W., if an easement was granted to the Water Corporation. That will be the option of the Owners., or
2. Alternatively the Closure of the R.O.W. might be suitable.

CONSULTATION:

STATUTORY ENVIRONMENT: Not Applicable

POLICY IMPLICATIONS: Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS Simple Majority required

COUNCIL DECISION

ITEM 9.32

To terminate any further progress with the Town Planning Scheme amendment No. 4, due to the new owners of the Menzies Hotel not wishing to proceed with the zoning amendment, as the zoning is dependent upon the Water Corporation approving of the proposal and this has not been forthcoming due to the refusal to relocate the water main in the R.O.W. at the rear of the Hotel.

MOVED: Cr Kelly
SECONDED: Cr Tucker
CARRIED: 6/0

9. 33 TOWN PLANNING SCHEME AMENDMENT No 5.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status No 80
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd ,, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To progress the Town Planning amendment scheme No 5 with the execution of the scheme amendment documents, as required.

BACKGROUND

This amendment was approved by Council in October 2007 and advertised as required, where no objections were received.

COMMENT:

This amendment refers to the deletion of the scheme clause to require all building applications to be presented to Council, even single dwellings.

CONSULTATION:

Appropriate advertising has been undertaken, as required.

STATUTORY ENVIRONMENT: Not Applicable

POLICY IMPLICATIONS: Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: *Simple Majority required*

COUNCIL DECISION **ITEM 9.33**

To adopt the proposed amendment No. 5, as advertised and execute the amendment documents under seal , as required and forward to the Planning commission with the checklist, as required, with the Building Surveyor to advise Council of approvals.

MOVED: Cr Dwyer
SECONDED: Cr Kelly
CARRIED: 6/0

9. 34 BUDGET REVIEW. (YEAR ENDED 30/6/09)

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status No
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider budget review issues as follows, as required.

BACKGROUND:

This item was presented to the March meeting and deferred to the April meeting for consideration.

COMMENT:

This has been a tumultuous year and one in which we have been adversely impacted by the significance of the staffing issues and this has exacerbated the seriousness of our situation.

Notwithstanding the parlous situation as presented, the Shire remains in a sound and strong financial position and the projects remain on track and success is imminent.

CONSULTATION:

STATUTORY ENVIRONMENT:	Not Applicable
POLICY IMPLICATIONS:	Not Applicable
FINANCIAL IMPLICATIONS:	None
VOTING REQUIREMENTS	Simple Majority required

COUNCIL DECISION

ITEM 9.34

To adopt the Budget Review submission as presented and forward same to the Department of Local Government and Regional Development, as required, together with the minute of the meeting adopting the review.

MOVED: Cr Pusey
SECONDED: Cr Kelly
CARRIED: 6/0

9. 35. APPLICATION FOR ROAD TRAIN APPROVAL

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status No
DISCLOSURE OF INTEREST:	None
DATE:	April 23rd, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the application from the Gould Transport group to cart from August 2009 to January 2010 on the Linden road and Mt. Celia Roads, in terms of the attached application.

BACKGROUND:

Not applicable

COMMENT:

Council has previously approved of these road train requests in the past and included provision of:

- 1. Bankers Guarantee of \$1,000 per kilometre of Shire local road being utilized.
- 2. Road Maintenance Agreement to apply, prior to use.

CONSULTATION: Jim Epis from Leonora

STATUTORY ENVIRONMENT: Not Applicable

POLICY IMPLICATIONS: Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS Simple Majority required

COUNCIL DECISION **ITEM 9.35**

To approve of the application from the Gould Transport group to utilise the Menzies Shire Local Road Network of the Mt. Celia Road and the Linden Road to cart from the 'Red October' mine to the plant at the 'Carusu Dam' site from August 2009 to January 2010, in terms of the application as attached, subject to the following.

- 1. Bankers Guarantee equivalent to \$1,000 per kilometre of local road travelled, and
- 2. Road Maintenance Agreement to be in place prior to use.

MOVED: Cr Pusey
SECONDED: Cr Kelly
CARRIED: 6/0

10.1 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10.2 CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS

Approval to go 'Behind Closed Doors'

MOVED: Cr Tucker
SECONDED: Cr Kelly
CARRIED: 6/0

10.3 Reports of Councillors and Staff

Chief Executive Officer addressed Council on the following:

10.3. A BROWN STREET, RE-ALIGNMENT

COUNCIL RESOLUTION **ITEM 10.3.A**

To adopt map as proposed and presented for the Brown Street, re-alignment.

MOVED: Cr. Stubbs
SECONDED: Cr. Kelly
CARRIED: 6/0

10.3. B. HOSTING DINNER FOR G.Q.D.T.

COUNCIL RESOLUTION **ITEM 10.3.B**

To support the G.Q.D.T. dinner to the value of \$300.00 at Menzies Hotel on Friday, June 5th 2009

MOVED: Cr. Dwyer
SECONDED: Cr. Pusey
CARRIED: 6/0

10.3. C. COMPLAINT FROM NATALIE WALKER

Council request Chief Executive Officer to address Item 10.3.C

10.3. D.	RECOMMENCEMENT OF MINING AT BOTTLE CREEK - M29/150
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MISC. LICENSE APPLICATION L29/77 AT BOTTLECREEK

To approve Misc. Licence L29/77 at Bottlecreek as proposed and attached.

COUNCIL RESOLUTION	ITEM 10.3.D
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MOVED: Cr. Kelly
SECONDED: Cr. Pusey
CARRIED: 6/0

10.3. E.	WALGA RESPONSES
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Council on Item 10.3.E - 'request Chief Executive Officer to address' with evidence of response to be forwarded to Council.

10.3. F.	SOFTWARE UPGRADE – INTEGRATED G/L
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Software	\$40,000.00
Maintenance	\$32,000.00
Acc/Service	\$60,000.00

Council on Item 10.3.F - 'request deferment to next meeting'

Councillors addressed Council on the following:

Cr Stubbs:

1. Old drill holes in the Shire remain uncapped, perhaps Council should write to Department of Mines and Petroleum for attention.
2. Department of Education advises being unable to support schooling at Morapoi and recommending bussing children to Menzies Remote Community School.

Cr Tucker:

1. Road to Leonora has areas of damage requiring repair.

Cr. Pusey:

1. Alcohol related issues in Northern Goldfields meeting in Leonora to represent the Community.
2. Some alarming issues occurred at Niagara Dam with anti-social behaviour over the Easter Break

Cr. Kelly: No comment

Cr. G Dwyer: No comment

Cr. Tonkin:

1. Management Committee of 'Lake Ballard' addressed with recommendation to include Cr. Tucker and exclude the Chief Executive Officer, from Membership but included for secretarial purposes.
2. Ensure remittance slips are provided with Attendance/Travel fees.

10.4 LATE ITEMS BE ADDRESSED

Approval to address late items.

MOVED: Cr Kelly
SECONDED: Cr Pusey
CARRIED: 6/0

11 INFORMATION BULLETIN

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

**12 CLOSURE
NEXT MEETING / MEETING CLOSURE**

- There being no further business to discuss, the President declared the meeting closed at 5.12pm

The next Meeting will be held on Thursday, May 28th, 2009 at the Council Chambers, Menzies, commencing at 9.00am.

These minutes were confirmed as a true and accurate record of proceedings at the Ordinary Meeting of Council, held Thursday 28th May 2009.

Confirmed

Shire President.....

