
SHIRE OF MENZIES

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF MENZIES, HELD AT THE COUNCIL CHAMBERS, MENZIES ON FRIDAY 21 APRIL 2006 COMMENCING AT 9.00AM

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The Shire President welcomed all elected members and staff and declared the meeting open at 9.00am. He extended a special welcome to the visitors present and said he looked forward to their respective presentations.

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

Present:	Cr S Tonkin	Shire President
	Cr A Kelly	Deputy Shire President
	Cr J Dwyer	Member
	Cr I Tucker	Member
	Cr P Kennedy	Member
	Cr K Purchase	Member
Staff:	Mr P Crawford	Chief Executive Officer
	Mr B Pepper	Minutes
Apologies:	Cr I McGregor	Member
	Ms Rosemary Braybrook	Minister Bowler's office
Visitors:	Ross Guyton	Department of Industry and Resources
	Laura Gray	Heritage Commission of WA
	Sarah Fletcher	Goldfields Esperance Development Commission
	Janice Kendall	Goldfields Esperance Development Commission
	Peter Peebles	Regal Resources
	Kane Fogarty	Regal resources
	Matt Longworth	Heron resources (After 09.07 am)
John Jackson	INCO (After 09.07 am)	

PUBLIC QUESTION TIME:

Brad Pepper left the Chambers at 0903 am.

The President invited Ms Laura Gray to speak first.

Ms Laura Gray:

Ms Gray from the Heritage Commission was present to advise Council on what options were available when considering the preservation of old local buildings. The first step would be to have a conservation plan drawn up and funding would be available through Lottery West. The priority would not only be the restoration of the building but equally important was the future

use of the building. Janice Kendall from GEDC said that her organisation would also be keen to support any such funding requests.

Ms Laura Gray left the Meeting at 09.14 am.

Mr Peter Peebles:

Mr Peter Peebles from Regal Resources gave an overview of Regal Resources's company history and the current leases that they have in the immediate area. Of particular interest was the mines in Menzies that they would be keen to see commence activity at about the end of this calendar year. Selkirk pit would be the first to come on line when that time comes.

The company also have some nickel deposits on their boundary with Heron resources that are quite reasonable and are investigating them further.

Mr Ross Guyton:

Mr Ross Guyton from the Department of Industry and resources gave an overview of the Kalgoorlie Nickel Project from the Department's position and indicated the direction that should be taken by all parties from now on to ensure that the project has every chance of success. Constant liaison between the Shire of Menzies, the GEDC and Heron resources must be sustained even at this premature stage as it was absolutely crucial to be prepared in advance. He drew conclusions from the Ravensthorpe Nickel Project and was pleased that the President and CEO had travelled to Ravensthorpe to experience first hand the challenges faced by those participants and how they resolved those issues.

Mr Matt Longsworth:

Mr Matt Longsworth gave a report on the Goongarrie nickel exploration drilling program. The results to date were very encouraging but still had some way to go before the next step in the program was assured. The sites were very strategically placed to access road and rail transport. He advised that he would give a further slide show on the project at the actual site following the conclusion of the Council Meeting.

Brad Pepper reentered the Chambers at 10.05 am.

Mr John Jackson:

Mr John Jackson gave some background on INCO and how they became involved in the Kalgoorlie Nickel Project. INCO was the third biggest nickel producer in the world and would shortly become No 1 if the take over of Falconbridge was successful. They were very keen to see the Kalgoorlie Nickel Project get off the ground but there were specific targets that needed to be achieved before that goal was reached.

The president thanked all speakers and invited them to stay for the rest of the Meeting.

Mr Peter Peebles and Mr Kane Fogarty left the Meeting at 10.25 am.

The Meeting was adjourned at 10.25 am for morning tea.

The Meeting recommenced at 10.40am.

3. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

4. ANNOUNCEMENTS BY SHIRE PRESIDENT WITHOUT DISCUSSION

The President advised the Meeting that he had attended meetings with the CEO in Perth with the DLGRD. There they met with Mr Lou Naumovski, the Senior Advisor to the Department and discussed the matter of the blocks of land in Menzies and Kookynie and the problems associated with Council attempting to get access to them. Mr Naumovski could only offer some advice as to how Council should resolve the matter.

Following that meeting, the group travelled to Geraldton to attend the State Roads Forum, hosted by Main Roads Western Australia and WALGA.

He attended the dedication of unmarked Police graves at Kanowna Cemetery on 1 April 2006

He attended a GEDC Board Meeting in Kalgoorlie on the 7 April 2006.

In company with Cr Jill Dwyer and the CEO, attended a meeting with the GLSC in kalgoorlie to discuss the Lake Ballard Association agreement. The meeting was very positive and all are optimistic that the agreement will be formalized shortly.

In company with other Councilors and staff, carried out a road inspection in the western sector of the Shire.

COUNCIL DECISION	ITEM 4
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MOVED Cr J Dwyer

SECONDED Cr K Purchase

That the President's report be received

CARRIED 6/0

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING:

6.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL, HELD FRIDAY, 17 MARCH 2006

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 6.1
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MOVED Cr A Kelly

SECONDED Cr P Kennedy

That the minutes of the Ordinary Meeting held on Friday 17 March 2006 as previously circulated be confirmed as a true and accurate record.

CARRIED 6/0

7. STATUS REPORT:

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 7.1
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MOVED Cr A Kelly

SECONDED Cr I Tucker

That the Status Report as at 31 March 2006, be received.

CARRIED 6/0

Some discussion ensued from Item13 as to what blocks of land were actually in Council possession, CEO to investigate and advise Council at the next Ordinary Meeting.

No Resolution of Council was made.

8. FINANCIAL REPORTS

8.1 Financial Statements to 31 March 2006

SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Menzies
APPLICANT: N/A
FILE REF: 103a
DISCLOSURE OF INTEREST: None
DATE: 10 April 2006
AUTHOR: Brad Pepper, Works Supervisor/Finance Officer
SIGNATURE OF AUTHOR:
SENIOR OFFICER: Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:

BACKGROUND:

The Financial Reports (AAS27) are presented monthly, generated by our off-site Accountants, 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 (i) (e)

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Reporting on Financial Activity

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 8.1

MOVED Cr P Kennedy

SECONDED Cr J Dwyer

That the Financial Statements to 31 March 2006 as presented, be adopted

CARRIED 6/0

8.2 Accounts for Payment

SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Menzies

APPLICANT: N/A
FILE REF: 103
DISCLOSURE OF INTEREST: The author has an interest to the extent that he is a recipient of a reimbursement cheque and the senior officer is the co-owner of a the local roadhouse, one of the creditors
DATE: 10 April 2006
AUTHOR: Brad Pepper, Works Supervisor / Finance Officer
SIGNATURE OF AUTHOR:
SENIOR OFFICER: Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:

BACKGROUND:

Cheque numbers 3531 to 3588 and bank statement transfers totalling \$144,196.48 are presented for payment as per the submitted lists.

COMMENT:

None required.

CONSULTATION:

Ms Mandy Wynne, Haines Norton

STATUTORY ENVIRONMENT: Local Government (Financial Management) Regulations 1996 Regulation 13(2)

POLICY IMPLICATIONS: All signing of cheques were carried out as per Policy 3.8. (All amounts over \$15,000 were counter signed by a Council Member).

FINANCIAL IMPLICATIONS: Reduction to the Municipal Fund Balance

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 8.2
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MOVED Cr P Kennedy

SECONDED Cr A Kelly

That cheques numbered 3531 to 3588 and direct bank payments totalling \$144,196.48 which have been paid by the Chief Executive Officer under delegated authority, be adopted.

CARRIED 6/0

9. WORKS REPORT:

9.1 WORKS SUPERVISORS REPORT

9.1.1 Roadworks and General Report

SUBMISSION TO: Ordinary Meeting of Council, Friday
21st April 2006
LOCATION: Menzies Shire

APPLICANT: N/A
FILE REF: 405a
DISCLOSURE OF INTEREST: None
DATE: 21 April 2006
AUTHOR: Brad Pepper, Works Supervisor
SIGNATURE OF AUTHOR:
SENIOR OFFICER: Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:

MAINTENANCE GRADING:

Maintenance grading around the Edjudina region has been progressing well and is nearly completed. Following this will be the relocation towards the Kookynie area and many of the roads in this location will receive treatment on a needs basis.

GENERAL:

Formation works are nearing completion on the Blackspot Project with 100mm of gravel sheeting remaining. Culverts have been installed where necessary in conjunction with appropriate runoff drainage. An estimate of 3-4 weeks for final the completion date is expected.

In light of the recent rains there is a concentrated effort to keep up with the mowing and weeding in Menzies. The grasses are growing quite vigorously and do look good while green but may present some fire hazards when they die off.

The redevelopment of the Connie Sue Highway is well underway. Russell has completed well over 200 hours of grading consisting of approx 65km of formation works. The road is now 18-20m wide and in early stages of construction, this meaning that the progress of the formation will take 2 or 3 more years to complete as the road settles with the effects of rain, wind and traffic. At present the thick dust is a hindrance and only a moderate amount of material can be disturbed at one time. While at the moment it is very dusty and quite rough the right approach has been adopted and in years to come it will prove to be successful. Photos are attached.

ROAD INSPECTION:

On Thursday, 6th and Friday 7th April, a road inspection was carried out by Members of Council, the CEO and Quinten Senior. Roads inspected were sections of the Menzies-Evanston Rd and the Menzies-Northwest Rd, Riverina-Snake Hill Rd, Mt Ida and Leonora-Mt Ida Rds in the western sector. Roads in the eastern sector included the Kookynie Rd, Kookynie-Malcolm Rd, Kookynie-Yarri Rd, part of the Pinjin Rd, Mt Celia Rd, Yarri Rd to the southern boundary and the Cranky Jack Rd

Also inspected was the Haul Road from the Elora Rd to the old Safari Bore mine site which is part of a length of haul roads that St Barbara Mines Limited are very keen to see the Shire take possession of.

In general, the condition of the roads inspected were quite good despite the recent rains which left other local authorities roads in a rather poor state. Obviously, there is some damage to the roads from vehicles travelling over them when they were still very wet, however, that damage is restricted to those sections that do not have enough shape to induce water run off.

The question for Council is to determine what standards they wish the individual roads to be constructed to and maintained.

During the next two months, a questionnaire will be circulated to Members detailing the current standard of each road and asking them to determine what they see as their priorities in each case.

The result of this survey will form the basis of our five year plan for the roads in the Menzies Shire.

STAFF:

At the present moment, Quinten Senior has been appointed acting Works Supervisor. A permanent decision will be made at the completion of a probationary period of three months.

The road crew are currently down one person but attempts are being made to source another operator. The roller driver, Les Taylor is working out of the town depot for the immediate future.

STATUTORY ENVIRONMENT: As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions provisions.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.1.1
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MOVED Cr P Kennedy

SECONDED Cr J Dwyer

That the Works Supervisors report, as tabled, be received

CARRIED 6/0

11.43 am Crs. P Kennedy and K Purchase declared a financial interest in the next Agenda Item and left the Chambers

10. HEALTH, BUILDING AND TOWN PLANNING BUSINESS:

10.1 Environmental Health Officer's Report

10.1.1	Menzies Hotel – Alfresco Dining Area
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SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Menzies
APPLICANT: N/A
FILE REF: H11 & H13
DISCLOSURE OF INTEREST: None
DATE: 8 November 2005
AUTHOR: Gary Goldsworthy, Principle Environmental Health
Officer / Building Surveyor
SIGNATURE OF AUTHOR:
SENIOR OFFICER: Peter Crawford, Chief Executive Officer
**SIGNATURE OF SENIOR
OFFICER:**

BACKGROUND:

The second part of the Health (Smoking in Enclosed Public Places) Regulations 2004 come into force after the 31st July 2006, this means that there will be a total ban on smoking inside public buildings including all hotels.

The manager of the Menzies Hotel is seeking permission to trade in a public place that being the footpath outside his premises.

COMMENT:

The manager of the hotel must make an application to the Department of Racing, Gaming and Liquor to ascertain if the licensing court is prepared to extend his licence to an area outside of his hotel.

Subject to the Department of Racing, Gaming and Liquor agreeing to that area being licenced then the Council would then have to agree to the proposal by allowing the manager of the hotel to trade in a public place. Fees and charges associated with trading in a public place would be licence fee on initial issue and renewal \$40 plus \$1000 a year.

The footpath outside the hotel is 4.4m wide and the hotel is looking at using 3.1m by the length of the hotel addressing the road and that will leave 1.3m of footpath free for the use of pedestrians.

The Health Department of WA has advised that smoking would be permitted even if people were eating in this proposed area, provided the area is not enclosed by more than 50%. The wall of the hotel and the roof over the verandah would be part of the calculation in determining the 50%.

CONSULTATION:

Mr Keith Purchase, Licensee – Menzies Hotel

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None that the author is aware

FINANCIAL IMPLICATIONS: None that the author is aware

VOTING REQUIREMENT: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 10.1.1
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MOVED Cr A Kelly

SECONDED Cr J Dwyer

That Council Resolve to support in principal, the application from the Menzies Hotel to trade in a public place, and that any further action by Council be determined after the outcome of the submission by the applicant to the Department of Racing and Gaming has become known.

CARRIED 4/0

11.44 am Crs P Kennedy and K Purchase returned to the Chambers

10.2 RANGERS REPORT

10.2.1	Ranger's Report
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SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Shire of Menzies
APPLICANT: N/A
FILE REF: 125
DISCLOSURE OF INTEREST: None
DATE: 21 April 2006
AUTHOR: Patrick Kelly, Shire Ranger
SIGNATURE OF AUTHOR:
SENIOR OFFICER: Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:
SUMMARY:

This Item is to advise Council of the Ranger's activities during the past month of March 2006.

COMMENT:

**RANGER'S REPORT
MARCH 2006**

Dear Peter

Here contains a report on my activities and contribution to the shire for the month of March.

On Wednesday the 29th I was asked to accompany Gary Goldsworthy on a trip to Menzies to assist in introductions to people within the shire and the general community.

On arriving we called into the office for a cuppa and a chat, before heading off with Gary as he wanted to conduct some inspections in town. We called into the hotel to start with and Bev showed Gary around. From here we stopped in to see Daphne at the Roadhouse for a further inspection.

After having a look at a couple on new house pads east of town, we did a tour around town and stopped in at the old State Battery for a look around. As Gary had not seen such an operation before, he found it all most interesting I believe.

After purchasing lunch from the Roadhouse we headed off to Niagara Dam, where we had a very enjoyable lunch break. After lunch, I showed Gary around and again he found it interesting, especially the history behind the dam construction.

From Niagara we headed into Kookynie where I introduced Gary to Kevin at the Grand Hotel. We had a good yarn with Kevin before Gary again conducted some inspections at the hotel. After this we headed back to Leonora via Malcolm.

Oh, and by the way, it's great to have Mobil telephone coverage in Menzies at long last. It will be a huge benefit to everyone. Well done to the Menzies Shire Council.

Patrick Kelly
Ranger

CONSULTATION:

Mr Peter Crawford – CEO Menzies

STATUTORY ENVIRONMENT: As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions provisions

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 10.2.1

MOVED Cr K Purchase
Kennedy

SECONDED Cr P

That the Rangers Report for the month of April 2006, as tabled, be received.

CARRIED 6/0

The Ranger's report was not available at the time of preparing the Agenda and was tabled at the Meeting.

11. CHIEF EXECUTIVE OFFICER'S REPORT:

11.1 Road Closure – Goldfields Highway

SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Shire of Menzies
APPLICANT: Fugro Spatial Solutions P/L
FILE REF: 402
DISCLOSURE OF INTEREST: None
DATE: 30 March 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

A request has been received from Fugro Spatial Solutions for Council to agree to the closing of portions of the Goldfields Highway to the north of Menzies (See attached).

BACKGROUND:

At the Ordinary Meeting of Council held Friday, 19 August 2005, the following Resolution was passed by Council:

That Council concur to the taking of the land the subject of Deposited Plans 217641 to 217661 contained within the Shire of Menzies and to its dedication as a road under Section 56 of the Land Administration Act 1997.

COMMENT:

This Resolution was necessary to allow the current road alignment to be dedicated as a road reserve.

Now that that process has been actioned, the next step is to officially close all of the old sections that were realigned.

CONSULTATION:

Not required.

STATUTORY ENVIRONMENT: As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to general functions provisions.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.1
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MOVED Cr A Kelly

SECONDED Cr J Dwyer

That Council Resolve the following:

- (i) That Council consent to the closure of the old sections of the Goldfields Highway as indicated:
 - Lot 67 on Deposited Plan 217650
 - Lot 68 on Deposited Plan 217651
 - Lot 68 on Deposited Plan 217654
 - Lot 69 on Deposited Plan 217656
 - Lot 69 on Deposited Plan 217657
 - Lot 70 on Deposited Plan 217658,
 - and,
- (ii) That Council agree to Fugro Spatial Solutions advertising the closure of those roads on Council's behalf.

CARRIED 6/0

11.2	Old Tea Rooms and Butcher Shop
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SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Menzies Townsite
APPLICANT: N/A
FILE REF: 116
DISCLOSURE OF INTEREST: None
DATE: 30 March 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to advise Council of the condition of the old Tea Rooms and Butcher Shop in Shenton Street, Menzies.

BACKGROUND:

In July of 2004, a Mr Duncan Jack, a consulting engineer from Kalgoorlie was commissioned to carry out a structural inspection and prepare a report on the state of the old Tea Rooms and Butcher Shop in Shenton Street, Menzies.

Attached is his report on the current state of repair of those buildings.

COMMENT:

It is evident that the buildings are currently in very poor condition with any repairs being quite costly. In considering the future of the buildings, it is first necessary to decide on what advantages will be gained by carrying out any restoration works.

This is the major issue as the building should not be restored and then left locked up. The movement of air through buildings of this era is critical to ensure that the environment is kept as natural as possible.

The costs of the restoration must then be balanced against the future use of the building and while these components will most probably be fairly distant, the heritage factor must also be introduced to the equation.

Council will need to seriously consider all aspects in this case of one of the last remaining old building in Menzies

CONSULTATION:

Duncan Jack – Consulting Engineer, Laura Grey – Heritage Commission of WA,
Norman Ioannopoulos – Director, Hoskins Ioannopoulos and Sons Pty Ltd.

STATUTORY ENVIRONMENT: As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to general Functions provisions.

POLICY IMPLICATIONS: None at this point

FINANCIAL IMPLICATIONS: None at this point

VOTING REQUIREMENTS: Simple Majority required

OFFICER RECOMMENDATION

ITEM 11.2

That Council receive the report detailing the condition of the old Tea Rooms and Butcher Shop in Menzies and formulate a decision regarding future repairs of the buildings.

COUNCIL DECISION

ITEM 11.2

MOVED Cr P Kennedy

SECONDED Cr I Tucker

That an Amendment be Moved as follows:

And Council instruct the Chief Executive Officer to obtain a costing for a Conservation Plan to carry out restoration works on the building

CARRIED 6/0

COUNCIL DECISION	ITEM 11.2
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MOVED Cr P Kennedy

SECONDED Cr A Kelly

That Council receive the report detailing the condition of the old Tea Rooms and Butcher Shop in Menzies and formulate a decision regarding future repairs of the buildings and that Council instruct the Chief Executive Officer to obtain a costing for a Conservation Plan to carry out restoration works on the building

CARRIED 6/0

11.54 am Cr I Tucker declared a financial interest in the next Agenda Item and left the Chambers

11.3	Amalgamation of Lots 302 and 303 - Menzies
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SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Menzies Townsite
APPLICANT: Department of Planning and Infrastructure
FILE REF: 206
DISCLOSURE OF INTEREST: None
DATE: 30 March 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to advise Council of an application to convert lots from UCL to Freehold in Menzies townsite

BACKGROUND:

A request has been received from the Department of Planning and Infrastructure to convert Lots 302 (UCL) and 303 (Freehold) Gregory Street Menzies into one freehold Lot (See attached).

COMMENT:

There does not appear to be any reason for Council not to agree with the conversion.

CONSULTATION:

None

STATUTORY ENVIRONMENT: As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions provisions.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 11.3

MOVED Cr P Kennedy

SECONDED Cr K Purchase

That Council raise no objections to the conversion of Lots 302 (UCL) and 303 (Freehold) Menzies into one freehold Lot.

CARRIED 5/0

11.55 am Cr I Tucker returned to the Chambers

11.4 Common Seal

SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Menzies Townsite
APPLICANT: N/A
FILE REF: 146
DISCLOSURE OF INTEREST: None
DATE: 11 April 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

It is a requirement that the use of the Common Seal of the Shire of Menzies be endorsed by Council.

COMMENT:

During the previous month, the Chief Executive Officer and the Customer Services Officer witnessed the affixing of the Common Seal of the Shire of Menzies to the following documents:

- Deed of Licence with the Department of Planning and Infrastructure

This Deed of Licence will now allow Council to begin to carry out some development works at the Lake Ballard site, in accordance with the proposed agreement with the Native Title Claimants.

The intention to sign the Deed of Licence has been discussed at many previous Council Meetings and the affixing of the Common Seal was carried out in the Shire President's absence with his full knowledge and consent.

CONSULTATION:

Kate Morton – Acting Manager, Native Title Unit DPI, Ms Julia Pallot – Legal Officer, Legislative and Legal, DPI, Cr Stephen Tonkin – Shire President.

STATUTORY ENVIRONMENT: As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions provisions.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 11.4

MOVED Cr J Dwyer

SECONDED Cr K Purchase

That Council endorse the affixing of the Common Seal to the Deed of Licence with the Department of Planning and Infrastructure to create a reserve for the Lake Ballard Statues area.

CARRIED 6/0

11.5 Telstra – Lease of Land for Exchange Site

SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006

LOCATION: Menzies

APPLICANT: United Group Real Estate Services (WA) Pty Ltd

FILE REF: 214

DISCLOSURE OF INTEREST: None

DATE: 11 April 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

SUMMARY:

This Item is for Council to consider a new ten year lease agreement for the Telstra telephone exchange site in Menzies.

BACKGROUND:

Telstra currently lease this area from Council under an agreement which has an option to extend for a further ten years at \$300 per annum

The new proposal is to surrender this current lease and enter into a new lease for ten years with an option for a ten year extension after that lease expires.

COMMENT:

The terms of the new lease are similar to the existing agreement with some changes, eg:

- The new lease will increase the annual rental from \$300 to \$800 per annum.
- The new lease will have provision for the Council to levy rates on the property.

If adopting the new agreement, the current lease will expire on 30 June 2006 with the new agreement becoming valid as from the 1 July 2006.

CONSULTATION:

None

STATUTORY ENVIRONMENT: As per sections 2.7 and 3.1 of the Local Government act 1995 relating to General Functions provisions.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Will provide increased income through annual rental fees.

VOTING REQUIREMENTS: Simple Majority required.

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.5
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MOVED Cr J Dwyer

SECONDED Cr I Tucker

That Council Resolve to agree to a new ten year lease and an option of a ten year extension with the United Group Real Estate (WA) Pty Ltd for the lease of the Telstra Menzies telephone exchange site situated on part of Lot 102 Menzies.

CARRIED 6/0

11.6	Authorised Person
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SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Menzies Shire
APPLICANT: N/A
FILE REF: 125
DISCLOSURE OF INTEREST: None
DATE: 11 April 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to request Council to appoint an authorised person under the Dog Act 1976.

BACKGROUND:

Council currently utilises the services of a Ranger from the Shire of Leonora on a user pays basis.

COMMENT:

On recent occasions, there has been instances where a Dog Control Officer was required but the Ranger was engaged elsewhere and not available. These instances are not a regular occurrence but the service requirements could not be delayed.

As a result, the instances where dog control/eradication could not take place were opportunities missed and often not retrieval.

In consultation with Mr Ian Tucker, Chairman of the Menzies Aboriginal Corporation, it has been suggested that Mr Garry Tucker could be considered as an alternative person for this role. Garry is an authorised Aboriginal Environmental Health Officer and would be able to carry out the role on an as required basis when the Ranger was not available.

This appointment could be of advantage to Council in the circumstances where a dog control officer was needed in Menzies in a hurry.

In order to have this option, Council need to have the appointment gazetted.

CONSULTATION:

Messrs Ian and Garry Tucker – Menzies Aboriginal Corporation, Mr Patrick Kelly – Shire Ranger

STATUTORY ENVIRONMENT: DOG ACT 1976

Part IV – Control of Dogs

[Heading inserted by No. 23 of 1987 s. 24.]

Division 1 – Dogs generally

[Heading inserted by No. 24 of 1996 s. 7.]

[Division 1 repealed by XXXXXXXX]

[28. Repealed by No. 23 of 1987 s. 25.]

29. Power to seize strays, etc.

(1) A local government shall, in writing, appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by this Act.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 11.6

MOVED Cr P Kennedy

SECONDED Cr A Kelly

That Council resolve to appoint Mr Garry Tucker as an Authorised Person for the Menzies Shire under the Dog Act 1976.

Carried 6/0

SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006
LOCATION: Menzies Townsite
APPLICANT: N/A
FILE REF: 124
DISCLOSURE OF INTEREST: None
DATE: 12 April 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to advise Council of the condition of the Lady Shenton Hotel in Shenton Street, Menzies.

BACKGROUND:

In March of 2006, a Mr Duncan Jack, a consulting engineer from Kalgoorlie was commissioned to carry out a structural inspection and prepare a report on the state of the Lady Shenton Hotel in Shenton Street, Menzies.

Attached is his report on the current state of repair of those buildings.

COMMENT:

The current condition of the Lady Shenton is quite fair having had a considerable amount of repairs in the past with further restoration scheduled over the next few weeks.

The reason for the structural inspection was to investigate why the cracks were appearing in one of the main internal walls. The attached report details those findings.

The report also recommends a number of works required to bring the building up to a suitable level of service and safety.

CONSULTATION:

Duncan Jack – Consulting Engineer, Laura Grey – Heritage Commission of WA,
Norman Ioannopoulos – Director, Hoskins Ioannopoulos and Sons Pty Ltd,
Ms Laura Gray – Heritage Council of Western Australia

STATUTORY ENVIRONMENT: As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to general Functions provisions.

POLICY IMPLICATIONS: None at this point

FINANCIAL IMPLICATIONS: None at this point

VOTING REQUIREMENTS: Simple Majority required

MOVED Cr J Dwyer

SECONDED Cr A Kelly

That Council receive the report detailing the condition of the Lady Shenton Hotel and Resolve to consider allocating adequate funding in the 2006 / 2007 Financial Budget to carry out the recommended repairs to the building.

Carried 6/0

12. REPORTS:

12.1 REPORTS FROM COUNCILLORS:

Cr Kelly:

- Gave Councillors a briefing on the proposed Menzies Muster to be held later this year. Subsequent discussion led to the delaying of the muster until the next calendar year to enable more time and resources to be built into the weekend's festivities.

Cr Purchase:

- Enquired as to when the drain at junction of Brown and Shenton Streets would be repaired. CEO advised that the drain will have temporary repairs and that this will be included as part of the next Budget to fully repair.

Cr Kennedy:

- Requested that the subject of housing should be addressed as an item of importance.

COUNCIL DECISION	ITEM 12.1
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Moved Cr P Kennedy

SECONDED Cr J Dwyer

That the Chief Executive Officer investigate funding options to construct 2 x single persons units or 2 x three bedroom accommodation in Menzies for Budget consideration.

CARRIED 6/0

Cr Kennedy:

- Suggested that a road could be considered being put up to the top of Mt Menzies with a look out and suitable signage indicating the location of the look out in Menzies. CEO to investigate.
- Signs saying "Are you tired, take a Menzies break" could be erected along the highway in the vicinity of Menzies and a walk trail with interpretive signage constructed around the Menzies town site.

Cr Dwyer

- Could some gravel be placed over the Mt Remarkable road crossing as it is quite rough. Works Supervisor will arrange the following week for the works.

Cr I Tucker

- There appears to be a lot of proposed upgrading projects in the pipeline, he would like to see some of these developments taking place in the near future.

Cr Tonkin:

- Requested an update on progress of the Town Entry Statement. CEO advised that earlier this week, the Engineering Company had provided a costing of approximately \$13,400 per sculpture for construction. As this figure is within budget, the project will go ahead.
- Enquired whether the CEO had had any information from DPI regarding maps of the Shire. CEO advised that the maps from DPI were not the preferred type and that further discussions were taking place.

12.2 CHIEF EXECUTIVE OFFICER'S SUPPLEMENTARY REPORT:

- Local Government Week had been scheduled for 5, 6 and 7 August this year, when official notification of events had been received, Councillors would be notified immediately.
- A fax had been received regarding providing support for the Goldfields Allied Health Services to set up in menzies. CEO to investigate further and advise Council.
- Tenders for maintenance grading will be called shortly as the current tender will expire in July 2006.
- WALGA are conducting a Sustainable Asset Management course in Kalgoorlie on Tuesday, 16 May 2006. President and CEO will attend
- Requested Council give consideration to forming a sister relationship with another Local Authority in Australia, CEO to investigate further.
- GEDC are calling for nomination for vacant Board positions.
- An email has been received from IGL advising that they wish to haul ore from their Mt Ida mine site through Menzies to Leonora, requesting an outline of conditions of road use. CEO to forward a letter detailing conditions of road use.
- An application from Quartz Water Leonora P/L to carry out exploration for water in the area north of Perrinvale.
- A budget Meeting of Councillors is scheduled for the afternoon of Tuesday, 9 May 2006.
- Training for senior staff and elected Members in Risk management will be conducted by Echelon Australia P/L in Leonora on Wednesday, 26 April 2006.
Crs Dwyer, Kelly and the CEO will be attending.
- Menzies special series plates are currently in stock and have not been collected by the persons who ordered them, CEO will issue invoices for them as they will cost an extra \$75 to be transferred to a third party .
- The State President for the National Party will be travelling through Menzies at about 9.30 am on Tuesday, 2 May 2006 and would like an opportunity to meet with any available Councillors.

- All Councillors have been issued with a draft copy of the Lake Ballard Association agreement. All queries raised by Councillors will be conveyed to the Goldfields Land and Sea Council.
- AngloGold Ashanti Australia are very active in the Plumridge Lakes area of the Shire.. The company is very optimistic that the exploration will progress to a feasibility stage in the near future.

13 NEW BUSINESS OF AN URGENT NATURE:

13.2 OFFICERS

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 13.2

MOVED Cr P Kennedy
Dwyer

SECONDED Cr J

That Council receive New Business of an Urgent Nature

CARRIED 6/0

13.2.1 Tender MN 133 – Supply of Motor Vehicle

SUBMISSION TO: Ordinary Meeting of Council Friday,
21 April 2006

LOCATION: Menzies

APPLICANT: N/A

FILE REF: 408

DISCLOSURE OF INTEREST: The author has an interest to the extent that the motor vehicle forms part of his salary package

DATE: 21 April 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

SUMMARY:

As per Section 3.58 of the Local Government Act 1995, Council is required to advertise for public tender for goods and services if the supply is expected to exceed the \$50,000 threshold.

COMMENT:

Tender MN 133 – Supply of Motor Vehicle was advertised in the West Australian newspaper on Saturday, 25 March 2006 and closed at 4.00 pm on Wednesday, 19 April 2006.

Tenders were opened in the Shire of Menzies Council Office at 5.05pm on Wednesday, 19 April 2006 in the presence of:

Mr Keith Purchase	Councillor
Mr Peter Crawford	Chief Executive Officer
Mr Brad Pepper	Works Supervisor / Finance Officer

and in the following order:

Goldfields Nissan / Westland Autos

It should be noted that the tender from Goldfields Nissan / Westland Autos were both in the same envelope as both company's are registered at the same address with the same ABN number

A summary of the tender is below:

COMPANY	VEHICLE	PRICE	TRADE IN	CHANGEOVER
Goldfields Nissan	Nissan ST Patrol	\$49,524.22	\$42,000	\$7,524.22
Westland Autos	Ford Explorer	\$48,576.40	\$42,000	\$6,576.40

CONSULTATION:

None

STATUTORY ENVIRONMENT: Sections 2.7 and 3.1 of the Local Government Act 1995 relating to general functions provisions and Section 3.58 relating to tendering for purchases or services supplied to Council that will exceed \$50,000.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Provided for in the current Budget

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 13.2.1
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MOVED Cr I Tucker

SECONDED Cr P Kennedy

That Council Resolve to reject both tenders and authorise the Chief Executive Officer to negotiate directly with vehicle dealers to achieve the most advantageous deal for Council.

CARRIED 6/0

14. CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS:

Nil

15. NEXT MEETING:

The next Ordinary Council Meeting is scheduled for Friday 19 May 2006 at the Council Chambers, Menzies, commencing at 9.00 am

16. CLOSURE:

There being no further business to discuss, the Shire President declared the Meeting closed at 1.15 pm

These Minutes were confirmed as a true and accurate record of proceedings, at the Ordinary Council Meeting held on 19 May 2006

CONFIRMED

SHIRE PRESIDENT.....