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## 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<sup>st</sup> OCTOBER 2005 COMMENCING AT 9.25 am.

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#### 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President welcomed all elected members and declared the meeting open at 9.25 am.

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

Present:	Cr S Tonkin	Shire President
	Cr K Purchase	Member
	Cr J Dwyer	Member
	Cr P Kennedy	Member
	Cr I McGregor	Member
Staff:	Mr P Crawford	Acting Chief Executive Officer
	Mrs L McNamara	Minutes
	Mr B Pepper	Works Supervisor
Apologies:	Cr I Tucker	Member
	Cr A Kelly	Member
Visitors:	Mr K Pusey	Kookynie Resident

#### 3. PUBLIC QUESTION TIME:

Mr. Kevin Pusey,

Requested an update on Lake Ballard Management Board  
Enquired when tourist signage would be supplied and erected  
Queried the erection and costs of signs in Kookynie

The President thanked the speaker and invited him to stay for the remainder of the Meeting.

#### 4. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

#### 5. ANNOUNCEMENTS BY SHIRE PRESIDENT WITHOUT DISCUSSION

The President advised the Meeting that prior to the commencement of the Ordinary Meeting today, he held discussions with the other Councilors in regards to the applicants for the position of Chief Executive Officer. It was decided that interviews would be conducted in

Menzies on Wednesday, 3<sup>rd</sup> November 2005, subject to confirmation with Logo Appointments Management and the availability of applicants.

The president also gave a report on his activities during the past week, including the recent GECZ Meeting in Leonora and Reynolds Graphics offer of an internet site titled "menzies.info"

<b>COUNCIL DECISION</b>	<b>ITEM 6.1</b>
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MOVED Cr P Kennedy

MOVED Cr J Dwyer

That the Acting CEO contact Reynolds Graphics to enquire when the Internet Site, menzies.info had become vested in Reynolds Graphics.

CARRIED 5/0

Other topics that the President had participated in included CALM and a full time dogger, FIFO issues, tendering uniformity, backend processing/shared resources, submissions regarding the Food Bill, Auditor General, Administration Tribunal, City of Kalgoorlie/Boulder Legal Officer, roadside litter clearing issues. Discussions in Halls Creek with the Shire President and staff regarding the Tjuntjuntjara MoU, meeting with the Goldfields Land and Sea Council regarding the Lake Ballard Management Board and Aboriginal Heritage clearance for roads.

Also presented was a report on the Small Towns Survival Conference at York on Wednesday, 19<sup>th</sup> October 2005

## **6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

*10.35 am The Acting CEO, Mr Peter Crawford, Cr's Purchase and Kennedy declared a Financial Interest in the item being discussed from the previous Minutes and left the Chambers.*

Council discussed the matter of donations and requested that the Acting CEO prepare a Policy for presentation to Council that financial donations to organisations within the Shire should, where possible, be replaced with a voucher that is redeemable at a local business house to the same value.

*10.40 am The Acting CEO Mr Peter Crawford, Cr's Purchase and Kennedy returned to the Chambers.*

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 6.1</b>
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MOVED Cr J Dwyer

SECONDED Cr I McGregor

That the minutes of the Ordinary Meeting held on Friday 16<sup>th</sup> September 2005 as previously circulated be confirmed as a true and accurate record, subject to the following corrections:

Mr B Pepper be recorded as an apology for that Meeting  
It be noted that the Shire President hosted the GEDC Regional Dinner and Meeting at Menzies on Friday, 26<sup>th</sup> August

CARRIED 5/0

## **7. STATUS REPORT**

**COUNCIL DECISION****ITEM 7.1 (3)**

MOVED C P Kennedy

SECONDED Cr I McGregor

That Council direct the Acting CEO to advise the Goldfields Land and Sea Council that they support the concept of creating a Lake Ballard Management Board comprising of equal members from Council and the Goldfields Land and Sea Council Representatives

CARRIED 5/0

**COUNCIL DECISION****ITEM 7.1.(13)**

MOVED CR I McGregor

SECONDED Cr J Dwyer

That Council nominate Cr Stephen Tonkin as the Council nomination for the recently listed vacant position on the Goldfields Esperance Development Commission.

CARRIED 5/0

**COUNCIL DECISION****ITEM 7.1**

MOVED Cr I McGregor

SECONDED Cr P Kennedy

That the Status Report as at 11<sup>th</sup> October 2005, be received.

CARRIED 5/0

**8. FINANCIAL REPORTS****8.1 Financial Statements to 30 September 2005**

**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005  
**LOCATION:** Menzies  
**APPLICANT:** N/A  
**FILE REF:** 103a  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 10 October 2005  
**AUTHOR:** Peter Crawford, Acting Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**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

<b>COUNCILLOR DECISION / OFFICER RECOMMENDATION</b>
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<b>ITEM 8.1</b>
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MOVED Cr K Purchase

SECONDED Cr I McGregor

That the Financial Statements to 30 September 2005 as presented, be adopted

CARRIED 5/0

<b>8.2 Accounts for Payment</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005

**LOCATION:** Menzies

**APPLICANT:** N/A

**FILE REF:** 103

**DISCLOSURE OF INTEREST:** The author has an interest to the extent that he is a co-owner of a the local roadhouse, one of the creditors

**DATE:** 10 October 2005

**AUTHOR:** Peter Crawford

**SIGNATURE OF AUTHOR:**

**BACKGROUND:**

Cheque numbers 3187 to 3233 and bank statement transfers totalling \$113,033.88 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**

MOVED Cr P Kennedy

SECONDED Cr J Dwyer

That cheques numbered 3187 to 3233 and direct bank payments totalling \$113,033.88 which have been paid by the Acting Chief Executive Officer under delegated authority, be adopted.

CARRIED 5/0

**8.3**

**Inter-Account Transfer of Funds**

**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005  
**LOCATION:** Menzies  
**APPLICANT:** N/A  
**FILE REF:** 105  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 10 October 2005  
**AUTHOR:** Peter Crawford, Acting Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**SUMMARY:**

Advice to Council regarding the transfer of funds to attract interest.

**BACKGROUND:**

On 29 June 2005, an account was opened to place surplus funds in a reserve deposit from the previous Financial year for a period of three months. This account matured on 29 September and advice was sought from the National Bank as to what our intentions were for the account.

After discussions with the bank, it was decided that the account was to be closed and the funds to be transferred to the Investment Account (See attached confirmation from the bank). The purpose of these reserved funds is to be towards the purchase price of the new truck and trailer combination that is to be delivered in mid October 2005.

On Monday, 10 October 2005, the balance of the reserve funds, \$1,195,142.96 (Including interest) was reinvested for a further 90 days at an interest rate of 5.6% (See attached confirmation).

**COMMENT:**

This transaction is in keeping with good accounting practices in ensuring that Council reaps the best possible value for their investments.

**CONSULTATION:**

National Bank, Kalgoorlie

**STATUTORY ENVIRONMENT:** Delegation No 043 states:

- a) That subject to any Council Policy relating to investments applicable from time to time, the Chief Executive Officer be given delegated authority to invest surplus Council funds. (Local Government Act 1995 ss.5.42 and 6.14, Finance Management Regulations 8(3) and 19)
- b) That Council invest only with the National Australia Bank in Kalgoorlie or with any other financial institution nominated by the Council and that complies with the requirements of the Local Government Act 1995 and Regulations.

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** In keeping with good accounting standards

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 8.3**

MOVED Cr I McGregor

SECONDED CR P Kennedy

That Council receive the above report detailing Inter-Account Funds Transfers.

CARRIED 5/0

10.52 am Cr I McGregor left the Chambers

**9. WORKS AND SERVICES REPORT**

**9.1 Works Supervisors Report**

**9.1.1 Roadworks and General Report**

**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005  
**LOCATION:** Menzies Shire  
**APPLICANT:** N/A  
**FILE REF:** 405a  
**DISCLOSURE OF INTEREST:** None  
**DATE:** August 2005  
**AUTHOR:** Brad Pepper, Works Supervisor  
**SIGNATURE OF AUTHOR:**  
**SENIOR OFFICER:** Peter Crawford, Acting Chief Executive Officer  
**SIGNATURE OF SENIOR OFFICER:**

**Kookynie Yarri Reconstruction SLK 45.3 – 46.5**

**Funding Provisions Allocated** - \$82,000

**Background** – very hazardous section of road with real potential for accidents

**Time Allocation** - 4 weeks depending on weather & breakdowns

**Previous Formation:** cleared width – 20m, pavement – 6m, pavement depth – 25mm  
**Reconstructed Formation:** cleared width – 20m, pavement – 10m, pavement depth – 100mm

Work is now completed on the Kookynie Yarri Road with horizontal and vertical alignments being corrected with existing culverts being extended and new culverts installed. A final examination revealed that the Construction Crew have completed the project in a very professional manner, to the extent of rock walling a culvert inlet by hand.

Photos attached at end of report.

*10.54am Cr I McGregor returned to the Chambers*

### **Water Pipe Burst**

Several weeks ago a water main burst near the start of the Menzies – Evanston Road. To repair the burst water main, Watercorp needed to dig up the existing seal on this road, this is in the progress of being reinstated and costs of the repair will be sought from the utility.

### **Streetscape**

After the previous good falls of rain much of the vacant land and road verges around Menzies has a plentiful crop of weeds growing. Rodney is in the process of mowing all the overgrown areas to improve the aesthetic value of Menzies.

### **Niagara Dam Road & Britannia Street Signs**

Niagara Dam Road and Britannia Name plates have been corrected. The two signs were ordered from Sunny Signs and have now been erected.

### **Tourist Area Maintenance**

As the weather gets warmer there is a noticeable increase in tourist activity at the attractions that the Shire of Menzies offers. Niagara Dam and Lake Ballard are receiving most of the visitors some of which are camping at the two areas. In order to keep these areas in a neat and tidy appearance the Town Maintenance Officer is attending to the sites on a as needs basis, cleaning and emptying toilets and removing rubbish.

### **Abandoned Cars**

There have been a build up of abandoned cars along several road verges within the Shire. The Construction Crew have removed most of them from the eastern side, however there are still several to be removed. This will be an ongoing process as the crew move around the Shire working on projects. The cars are being delivered to Rubbish Tips or hidden in selected gravel pits.

### **Menzies Airstrip**

While the Construction Crew are in Menzies the airstrip will be graded watered and rolled to consolidate last year's refurbishment works.

### **Garry Miller Grading Contractor**

Garry Miller has completed grading the entire west side of the Goldfields Highway. He will then re-grade the Menzies Northwest Road as far as Lake Ballard (approx 50km). There is a reasonable

amount of traffic on this road and its condition will deteriorate considerably over the next three months while the east side of the Goldfields Highway is being graded.

Garry has had a dramatic influence on the shires' road network with constant improvements being carried out.

### **Private Works**

Remote Area Concreting have asked the Shire to help them with the building of the pad for the new power station. This request has been accepted and works are underway. The project requires raising of the pad, levelling and compacting of material.

### **Future Construction Work**

Planning at this stage for the next construction project will be the "Blackspot Funded Project" on the Menzies Northwest Road. It is however dependant on Aboriginal Heritage Clearance and the Dozer Hire tender before it can proceed.

The site is located 10.3km – 13.6km from town and intercepts a salt lake. Crests will be lowered, the formation will be widened, culverts installed and finished with gravel sheeting.

**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

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 9.1.1</b>
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MOVED Cr I McGregor

SECONDED Cr P Kennedy

That the Works Supervisors report, as presented, be received

CARRIED 5/0

## **11. CHIEF EXECUTIVE OFFICER'S REPORT**

### **11.1 Acting Chief Executive Officer's Report**

<b>11.1.1 Review of Policy Manual</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005

**LOCATION:** Menzies

**APPLICANT:** N/A

**FILE REF:** 113b

**DISCLOSURE OF INTEREST:** None

**DATE:** August 2005

**AUTHOR:** Peter Crawford, Acting Chief Executive Officer

**SIGNATURE OF AUTHOR:**



**SUMMARY:**

Council’s Policy Manual is again due for review.

**BACKGROUND:**

Council last reviewed their Policy Manual on March 2004 (See attached Appendix “A”)

**COMMENT:**

Council has not adopted any new Policies since the last review.

**CONSULTATION:**

None

**STATUTORY ENVIRONMENT:** Section 2.7 (2) of the Local Government Act states that Council is to:

- (a) oversee the allocation of the local government’s finances and resources; and
- (b) determine the local government policies.

**POLICY IMPLICATIONS:** As per the Policy Manual

**FINANCIAL IMPLICATIONS:** Policies are provided for in the Annual Budget

**VOTING REQUIREMENTS:** Simple Majority required

<b>OFFICER RECOMMENDATION</b>	<b>ITEM 11.1.1</b>
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That Council review and adopt the Policy Manual.

<b>COUNCIL DECISION</b>	<b>ITEM 11.1.1</b>
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MOVED Cr I McGregor

SECONDED Cr P Kennedy

That Council agree to leave the matter on the table until the next Ordinary Meeting of Council to allow the Acting Chief Executive Officer to prepare additional Policies for inclusion in the Manual

CARRIED 5/0

<b>11.1.2</b>	<b>Golden Quest Trails Association - Memorandum of Understanding</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005

**LOCATION:** Menzies Shire

**APPLICANT:** Golden Quest Trails Association

**FILE REF:** 149

**DISCLOSURE OF INTEREST:** None

**DATE:** 4 October 2005

**AUTHOR:** Peter Crawford, Acting Chief Executive Officer

**SIGNATURE OF AUTHOR:**

**SUMMARY:**

A request from the Manager of the Golden Quest Trails Association for the Shire of Menzies to become a signatory to the Memorandum of Understanding along with other Shires in the region.

**BACKGROUND:**

The Shire of Menzies was a signatory to the original Memorandum of Understanding with the Golden Quest Trails Association when it was launched some two years ago.

The Golden Quest Trails Association (GQTA) Constitution requires that there be a review of the MoU after two years to evaluate any shortfalls. The Western Australian Council of Social Service (Inc) was commissioned to conduct the review which it presented to the GQTA in April/May of this year.

**COMMENT:**

In general, the review was quite constructive with only minor changes to the Constitution and various recommendations towards the day to day management of the Association.

The attached Memorandum of Understanding is the revised version with the changes highlighted in bold and italic.

This MoU is quite acceptable to Council and will assist in promoting the popularity of the trail both in Australia and overseas.

I will provide further verbal reporting at the Meeting.

**CONSULTATION:**

Golden Quest Trails Association

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

**POLICY IMPLICATIONS:** None other than the general promotion of the Menzies region and its surrounds

**FINANCIAL IMPLICATIONS:** Council has already made provision in the 2005/2006 Financial Budget

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>
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<b>ITEM 11.1.2</b>
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MOVED Cr K Purchase

SECONDED Cr J Dwyer

That Council Resolve to become a signatory to the Memorandum of Understanding with the Golden Quest Trails Association (Inc).

CARRIED 5/0

<b>11.1.3 Tjuntjuntjara Road Inspection Trip</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005  
**LOCATION:** Menzies Shire  
**APPLICANT:** N/A  
**FILE REF:** Tjun  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 5 October 2005  
**AUTHOR:** Peter Crawford, Acting Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**SUMMARY:**

A brief description of the road inspection trip carried out recently on the Tjuntjuntjara Community Access Roads

**BACKGROUND:**

At the ordinary Meeting of Council held 19 August 2005, Council agreed in principal to become a signatory to the Memorandum of Understanding with the Tjuntjuntjara Community.

As a result of this agreement, an inspection of the Community Access Roads was scheduled for mid September 2005.

**COMMENT:**

The Acting Chief Executive Officer, Works Supervisor and Councillor Purchase left menzies on Sunday, 18 September for Tjuntjuntjara via the Anne Beadell Highway. The reason for this route was to meet with the Acting Coordinator, Mr Peter Twigg at the Ilkurlka Roadhouse prior to the inspection being carried out.

After leaving Mr Twigg, the first road inspected was the road from Tjuntjuntjara to the Community water supply bore at Yakaduna, some 90 kilometres to the south.

After completing this inspection, the party then travelled out along the Community access road to the Connie Sue Highway, a distance of about 120 kilometres, thence south along the Connie Sue to the Menzies Shire border with the City of Kalgoorlie/Boulder, about 80 kilometres.

At this present time, downloading of the inspection tape has not been completed, therefore I will give a brief verbal report to Council of our findings.

On Monday, 24 October 2005, the President, Cr Tonkin, Cr Dwyer and the Acting Chief Executive Officer will be flying to Tjuntjuntjara to meet with their Advisory Group to discuss the MoU and what issues that the MoU may contain.

**CONSULTATION:**

Mr Peter Twigg, Acting Coordinator from the Tjuntjuntjara Community

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

**POLICY IMPLICATIONS:** There is no Policy that deals with this situation at present.

**FINANCIAL IMPLICATIONS:** Funding has been provided for in this Financial year

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 11.1.3**

MOVED Cr I McGregor

SECONDED Cr J Dwyer

That the report on the road inspection to the Tjuntjuntjara Community, as presented, be received.

CARRIED 5/0

**11.1.4**

**Playground Equipment**

**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005  
**LOCATION:** Menzies Townsite  
**APPLICANT:** N/A  
**FILE REF:** 131  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 6 October 2005  
**AUTHOR:** Peter Crawford, Acting Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**SUMMARY:**

The item is to inform Council of the findings of the recent Occupational Safety & Health Risk Management assessment carried out by Tim Stevens Risk Solutions.

**BACKGROUND:**

Time Stevens Risk Solutions is the consultant that Council has engaged to carry out Risk management strategies every year and provide advice regarding improvements and programs for staff and/or Council to address.

**COMMENT:**

The recent report, which is available at the office, contains advice relating to old playground equipment situated alongside the tennis courts (See attached extract)

The play equipment is, as described, very old and not of any attraction as a museum piece. To attempt to re-erect the equipment as a museum piece and ensure that the public cannot get access to it would be extremely difficult and cost prohibitive. While the equipment remains as an attraction, children will attempt to gain access to it.

While this status quo exists, the risk of a serious accident is ever present.

Under the Local Government Act 1995, The Local Government is required to ensure that the persons in the district are afforded good government. The duty of care of those persons is a requirement under the terms of that Act.

**CONSULTATION:**

Mr Tim Stephens, Tim Stephens Risk Solutions, Mr Brad Pepper, Works Supervisor

**STATUTORY ENVIRONMENT:** Section 3.1 (2) of the Local Government Act 1995 states: *The scope of the general function of the local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its sanctions.*

**POLICY IMPLICATIONS:** Policy 5.3 states: *The Shire of Menzies acknowledge that employee and public safety is a priority*

**FINANCIAL IMPLICATIONS:** Could possibly result in litigation should an injury occur to a person while using the equipment.

**VOTING REQUIREMENTS:** Simple majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>
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<b>ITEM 11.1.4</b>
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MOVED Cr I McGregor

SECONDED Cr J Dwyer

That Council direct Staff to demolish all of the old play ground equipment adjacent to the tennis courts and cutting the equipment up into scrap sections.

CARRIED 5/0

<b>11.1.5</b>	<b>Lake Ballard</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005  
**LOCATION:** Menzies Shire  
**APPLICANT:** N/A  
**FILE REF:** 151  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 11 October 2005  
**AUTHOR:** Peter Crawford, Acting Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**SUMMARY:**

This report is to provide Council with an update on the issues surrounding the formulation of the Lake Ballard Management Committee.

**BACKGROUND:**

There are some very complex issues regarding the transfer of land from the Department of Planning and Infrastructure to Council to enable Council to carry out specific development works in the vicinity of Lake Ballard.

The matter has been ongoing for some time without any apparent progress.

**COMMENT:**

On Tuesday 11 October, Kate Morgan from the Land Asset Management Services of DPI advised that she had been successful in arranging a meeting between Council and the Goldfields Land and Sea Council in Perth to further negotiate some of the issues relating to the matter. The President and Acting CEO who will be in Perth at that time, will be attending the meeting.

A verbal report on the outcome of the meeting will be presented to Council.

**CONSULTATION:**

Kate Morton, DPI

**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:** Works in the Lake Ballard area has been budgeted for in this current Financial Year

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCILLOR DECISION/OFFICER RECOMMENDATION</b>	<b>ITEM 11.1.5</b>
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MOVED Cr J Dwyer

SECONDED Cr P Kennedy

That Council receive the report relating to Lake Ballard.

CARRIED 5/0

<b>11.1.6</b>	<b>Minutes of the Audit Committee Meeting</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005  
**LOCATION:** Menzies  
**APPLICANT:** N/A  
**FILE REF:** 114  
**DISCLOSURE OF INTEREST:** None  
**DATE:** October 2005  
**AUTHOR:** Peter Crawford, Acting Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**BACKGROUND:**

The Local Government Act 1995 requires that every Local Government has an Annual Audit carried out by an independently appointed Auditor.

The Local Government is then required to conduct an Audit Committee Meeting to receive the report from the Auditor and make recommendations to Council on any matters contained within that report.

The Shire of Menzies appointed MACLEOD PARTNERS to carry out the Audit Report for the year ended June 30, 2005.

**COMMENT:**

Attached are the Minutes of the Audit Committee's Meeting held Friday, 21 October 2005.

**CONSULTATION:**

No external consultation was carried out.

**STATUTORY ENVIRONMENT:** Sections 7.2 and 7.9 of the Local Government Act 1995 and Regulation 10 of the Local Government Audit Regulations 1996 relating to the requirements to Audit the Local Government's accounts and financial reports.

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>
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<b>ITEM 11.1.6</b>
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MOVED Cr K Purchase

SECONDED Cr P Kennedy

That the Report from the Audit Committee, as presented, be received.

CARRIED 5/0

<b>11.1.7 Attendance at Meeting by Electronic Means</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005

**LOCATION:** Menzies

**APPLICANT:** N/A

**FILE REF:** 113b

**DISCLOSURE OF INTEREST:** None

**DATE:** 11 October 2005

**AUTHOR:** Peter Crawford, Acting Chief Executive Officer

**SIGNATURE OF AUTHOR:**

**SUMMARY:**

The authority to approve the Attendance at Meetings by Electronic Means was delegated to the Chief Executive Officer at the Ordinary Meeting of Council, held Friday, 19 August 2005.

**BACKGROUND:**

This Delegation was to allow the Chief Executive Officer to coordinate the electronic attendance means at an earlier point to ensure that the Meeting was not disrupted or hindered by the inability to arrange the connection at the last minute.

**COMMENT:**

This means of attendance is reasonably successful, notwithstanding some electronic interference that in some instances, can be somewhat disruptive to the Meeting. However, it has become evident that the issue may have to be revisited to ensure that all Councillors are satisfied with the process.

**CONSULTATION:**

Council, other Local Governments, The Local Government Department.

**STATUTORY ENVIRONMENT:** Section 5.25(1)(b)(a) of the Local Government Act 1995 and Section 14(A) of the Local Government (Administration) Regulations 1996 relating to Regulations concerning Council and Committee Meetings.

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

<b>OFFICER RECOMMENDATION</b>
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<b>ITEM 11.1.7</b>
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That Council discuss the above matter and consider Their previous Resolution regarding Attendance at Meetings by Electronic Means

<b>COUNCIL DECISION</b>
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<b>ITEM 11.1.7</b>
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Moved Cr I McGregor

SECONDED Cr J Dwyer

That Council have considered the matter and support Their previous Resolution regarding Attendance at Meetings by Electronic Means

CARRIED 5/0

*Council were comfortable that Their previous Resolution had addressed the matter satisfactorily.*

**12. REPORTS FROM COUNCILLORS**

Cr P Kennedy:

Mosquitos at the Hotel, EHO to provide advice

Request Council support through the CEO to clarify ownership of land in Shenton Street adjoining the Hotel. CEO to source information and provide feed back to Cr Kennedy

Cr J Dwyer

Enquired progress regarding the Menzies Entry Statement

Cr McGregor

Requested Council consider the offer of free land and the provision of free power for the first year in an effort to entice businesses into the town. CEO to discuss the matter of land with DPI and provide feed back to Council

President, Cr Tonkin



Advised Council on the matter of a mobile repeater station and that we may be able to access funding through the NDMP. CEO to enquire and provide feed back  
CEO to include an Agenda Item for next Ordinary Meeting of Council regarding a five year plan for road construction and maintenance

12.48 pm Cr I McGregor declared a Financial Interest in the next Agenda Item and left the Chambers

### **13. NEW BUSINESS OF AN URGENT NATURE**

#### **13.1 MEMBERS**

Nil

#### **13.2 OFFICERS**

#### **COUNCIL DECISION**

#### **ITEM 13.2**

MOVED Cr J Dwyer

SECONDED Cr P Kennedy

That Council receive New Business of an Urgent Nature

CARRIED 4/0

#### **13.2.1 Tender MN 129 Bulldozer Hire**

**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
21 October 2005  
**LOCATION:** Menzies  
**APPLICANT:** N/A  
**FILE REF:** 408  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 20 October 2005  
**AUTHOR:** Peter Crawford, Acting Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

#### **BACKGROUND:**

As per Section 3.58 of the Local Government Act 1995, Council is required to go to tender for the service of Hiring a Bulldozing for the upcoming road works programme as the work is expected to exceed the \$50,000 threshold.

#### **COMMENT:**

Tender MN 129 Bulldozer Hire was advertised in the Kalgoorlie Miner on Wednesday, 5<sup>th</sup> October 2005 and West Australian newspapers on Saturday, 1<sup>st</sup> October 2005 and closed at 4.00 pm on Tuesday, 18<sup>th</sup> October 2005.

Tenders were opened in the Shire of Menzies Council Office at 4.05pm on Tuesday, 18<sup>th</sup> October in the presence of:

Mr Keith Purchase

Councillor

Mrs Lisa McNamara  
Mr Brad Pepper

Administration Assistant  
Works Supervisor – delegated by CEO

and in the following order:

Nash Bros	(Non compliant – faxed)
Marlou Contracting	
Breakaway Earthmoving	
Earth Australia	
LR Archibald & Co	(Non compliant – faxed)

A summary is attached for Council's perusal.

It is noted for Council's interest that two tenders were sent by facsimile from Nash Bros and LR Archibald and do not comply with the tender specifications clearly stating that "Faxed or emailed tenders will not be accepted". As such, the two tenders have been deemed to be non compliant and have been disqualified from the tender process.

**CONSULTATION:**

N/A

**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:** None

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 13.2.1</b>
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MOVED Cr K Purchase

SECONDED Cr J Dwyer

That Council award Tender MN 129 - Hire of Bulldozer, to Breakaway Earthmoving at the following rates: Vegetation Clearing \$214.50 per hour, Removal of Overburden \$1.05 per cubic metre, Stockpiling of Gravel \$1.05 per cubic metre, Ripping of Verges \$214.50 per hour, Ancillary Works \$214.50 per hour and no mobilisation / demobilisation costs.

CARRIED 4/0

12.54 pm Cr I McGregor returned to the Chambers

**14. CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS**

Nil

**15. CHIEF EXECUTIVE OFFICER'S SUPPLEMENTARY REPORT**

Next GECZ Meeting to be held at Norseman on Thursday, 17 November 2005

Information from WALGA regarding the Public Accounts Enquiry into Local Government Accountability will be circulated to Councillors, comments to be forwarded to the CEO by COB on Friday, 28 October 2005.

Advice from Roads to Recovery that the Shire of Menzies has been allocated \$200,000 over the life of the program for Roads serving Remote Aboriginal Communities in the Tjuntjuntjara area

Invitation from the WACA to be a guest at a Cricket Forum, Cr P Kennedy to attend

Advice regarding a request to the Regional Roads Group to allow the Great Central Road to be eligible for funding and that the CEO will object strongly to this motion.

A request for the position as caretaker at the Goongarrie Station Masters House, CEO to investigate.

Drawings for the proposed Information Bay at Kookynie

A request from the Shire of Leonora to support their application to extend the Golden Quest

Discovery Trail through Leonora

A proposal from St Barbara Mines for Council to take over some of their old haul roads, CEO to investigate

CEO to submit a proposal to the GEDC for funding for the upgrading of the main street in Menzies as a Regional Priority Plan

## **16.**

### **NEXT MEETING**

The next Ordinary Council Meeting is scheduled for Friday 18<sup>th</sup> November 2005 at the Council Chambers, Menzies, commencing at 10.30 am

## **17. CLOSURE**

There being no further business to discuss, the Shire President declared the Meeting closed at 12.56 pm

These Minutes were confirmed as a true and accurate record of proceedings, at the Ordinary Council Meeting held on 16<sup>th</sup> September 2005

CONFIRMED

**SHIRE PRESIDENT.....**