

SHIRE OF MENZIES

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF MENZIES, HELD AT THE COUNCIL CHAMBERS, MENZIES ON FRIDAY 20TH MAY 2005 COMMENCING AT 9.05am.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

In the absence of the presiding member the CEO assumed the chair and declared the meeting open at 9.05 am

1.1 – Swearing in of newly elected members

Cr Kennedy attended the meeting via telephone at 9.10am

The CEO requested that Mr. James D Mazza JP officiate the Swearing in Ceremony and called upon the following to take upon the Oath of Allegiance and Declaration:

Ian Tucker
Jill Dwyer
Aileen Kelly
Stephen Tonkin

1.2 – Election of President

The CEO advised that Cr. Stephen Tonkin had submitted a written nomination for the position of President.

The CEO then called nominations for President from the floor.

There being no further nominations, the CEO then declared Cr. Stephen Tonkin President of the Shire of Menzies for the two year period expiring in May 2007.

Mr. James D Mazza, JP then swore Cr. Tonkin in as President of the Shire of Menzies.

Cr. Stephen Tonkin assumed the Chair.

Mr. J Mazza JP departed the meeting at 9.18am

1.3 – Election of Deputy President

The Shire President advised that no nominations had been received.

The Shire President called for nominations for Deputy President from the floor.

Cr Aileen Kelly submitted a written nomination for the position of Deputy President.

There being no further nominations Cr. Stephen Tonkin declared Cr. Aileen Kelly Deputy President of the Shire of Menzies for a two year period expiring in May 2007.

Mr. J Mazza JP returned to the meeting at 9.20am

Mr. James D Mazza, JP then swore Cr. Kelly in as Deputy President of the Shire of Menzies.

The President thanked Mr. Mazza for conducting the ceremonies and invited him to return for morning tea.

Cr. P. Kennedy left the meeting at 9.22am

Mr. J Mazza JP departed the meeting at 9.25am

1.4 – Election of Members to external organizations

Goldfields Esperance Zone of the LGA- President, Deputy and CEO to attend.
Lake Ballard Management Committee – Cr. J. Dwyer and CEO to attend (Cr. A. Kelly proxy)
Audit Committee – Council

Cr. Tucker asked why the Police were at the meeting

CEO advised that Snr. Con. Buchanan wished to present their quarterly report to Council and introduce new member, Snr. Con. McNamara

Cr. Tucker asked why Cr. Kennedy was on the telephone

CEO advised that Cr. Kennedy was unable to make it to the meeting and that he requested to attend via telephone as per regulation 14A. Attendance at meetings by means of instantaneous communication — s. 5.25(1)(ba)

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

Present:	Cr S Tonkin	Shire President
	Cr A Kelly	Deputy Shire President
	Cr P Kennedy	(via telephone 9.10am – 11.50am)
	Cr K Purchase	
	Cr J Dwyer	
	Cr I Tucker	
	Mr. Tony Nottle	Chief Executive Officer
	Mrs. Jolene Nottle	Deputy Chief Executive Officer
	Mr. Brad Pepper	Works Supervisor

Apologies:

Visitors:	Mr. J Mazza JP	
	Snr Con. Richard Buchanan	Menzies Police
	Snr Con. Greg McNamara	Menzies Police

3. PUBLIC QUESTION TIME:

Snr. Con. Buchanan requested to address Council regarding the Menzies Police Quarterly Report.

Snr. Con. Buchanan introduced Snr Con. Greg McNamara as the new Member of the Menzies Police Station.

Snr. Con. Buchanan presented a summary of the quarterly report to Council and addressed the following:

- Damage done to the Menzies Evanston road by acts of reckless driving had been investigated and charges were laid
- There is now an increased Police presence in the town
- Advised Council of the need to hold a Local Emergency Management Group Meeting in the near future
- A brief description of Menzies Police Station involvement in “optimizing region’s resources” was also presented.

Mrs. Nottle left the meeting at 9.35am

Mrs. Nottle returned to the meeting at 9.45am

Cr. I. Tucker brought to the attention Snr Con. Buchanan that both locals and visitors have been seen to be driving dangerously in the area and that they should go elsewhere.

Snr Con. Buchanan advised that anyone committing an offence will be reprimanded and that over the past four (4) months, charges had increased dramatically.

Cr. A. Kelly asked if the vehicles were driving dangerously “off-road” is this still deemed an offence

Snr Con. Buchanan advised it can apply to anywhere a vehicle can access and if the action puts lives in danger it is still an offence.

The President thanked Snr Con. Buchanan for his report and invited Snr Con’s Buchanan and McNamara for morning tea.

The President adjourned the meeting at 9.55am for morning tea.

Council resumed the meeting all in attendance with the exception of Cr. Kennedy, Snr Con. McNamara and Snr Con. Buchanan at 10.20am

4. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr I McGregor for Ordinary Council Meeting 20th May 2005

COUNCIL DECISION	ITEM 4.1
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MOVED Cr A Kelly

SECONDED Cr K Purchase

That Council approve a request for leave of absence by Cr. Iain McGregor for the ordinary meeting of Council on the 20th May 2005.

CARRIED 5/0

5. ANNOUNCEMENTS BY SHIRE PRESIDENT WITHOUT DISCUSSION

The President welcomed the new Members on Council and wished them all the best in their term.

The President also thanked the Council for showing faith by electing him in as the President of the Shire of Menzies.

The President also thanked ex Shire President Kathy Finlayson for a fantastic job over the past ten (10) years, and ex Deputy President Kevin Pusey for his contribution over the past seven (7) years.

The President requested the CEO to organise a suitable function for Cr's Finlayson, Pusey and Earnshaw.

The President advised Council that he had attended the Natural Resource Management launch (Rangelands) in Kalgoorlie.

Cr P Kennedy returned to the meeting via telephone at 10.30am.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COUNCIL DECISION	ITEM 6.1
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MOVED Cr K Purchase

SECONDED Cr A Kelly

That the minutes of the Ordinary Meeting held on 15th April 2005 as previously circulated be confirmed as a true and accurate record.

CARRIED 6/0

7. STATUS REPORT

7.1 Status Report as at 7th April 2005.

Item 4 on Status Report

CEO advised that Cr. Kennedy had faxed a letter to the Shire office at 8.50am the morning of the Council meeting, requesting that Council consider a self-supporting loan for 50% of the cost of the capital works required to be undertaken by the hotel.

Due to Cr. Kennedy and Cr Purchase's financial interest in the hotel, Council resolved that:

COUNCIL DECISION	ITEM 7.1 (4)
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MOVED Cr A Kelly

SECONDED Cr J Dwyer

That Cr's Purchase and Kennedy remain in the room while discussing matters relating to the Hotel, to answer questions that the Council has regarding the request.

CARRIED 4/0

CEO to investigate further and report back to June Meeting of Council.

Item 11 on the status report

Due to a member (K. Pusey) of the Works and Services Working Group no longer being a member of Council, Cr. Tonkin was added to the membership of the working group.

COUNCIL DECISION

MOVED Cr I Tucker

SECONDED Cr K Purchase

That the Status Report as at 13th May 2005, be received.

CARRIED 6/0

8. FINANCIAL REPORTS

8.1 Financial Statements – to 31st March 2005.

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 8.1

MOVED Cr K Purchase

SECONDED Cr J Dwyer

That the Financial Statements for the period to 30th April 2005 as presented, be adopted.

CARRIED 6/0

8.2 Accounts for Payment

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 8.2

MOVED Cr A Kelly

SECONDED Cr J Dwyer

That cheque numbers 2821 - 2901 and direct bank payments totaling \$369,049.43 which have been paid by the Chief Executive Officer under delegated authority, be adopted.

CARRIED 6/0

8.3 Works Costing Report by Job

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 8.3

MOVED Cr A Kelly

SECONDED Cr K Purchase

That the Works Costing Report (by job) as presented be received.

CARRIED 6/0

9. WORKS REPORTS

9.1 Works Supervisor Report

The Report by Council's Works Supervisor, Mr. Brad Pepper, for the period to 13th May 2005 was tabled for Council's information.

COUNCIL DECISION \ OFFICER RECOMMENDATION

ITEM 9.1

MOVED Cr J Dwyer

SECONDED Cr I Tucker

That the Works Supervisors report for the period to 13th May 2005 be received.

CARRIED 6/0

10. ENVIRONMENTAL HEALTH OFFICER & RANGER REPORTS

10.1 Environmental Health Officers Report

Nil

10.2 Rangers Report

Nil

11. CHIEF EXECUTIVE OFFICER'S REPORT

11.1.1 Report from the Returning Officer for Election Held on 7th May 2005

Location:	N/A
Applicant:	N/A
File Ref:	110
Disclosure of Interest:	None
Date:	10 th May 2005
Author:	Tony Nottle, Returning Officer
Signature of Author:	

Summary

This report is to brief elected members on the conduct of the election held on 7th May 2005 and to provide an overview of statistics that relate to the election.

Background

The Shire of Menzies is divided three (3) Wards comprising of Menzies, Kookynie and Ularring. This year, an election was held for Menzies and Kookynie Wards. Kookynie, being the larger of the two wards consists of 171 electors while Menzies consists of 57.

Two vacancies on both the Menzies and Kookynie wards became vacant this year.

The polling place for early votes and in person votes was held at the Shire of Menzies Administration Office.

Comment

A total of two staff worked on Election Day between the hours of 7.30am to 6.15pm at the close of poll. All staff worked at the count that finished at approximately 7.30pm.

Results and statistics

Ward: Menzies
Candidate elected: Tucker, Ian
Kelly, Aileen
Term of office: Expires 2009

Number of Candidates	Total number eligible voters on roll	Total valid votes cast	Total informal votes	Total votes cast	Percentage turnout
3	57	46	0	46	80.7%

Ward: Kookynie
Candidate elected: Tonkin, Stephen
Dwyer, Jill
Term of office: Expires 2009

Number of Candidates	Total number eligible voters on roll	Total valid votes cast	Total informal votes	Total votes cast	Percentage turnout
3	171	31	0	31	18.1%

Consultation – Not Applicable

Statutory Environment –

For this election the CEO acted as returning officer. The election was conducted on the basis of electors voting in person. Part 4 of *the Local Government Act 1995* and Local Government (Elections) Regulations 1997 specify the way local government elections are to be conducted.

Policy Implications – There are no current policies relating to this matter.

Financial Implications –

The estimated final cost of this year's election is \$2,000.00. This is comparable to the elections held in 2003.

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 11.1.1

MOVED Cr A Kelly

SECONDED Cr K Purchase

That the report by the Returning Officer be received.

CARRIED 6/0

11.1.2 Principal Activity Plan 2005-2009 – Plan for the Future

Location: N/A
Applicant: N/A
File Ref: 108
Disclosure of Interest: None
Date: 10th May 2005
Author: Tony Nottle, Chief Executive Officer
Signature of Author:

Summary

This report requests that Council adopt the Principal Activity Plan as presented by the Chief Executive Officer for the period 2005 – 2009.

Background

Council's Draft Principal Activity Plan was received and accepted by Council at its March Ordinary Meeting.

Comment

Since the March meeting, all advertising requirements have been completed. No submissions were received prior to the deadline of the 10th May 2004.

Due to changes to the Local Government Act 1995 Council is no longer obligated to produce a Principal Activity Plan, but rather a plan for the future. As the particular plan includes forward projections, the document is also considered a "Plan for the Future."

Consultation

All requirements in regards to advertising the plan have been carried out. Submissions have been invited from the public and none were received.

Statutory Environment

5.56. Planning for the future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Policy Implications

There are no current policies that relate to this matter.

Financial Implications

This Principal Activity Plan provides a basis for the 2005/06 Budget.

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.1.2
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MOVED Cr J Dwyer

SECONDED Cr K Purchase

That the Principal Activity Plan 2005 – 2009 as presented, be adopted as Council's Plan for the Future.

CARRIED 6/0

11.1.3	Local Government Week 2005
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Location: N/A
Applicant: N/A
File Ref: 108
Disclosure of Interest: None
Date: 10th May 2005
Author: Tony Nottle, Chief Executive Officer
Signature of Author:

Summary

This report requests that Council consider sending new members to the "Getting Started" full day training course for new and current members.

Background

Each election year, the Western Australian Local Government Association (WALGA) organise training days to provide an information session for new members and refreshers for current members.

This are usually held in each Regional Centre. This year the course will be held on the 26th May at Kalgoorlie.

Comment

This year's course is held in Kalgoorlie and will be available to as many members that are able to attend. The courses are essential in the development of Members' understanding of their roles and responsibilities as a Councillor.

It is also advised that if current Members wish to attend the course as a "refresher" that this would be the perfect opportunity.

Consultation

The CEO will be required to book the places for interested members immediately following the meeting.

Statutory Environment – N/A

Policy Implications

Policy No. 3.6 states the guidelines and allowances available elected members. (refer Councillor information handbook.)

Financial Implications

Provision has been made in the budget to accommodate such courses. Cost of the full day course is \$275.00 per person. Some travel allowances may also be apparent.

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.1.4
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MOVED Cr A Kelly SECONDED Cr I Tucker

That Council nominate Cr's Kelly and Tucker attend the Elected Member Development Program in Kalgoorlie on the 26th May 2005.

CARRIED 6/0

Mr. Pepper left the meeting at 11.15 am
Mr, Pepper returned to the meeting at 11.16am

11.1.5	Tender MN 127 – 6x4 Rigid Truck & Trailer
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Location: N/A
Applicant: N/A

File Ref: 108
Disclosure of Interest: None
Date: 11th May 2005
Author: Tony Nottle, Chief Executive Officer
Signature of Author:

Summary

The author requests the Council to consider the purchase of a 6x4 rigid side tipping truck and trailer as per Tender MN 127

Background

At Council's March meeting Tender MN 125/126 was considered for the purchase of a 6x4 prime mover and two trailers (roadtrain configuration). Council resolved at this meeting:

1. *That Council not accept any tender for the purchase of the prime mover and trailers (roadtrain).*
2. *That Council accept the tender from Smith Broughton and Sons Auctioneers for the sale of the International Acco (MN 785) for the amount of \$72,347 including GST.*

Further to this decision, Council resolved:

That Council tender for a six (6) wheel rigid right hand tipping truck and trailer to the maximum legal capacity and offer the Mitsubishi six (6) wheel truck (MN27) for trade or outright purchase.

As a result of this decision, staff created a tender document that comprising of the above specifications. Added into this document was a request to provide a price to place a turntable underneath the rigid truck's bowl to provide versatility.

Tenders were advertised according to the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.

Tenders were advertised in both the West Australian and Kalgoorlie Miner newspapers, and closed at 4.00pm 4th May 2005.

Comment

Tenders were opened in accordance with Council Policy 2.5

Tenders were opened in the presence of:

Mr Tony Nottle – Chief Executive Officer
Mr Brad Pepper – Works Supervisor

A detailed look at the tender documents was carried out and the prices and specifications were taken into consideration. A detailed table of prices is circulated to members.

Council may be aware that delivery of any truck that is purchased will take place after the setting of the 2005/06 budget.

Council's decision to go to tender for this specific configuration, does not fit within the budgetary constraints. Eg: tender from Truckworld, total price of \$304,220 is actually \$58,620 over the budget allocated.

It is strongly advised that Council consider selling the Isuzu Giga 385 and dog trailer over the next financial year.

Consultation

Consultation with tendering companies, Councillors and staff has taken place.

Statutory Environment

Section 3.57(1) of the Local Government Act 1995 provides that a Local Government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and services. Local Government (Functions and General) Regulation 11 states that the tenders must be invited if the consideration under the contract is expected to be worth more than \$50,000.00.

Should Council wish to purchase any configuration, it will need to decide by absolute majority as per section 6.8 (b) of the Local Government Act 1995 to authorise expenditure not included in the budget.

Policy Implications

Tenders were opened as per Policy 2.5.

Financial Implications

To accompany the recommendation, the following scenario will be apparent:

Purchase Mack Valueliner	- \$204,620
Purchase HP Trailer	- \$75,000
Purchase HP Tri-axle Dolly (after Council authorisation)	- \$29,000
Total Purchase	- \$308,620
Sell MN27 to Smith Broughton	- \$73,679.09
Total Changeover	- \$234,940.91

Council will need to authorise the over expenditure of \$58,620 for the above purchase by absolute majority.

Council may take in account the surplus revenue received from the sale of the Inter Acco (extra \$37,347) in March and the above sale of Mitsubishi FV 500 (extra \$33,679.09). This equates to a total surplus of \$71,026.09.

Therefore the above scenario represents a surplus of \$12,406.09.

Voting Requirement – Absolute Majority

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.1.5
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MOVED Cr I Tucker

SECONDED Cr J Dwyer

1. That Council authorise the unbudgeted expenditure of \$58,620.00 for the purchase of a truck and trailer combination;
2. award Tender MN 127 to Truckworld Pty Ltd for the purchase of a Mack Valueliner with Howard Porter body for the tendered sum of \$204,620.00;
3. award Tender MN 127 to Howard Porter Pty Ltd for the purchase of a tri-axle dolly and 20 cubic metre trailer; and
4. award the outright purchase of the Mitsubishi FV500 (MN27) to Smith Broughton & Sons for the tendered price of \$73,679.09.

CARRIED BY ABSOLUTE MAJORITY 6/0

Cr. Kennedy left the meeting at 11.50am.

11.1.6	Water Reserve 9187 - Davyhurst
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Location:	Davyhurst
Applicant:	DPI, LAMS
File Ref:	131
Disclosure of Interest:	None
Date:	12 th May 2005
Author:	Jolene Nottle, Deputy Chief Executive Officer
Signature of Author:	

Summary

This report requests that Council consider if it would be interested in taking control of Water Reserve 9187 – Davyhurst.

Background

Water Reserve 9187 is currently under the management control of the Water Corporation. The Water Corporation no longer require this reserve and the Department for Planning and Infrastructure, Land Asset Management Services (DPI, LAMS) request that Council consider amalgamating into reserve 12202 (Town Common – Davyhurst) or control the reserve under a separate Management Order for the purposes of “Water”

Comment

Council may choose to either inform DPI, LAMS that it does not intend to take control of the reserve.

Should it wish to do so, amalgamating the portion of land into the town common would not affect any ventures within the area.

Consultation

DPI, LAMS has been consulted over this matter

Statutory Environment – N/A

Policy Implications - N/A

Financial Implications - N/A

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 11.1.6

MOVED Cr A Kelly

SECONDED Cr K Purchase

That Council agree to take control of Reserve 9187 by amalgamating the land into Reserve 12202 presently under Shire control.

CARRIED 5/0

This item was postponed until after the luncheon break (last item) to allow the Councillors the opportunity to view the display of entries in the hall.

11.1.7 Town Entry Statement Competition

Location:	N/A
Applicant:	N/A
File Ref:	TES
Disclosure of Interest:	None
Date:	12 th May 2005
Author:	Jolene Nottle, Deputy Chief Executive Officer
Signature of Author:	

Summary

This report requests the Council to choose the first prize and the runner – up for the Town Entry Statement Competition that closed on the 30th April 2005

Background

At Council's March meeting, it was resolved that the CEO be requested to formulate a Town Entrance Statement Competition to provide a plan for the creation of Menzies Entry Statements.

A prize of \$500 cash and a gold nugget for the winning entry and a \$250 cash prize for the runner up were formulated.

Comment

The Town Entrance Statement is a visual entry to welcome visitors to our shire and town, and the hopes that it will also create a sense of pride amongst the local community.

The competition was advertised statewide and in total we have had 17 formal entries. Note some of these entries have supplied more than the one design.

The winning design will be used to formulate the actual structure that will be built, taking in to consideration the availability of materials required to construct.

Consultation

Advertisements were placed in both the Kalgoorlie Miner and the West Australian over two weekends.

Statutory Environment – N/A

Policy Implications - There are no current policies relating to this matter

Financial Implications

The prize money for the competition will be taken from the “Town Entry Statement” allocation in the 2004/05 budget. Once the winner is decided, commencement on the construction of these entries will take place.

Voting Requirement – Simple Majority

OFFICER RECOMMENDATION	ITEM 11.1.7
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That Council choose:

1. Winning Design – 1st Prize: _____
2. Commendation Prize: _____

COUNCIL DECISION	ITEM 11.1.7
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MOVED Cr J Dwyer

SECONDED Cr I Tucker

1. That Council award the prizes for the Town Entrance Statement Competition as per the following:

1st Prize – Mrs. Sylvia Kennedy of Kalgoorlie
2nd Prize – Mr. Darren Allingham of Kalgoorlie
2. That the CEO liaise with Mrs. Kennedy to formulate minor changes to the entry supplied.

CARRIED 4/0

Cr Purchase left the meeting prior to the decision being made.

11.2 CHIEF EXECUTIVE OFFICER SUPPLEMENTARY REPORT

11.2.1 Proposal to Impose Differential Rates

Location: N/A
Applicant: N/A
File Ref: 302
Disclosure of Interest: None
Date: 18th May 2005
Author: A G Nottle, Chief Executive Officer
Signature of Author:

Summary

Council is required to give local public notice (twenty one days) when it levies a differential rate. This report discusses the estimated rate that next years' rates will be levied.

Background

The Local Government Act 1995 provides that where a Local Government proposes to levy a differential rate, it must first (prior to consideration of its budget); give local public notice of its intention. In providing the notice, information of the amount of each rate or minimum payment, is to be shown and each ratepayer and elector invited to make submissions in respect of the proposed rate or minimum payment. The submission period is to be 21 days.

Comment

Council for the past few years, has adopted a differential rate as follows:

Area	Valuation	2001/02	2002/03	2003/04	2004/05
Menzies Townsite	GRV	4.5c in \$	4.63c in \$	4.77c in \$	4.91c in \$
Mining Sector	UV	6.0c in \$	6.17c in \$	6.36c in \$	6.77c in \$
Kookynie T/site - Pastoral	UV	3.1c in \$	3.19c in \$	3.29c in \$	3.39c in \$
Minimums (all cat.)	Minimum	\$130	\$130	\$130	\$135

As can be seen above, minimum values have only been increased once in 4 years. The FESA levy has made an impact on most assessments by adding a further \$30.00. However, there will be no increase in FESA levies for the Shire of Menzies next year.

Therefore, now it seems justified that the minimum values are at least increased by a further five (5) dollars to reflect CPI increases over these years. This increase represents approximately a 3.7% increase on last year, which equates to .925% per annum over the four year period.

Last year Council raised a total of \$449,054 (not including interim rating) from the differential rates listed above.

This year's proposal is as follows:

Area	Valuation	2004/05	
Menzies Townsite	GRV	5.082c	in \$
Mining Sector	UV	7.447c	in \$
Kookynie T/site - Pastoral	UV	3.51c	in \$
Minimums (all cat.)	Minimum	\$140	

The above represents a 3.5% increase on all areas except for a 10% increase in the mining sector. This increase in mining is not excessive comparative to nearby local governments.

In comparing like local governments, it is interesting to note that the Shire of Menzies is well under the average charge for UV mining rates. A short list compiled is as follows:

	UV	GRV	Minimum
Broome	7.1509	0	531
Carnarvon	14.2919	7.1467	481
Coolgardie	14	9.25	315
Halls Creek	8.7	7.12	340
Kalgoorlie-Boulder	11.567	6.8219	510
Leonora	9.25	5.5	150
Meekatharra	8.9284	8.587	123
Mt Magnet	18.645	5.587	265
Sandstone	17.02	4.82	200
Upper Gascoyne	8.3773	6.5753	150
Wiluna	10	6	200
Wyndham E Kimberley	6.7106	9.8733	550
Yilgarn	7.65	10.6	295
Avg	10.94547	6.76092	316.1538

Menzies may need to consider the issue of phasing in an increase in the UV Mining rates to help assist with capital programs over the ensuing years.

If this proposal were to occur an estimated income of \$509,549.53 would be achieved. Although the increase seems large, this actually is more of a reflection of the revaluation in land over the past 12 months mostly concerning the mining sector.

If Council wants again to improve "Differential Rates" it should resolve to do so now as various statutory advertising requirements must be completed before the budget is considered in great detail.

Consultation

Statistics have been obtained from the WA Local Government Rates Comparison 2004/05.

Statutory Environment

Sections 6.33 and 6.36 of the Local Government Act 1995.

Policy Implications

There are no current policies relating to this matter.

Financial Implications

Ensuring expected rates revenue remains at a level where the Shire can continue to maintain its present level of service to ratepayers.

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 11.2.1

MOVED Cr A Kelly

SECONDED Cr J Dwyer

1. That Council resolve to impose differential rates in the 2004/2005 financial year as follows:

Menzies Townsite	GRV	5.082 cents in the \$
Mining Sector	UV	7.447 cents in the \$
Kookynie T/Site – Pastoral	UV	3.51 cents in the \$

With a minimum rate assessment of \$140 and all associated advertising requirements be carried out.

2. Request the Minister for Local Government to approve an application for the imposition of differential general rate in accordance with section 6.33 (3) of the Local Government Act 1995.

CARRIED 5/0

Mr. Pepper left the meeting at 11.55am

Mr. Pepper returned to the meeting at 12.00pm.

11.2.2 Old Kookynie School House

Location:	N/A
Applicant:	N/A
File Ref:	139
Disclosure of Interest:	None
Date:	19 th May 2005
Author:	A G Nottle, Chief Executive Officer
Signature of Author:	

Summary

A request has been made to the Council regarding the purchase of the Old Kookynie School House. Council is requested to consider the obligations regarding the ownership of the property, and the possibility of purchasing the building and property.

Background

Since the “winding up” of the Kookynie Social Club Inc., the Kookynie School House has been under the ownership of the Department for Planning and Infrastructure (DPI). These decisions had been made at the public meeting held in early February 2004.

In February 2004, Council was requested by DPI to consider ownership of the premises for Community Purposes. While the Council agreed that it did not have staff or the resources to effectively make the building “safe for community purposes” as well as maintain the building for a select few.

Following the Council meeting in February 2004, the Shire wrote to DPI advising that it did not wish to take on the management order for the facility, and that the reserve be given to the Crown.

In March 2005, DPI held a public tender, offering the sale of the reserve and the building for the amount of \$8,800. No tenders were received.

A letter was received from Mr. Greg Dwyer, resident of the Kookynie area, requesting that the Council purchase the building, and that local residents may spend an amount of \$4,000 on the facility for materials.

Comment

Council has already considered the purchase or ownership of this facility last year. The outcome being that Council did not have the resources or staff to maintain the facility, and that it therefore be returned to the Crown.

Council also considered the fact that if the School House was repaired, what would it be used for, and how often? It was decided that the maintenance and associated costs would not justify the amount of use that the facility would receive.

This facility had been offered to the public for sale, however nobody even placed a tender for the property.

In light of Council’s previous decision, I do not suggest that the Shire purchase this property.

Consultation

Statutory Environment

Policy Implications

There are no current policies relating to this matter.

Financial Implications

Cost of the facility is estimated at \$8,800.00 Other costs associated with the maintenance of the facility (eg: physical maint, insurance, white ant control etc) will be apparent each year.

Voting Requirement – Simple Majority

OFFICER RECOMMENDATION	ITEM 11.2.2
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For Council Consideration

COUNCIL DECISION	ITEM 11.2.2
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MOVED Cr A Kelly

SECONDED Cr K Purchase

That the CEO investigate further funding and associated costs with purchasing the Kookynie School House and liaise with the Department for Planning and Infrastructure in regards to a suitable offer.

Reason for Change:

Due to the correspondence being received only one (1) day prior to the Council meeting, the Council requested the CEO to investigate the matter further and report back to Council at the June Council meeting.

CARRIED 5/0

11.2.3	Installation of Composting Toilet - Ularring
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Location:	Ularring
Applicant:	N/A
File Ref:	149
Disclosure of Interest:	None
Date:	19 th May 2005
Author:	A G Nottle, Chief Executive Officer
Signature of Author:	

Summary

The Golden Quest Drive Trails Association has been successful in securing funding to improve certain aspects of the trail. Ularring has been listed as an ideal site to install a toilet facility.

Council is requested to consider the approval to install the facility at Ularring

Background

Launched in March 2003, the Golden Quest Trail has proved to be a fantastic benefit to our region through encouraging tourists to the area.

Ularring (Site no. 21) is significant on the Golden Quest Trail for its history surrounding Ernest Giles. This history makes the site very popular.

The Golden Quest Trail received a large grant in January 2005 which has allowed for a bi-annual trail audit to be completed by Maher Brampton & Associates. In this audit, a toilet facility at Ularring was suggested.

Comment

Ularring is a very scenic and relaxing spot for many campers and visitors travelling the trail.

The toilets that are in place at Niagara Dam have proved to be a fantastic addition to the area, which are now working extremely well.

The proposed toilet facility would a fantastic addition to the site. Circulated is a map indicating the proposed site for the toilet facility (also see file 149)

Consultation

Trails Manager, Malinda Nixon

Statutory Environment – N/A

Policy Implications

There are no current policies relating to this matter.

Financial Implications

The Golden Quest Trails Association will fund the cost of the toilet

Voting Requirement – Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.2.3
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MOVED Cr J Dwyer

SECONDED Cr K Purchase

That Council approve the construction of a self-composting toilet to be placed at the Ularring Soak site (No. 21) of the Golden Quest Trail.

CARRIED 5/0

12. REPORTS FROM COUNCILLORS

Nil

13. BUSINESS OF AN URGENT NATURE

13.1 COUNCILLORS

Cr I Tucker – Nil

Cr K Purchase

- Requested that the CEO consider authorizing the town street bins to be cleaned as they were emitting foul odors.

CEO advised that he would inform the Works Supervisor to address this issue.

Cr A Kelly

- Advised that the “Coming Events” signs on the entrances to Menzies required fixing.

The Deputy CEO advised that the wording had been removed and that the Perspex covers had been smashed, but removed also. Cr. Kelly was advised that this would be addressed.

Cr J Dwyer – Nil

Cr I Tucker then requested could there be a toilet placed at the truckbay on the northern end of Shenton Street.

CEO to investigate.

13.2	CHIEF EXECUTIVE OFFICER
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- Advised Members of meetings of interest.
- Budget is being formulated and ideas must be in to the CEO prior to June 30 2005.
- Congratulations to the President, Cr. Stephen Tonkin and Deputy President, Cr. Aileen Kelly on their appointments

14. CONFIDENTIAL BUSINESS TO BE HEARD BEHIND CLOSED DOORS (IN CAMERA)

15.

14.1.1	Resignation of the CEO & DCEO
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COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 14
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MOVED Cr J Dwyer

SECONDED Cr I Tucker

That the meeting be discussed in camera as it involves members of staff

CARRIED 5/0

The above item was discussed amongst the Council.

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 14
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MOVED Cr A Kelly

SECONDED Cr I Tucker

That the Meeting be reopened to the public

CARRIED 5/0

OFFICER RECOMMENDATION

ITEM 14.1.1

1. That Council receive the resignation of the Chief Executive Officer and the Deputy Chief Executive Officer as at 20th May 2005.
2. That a Selection Committee be established comprising of Cr. _____, Cr. _____ and Cr. _____, for the purposes of recruiting a Chief Executive Officer and assistant.
3. That the Chief Executive Officer approach suitable recruitment agencies / consultants to assist the committee in the selection process.

COUNCIL DECISION

ITEM 14.1.1

MOVED Cr J Dwyer

SECONDED Cr K Purchase

1. That Council receive the resignation of the Chief Executive Officer and the Deputy Chief Executive Officer as at 20th May 2005.
2. That a Selection Committee be established comprising of all available Councillors for the purposes of recruiting a Chief Executive Officer and assistant.
3. That the Chief Executive Officer approach suitable recruitment agencies / consultants to assist the committee in the selection process, and forward options to the committee for consideration.

CARRIED BY ABSOLUTE MAJORITY 5/0

Reason for Change:

Council wished to have all Councillors to be made Members of the committee so that all available Councillors would participate in the selection process.

Council also wished for further involvement regarding selection from the CEO.

15. NEXT MEETING

The next Ordinary Council Meeting is scheduled for Friday 17th June 2005, Menzies Council Chambers at 9.00 am.

16. CLOSURE

There being no further business to discuss, the Shire President declared the meeting closed at 1.45pm.

These Minutes were confirmed as a true and accurate record of proceedings, at the Ordinary Council Meeting held on 17th June 2005

CONFIRMED

SHIRE PRESIDENT.....