



SHIRE OF MENZIES

MINUTES

**OF THE ORDINARY MEETING OF COUNCIL
HELD**

Thursday 27 April 2017

Shire of Menzies

Commencing at 1.03 pm

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*Minutes of the Ordinary Meeting of Council held in the Shire of Menzies Council Chambers
on Thursday 27 April 2017*

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1 DECLARATION OF OPENING

The Shire President declared the meeting open at 1.03pm.

2 ANNOUNCEMENT OF VISITORS

There were no visitors present.

3 RECORD OF ATTENDANCE

The Chairperson advised a request had been received from Councillor Mazza to attend the meeting via electronic means as he is more than 150 kilometres from the Shire of Menzies office and is still in Western Australia.

COUNCIL RESOLUTION:

No.1179

Moved: Cr Tucker

Seconded: Cr Baird

That Council resolve to accept Councillor Mazza's request to attend the Council Meeting on 27 April 2017 via electronic means.

Carried 4/0

Present

Councillors:	Cr J Dwyer	Shire President
	Cr I Baird	Deputy Shire President
	Cr I Tucker	
	Cr K Mader	
	Cr J Mazza	via electronic means at 1.04pm

Staff	Mrs R Evans	Chief Executive Officer
	Mrs D Whitehead	Executive Assistant

Apologies	Cr Debbie Hansen
	Cr Justin Lee

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There were no questions taken on notice at the previous meeting.

5 PUBLIC QUESTION TIME

There were no questions from the public.

6 APPLICATIONS FOR LEAVE OF ABSENCE

There were no applications for leave of absence.

7 DECLARATIONS OF INTEREST

There were no declaration of interest.

8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

There were no items to be discussed behind closed doors.

9 CONFIRMATION / RECEIVAL OF MINUTES

9.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 30 MARCH 2017

That the minutes of the Ordinary Meeting of Council held on Thursday 30 March 2017 be confirmed as a true and correct record.

COUNCIL RESOLUTION:

No.1180

Moved: Cr Mazza

Seconded: Cr Tucker

That the minutes of the Ordinary Meeting of Council held on Thursday 30 March 2017 be confirmed as a true and correct record.

Carried 5/0

10 PETITIONS / DEPUTATIONS / PRESENTATIONS

There was an apology from Ms Iona Sheehan-Lee.

11 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 PRESIDENTS REPORT

COUNCIL RESOLUTION:

No.1181

Moved: Cr Baird

Seconded: Cr Mader

That Council receive the Presidents report for April 2017.

Carried 5/0

9 April 2017

Rhonda Evans our Chief Executive Officer and I flew to Perth to attend meetings with the Department of Planning, Department of Local Government and Communities and the Minister for Housing Mr Peter Tinley.

25 April 2017

I attended the Anzac Day service and breakfast at Menzies

26 April 2017

Attended Budget Workshop / Strategy meeting at Shire of Menzies. Items for discussion were:-

- Review Road Condition Report
- Strategic Plan Review
- Ward Review
- Town Planning Scheme

27 April 2017

I attended the Ordinary meeting of Council.

12 REPORTS OF OFFICERS

12.1 HEALTH BUILDING AND TOWN PLANNING

12.1.1 Health and Building Report for the month of March 2017

LOCATION:	Shire of Menzies
APPLICANT:	N/A
DOCUMENT REF:	ADM384
DISCLOSURE OF INTEREST:	The author has no interest to disclose
DATE:	3 April 2017
AUTHOR:	David Hadden, Environmental Health Officer
ATTACHMENTS	Nil

COUNCIL RESOLUTION:	No.1182
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Moved: Cr Baird

Seconded: Cr Mazza

That Council receive the report of the Environmental Health Officer for the month of March 2017 for information.

Carried 5/0

OFFICERS RECOMMENDATION:

That Council receive the report of the Environmental Health Officer for the month of March 2017 for information.

VOTING REQUIREMENTS: Simple Majority

IN BRIEF:

Health

Inspections

Kitchen inspection

- Menzies Aboriginal Corporation
- Lady Shenton
- Shire Office

Consultation

Menzies Community School at Headmasters request to answer questions regarding the Schools current procedure with providing breakfast to children.

Dealt with various enquiries.

Building/Planning

Dealt with various enquiries.

RELEVANT TO STRATEGIC PLAN:

Active Civic Leadership Achieved

- Regularly Monitor and Report on the Shire's Activities, Budgets, Plans and Performance

STATUTORY AUTHORITY:

Building Act 2011

Public Health Act 2016

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS : Nil

RISK ASSESSMENTS :

No Risk Assessments have been adopted in relation to these matters.

BACKGROUND:

The Shire contracts the services of an Environmental Health Officer (EHO) for two days per month. The Officer is available for consultation at all times, and attends the administration office once per month to meet with the Chief Executive Officer.

The following is a brief report of the monthly activities.

COMMENT:

This report is for the information of Council, and relates to matters addressed by the Environmental Health Officer for the month of March 2017.

BACKGROUND:

COMMENT:

Carried out a kitchen inspection at the Menzies Aboriginal Corporation and advised upgrades required to allow them to use the kitchen to supply lunches to the local school.

Carried out inspection of Lady Shenton and Shire Office kitchens and prepared upgrade advice to convert kitchens to a commercial standard to allow registration under the Food Act 2008 and use for catering purposes.

Visited the Menzies Community School at Headmasters request to answer questions regarding the Schools current procedure with providing breakfast to children. The current procedure is adequate as they are only providing cereal, milk and fruit to children with no hazardous foods being prepared on site so does not warrant registration as a food premises.

Dealt with various other enquiries.

12.2 FINANCE AND ADMINISTRATION

12.2.1 Statement of Financial Activity for the Month of February 2017

LOCATION:	N/A
APPLICANT:	N/A
FILE REF:	EDM052
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	20 March 2017
AUTHOR:	Jeanette Taylor, Manager Finance & Administration
ATTACHMENT:	12.2.1 Monthly Financial Reports February 2017

COUNCIL RESOLUTION:	No.1183
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Moved: Cr Tucker

Seconded: Cr Mader

That Council receive the Statement of Financial Activity for the month ending 28 February 2017 included as attachment 12.2.1 as presented, and note material variances.

Carried 5/0

OFFICER RECOMMENDATION:

That Council receive the Statement of Financial Activity for the month ending 28 February 2017 included as attachment 12.2.1 as presented, and note material variances.

VOTING REQUIREMENTS: Simple Majority

IN BRIEF:

Statutory Financial Reports submitted to Council for acceptance as a record of financial activity for the period to 28 February 2017.

RELEVANT TO STRATEGIC PLAN:

Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.

STATUTORY AUTHORITY:

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996, 34

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

As detailed within the attachments.

RISK ASSESSMENTS:

OP9 Budgets are inaccurately reported with differences in the Budget adopted by Council, and that exercised by Council administration.

OP16 Council's statutory reports provide inaccurate financial information

BACKGROUND:

The Financial Management Regulation 34 required each Local Government to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under Regulation 22(1)(d), for that month with the following details:

- The annual budget estimates,
- The operating revenue, operating income and all other operating income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activity is not in accordance with budget estimates for the relevant reporting period,
- Include an operating statement, and
- Any other relevant supporting notes.

COMMENT:

This report contains annual budget estimates, actual amounts of expenditure and income to the end of the month. It shows the material differences between the budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council informed of the current financial position.

Detailed statement of Capital Expenditure by ledger account by program is provided for Council consideration.

Detailed statement of Operating Expenditure by nature or type by program is provided for Council information.

12.2.2 Statement of Financial Activity for the Month of March 2017

LOCATION:	N/A
APPLICANT:	N/A
FILE REF:	EDM052
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	20 April 2017
AUTHOR:	Jeanette Taylor, Manager Finance & Administration
ATTACHMENT:	12.2.2 Monthly Financial Reports March 2017

COUNCIL RESOLUTION:	No.1184
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Moved: Cr Baird

Seconded: Cr Tucker

That Council receive the Statement of Financial Activity for the month ending 31 March 2017 included as attachment 12.2.2 as presented, and note material variances.

Carried 5/0

OFFICER RECOMMENDATION:

That Council receive the Statement of Financial Activity for the month ending 31 March 2017 included as attachment 12.2.2 as presented, and note material variances.

VOTING REQUIREMENTS: Simple Majority

IN BRIEF:

Statutory Financial Reports submitted to Council for acceptance as a record of financial activity for the period to 31 March 2017.

RELEVANT TO STRATEGIC PLAN:

Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.

STATUTORY AUTHORITY:

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996, 34

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

As detailed within the attachments.

RISK ASSESSMENTS:

OP9 Budgets are inaccurately reported with differences in the Budget adopted by Council, and that exercised by Council administration.

OP16 Council's statutory reports provide inaccurate financial information

BACKGROUND:

The Financial Management Regulation 34 required each Local Government to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under Regulation 22(1)(d), for that month with the following details:

- The annual budget estimates,
- The operating revenue, operating income and all other operating income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activity is not in accordance with budget estimates for the relevant reporting period,
- Include an operating statement, and
- Any other relevant supporting notes.

COMMENT:

This report contains annual budget estimates, actual amounts of expenditure and income to the end of the month. It shows the material differences between the budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council informed of the current financial position.

Detailed statement of Capital Expenditure by ledger account by program is provided for Council consideration.

Detailed statement of Operating Expenditure by nature or type by program is provided for Council information.

12.2.3 Monthly Listing of Payments for the Month of March 2017

LOCATION:	N/A
APPLICANT:	N/A
FILE REF:	EDM017
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	18 April 2017
AUTHOR:	Jeanette Taylor, Manager Finance and Administration
ATTACHMENT:	12.2.3 Payment Listings for March 2017

COUNCIL RESOLUTION:	No.1185
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Moved: Cr Tucker

Seconded: Cr Baird

That Council receive the list of payments for the month of March 2017 totalling \$327,263.85 being:

- 1) Cheques totalling \$191.90*
- 2) Electronic Fund Transfer EFT1982-EFT2040 payments in the Municipal Fund totalling \$282,929.67.*
- 3) Direct Debit payments from the Municipal Fund totalling \$44,142.28.*
- 4) Credit card payments for the statement period 27 January 2017 to 28 February 2017 (included in direct debits) totalling \$9,500.07.*

Carried 5/0

OFFICER RECOMMENDATION:

That Council receive the list of payments for the month of March 2017 totalling \$327,263.85 being:

- 1) Cheques totalling \$191.90
- 2) Electronic Fund Transfer EFT1982-EFT2040 payments in the Municipal Fund totalling \$282,929.67.
- 3) Direct Debit payments from the Municipal Fund totalling \$44,142.28.
- 4) Credit card payments for the statement period 27 January 2017 to 28 February 2017 (included in direct debits) totalling \$9,500.07.

VOTING REQUIREMENTS: Simple Majority

IN BRIEF:

The list of payments made for the month of March 2017 to be received by Council.

RELEVANT TO STRATEGIC PLAN:

Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.

STATUTORY AUTHORITY:

Local Government (Financial Management) Regulations 1996 Number 13.

POLICY IMPLICATIONS:

Policy 4.7 – Creditors – Preparation for Payment

FINANCIAL IMPLICATIONS: Nil

RISK ASSESSMENTS:

OP7 Accounts payable amounts and disbursements are either inaccurately recorded or not recorded at all.

BACKGROUND:

Payments have been made by electronic funds transfer (EFT) and direct transfer from Council's Municipal bank account and duly authorised as required by Council Policy. There have been no cheque payments made this month. These payments have been made under authority delegated to the Chief Executive Officer and are not reported to Council.

COMMENT:

The EFT and Direct Debit payments that have been raised for the month of March 2017 are attached.

After payment, the balance of creditors will be \$41,605.82.

12.3 WORKS AND SERVICES

No reports for the month of March 2017.

12.4 COMMUNITY DEVELOPMENT

12.4.1 Monthly Report Lady Shenton Building – March 2017

LOCATION:	Lady Shenton Building
APPLICANT:	N/A
DOCUMENT REF:	ADM281
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	11 April 2017
AUTHOR:	Rhonda Evans, Chief Executive Officer
ATTACHMENT:	12.4.1-1 Monthly Sales Categories Report for March 12.4.1-2 Monthly Department Sales Report for March

COUNCIL RESOLUTION:	No.1186
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Moved: Cr Baird

Seconded: Cr Dwyer

That Council receive the report of the activities in the Lady Shenton Building for the month of March 2017 for information.

Carried 5/0

OFFICER RECOMMENDATION:

That Council receive the report of the activities in the Lady Shenton Building for the month of March 2017 for information.

VOTING REQUIREMENTS: Simple Majority

IN BRIEF:

The Menzies Community Resource Centre, Visitor Centre, Community Postal Agency and Caravan Park operate from the Lady Shenton Building on the corner of Brown and Shenton Street.

Visitor Centre Sales	Year to Date	\$21,063	Year to Date Prior Year	\$23,653
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Caravan Park income	Year to Date	\$44,838	Year to Date Prior Year	\$31,849
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RELEVANT TO STRATEGIC PLAN:

Sustainable local economy encouraged

- The significant natural features of the shire for tourism.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

Strong sense of community maintained

- Our community will value each other, building relationships and networks to interact, socialise and for recreation.
- Our community will have access to all necessary service requirements.

- The Shire to acquire appropriate resources to assist with developing the services and facilities required by the community.

Active civic leadership achieved

- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

STATUTORY AUTHORITY: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

RISK ASSESSMENTS:

No Risk Assessment has been undertaken relating to this item.

BACKGROUND:

The Lady Shenton building operates the CRC and Menzies Visitor Centre and administers the Menzies Caravan Park. The statistics are compiled each month by the operator for recording purposes.

COMMENT:

Community Resource Centre (CRC)

March saw 25 patrons at the CRC and a total of 85 copies of the Menzies Matters were printed.

Visitor Centre

March saw 139 visitors to The Visitor Centre. We continue to encourage customer feedback by way of the Lake Ballard Surveys. The Facebook continues to convey information to people online.

Community Postal Agency

We had a total of 172 Postal Customers for March.

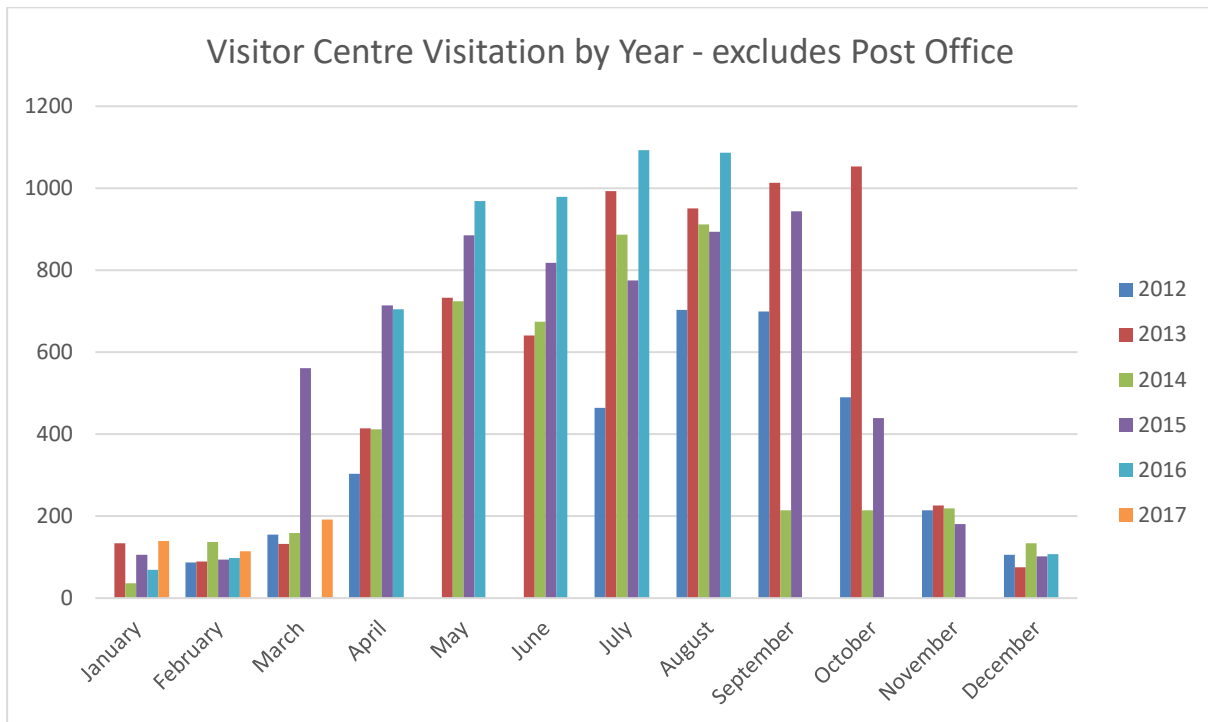
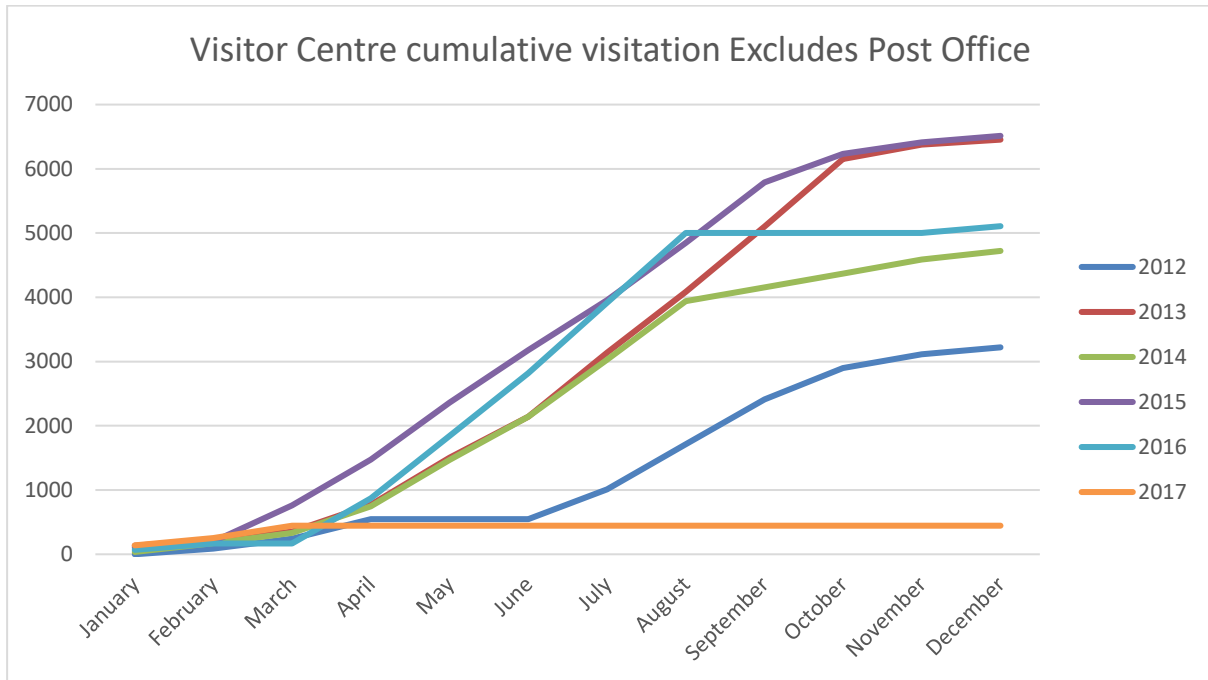
Caravan Park

A total of \$2,062.00 was taken for the month of March 2017.

Menzies Library

A total of 9 lenders used the library during the month of March 2017.

Lady Shenton – Client Statistics



12.5 MANAGEMENT AND POLICY

12.5.1 Actions performed under Delegation for the month of March 2017

LOCATION:	N/A
APPLICANT:	N/A
DOCUMENT REF:	EDM 058
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	13 April 2017
AUTHOR:	Deborah Whitehead, Executive Assistant
ATTACHMENT:	Nil

COUNCIL RESOLUTION:	No.1187
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Moved: Cr Tucker

Seconded: Cr Baird

That Council receive the report of the actions performed under delegation for the month of March 2017 for information.

Carried 5/0

OFFICER RECOMMENDATION:

That Council receive the report of the actions performed under delegation for the month of March 2017 for information.

VOTING REQUIREMENTS: Simple Majority

IN BRIEF:

To report back to Council actions performed under delegated authority from the period 1 March 2017 to 31 March 2017.

RELEVANT TO STRATEGIC PLAN:

Active civic leadership achieved

- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Maintain sustainability through our leadership, our regional and government partnerships and ensure we make informed resource decisions for our community good.

STATUTORY AUTHORITY: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

RISK ASSESSMENTS:

OP13 Governance – Council does not comply with statutory requirements

BACKGROUND:

To increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for:-

- Bushfire
- Common Seal
- Planning Approvals
- Building Permits
- Health Approvals
- Ranger related Dog Issues

The following tables outline the actions performed within the organisation relative to delegated authority from the period 1 March 2017 to 31 March 2017.

Bushfire

No delegated decisions were undertaken by the Shire of Menzies pursuant to bushfire matters from the period 1 March 2017 to 31 March 2017.

Common Seal

<i>Date of decision</i>	<i>Decision ref:</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
2/3/2017	N/A	Transfer of title of 23 Sheridan Street, Menzies to Shire of Menzies	Margaret Anne Persic	N/A
13/3/2017	N/A	Lease 14A Walsh Street, Menzies between Housing Authority and Shire of Menzies	Department of Housing	N/A
13/3/2017	N/A	Lease 14B Walsh Street, Menzies between Housing Authority and Shire of Menzies	Department of Housing	N/A

Planning Approvals

No delegated decisions were undertaken by the Shire of Menzies pursuant to Planning Approvals from the period 1 March 2017 to 31 March 2017.

Building Permits (including Septic Tank approvals)

No delegated decisions were undertaken by the Shire of Menzies pursuant to Building Permits from the period 1 March 2017 to 31 March 2017.

Health Approvals

No delegated decisions were undertaken by the Shire of Menzies pursuant to Health Approvals from the period 1 March 2017 to 31 March 2017.

Ranger Related Dog Issues

No delegated decisions were undertaken by the Shire of Menzies pursuant to Ranger related Dog Issues from the period 1 March 2017 to 31 March 2017.

12.5.2 Fire Control Officer Appointments 2017-2018

LOCATION:	N/A
APPLICANT:	N/A
FILE REF:	EDM407
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	11 April 2017
AUTHOR:	Deborah Whitehead, Executive Assistant
ATTACHMENT:	Nil

COUNCIL RESOLUTION:	No.1188
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Moved: Cr Tucker

Seconded: Cr Mader

That Council:

1. *Appoint Paul Warner (Works Supervisor) as the Chief Bush Fire Control Officer and Ray McKay (Depot Officer) as the Deputy Chief Bush Fire Control Officer;*

2. *Appoint the following list of persons to be Fire Control Officers:*

<i>Ian Tucker</i>	<i>Adelong Station</i>	<i>(08) 9024 2150</i>	<i>0417 085 336</i>
<i>David McQuie</i>	<i>Bulga Downs Station</i>	<i>(08) 9037 5917</i>	<i>No Mobile Coverage</i>
<i>Adam Maynard</i>	<i>Edjudina Station</i>	<i>(08) 9024 2024</i>	<i>0467 654 246</i>
<i>Stephen Tonkin</i>	<i>Gindable Station</i>	<i>(08) 9024 2070</i>	<i>0418 944 492</i>
<i>Chris Tonkin</i>	<i>Gindable Station</i>	<i>(08) 9024 2070</i>	<i>0427 869 731</i>
<i>Philip Wedgwood</i>	<i>Glenorn Station</i>	<i>(08) 9031 3636</i>	<i>0477 489 676</i>
<i>Gary Smith</i>	<i>Riverina Station</i>	<i>(08) 9024 2874</i>	<i>0419 900 820</i>
<i>Not staffed</i>	<i>Perrinvale Station</i>		<i>Riverina includes</i>
<i>Not staffed</i>	<i>Jeedamia Station</i>		<i>Perrinvale, Jeedamia,</i>
<i>Not staffed</i>	<i>Kookynie Station</i>		<i>Kookynie and Melita</i>
<i>Not staffed</i>	<i>Melita Station</i>		<i>Stations as all under one</i>
			<i>manager now.</i>
<i>John Scoble</i>	<i>Menangina Station</i>	<i>(08) 9024 2856</i>	<i>No Mobile Coverage</i>
<i>Harry Krieg</i>	<i>Yerilla Station</i>	<i>(08) 9031 3017</i>	<i>No Mobile Coverage</i>
<i>Justin Stephens</i>	<i>Mt Vettors Station</i>	<i>(08) 9024 2700</i>	<i>0429 471 440</i>
<i>Colin Lewis</i>	<i>Pinnacles Station</i>	<i>(08) 9031 3111</i>	<i>0427 761 165</i>
<i>Paul Axford</i>	<i>Stuart Meadows Station</i>	<i>(08) 9037 5910</i>	<i>0427 375 911</i>
<i>Graham Wallace</i>	<i>Yundamindra Station</i>	<i>(08) 9031 3012</i>	
<i>Keith Mader</i>	<i>Walling Rock Station</i>	<i>(08) 9037 1100</i>	<i>0487 744 786</i>

3. *Advertise the above appointments in the "Menzies Matters".*

OFFICER RECOMMENDATION:

That Council:

1. Appoint Paul Warner (Works Supervisor) as the Chief Bush Fire Control Officer and Ray McKay (Depot Officer) as the Deputy Chief Bush Fire Control Officer;
2. Appoint the following list of persons to be Fire Control Officers:

Ian Tucker	Adelong Station	(08) 9024 2150	0417 085 336
David McQuie	Bulga Downs Station	(08) 9037 5917	<i>No Mobile Coverage</i>
Adam Maynard	Edjudina Station	(08) 9024 2024	0467 654 246
Stephen Tonkin	Gindable Station	(08) 9024 2070	0418 944 492
Chris Tonkin	Gindable Station	(08) 9024 2070	0427 869 731
Philip Wedgwood	Glenorn Station	(08) 9031 3636	0477 489 676
Gary Smith	Riverina Station	(08) 9024 2874	0419 900 820
<i>Not staffed</i>	<i>Perrinvale Station</i>		<i>Riverina includes</i>
<i>Not staffed</i>	<i>Jeedamia Station</i>		<i>Perrinvale, Jeedamia,</i>
<i>Not staffed</i>	<i>Kookynie Station</i>		<i>Kookynie and Melita</i>
<i>Not staffed</i>	<i>Melita Station</i>		<i>Stations as all under one</i>
			<i>manager now.</i>
John Scoble	Menangina Station	(08) 9024 2856	<i>No Mobile Coverage</i>
Harry Krieg	Yerilla Station	(08) 9031 3017	<i>No Mobile Coverage</i>
Justin Stephens	Mt Vettors Station	(08) 9024 2700	0429 471 440
Colin Lewis	Pinnacles Station	(08) 9031 3111	0427 761 165
Paul Axford	Stuart Meadows Station	(08) 9037 5910	0427 375 911
Graham Wallace	Yundamindra Station	(08) 9031 3012	
Keith Mader	Walling Rock Station	(08) 9037 1100	0487 744 786

3. Advertise the above appointments in the "Menzies Matters".

VOTING REQUIREMENTS: Simple Majority

IN BRIEF:

To approve the details for the advertisement of a notice required under Section 38 of the *Bush Fires Act 1954*.

Shire records reveal that the last appointments of Fire Control Officers were made by Council on 25 February 2016.

RELEVANT TO STRATEGIC PLAN:

Sustainable local economy encouraged

- The prevention of fire risk throughout the community.

Strong sense of community maintained

- Our community will have access to all necessary service requirements.
- The Shire to acquire appropriate resources to assist with developing the services and facilities required by the community.

Active civic leadership achieved

- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.

STATUTORY AUTHORITY:

Bush Fires Act 1954

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

RISK ASSESSMENTS:

OP13 Council does not comply with statutory reporting requirements and deadlines

BACKGROUND:

STATUTORY ENVIRONMENT:

Bush Fires Act 1954

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
- (2C) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the FES Commissioner may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
- (2D) Where a local government that has been served with a notice pursuant to subsection (2C) fails or neglects to comply with the requirements of that notice, the FES Commissioner may appoint a person who is not employed in the Department to the vacant office.
- (2E) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the FES Commissioner, by the FES Commissioner.

- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- (4) A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for -
- (a) carrying out normal brigade activities;
 - [(b), (c)deleted]*
 - (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
 - (e) procuring the due observance by all persons of the provisions of Part III.
- (5A) A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to the provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.
- (SB) The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions issued under subsection (5A) carry out the directions but subject to the provisions of this Act.
- (5C) The provisions of subsections (SA) and (58) are not in derogation of those of subsection (4).
- 38A FES Commissioner may designate person employed in Department as Chief Bush Fire Control Officer**
- (1) At the request of a local government the FES Commissioner may designate a person employed in the Department as the Chief Bush Fire Control Officer for the district of that local government.
- (2) Where a Chief Bush Fire Control Officer has been designated under subsection (1) for a district the local government is not to appoint a Chief Bush Fire Control Officer under section 38(1).
- (3) The provisions of this Act, other than section 38(3) to (5C) apply to and in relation to the Chief Bush Fire Control Officer designated under this section as if he or she were a Chief Bush Fire Control Officer appointed under section 38 by the local government.
- (4) Section 38(3) to (SC) apply to and in relation to the Chief Bush Fire Control Officer designated under this section as if-
- (a) he or she were a Chief Bush Fire Control Officer appointed under section 38 by the local government; and
 - (b) the references in those subsections to the local government were references to the FES Commissioner.

Bush Fire Brigades Local Law 2015

The Shire's gazetted local law (*23 June 2015*) at clause 3.2, also enables the appointment of bush fire control officers.

COMMENT:

All Fire Control Officers have been contacted to ensure they are agreeable to be officers for the area where they reside. It will also be necessary for Council to appoint a Chief Fire Control Officer (CBFCO) and a Deputy Chief Bush Fire Control Officer (DCBFCO).

A Bush Fire Control Officer has not been nominated for the indigenous settlement at Tjuntjuntjara as it is situated on Crown Land.

12.5.3 Wards and Representation Review

LOCATION:	N/A
APPLICANT:	N/A
DOCUMENT REF:	EDM 111
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	22 March 2017
AUTHOR:	Rhonda Evans Chief Executive Officer
ATTACHMENT:	12.5.3-1 Council Resolution to undertake assessment 12.5.3-2 Discussion Paper 12.5.3-3 Advertising for Public submissions

COUNCIL RESOLUTION:	No.1189
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Moved: Cr Mazza

Seconded: Cr Tucker

That Council accept substantive motion to Officer Recommendation 12.5.3, that Council

- *Resolve that the Ward system be retained, with two wards being the East Ward and West Ward*
 - *East Ward western boundary to be marked by the eastern most pastoral properties currently held in the Shire (west of Lake Minigwal).*
 - *East Ward eastern boundary to be the eastern most boundary of the Shire of Menzies.*
 - *East Ward to be represented by three elected members.*
 - *West Ward western boundary to be the western most boundary of the Shire of Menzies.*
 - *West Ward eastern boundary to be the common boundary with East Ward.*
 - *West Ward to be represented by four elected members.*

Carried 5/0

Reason for change to Officer Recommendation;

Further consideration by Council.

OFFICER RECOMMENDATION:

That Council maintain the current system of representation with

1. Seven Councillors and
2. Two Wards being Rural and Town with four members from the rural ward, and three from the town ward.

VOTING REQUIREMENTS: Absolute Majority

IN BRIEF:

At the November 2016, ordinary meeting Council resolved to undertake a review of Ward and Representation for the Shire of Menzies, and to invite submissions relating to this matter.

The purpose of the review is to assess the current arrangements and evaluate a range of options to find a system of representation that best suits the characteristics of the district and its people

This item was laid on the table at the Special Meeting of Council on 27 March 2017 to allow it to be debated at the next meeting where all Councillors were in attendance.

RELEVANT TO STRATEGIC PLAN:

Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the Shire.

STATUTORY AUTHORITY:

Local Government Act 1995 Schedule 2.2 6(1) – Local Government with Wards to review periodically.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

RISK ASSESSMENTS:

OP94 8 Year Review of Ward and Representation

BACKGROUND:

The Local Government Advisory Board has notified the Shire that at its August 2016 meeting it resolved to request that the Shire of Menzies complete an eight year review of its wards and representation.

The last review of wards in the Shire of Menzies was undertaken in 2009. This resulted in the retention of seven councillors, and the reduction in wards from three to two.

In November 2016, the Shire commenced this process.

COMMENT:

The resolution of council at the November 2016 meeting directed that advertising for the review be undertaken, and that the closing date for submissions was to be 13 January 2017. This advertising was not completed until 25 January 2017, with the closing date amended to 9 March 2017.

The discussion paper was available at the Council Library in the Lady Shenton Building, the Shire Office in the Town Hall, and on the Council Website. A copy of the discussion paper is attached to this item (attachment 2).

No submissions were received by Council, and only one request for a copy of the discussion paper from which there was no feedback.

The options before Council relate to two items.

Wards

The removal of ward boundaries in a Shire with two main areas of population may result in little or no representation for one or other community. This would not be ideal for either.

Representation within the Wards

The current representation is the best fit whilst retaining seven members. It is generally felt that an uneven number of Councillors provides fewer occasions where the President is called on to cast the deliberative vote.

12.5.4 Housing – Proposal to Purchase Property

LOCATION:	Menzies Townsite
APPLICANT:	N/A
DOCUMENT REF:	N/A
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	18 April 2017
AUTHOR:	Rhonda Evans, Chef Executive Officer
ATTACHMENT:	12.5.4-1 Letter from owner (<i>Confidential – provided under separate cover</i>) 12.5.4-2 Loan Amortisation Schedule 12.5.4-3 Annuity Investment Schedule

COUNCIL RESOLUTION:	No.1190
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Moved: Cr Baird

Seconded: Cr Tucker

That Council

- 1. Resolve to advertise by tender for the purchase of residential premises in the Menzies Town site. The tender to close no less than 14 days after the date of advertising.*
- 2. Consider tender submissions at the ordinary meeting of Council on 25 May 2017 and make budget provision for the purchase of property to be included in the budget for the year ending 30 June 2018.*
- 3. Ensure that a housing strategy is included in future Community Strategic Plans.*

Motion was Lost 0/5

OFFICER RECOMMENDATION:

That Council

1. Resolve to advertise by tender for the purchase of residential premises in the Menzies Town site. The tender to close no less than 14 days after the date of advertising.
2. Consider tender submissions at the ordinary meeting of Council on 25 May 2017 and make budget provision for the purchase of property to be included in the budget for the year ending 30 June 2018.
3. Ensure that a housing strategy is included in future Community Strategic Plans.

VOTING REQUIREMENTS: Absolute Majority

IN BRIEF:

The change of the demographics of Shire Employees and a lack of available housing in the Menzies townsite means that should the Shire need to house any additional employees, it will have no suitable accommodation. This process will determine whether there is suitable existing accommodation available.

RELEVANT TO STRATEGIC PLAN:

Sustainable local economy encouraged

- A strong local economy, diversified through encouraging commercial growth, which provides jobs and services.
- A local economy that has close working partnerships with mining companies and other industries.
- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- The Shire to acquire appropriate resources to assist with developing the services and facilities required by the community.

Heritage & Natural assets conserved

- Our built environment will be managed to sustain our growing needs, while protecting and restoring buildings of historical value.

STATUTORY AUTHORITY:

*Local Government Act 1995 Section 3.57 Tenders for providing goods and services
Local Government Functions and General Regulations 1996 Division 4*

POLICY IMPLICATIONS:

Council has no policy relating to the purchase of housing – Policy section 9 relates to rental and inspections of rental properties.

FINANCIAL IMPLICATIONS:

The purchase of housing was not included in the 2016 2017 Budget. The long term financial plan, while not specific, has allocated expenditure of \$450,000 to buildings in 2016/17, and \$300,000 for the 2017/18 financial year. The building Reserve is currently \$684,085.72. Should Council choose to purchase a property it will be proposed to fund it from this source.

RISK ASSESSMENTS:

Council has no risk assessment relating to the ownership of property.

BACKGROUND:

The Shire has traditionally provided housing for staff in Menzies. There does not appear to have been a strategy relating to the provision of housing, rather a needs based approach.

COMMENT:

The need for housing within the townsite of Menzies is impeding any possible growth. The loss of even one or two families due to the lack of suitable housing has a compounding effect on the community. The loss of as few as three students from the school may result in the loss of a teacher.

In the next few months, Council will be undertaking a review of its Community Strategic Plan. This will incorporate a review of the long term financial plan, workforce plan and Asset Management plan.

We are currently in a situation where we have one single member of staff occupying a large family home, a couple in accommodation built for the caravan park caretaker, and three members of staff resident at the caravan park.

Correspondence has been received from one property owner advising that they are seeking to sell their property. It is hoped that this owner will submit a tender to Council for consideration.

In the past month, I have been approached by two companies seeking accommodation for up to eight workers. One company has indicated that it would be happy to assist their workers to bring their families if accommodation were available in the town.

The President and the Chief Executive Officer have met with the State Minister for Housing, and were encouraged to pursue some form of joint venture housing. In order to do this, we must both undertake a needs study, and also establish the market for existing housing in the town.

The calling of tenders for the supply of existing housing will provide us with some of the information we need to move forward.

12.5.5 Disposal of Property

LOCATION:	Old Post Office Hall
APPLICANT:	Iona Sheehan-Lee
DOCUMENT REF:	EDM 281
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	22 April 2017
AUTHOR:	Rhonda Evans, Chief Executive Officer
ATTACHMENT:	Nil

COUNCIL RESOLUTION:	No.1191
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Moved: Cr Tucker

Seconded: Cr Mader

That the item be laid on the table.

Cr Mader left the meeting at 2.17pm.

Cr Mader returned to the meeting at 2.18pm.

Carried 5/0

Reason:

That costings for renovations of the Old Post Office Hall and the Butcher Shop and Tea Rooms be provided.

OFFICER RECOMMENDATION:

That Council

1. Authorise the Chief Executive Officer or her delegate to negotiate a standard retail lease with Iona Sheehan-Lee for part of 33 Walsh Street Menzies subject to
 - a. A valuation being provided by a registered valuation agent
 - b. There being no objections following the advertising of the disposal of the property
 - c. The lease to be set at \$50 per week for the first year, and reviewed within the last three months prior to the first anniversary date
 - d. A separate power meter to be installed to isolate power consumption for the Post Office Hall from the residential section of the building.
 - e. The Shire of Menzies to reinstate the floor, entry doors, electrical installation, and windows to a basic standard.
 - f. All other fittings to be as-is at take over.
2. Consider submissions and objections to the disposal of this property at the May 2017 ordinary meeting of Council.

VOTING REQUIREMENTS: Absolute Majority

IN BRIEF:

To consider the disposal of a portion of the Old Post Office (the Post Office Hall) for the purpose of a retail outlet and gallery.

RELEVANT TO STRATEGIC PLAN:

Sustainable local economy encouraged

- A strong local economy, diversified through encouraging commercial growth, which provides jobs and services.
- A local economy that has close working partnerships with mining companies and other industries.
- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will value each other, building relationships and networks to interact, socialise and for recreation.
- The Shire to acquire appropriate resources to assist with developing the services and facilities required by the community.

Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.
- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.

Heritage & Natural assets conserved

- Our built environment will be managed to sustain our growing needs, while protecting and restoring buildings of historical value.
- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

STATUTORY AUTHORITY:

Local Government Act S3.58(3)

POLICY IMPLICATIONS:

There are no policy implications

FINANCIAL IMPLICATIONS:

The cost of the necessary maintenance items for this building is expected to be approximately \$10,000. This is work that needs to be undertaken whether or not the property is to be leased out. The building reserve account for this purpose is currently \$684,000 (including adopted budget transfers). It is proposed to use funds for this purpose.

RISK ASSESSMENTS:

OP37 Capacity to deliver Services

Fixed Asset maintenance and/or renewals are inadequately planned

BACKGROUND:

At the March 2017 meeting of Council Ms Iona Sheehan-Lee made a presentation proposing to open a Gallery and Workshop in the Menzies Railway Station. Advice received from Brookfields and the State, together with the poor condition of the building have forced Ms Sheehan-Lee to seek alternate premises.

Three alternate properties were investigated and proposed, each being available unused or underused properties under Council control. These were

- Space at the Lady Shenton Building
- The Butcher Shop and Tea room building
- The Post Office Hall attached to the Old Post Office Residence.

The standard commercial tenancy lease covers the following items.

- Provision for Tenant or Landlord to Pay Outgoings
- Security deposit
- Premises
- Rent
- Term and Option to Renew
- Rent Review
- Vacant Possession
- Tax Invoices and Receipts
- Outgoings
- Utilities
- Approvals for Use
- Prohibited Uses
- Insurance
- Right to assign or sublet
- Landlords access
- Repairs damage and cleanliness
- Alteration and additions
- Tenants Responsibility for others
- Locks and security devices
- Indemnity
- Release
- Unexpected events
- Costs

- GST
- Statutes
- Notices
- Mitigation
- Termination
- Cleaning
- Dispute Resolution
- Renewal

COMMENT:

The applicant is seeking to lease a property in the central area of Menzies to operate a business based on a photograph gallery, and design area. While the Post Office Hall is a little smaller than the area she was hoping to acquire, the location of the premises is extremely attractive.

This is only the second approach Council has received that will give purpose to one of its unused buildings. The proposed business should fit well with the existing retail premises on the intersection of Shenton and Brown Streets, and hopefully encourage the development of other retail and serviced based enterprises.

The proposed lease payment offered will return \$2,600 per annum. The lessee will be responsible for all outgoings, and fit out of the building.

The upgrade and restoration of this building is included in the long term financial plan, although without a purpose for the area, no action has been taken. This is an opportunity for Council to assist in the creation of a new business in the town site.

There will be costs associated with maintenance required to ensure the area meets minimum building standards. Council's responsibility is limited to ensuring the building complies with building safety regulations, and is structurally sound. Council is not responsible for fittings such as track lighting, painting, floor coverings or air conditioning.

16 NEXT MEETING

The next Ordinary Council Meeting for the Shire of Menzies will be held on Thursday 25 May 2017 commencing at 1pm.

17 CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting at 2.23pm.

I, _____ hereby certify that the Minutes of the Ordinary Meeting of Council held 27 April 2017 are confirmed as a true and correct record, as per the Council Resolution of the Ordinary Meeting of Council held 25 May 2017.

Signed: _____

Dated: 25 May 2017