



MINUTES

ORDINARY COUNCIL MEETING

Thursday December 16th, 2010
Commencing at 9.21am

Menzies Council Chambers
Shenton Street, Menzies

SHIRE OF MENZIES



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SHIRE OF MENZIES

ORDINARY COUNCIL MEETING DECEMBER 16TH, 2010

Shire Council Chambers,
Shenton St, Menzies
Commencing at 9.21 am

MINUTES

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President (Cr. Gregory Dwyer) declared the meeting open, welcoming the attendees and proceeded with the Agenda as planned

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

In attendance:

Councillors	Cr Gregory Dwyer	President
	Cr Greg Stubbs	Deputy President
	Cr Kevin Pusey	Councillor
	Cr Ian Tucker	Councillor
	Cr Aileen Kelly	Councillor
	Cr Lloyd Lansdown	Councillor
	Cr Jill Dwyer	Councillor
Staff:	Mr Brian Seale	Chief Executive Officer
	Ms Carol McAllan	Deputy Chief Executive Officer
Visitors	Mr Paul Bremen	UHY Haines Norton (from 9-20)

3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

None

4 PUBLIC QUESTION TIME

None

5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.

Cr Tucker declared an interest in item 9.18.
Cr Stubbs requested leave of absence for the January 2011 meeting.
Cr Dwyer (J.) has approval of Council for leave of absence for the January and February 2011 meetings.

6 PETITIONS / DEPUTATIONS / PRESENTATIONS

9.31 a.m. – Agenda item Number 9.28 addressed at this stage, in order to provide maximum notice to the public

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To adopt the Annual Report for the year ended June 30th, 2010 as presented and attached.

BACKGROUND:

This item was presented to the November meeting but deferred due to the fact that the report was not presented in time for adoption by the Council.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:

Local Government Act 1995 – Section 5.27(2.), 5.52(2.), 6.4(2.)

POLICY IMPLICATIONS: Not Applicable.

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Absolute Majority required

COUNCIL DECISION

ITEM 9.28

MOVED Cr Kelly

SECONDED Cr Pusey

To adopt the Annual Report for the year ended June 30th, 2010 as presented and attached.

“Lost 0/7”

Explanation:

The annual report was not available for presentation to Council as the audit certificate had not been received from the Shire Auditors in time for inclusion in the report.

7 CONFIRMATION OF PREVIOUS MINUTES

- 7.1 Confirmation of the Minutes of the ordinary Council
Held November 25th, 2010 as presented be adopted.

MOVED Cr Kelly

SECONDED Cr Pusey

Carried 7/0

- 7.2 Confirmation of the Minutes of the special Council
Held December 13th, 2010 to be presented at the meeting, be adopted, subject to editing of the names of those councillors who did not request their names be noted at the vote.

MOVED Cr Lansdown

SECONDED Cr Pusey

Carried 7/0

8 QUESTIONS ON NOTICE.

- 8.1 Questions on Notice

President Dwyer read the request as received seeking a Report as to the additional costs to the ratepayer for the following:

1. Initial costs for the Florence Street upgrade.
2. Additional costs to rectify the problems highlighted in the Report from Ian Mc Kay.
3. The value of the additional administrative costs associated with bringing the administrative issues up to date (i.e.) Adrian Colley, extra clerical staff.
4. The value of the additional costs associated with engaging Haines Norton, Susan Voloczi and staff including overtime associated with the correction of the data and other additional tasks to bring the Monthly financial affairs up to an acceptable and timely fashion including reports to June 30th, 2010 for audit and presentation to Council.

ACTION:

Suitable response Report is to issue to Council by the January 27th, 2011 meeting.

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- 9.34 Best Practice Review.

▽ Paul Bremen vacates chambers at 9.48am

▽ Paul Bremen returns to chambers at 9.53am

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

That the Financial Statements and Reports to the statements to October 31st, 2010 as presented be adopted.

BACKGROUND:

The Financial Reports (AAS27) are presented monthly, generated by our off-site Accountants, UHY Haines Norton and printed in our office.

COMMENT:

Included in these Financial Reports, (which are an equivalent of a quarterly financial report) are a rates report and a report on reserves funds

CONSULTATION:

Ms Mandy Wynne, Haines Norton. Reporting on Financial Activity

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996 Regulation 34

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.1
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MOVED Cr Stubbs

SECONDED Cr Pusey

That the Financial Statements and Reports to the statements to October 31st, 2010 as presented be adopted.

Carried 7/0

- C.E.O vacates chambers at 10.06am
- C.E.O returns to chambers at 10.07 am

9.2 ACCOUNTS FOR PAYMENT TO OCTOBER 31ST, 2010 .

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY

To approve cheque numbers from 516 to 641 including direct debits and bank statement transfers totalling \$571,382-87 as presented for payment in terms of the submitted lists.

BACKGROUND:

This report is a standard mandatory requirement.

COMMENT:

This report was deferred from the November meeting due to the submission, preventing the Council opportunity to address the report at that time.

CONSULTATION:

Ms Mandy Wynne, Haines Norton.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 Regulation 13, 34

POLICY IMPLICATIONS:

All signing of cheques were carried out as per Policy 3.8.
(All amounts over \$15,000.00 were counter signed by a Council Member).

FINANCIAL IMPLICATIONS:

Reduction to the Municipal Fund Balance

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.2

MOVED Cr Kelly

SECONDED Cr Pusey

To approve cheque numbers from 516 to 641 including direct debits and bank statement transfers totalling \$571,382-87 as presented for payment in terms of the attached schedule.

Carried 7/0

9.3 ANNUAL FINANCIAL STATEMENTS AND REPORTS TO JUNE 30TH, 2010

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY.

To adopt the Annual statements as presented for the year ended June 30th, 2010.

BACKGROUND:

The Financial Reports (AAS27) are presented monthly, generated by our off-site Accountants, UHY Haines Norton and printed in our office.

COMMENT:

Included in these Financial Reports, (which are an equivalent of a quarterly financial report) is a rates report and a report on reserves funds

The acceptance of the Annual financial report is mandatory, prior to adopting the Annual Report required to be advertised for the annual meeting of Electors.

CONSULTATION:

Ms Mandy Wynne, Haines Norton. Reporting on Financial Activity

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996 Regulation 34

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.3

MOVED Cr Stubbs

SECONDED Cr Kelly

That the Annual Financial Statements and Reports to the Statements to June 30th, 2010 as presented be adopted.

“Defer to January Meeting.”

“Carried 7/0”

Explanation:

Council awaits receipt of the Audit Report for the year ended June 30th, 2010.

9.4 AUDIT CERTIFICATE FOR THE YEAR ENDED JUNE 30TH, 2010.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

BACKGROUND:

To receive the annual audit certificate, as presented for the year ended June 30th, 2010.

COMMENT:

At the time of writing, the Audit report and certificate for the Financial Report for the year ended June 30th, 2010 was not available for presentation to council, though it is anticipated this certificate will be available in time for the meeting.

CONSULTATION:

Ms Chris Mc Glaughlin – Anderson Munro and Wiley (Company Auditors.)

Mandy Wynne, Haines Norton.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 Regulation 13, 34

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.4

MOVED Cr Kelly

SECONDED Cr Lansdown

To receive the Annual Audit certificate as presented by the shire auditors for the year Ended June 30th, 2010, together with the standard management report for action with further reporting to Council by February 2011 to evidence the satisfactory attention to the matters raised.

“Defer to January Meeting.”

Carried 7/0

Explanation:

Council awaits receipt of the Audit Report for the year ended June 30th, 2010

9.5 FINANCIAL STATEMENTS AND REPORTS TO NOVEMBER 30TH, 2010

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY

That the Financial Statements and Reports to the statements to November 30th, 2010 as presented be adopted.

BACKGROUND:

The Financial Reports (AAS27) are presented monthly, generated by our off-site Accountants, UHY Haines Norton and printed in our office.

COMMENT:

Included in these Financial Reports, (which are an equivalent of a quarterly financial report) are a rates report and a report on reserves funds

CONSULTATION:

Ms Mandy Wynne, Haines Norton. Reporting on Financial Activity

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996 Regulation 34

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.5

MOVED Cr Stubbs

SECONDED Cr Kelly

That the Financial Statements and Reports to the statements to November 30th, 2010 as presented be adopted.

Carried 7/0

- ∇ Paul Bremen vacates Chambers at 10.37am
- ∇ Paul Bremen returns to Chambers at 10.39am

- ∇ Paul Bremen addresses Council on accounting needs then answers questions.

- ∇ Paul Bremen vacates Chambers at 10.48am

- ∞ 10.50am - Council adjourns
- ∞ 11.10am - Council resumes

9.6 ACCOUNTS FOR PAYMENT TO NOVEMBER 30TH, 2010 .

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Carol McAllan, A/Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY

To approve cheque numbers from 642 to 726 including direct debits and bank statement transfers totalling \$571,800-43 as presented for payment in terms of the submitted lists.

BACKGROUND:

This report is a standard mandatory requirement.

COMMENT:

This report was deferred from the November meeting due to the submission, preventing the Council opportunity to address the report at that time.

CONSULTATION:

Ms Mandy Wynne, Haines Norton.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 Regulation 13, 34

POLICY IMPLICATIONS:

All signing of cheques were carried out as per Policy 3.8.
(All amounts over \$15,000.00 were counter signed by a Council Member).

FINANCIAL IMPLICATIONS:

Reduction to the Municipal Fund Balance

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 9.6
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MOVED Cr Lansdown

SECONDED Cr Kelly

To approve cheque numbers from 642 to 726 including direct debits and bank statement transfers totalling \$571,800-43 as presented for payment in terms of the submitted lists.

Carried 7/0

- ∞ 12.21 pm - Council Adjourns
- ∞ 1.12 pm - Council resumes

9.7 CONSULTANT REQUIRED FOR THE REPLACEMENT C.E. O.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the appointment of a consultant to address the recruiting process for a replacement C.E.O., from the list as proposed by Council and as required.

BACKGROUND:

This item was addressed at the November meeting and deferred as a result of the WALGA submission not being on hand at the time of the meeting.

COMMENT:

The potential list of consultants includes:
Lo-go Appointments
Mike Fitz Gerald Strategies
Anne Lake
Gary Martin
W.A.L.G.A.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.7

MOVED Cr

SECONDED Cr

To appointas the preferred consultant for the recruitment process for a replacement C.E.O., as proposed for the Shire of Menzies in anticipation of the concluding of the incumbents contract on July 16th, 2011, in terms of the attached data, as presented to Council.

**This item was withdrawn as it was resolved
At the Special Meeting of Council on Monday 13th December 2010.**

9.8 SALARY REVIEW – BRADDEN CORLETT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider a salary revision for Bradden Corlett (Works Supervisor), in terms of the submission attached and as presented to Council.

BACKGROUND:

Mr Corlett commenced employment with the Shire of Menzies on March 12th, 2010 as the Works supervisor.

COMMENT:

Copy of the Salary Schedule as applied to the former employee (Works Manager) is appended to assist council in this matter.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

Funding was made available in the annual budget in anticipation of moderate increases being accommodated throughout the year.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.8

MOVED Cr Pusey

SECONDED Cr Lansdown

To approve a salary increase to \$72,000 p.a, with immediate effect. for Bradden Corlett (Works Supervisor), in terms of the submission attached and as presented to Council.

Lost 1/6

9.9 SALARY REVIEW – JOHN MC CARTHY.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider a salary revision for John McCarthy (Works Depot Support Officer), in terms of the submission seeking an increase in rate to \$22-00 per hour as attached and as presented to Council.

BACKGROUND:

Mr McCarthy commenced employment with the Shire of Menzies on September 21st, 2009 as the Works Depot Support Officer and presently functions on an hourly rate of \$17.54 per hour. The officer has significant skills in electronics, computer literacy and graphic design type work and at present his salary/wage is not consistent with his skill level.

CONSULTATION

STATUTORY ENVIRONMENT:

Not Applicable

POLICY IMPLICATIONS:

Not Applicable

FINANCIAL IMPLICATIONS:

Funding was made available in the annual budget in anticipation of moderate increases being accommodated throughout the year and the proposal of an increased rate to \$22 per hour will have an \$8,813 p.a. impact on the Shire resource.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.9

MOVED Cr

SECONDED Cr

To approve a salary revision for John McCarthy (Works Depot Support Officer), in terms of the submission representing an increase in rate to \$22-00 per hour, with immediate effect as attached and as presented to Council, with the impact of \$8,813 p.a. being accommodated from the current salary/wages cost centre.

This item was withdrawn as it was considered as an operating issue to be handled by the Chief Executive Officer, as previously guided at item 9.8.

9.10 TJUNTJUNTJARA COMMUNITY STATUS REPORT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the contents of the attached report as reflecting the views and comments made at a meeting on Tuesday June 22nd, 2010 relative to the Tjuntjuntjara community and to identify support for these comments, to consider including this report format in the Council monthly agenda as a method of ensuring Council is kept regularly informed of the progress being made by the administration in fulfilling the comments made.

BACKGROUND:

Council has endorsed the concept of this report being issued every month in order to identify what action has been taken to ensure attention is provided to these aspects.

COMMENT:

Contact with the Operations Manager (Gordon Jacob) confirmed a strong willingness and support for the council to cooperate with this office.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.10

MOVED Cr Tucker

SECONDED Cr Lansdown

To approve of the contents of the attached Status report as at November 30th, 2010 as reflecting the views and comments made at a meeting on Tuesday June 22nd, 2010 relative to the Tjuntjuntjara community and to identify support for these comments, as advised and modified in terms of advises provided to the CEO during the meeting and to approve of including this report format in the Council monthly agenda as a method of ensuring Council is kept regularly informed of the progress being made by the administration in fulfilling the comments made relative to this community.

Carried 7/0

9.11 TROPICANA GOLD PROJECT – ACCESS ROAD PROPOSAL

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the application from the Anglo Gold Ashanti Limited group to construct an access road from the Mine site to Pinjin, as displayed on the attached map, as proposed and as presented to Council.

BACKGROUND:

The venture has received support for the mining activity and plans to construct this access road to provide the shortest route through to Kalgoorlie along this miscellaneous license.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.11

MOVED Cr Kelly

SECONDED Cr Lansdown

To approve the application from the Anglo Gold Ashanti Limited group to construct an access road from the Mine site to Pinjin, as displayed on the attached map, as proposed and as presented to Council, subject to the various approvals required from the appropriate regulatory bodies.

Carried 7/0

9.12 MC CARTHUR MINERALS – ROAD UPGRADE PROJECT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the significant upgrade to the Evanston Road to a class 2 standard to accommodate use by heavy haulage vehicles for a distance of approximately 70 kilometres. Furthermore, the maintenance required for the duration of the mine life is substantial. The proponent (Engenium Pty Ltd) also requires the construction of an intersection of the Mine haul road to the Evanston road.

BACKGROUND:

The applicant (Macarthur Minerals Limited) has established an iron-ore mine site at Lake Giles approximately 100 kilometres West from Menzies and has two freight options available to it, with one being the creation of a new haul road parallel to the Existing Shire Evanston Road, and alternatively, utilizing the existing Evanston Road.

COMMENT:

The clients' application is appended and Council will recall from the November meeting being given verbal indication of this proposal, though with the length of the November meeting, it was unreasonable to expect Council to address this proposal at that time and therefore, it is represented for consideration.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	ITEM 9.12
MOVED Cr Kelly	SECONDED Cr Lansdown

To **decline** "In Principle Only" the significant upgrade to the Evanston Road to a class 2 standard to accommodate use by heavy haulage vehicles for a distance of approximately 70 kilometres, as proposed by Engenium Pty Ltd, in terms of the attached proposal. Furthermore, to incorporate support for the maintenance requirement of the Evanston Road for the duration of the mine life, subject to further advices to Council as to the Cost Benefit Analysis: to council in this proposal, without any commitment to proceed and without incurring any cost without prior approval, with further advices to issue by February 2011.

Carried 7/0

9.13 SCHEDULE OF CHARGES – SULLAGE FEES.

SUBMISSION TO: Ordinary Meeting of Council
LOCATION: Shire of Menzies
APPLICANT:
FILE REF:
DISCLOSURE OF INTEREST: None
DATE: December 16th, 2010
AUTHOR: Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:
SENIOR OFFICER: Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:

SUMMARY:

To consider the adoption of a fee for the sullage (waste water) removal for facilities within the town-sites and within a range of sixty kilometres from the town-sites within the Shire of Menzies, with a travel component to apply, subject to the mandatory advertising to be undertaken, prior to the imposition of the fee..

BACKGROUND:

There is presently no adopted fee for this service and with the receipt of the Shire sullage truck and pumping facility, it is now appropriate to consider adopting a fee.

COMMENT:

The following represents a proposed listing of potential costs to apply for this service and presented for Council consideration.

Petrol, Oil, Grease Traps and Septic tanks	\$220-00 each.	"Plus G.S.T."
Leach Drains	\$380-00 per set.	"Plus G.S.T."
Waste Water Truck (Full load)	\$850-00 per truck load.	"Plus G.S.T."
Portable Toilets	\$150-00 each	"Plus G.S.T."

Travel to be charges at a rate of \$1-25 per kilometre

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.13

MOVED Cr Kelly

SECONDED Cr Lansdown

To approve the adoption of a fee of \$150.00 per septic tank.
"Plus G.S.T." subject to the mandatory advertising to be undertaken, prior to the imposition of the fee with more information to be brought back to the January 2011 Meeting in order to address the remainder of the proposal.

Carried 7/0

9.14 PROPOSAL TO WRITE OFF OUTSTANDING UNCOLLECTABLE RATES.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale - Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale - Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the write-off of some rate debtor balances as follows being uncollectable, satisfied, or deregistered.

- | | |
|------------------|------------|
| 1. Murray Stubbs | \$2,687.89 |
| 2. Julia Gold | \$ 659.12 |
| 3. Dewar | \$2,632.98 |

BACKGROUND:

1. Mr Stubbs paid his agreed portion, where the remainder was applicable to interest, which Council agreed to write off, once the rate portion was paid.
2. Julia Gold has been deregistered and therefore the value is uncollectable.
3. Dewar has failed to respond to correspondence and it is suggested the value of the rate debt exceeds the value of the land.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

Loss of rate revenue in this situation amounts to \$5,979-99

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.14

MOVED Cr Lansdown

SECONDED Cr Kelly

To approve the write-off of the following rate debtor balances as being uncollectable, satisfied, or deregistered.

- | | |
|------------------|------------|
| 1. Murray Stubbs | \$2,687.89 |
| 2. Julia Gold | \$ 659.12 |
| 3. Dewar | \$2,632.98 |

Carried 7/0

9.15 AGREEMENT TO PARTICIPATE IN A “REGIONAL COLLABORATIVE GROUP” WITH THE G.V.R.O.C. MEMBERSHIP OF COUNCILS

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the provisions of the proposed agreement for participation in the “Regional Collaborative Group” with the Goldfields Voluntary Regional Organization of Councils.” membership of councils, in terms of the attached draft, as presented for council consideration.

BACKGROUND:

Council for the Shire of Menzies has been a member of the G.V.R.O.C. for many years and this Council recently rejected any suggestion of a reform arrangement, though it supported the association of the G.V.R.O.C. as a facility to operate under.

COMMENT

There is a Teleconference schedule for Monday December 20th, 2010, where in the Secretariat has requested this item be presented to each member Shire prior to that date, in order to collate the responses in readiness of that meeting.

STATUTORY ENVIRONMENT

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.15

MOVED Cr Kelly

SECONDED Cr Pusey

To approve of the provisions of the proposed agreement for participation in the “Regional Collaborative Group” with the Goldfields Voluntary Regional Organization of Councils.” membership of councils, in terms of the attached draft, as presented for council consideration, subject to any modifications as issued by Council during the meeting.

Carried 7/0

9.16 RECONCILIATION ACTION PLAN.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the adoption of the attached proposed "Draft" plan as presented, subject to a public consultation process being undertaken.

BACKGROUND:

This item was presented to Council some time ago with a resolution to seek copies from other Shires where the plan was adopted, in order to give some guidance to Council. A sample is appended.

COMMENT:

The adoption of an "Action Reconciliation Plan" is a statutory requirement and the value of this process has great potential for the Shire.

CONSULTATION:

The significance of this matter is such that it is far better for Council's credibility not to commence this process, than commence it and not be committed to the full development of the plan.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

Budget provision is required to accommodate this.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

ITEM 9.16

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the adoption of the attached proposed "Draft" plan as presented, subject to a public consultation process being undertaken and any modifications as provided to Council being incorporated and to engage a consultant to address the public consultation process with a report to issue at the conclusion, with budget provision of \$35,000 to be provided for in the 2011/12 financial year.

"Carried 7/0"

➤ Cr Stubbs vacates Chambers at 2.20pm

9.17 PROPOSED EARLY PAYOUT OF TREASURY LOAN

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the early payout of the only loan the Shire has at present and in doing so, minimize the cost of interest on the loan.

BACKGROUND:

This ten year loan was drawn down in 2004 to assist in the establishment of the units presently occupied by the teachers in Walsh Street.

COMMENT:

The attached schedule reflects a current balance of liability in the sum of \$105,763-56

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

The cost saving associated with this proposal is likely to be \$8,000 (approximately)

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

ITEM 9.17

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the early payout of the only loan the Shire has at present arranged for the Teachers units, with budget provision of \$100,000 to be provided for in the 2011/12 financial year, subject to budget adoption of the 2011/12 year budget document.

“Lost 0/7”

- Cr Tucker declares a proximity interest in this item.

9.18 PROPOSED ABORIGINAL RESERVE NO 16152 (COMET VALE.)

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the request as received from the Goldfields Land and Sea Council to acquire the Reserve, which is presently a reserve vested in the name of the Shire of Menzies for the purposes of Town Common, as proposed in the attached letter of request.

BACKGROUND:

Council will recall this item was presented to the November meeting, but deferred to the December meeting pending further and formal information from the G.L.S.C. secretariat. Advices have been requested and response is awaited.

COMMENT:

At the time of writing, the response had not been received, though the time provided to submit a response was limited and it is proposed to provide this detail at the meeting, if not received prior to this date.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: No costs associated with this proposal.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.18

MOVED Cr Stubbs

SECONDED Cr Kelly

To approve the request as received from the Goldfields Land and Sea Council to acquire the Comet Vale "Town Common" Reserve number 16152, which is presently a reserve vested in the name of the Shire of Menzies, as proposed in the attached letter of request, proposed for the purposes of Indigenous people.

Carried 6/0

9.19 TJUNTJUNTJARA COMMUNICATION AND CO-ORDINATION STRATEGY

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the tripartite agreement with the community and the Department of Indigenous Affairs for the purposes of supporting the community and co-ordinating the aspects of "The Whole of Government" approach to supporting the community, as proposed in the attached submission.

BACKGROUND:

President Dwyer attended a meeting in Kalgoorlie recently to represent the Council at the inaugural meeting of this "Whole of Government" concept, where significant advances were made and where Council for the Shire of Menzies was instrumental in facilitating this process with financial support of \$10,000 towards this endeavour.

CONSULTATION

The importance of the prompt attention to this concept is that if this co-ordination role is left too long, then the impetus dissipates and the participants to this process will be functioning as Stand Alone entities, instead of function co-operatively with the other sectors of Government.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

It is proposed to spread the cost three ways between the community, the Shire and the Dept of Indigenous Affairs at an anticipated cost of \$15,000 per entity over a twelve month period. Given that half of the year has already elapsed, the current obligation on the Shire of Menzies is planned at \$7,500, which can be accommodated from current budget provision, as planned.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.19

MOVED Cr Kelly

SECONDED Cr Stubbs

To approve the proposed tripartite agreement with the community and the Department of Indigenous Affairs for the purposes of supporting the community and co-ordinating the aspects of "The Whole of Government" approach to supporting this unique community, as proposed in the attached submission, to be funded with immediate effect, with budget provision being made available in the 2011/12 year in the sum of \$10,000 to continue this support, if required.

9.20 COUNCILLOR MEMBERSHIP OF COMMITTEES AND PROXIES THERETO.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the present arrangements of membership to the committees of council and to address appropriate proxies for these committees, in order to ensure that council representation to these committees provides for unanticipated absences.

BACKGROUND:

Historically council address the membership biennially in October following the biennial council elections, though there is no prohibition against revisiting this issue during this term.

COMMENT:

The current schedule attaches, as required.

STATUTORY ENVIRONMENT:

Council is entitled to participate in committees and it is customary to address membership following the annual elections.

POLICY IMPLICATIONS: Not applicable.

FINANCIAL IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION **ITEM 9.20**

MOVED Cr Pusey

SECONDED Cr Kelly

To approve the present arrangements of membership to the committees of council and to address appropriate deputies for these committees, in order to ensure that council representation to these committees provides for unanticipated absences, in terms of the advices provided during the meeting.

Carried 7/0

9.21 SCHEDULE OF FEES AND CHARGES – USE OF DUMP POINT.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the application of a fee for the use of the Dump Point station in the caravan park for "Visitors" External to the caravan Park at a nominal rate of \$5 -00 per use.

BACKGROUND:

Council raised this issue at the last meeting requesting this item be addressed in December for Council deliberation.

CONSULTATION

STATUTORY ENVIRONMENT:

Local Government Act 1995 Section 6.19 (a.) and (b.) (Copy attached.)

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.21

MOVED Cr Kelly

SECONDED Cr Lansdown

To approve of the imposition of a fee for the use of the Dump Point station in the caravan park for "Visitors" External to the caravan Park at a nominal rate of \$5 -00 per use., subject to the provision of the statutory advertising requirement of fourteen days prior to imposing the fee, where residents of the caravan park be provided the facility "Free of Charge."

"Lost 0/7"

MOVED Cr Kelly

SECONDED Cr Stubbs

That the facility of the Shire Dump Stations be provided free of charge, as a service to the travelling community within the boundary of the Shire of Menzies.

'Carried 7/0'

Explanation:

The reason for not adopting the officer's recommendation is that current facilities existing within the shire are provided free of Charge.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the successful candidates of the Christmas Lights Competition for 2010, as advertised where nominations close on Friday December 10th, 2010.

BACKGROUND:

At the time of writing this item, no nominations had been received.

COMMENT:

At the time of writing this item, no nominations had been received.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

\$150 for the Prize for residential property.

\$200 for the prize for Commercial business.

VOTING REQUIREMENTS: Simple Majority required.

COUNCIL DECISION

ITEM 9.22

MOVED Cr Dwyer

SECONDED Cr Lansdown

To approve Q'Lee Bandry as being the successful candidate of the Christmas Lights Competition for 2010, as advertised where nominations closed on Friday December 10th, 2010.

Carried 7/0

9.23 TJUNTJUNTJARA COMMUNITY – ROAD TO THE TROPICANA MINE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the proposal of a road construction from the Tjuntjuntjara Community site to the Tropicana Mine site, estimated to cost \$390,000, for inclusion in the 2011/12 year, subject to the funding support from the M.R.W.A and D.I.A, as depicted on the attached map.

BACKGROUND:

COMMENT:

CONSULTATION: Russell Conklin – Tjuntjuntjara.
Duncan Ord – Department of Indigenous Affairs.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.23

MOVED Cr Kelly

SECONDED Cr Tucker

To approve the proposal of a road construction from the Tjuntjuntjara Community site to the Tropicana Mine site, estimated to cost \$390,000, for inclusion in the 2011/12 year, subject to the funding support from the M.R.W.A and D.I.A, in equal moieties, as depicted on the attached map and subject to budget adoption with a one third contribution from the Shire to support this project and evidence of confirmation as to the costs associated to this project to be presented to Council before council commitment is to apply.

“Carried 7/0”

- ∞ **3.13 pm - Council adjourned**
- ∞ **3.35 pm - Council resumed.**

9.24 LAKE BALLARD - PROVISION OF FIRE WOOD

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the issue of the provision of fire-wood for Lake Ballard, where Council addressed this issue some time ago, seeking that this item be re-addressed following assessment of options.

BACKGROUND:

This item was provided to the Shire by the Lake Ballard Association to consider how the provision of the fire-wood might be accomplished. The recommendation from the officers from the Department of Environment and Conservation is mixed in that the difficulty is providing a lockable facility, is the requirement to continually re-stock the facility and regularly remove the funds.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.24

MOVED Cr Stubbs

SECONDED Cr Pusey

To decline further action in the issue of a "charged fee" for the provision of fire-wood for Lake Ballard.

"Carried 7/0"

9.25 PROPOSAL TO CREATE A RESERVE NUMBER 36208 FOR MINING.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the creation of a reserve(to be) numbered 36208 for the purposes of Mining, as proposed in the attached letter of proposal as received from the Department of Regional Development and lands, with the remainder of the reserve to become a reserve for the purposes of "Conservation of Flora and Fauna."

BACKGROUND:

This item was raised at the November meeting with guidance to present this as an item to the December meeting.

COMMENT:

The details of the letter are appended as required.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.25

MOVED Cr Kelly

SECONDED Cr Lansdown

To approve of the creation of a reserve(to be) numbered 36208 for the purposes of Mining, as proposed in the attached letter of proposal as received from the Department of Regional Development and lands, with the remainder of the reserve to become a reserve for the purposes of "Conservation of Flora and Fauna."

"Carried 7/0"

9.26. AGED RATE AND SUNDRY DEBTOR REPORT TO NOVEMBER 30TH, 2010

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the report of aged rate debtors and Sundry Debtors as at November 30th, 2010, as required by Council on a monthly basis, to evidence the extent of outstanding indebtedness and to display the evident controls being applied and the collections achieved in this critical aspect of the Shire's operations.

BACKGROUND:

This reporting mechanism is a standard requirement as called for by Council

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION

ITEM 9.26

MOVED Cr Stubbs

SECONDED Cr Tucker

To receive the report of aged Rate debtors and Sundry Debtors as at November 30th, 2010, as required by Council to be submitted on a monthly basis, to evidence the extent of outstanding indebtedness and to display the evident controls being applied and the collections achieved in this critical aspect of the Shire's operations.

"Carried 7/0"

9.27 ORGANISATIONAL CHART

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the detail of duties for the shire employees as depicted on the attached chart and the associated detail as presented with the object of providing Council with opportunity to address the potential need to engage a consultant to assess this situation as to appropriateness.

BACKGROUND:

Council addressed this matter at the November meeting, where the item was deferred to the December meeting for further consideration and to await a submission from the C.E.O. prior to consideration of the engagement of a consultant.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.27

MOVED Cr Tucker

SECONDED Cr Pusey

To consider the detail of duties for the shire employees as depicted on the attached chart and the associated detail as presented with the object of providing Council with opportunity to address the potential need to engage a consultant to assess this situation as to appropriateness.

“Carried 7/0”

9.29 TRAINING OPPORTUNITIES FOR INDIGENOUS WORKERS

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the opportunity to accommodate a training opportunity for indigenous workers

BACKGROUND:

Some essential detail is attached to assist in this matter.

COMMENT:

CONSULTATION:

Doug Thompson from Challenger T.A.F.E. (9229-8473)
(Mayor of Fremantle and Councillor for Twenty years.)

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.29

MOVED Cr Stubbs

SECONDED Cr Kelly

To approve the opportunity to accommodate a training opportunity for indigenous workers under the auspice of the Challenger T.A.F.E. organization towards qualifications for Local Government, as presented, subject to further advices following discussion with Challenger T.A.F.E. to be conducted prior to March 31st, 2011 and considering the following :

1. Shire's obligations.
2. Commencement Date.
3. Supernumerary or occupying a full-time position.
4. Allied views presented by Council during the meeting.
5. Cost Associated with the programme.

“Carried 7/0”

9.30 FORWARDS CAPITAL WORKS PLAN.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To adopt the "Forward Capital Works Plan" as presented and forward a copy to the Department of Local Government by December 31st, 2010, as required.

BACKGROUND:

Council supported the concept of engaging a consultant in September 2010 to compile this submission and whilst this item was presented to the November meeting for adoption, it was deferred to the December meeting as it had not been received at that date to enable the Council to adopt it. In fact, at the time of writing this item, it has still not been received and as it is required to be submitted to the Department by December 31st, 2010, it is indeed sincerely hoped it will be presented in readiness for adoption by Council at the December meeting.

COMMENT:

Council received \$35,000 from the State Government to assist in the compilation of this plan, which is anticipated to cost \$30,000

CONSULTATION:

David Tomasi - Haines Norton group.
Rachel Neuwenhause- Dodge – Consultant.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

Not Applicable

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.30

MOVED Cr Kelly

SECONDED Cr Stubbs

To adopt the "Forward Capital Works Plan" as presented and forward a copy to the Department of Local Government by December 31st, 2010, as required.

9.31 INTERMIN RESOURCES LIMITED – MINING APPLICATION

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the Mining application as received from Intermin Resources Limited and as attached seeking Council authority for a Mining Lease over the rail head reserve at Yunndaga, the town site of Yunndaga and the railway line, as proposed in the attached proposal.

BACKGROUND:

Council acknowledges receipt of the client’s application on November 12th, 2010, though the response provided was with an objection, pending advices from Council. Although this item was presented verbally to the November meeting, council intimated that this should be presented to the December meeting for consideration.

COMMENT:

Associated data is appended to assist Council in this deliberation, as required.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

ITEM 9.31

MOVED Cr Tucker

SECONDED Cr Kelly

To approve the Mining application as received from Intermin Resources Limited, as attached seeking Council authority for a Mining Lease over the rail head reserve at Yunndaga, the town site of Yunndaga and the railway line, as proposed in the attached proposal, subject to:

1. There being no mining activity to be undertaken over any Shire reserve, or
2. Within sixteen metres of the centre line of any local road, or
3. Over any town site within the Shire boundary, and
4. Subject to approvals being received from the various other agencies required under the Mining Act.

9.32 YILGAIRON (MINDAX GROUP) MISCELLANEOUS MINING APPLICATION

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the miscellaneous license application as received from Yilgiron Infrastructure Pty Ltd for the purpose of providing a Road and a Slurry Pipeline from the Mt Forrest location through to Menzies, a distance of approximately 100 kilometres, as presented.

BACKGROUND:

Council acknowledges receipt of this application and lodged objection pending advices from Council in this matter

COMMENT:

It seems the application requests Council approval for the creation of a miscellaneous license for a road to be constructed to assist in the construction of the slurry pipeline adjacent to the present Menzies-Sandstone Road and to utilize part of the Shire road in the process.

CONSULTATION:

Michael Mech

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

It is not permissible to take a licence over a Shire road, though it is quite possible for the Shire to provide authority to a mining Company to utilize a Shire road, which has in the past incorporated:

1. Road Maintenance Agreement.
2. Bond or Cash deposit equivalent to \$1,000 per kilometres of road use.
3. Repair and Restoration requirements to conclude with the road being in a same-state standard as at commencement.
4. Dust suppression arrangements (e.t.c.)_

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

ITEM 9.32

MOVED Cr Kelly

SECONDED Cr Lansdown

To approve the miscellaneous license application as received from Yilgiron Infrastructure Pty Ltd for the purpose of providing a Road and a Slurry Pipeline from the Mt Forrest location through to Menzies, a distance of approximately 100 kilometres, as presented, subject to exclusion over the Shire Menzies-Evanston road, though agreeable to a road maintenance agreement, if requested.

“Carried 7/0”

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status No 695.
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the rescinding of this item, pending the development of the Menzies air-strip and subject to advices from Council, in this matter, with the object of revisiting this item at a later date when funding is likely..

BACKGROUND:

Council supported this concept in November 2009, though little has been done to pursue this project and with the difficulties associated with the Menzies air-filed, it is suggested that preference should be provided to the Menzies strip at this point due to the fact that the funding may well determine the success of the project.

COMMENT:

Copy of the November item number 9.15 is appended to assist in this matter.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

ITEM 9.33

MOVED Cr Stubbs

SECONDED Cr Pusey

To approve of the rescinding of item number 9.15 dated November 26th, 2009, relative to the Solar Lighting and fencing of the Kookynie Air-field.

“Carried 7/0”

9.34 BEST PRACTICE REVIEW

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	December 16th, 2010
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Brian Seale, Chief Executive Officer.
SIGNATURE OF SENIOR OFFICER:	

SUMMARY:

To consider the provision of a best practice review of the operations of the Shire of Menzies to be undertaken by the Department of Local Government, at a future date to be determined by Council.

BACKGROUND:

This request has been received from President Dwyer, in terms of the attached email.

COMMENT:**CONSULTATION:****STATUTORY ENVIRONMENT:****POLICY IMPLICATIONS:**

FINANCIAL IMPLICATIONS: Un-known.

VOTING REQUIREMENTS: Simple Majority required

OFFICER'S RECOMMENDATION**ITEM 9.34**

MOVED

SECONDED

To approve of the conduct of a "Best Practice Review" for the Shire of Menzies to be conducted by the Department of Local Government at a future date to be determined by Council

COUNCIL DECISION**ITEM 9.34**

MOVED Cr Dwyer (J.)

SECONDED Cr Pusey

That the Department of Local Government be requested to undertake a better Practices review for the Shire of Menzies.

"Carried 7/0"

Explanation:

The reason for not adopting the Officer's Recommendation was that it was seen as Preferable to request attendance by the Department of Local Government rather than presume that they would address this.

10 STATUS REPORTS

10.1 Shire of Menzies Status Report

Presented, in case there are any Council resolutions to be addressed from this report.

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Elected Members motions with previous notice.

None

11.2 Confidential Business to be held behind closed doors.

None

11.3 REPORTS OF COUNCILLORS AND STAFF

Cr Stubbs:

1. *The sign at the Kookynie Road is too small and additional signage should be located one kilometre North and South of the turnoff to warn motorists*

Cr Tucker:

No Comment

Cr Pusey:

1. *The truck Bay assembly area dust remains a problem and it is suggested that a bond-crete be applied with water and rolled to minimize this and that the aggregate on hand be applied to minimize the dust and to spread this after the hardening agent is applied.*

Cr Kelly:

No Comment

Cr Dwyer. (J.)

1. *The landscaping issues for the new residences were not submitted to Council as determined by the September meeting and where an explanation is requested.*

Cr Lansdown.

1. *It is important to install trees and shrubs at the Caravan Park promptly.*
2. *The public toilet sign needs to be larger and elevated so it is more visible.*
3. *Radio License for 96.3 needs to be arranged and the arrangements for the Tjuma Pulka need attention.*

Cr Dwyer G:

1. Grants to \$20,000 for community events are available and may well suit the cycle club event as proposed by the Dry Lands Assistance Scheme.
2. Attended a meeting in Leonora regarding the Communications arrangements upgrade, though it requested a contribution of \$250,000
3. Attended the Goldfields Tourism Network meeting where they may contribute \$10,000 towards a cycle race from Lake Ballard to Menzies.
4. The issue of drawing of a cheque for \$65,020 needs to be addressed at the January 2011 meeting, as this practice is inconsistent with the legislation.
5. Will attend the Leonora Shire Council meeting to address amalgamations.
6. Will revisit the meeting procedures to reduce the time taken to address the council agenda for the future.

Mr Seale: B.

1. Request received to support the Rabbit Proof Fence "Not supported".
2. The question relative to Commercial Enterprises requiring a Business Plan does not seem to apply to the Caravan Park.

No Further Advices Required.

3. Consultant to be engaged to negotiate the C.E.O's contract of employment. The council recommendation is :
"That John Phillips from the W.A.L.G.A. group be engaged with costs to be capped at \$3,000 for this purpose"

Moved Cr Dwyer (J.)

Seconded Cr Kelly

"Carried 7/0"

4. Investment Schedule to issue Monthly "Agreed to Ensure this Happens"
5. Plant Replacement Programme "Issue to the January 2011 Meeting"
6. Australia Day Nominations "to be collated for comment from Council on Australia Day for decision."
7. Nursing Post to be closed from December 24th, 2010 to January 7th, 2011, where the Council recommendation is :
"To write to the Minister of health seeking temporary support for the Nursing post over the Christmas period and for other absences."
Moved Cr. Stubbs
Seconded Cr. Dwyer (J.) **"Carried 7/0"**
8. Complaint received from Tourism W.A., where the C.E.O. is to compile a draft response to issue to Councillors for comment prior to the President giving assent to issue the letter.
9. Letter received from the Boulder Promotion and Development Association seeking support for Sunday trading is to issue to each councillor.

12 INFORMATION BULLETIN

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

None

NEXT MEETING / MEETING CLOSURE

The next Meeting will be held on Thursday, January 27th, 2011 at the Shire of Menzies Council Chambers, commencing at 9.00am.

There being no further business to discuss, the President declared the meeting closed at 5.46 pm.

**These minutes were confirmed
As a true and accurate record of proceedings at the
Ordinary Meeting of Council, held Thursday, January 27th, 2011**

**Confirmed by the Shire of Menzies,
President Gregory Dwyer** _____
