



## **MINUTES**

# **ORDINARY COUNCIL MEETING**

Menzies Council Chambers  
Thursday January 28<sup>th</sup>, 2010  
Commencing At 9.12 Am

# SHIRE OF MENZIES

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SHIRE OF MENZIES



**ORDINARY COUNCIL MEETING  
JANUARY 28<sup>TH</sup>, 2010  
In The Menzies Council Chambers Commencing At 9-12 Am**

## **MINUTES.**

**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Shire President (Cr. Greg 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**

Attendance:

Councillors	Cr G Dwyer	President
	Cr K Pusey	Councillor
	Cr I Tucker	Councillor
	Mrs J Dwyer	Councillor
	Cr A Kelly	Councillor
Staff:	Mr B Seale	Chief Executive Officer
	Ms Carol Mc Allan	Deputy Chief Executive Officer.
Apologies	Cr G Stubbs	Deputy President
	Cr. M. Bandry	Councillor

**3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE**

No

**4 PUBLIC QUESTION TIME**

No

**5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.**

None

**6 PETITIONS / DEPUTATIONS / PRESENTATIONS**

None

**7 CONFIRMATION OF PREVIOUS MINUTES**

7.1 Confirmation of the Previous Minutes of Council held December 18th, 2009, as presented, be adopted.

MOVED Cr Pusey

SECONDED Cr Kelly

**“Carried 5/0”**

<b>8</b>	<b>ANNOUNCEMENTS BY THE SHIRE PRESIDENT WITHOUT DISCUSSION / QUESTIONS ON NOTICE.</b>
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- 8.1 Announcements by the President without Discussion.
- 1.) The Annual Christmas Party was attended as planned in December 2009 and where the staff were issued Christmas bonus', as approved.
  - 2.) The Australia Day function was attended on Tuesday January 26<sup>th</sup>, 2010.
  3. The President attended the BHP Billiton Yeelirrie meeting and plans to attend the consultation meeting scheduled for Menzies on February 10<sup>th</sup>, 2010.
- 8.2 Questions on Notice                      None.

<b>COUNCIL RESOLUTION</b>	<b>ITEM 8.1</b>
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MOVED Cr Kelly                                      SECONDED Cr Dwyer

That the Presidents Report as presented be received.

**“Carried 5/0”**

<b>QUESTIONS ON NOTICE</b>	<b>ITEM 8.2</b>
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Nil

<b>9</b>	<b>REPORTS OF COMMITTEES AND OFFICERS</b>
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**9.1 FINANCIAL STATEMENTS AND REPORTS TO THE STATEMENTS TO NOVEMBER 30<sup>TH</sup>, 2009**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Carol Mc Allan, Rates and Accounting Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**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

As council is aware, at the time of preparation of the December agenda, the Accounting data files had not been received back from the Haines Norton group and was not be available for inclusion in that agenda, though this data was presented at the December meeting, it was quite unreasonable to expect Council to consider the report without opportunity to read it first and it was understandably deferred to the January meeting.

**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:**

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.1**

MOVED Cr Pusey

SECONDED Cr Kelly

That the Financial Statements and Reports to the statements to **November 30<sup>th</sup>, 2009** as presented be adopted.

**“Carried 5/0”**



Cr Tucker declares an interest in cheque number 6794.

<b>9.3 ACCOUNTS FOR PAYMENT AND RECEIPTS –December 31<sup>st</sup>, 2009</b>
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<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Carol McAllan, Rates &amp; Accounting Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**BACKGROUND:**

Cheque numbers 6771 to 6866, including direct debits and bank statement transfers totalling \$505,671-99 are presented for payment as per the submitted lists as well as Receipts totalling \$1,142,485-96

**COMMENT:**

This report was presented to the August meeting and deferred due to an anomaly in the cheque numbering sequence which shed doubt over the accounting integrity of the report. It was subsequently determined that it was a cheque printing issue problem and not an accounting/integrity problem.

**CONSULTATION:**

At the time of preparation of this agenda, the Accounting data files had not been received back from the Haines Norton group and may not be available for inclusion on this agenda, though it is possible this will be forwarded during the week.

**STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996 Regulation 13

**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

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>
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<b>ITEM 9.3</b>
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MOVED Cr Kelly

SECONDED Cr Tucker

To approve Cheque numbers 6771 to 6866, including direct debits and bank statement transfers totalling \$505,671-99 being presented for payment as per the submitted lists as well as Receipts totalling \$1,142,485-96 as presented for approval as per the submitted lists.

**“Carried 5/0”**

**9.4 ISSUES EMERGING FROM THE ANNUAL MEETING OF ELECTORS.**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer.</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the actions required as presented at the Annual Meeting of Electors in terms of the appended minutes of that meeting.

**BACKGROUND:**

The minutes will be adopted at the next Annual meeting of Electors, though the details are required to be presented to the following council meeting for action, if applicable as council determine.

**COMMENT:**

The only comment raised and presented for Council consideration is the alignment of the dangerous bend in the Niagara Dam road.

**CONSULTATION:**

The Department of Environment and Conservation office in Kalgoorlie.

**STATUTORY ENVIRONMENT:** Not applicable

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:**

It is proposed to seal the three kilometres of road into the Niagara Dam in the 2009/10 year.

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION**

**ITEM 9.4**

MOVED Cr Kelly

SECONDED Cr Tucker

To realign the Niagara Dam road to eliminate the hazards, subject to the following:

1. Approval to be received and held from the Department of Environment and Conservation for this work.
2. Evidence that the realignment will not adversely affect any rare or endangered species of flora or fauna.
3. A further submission to be approved by Council displaying the redesign of the proposed realignment to be presented to council at the February 2010 meeting with a cost estimate of the proposed work for consideration of a budget variation for the 2009/10 year.

**“Carried 5/0”**

**9.5 SOCIAL EVENT FOR MENZIES TOWN HALL**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the engagement of a singer from Melbourne to perform in the Menzies Town Hall for a one night performance proposed for Saturday April 17<sup>th</sup>, 2010 at a cost of \$5,000.

**BACKGROUND:**

Details of the opportunity are attached as received from a Councillor recently. This event would ideally suit a backing support band or singer and tentative arrangements have opened negotiations with Greg Stubbs to provide this support. An additional fee will understandably apply for his participation.

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:**

Budget provision of \$25,000 has been approved by Council in the 2009/10 budget.

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.5**

MOVED Cr Pusey

SECONDED Cr Dwyer (J.)

To approve of the engagement of Norm Price to provide a one night performance in the Menzies Town Hall on Saturday April 17<sup>th</sup>, 2010 at a fee of \$5,000, in terms of the attached details, with Greg Stubbs providing a support performance at an additional fee yet to be determined.

**“Carried 5/0”**

**9.6 SALE OF U.C.L. LOT 1082 TO KEITH PURCHASE.**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To support the acquisition of U.C.L. lot 1082 by Keith Purchase to establish a business in Menzies, in terms of the attached letter of request

**BACKGROUND:**

The applicant approached the Shire for Support to acquire this location and presented the attached letter of request which has been supported. As this lot is not Shire owned, it is not a shire issue, but the views of the Shire would ordinarily be sought, had the client approached the Department of Planning and Infrastructure direct. From this point onwards, the client will deal with the D.P.I directly.

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	None
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.6**

MOVED Cr Dwyer

SECONDED Cr Kelly

To support the application from Keith Purchase in the acquisition of a piece of U.C.L. land in lot number 1082 , as attached for the purpose of establishing a business, which will be the subject of a separate application to Council for consideration at a future date.

**“ Carried 5/0”**

**Council adjourned 10-56 am.**

**Council resumed 11-10 am.**

**9.7 ACQUISITION OF VACANT LAND IN MENZIES SHIRE.**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010.</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the acquisition of four lots of vacant land in the shire, being reclaimed due to the ratepayer's failure to pay the Shire rates due, for the purposes of resale at a future date, and acquired in terms of the attached advertised schedule presented under schedule 6.3 of the Local Government Act 1995.

**BACKGROUND:**

These four lots owe the Shire \$9,263-73 and despite advertising for sale under "Private Treaty", no applications have been received. Thus, opportunity to clear the rate indebtedness out of the rate book and convert these to shire assets for the value of the rates written off now applies.

**COMMENT:**

Extensive efforts to make contact with the ratepayers have failed and correspondence has been returned.

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	Schedule 6.3 of the Local Government Act 1995.
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	Hopefully None.
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.7**

MOVED Cr Kelly

SECONDED Cr Pusey

To proceed with the acquisition of the following four vacant lots of freehold land into the name of the shire with the value to be written off and the land captured at the value of the rates written off and subject to the following.

- a.) The value of the rate debt to be written off and recorded in the Bad Debts register.
- b.) The value of the write off to be used as the value of the value of acquisition.
- c.) Arrangements of sale of these four lots to proceed once the properties are converted into the name of the Shire.
  1. Lot 678 Sheridan Street.
  2. Lot 703 Nimrod Street.
  3. Lot 577 Suiter Street.
  4. Lot 582 Ballard Street.

**“Carried 5/0”**

**9.8 NIAGARA DAM CLEANING AND RESTORATION PROGRAMME.**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the restoration of the Niagara Dam to include the application of an epoxy resin to retard further leaking and damage to the dam wall.

**BACKGROUND:**

The Shire's consulting engineers report establishes the integrity of the Dam wall is intact and it remains an issue of repair to the Wall to prevent further deterioration and prevent further leaking. The report is appended.

**COMMENT:**

The shire's personnel have cleaned the dam bed or litter and built up silt at what has been estimated as a cost of \$25,000 and the repair to the leaking areas remains to be attended.

**CONSULTATION:**

**STATUTORY ENVIRONMENT:** Not Applicable

**POLICY IMPLICATIONS:**

**FINANCIAL IMPLICATIONS:**

\$32,000 exists as a current budget provision in the 2009/10 year budget.

**VOTING REQUIREMENTS:** Simple Majority required

**OFFICER RECOMMENDATION**

**ITEM 9.8**

MOVED Cr Kelly

SECONDED Cr Tucker

To approve of the cleaning of the Niagara Dam bed of litter and built up silt with the costs to be captured from the existing budget provision of \$32,000 and to seek professional guidance as to the application of an appropriate epoxy resin sealant to be applied to the Dam Wall to prevent further damage and stop water leaking through the wall and to be contained to within budget provision..

**COUNCIL RESOLUTION**

**ITEM 9.8**

**“Defer to the February Meeting.”**

The reason for not accepting the officer's recommendation was to permit more time to provide additional detail.

**9.9 SALE OF LOT 83 AND LOT 84 REID STREET MENZIES TO PIANTO.**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010.</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To approve of the sale of lots 83 and 84 Reid Street Menzies to Jim and Debbie Pianto for \$5,000 each, having provided appropriate advertising in terms of Section 3.58 of the Local Government Act 1995.

**BACKGROUND:**

Council has approved of these sales subject to appropriate and statutory advertising which has now been concluded and where no objections were received.

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	Section 3.58 of the Local Government Act 1995.
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	None.
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.9**

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)

To proceed with the conveyancing of the sales of lots 83 and 84 Reid Street to Jim and Debbie Pianto at an agreed sale price of \$5,000 for each lot, having satisfied the statutory advertising requirement, in terms of the attached and where no objections were received up to the time of closure of the objection period.

**“Carried 5/0”**

**9.10 RAIL SPUR LINK FROM LAKE GILES TO THE MENZIES LINE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To support the provision of a rail line spur link of approximately 80 kilometres for the Macarthur Minerals Limited group to enable the transport of a proposed one billion tonnes of iron ore from the Lake Giles facility through Menzies to Esperance, in terms of the attached data ( extensive brochure provided under separate cover.)

**BACKGROUND:**

The company commenced exploration in 2008 and now plans to commence operations in 2010 where they seek a co-operative relationship with the Shire with the object of making a presentation to the Council at a future date, potentially engaging the Shire of earthmoving and road works, construction / maintenance of the airfield and plant hire (e.t.c.).

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required.

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.10**

MOVED Cr Kelly

SECONDED Cr Tucker

To support the provision of a Rail link with the State Government to assist the development of the Macarthur Minerals Limited operations at Lake Giles in the transport of a planned potential one billion tonnes of iron ore through Menzies to the Esperance port and to seek approval from the President to permit the company representatives to make a presentation to Council at a time conveniently suitable to both parties.

**“Carried 5/0”**

**9.11 OCCUPATIONAL HEALTH AND SAFETY – AUDIT REPORT**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010.</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the results of the Audit Report as provided by the Shire's consultant on the position of Occupational Health and Safety, as presented in the abridged attached report. (Comprehensive report is forwarded under separate cover.)

**BACKGROUND:**

There is a statutory obligation on Council to ensure the provisions of the legislation relative to employee occupational health and safety are upheld and maintained.

**COMMENT:**

The executive summary does not suggest the Shire standards are adequate and this needs remedy

**STATUTORY ENVIRONMENT:**

Occupational Health and Safety standards AS/NZS 4801/2001

**POLICY IMPLICATIONS:** N/A

**FINANCIAL IMPLICATIONS:** Not determined at this point.

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.11**

MOVED Cr Kelly

SECONDED Cr Pusey

That a programme of implementation of the recommendations relative to the report on Occupational Health and Safety be applied within six months and a further appraisal be undertaken to ensure an independent assessment reflects that the recommendations have been satisfactorily applied and the rating has improved with a further submission to be presented to Council by July 2010.

**"Carried 5/0"**

- ❖ N.B.
  - As this item was raised within three months of this presentation, and where the resolution of Council records the item be presented to the February meeting, three councillors are required to agree to revisit this item, lest it cannot be re-considered, until February 2010.

<b>9.12 LEONORA / MENZIES LOCAL JUSTICE AGREEMENT.</b>
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<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010.</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the issues surrounding the agreement entered into for the Leonora / Menzies Local Justice agreement as recently entered into.

**BACKGROUND:**

Although this item was addressed at the December meeting, it was deferred until the “February Council Meeting”, though from the tenor of conversation within Chambers it appears the subsequent intent of Council was to revisit this item promptly and having subsequently resolved to conduct a meeting in January to consider these factors, it seems prudent to present the item to this January meeting.. However, should I have misinterpreted the heart of Council in this matter, there is no difficulty in “**Not Addressing the Item**”, and where it can quite simply be represented to the February meeting, as resolved with the C.E.O.s apology. Allegedly discussion has taken place with the shire and allied agencies in this matter, though Menzies seems to have had little involvement.

**COMMENT:**

As this agreement seems to incorporate a swimming pool for Menzies amongst other issues, it seems appropriate to discuss this agreement, which we understand is not set in concrete and Cheryl Soggee will want to address Council on Friday December 18<sup>th</sup>, 2009, though only the President can permit a Presentation to Council, where his views are awaited.

**CONSULTATION:**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	None.
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

<b>OFFICER RECOMMENDATION</b>	<b>ITEM 9.12</b>
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MOVED Cr Kelly

SECONDED Cr Tucker

To consider the provisions of the Leonora – Menzies Local Justices agreement as presented, subject to modifications as issued to the Chief Executive Officer during the meeting.

<b>COUNCIL DECISION</b>	<b>ITEM 9.12</b>
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**“Defer to the February Meeting of Council.”**

The reason for not accepting the officer's recommendation was that it was planned to seek input from Cheryl Soggee and provides opportunity for the other councillors to attend to the discussion.

**9.13 PUBLIC CONSULTATION MEETING ISSUES –DECEMBER 2<sup>ND</sup>, 2009**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the issues as emerged from the conduct of the public consultation meeting as conducted in the Menzies Town Hall on Wednesday December 2<sup>nd</sup>, 2009 and to address the provisions of a “Reconciliation Action Plan” as resolved at the December 2009 meeting, a copy of the resolution is appended.

**BACKGROUND:**

President Dwyer approved the conduct of the meeting conducted in the town hall on December 2<sup>nd</sup>, 2009 and facilitated the session with the object of listening to the concerns of the community so as to determine a composite list of the issues for attention in order to assess a direction for addressing these issues.

**COMMENT:**

The prime concerns as determined, are as follows:

1. The General Unrest in Town.
2. Suspension of the Ambulance Service.
3. The disrespect of adults by the younger members of the community.

A quote from a consultant is appended for council’s consideration.

**STATUTORY ENVIRONMENT:**

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:**

\$35,000 will be required for this contract to proceed in this financial; year, with a budget review required.

**VOTING REQUIREMENTS:** Simple Majority required

**OFFICER RECOMMENDATION**

**ITEM 9.13**

MOVED Cr Kelly

SECONDED Cr Dwyer

1. To notify the Department of Children Protection, the Leonora Police and the St John’s Ambulance service of the concerns as raised and provide guidance to the Shire administration as to a direction in this matter in terms of advices provided to the Chief Executive Officer during the meeting, and .
2. To adopt the proposed contract as presented by Red Ochre Consulting to provide a “Reconciliation Action Plan” as resolved by council at an approximate sum of \$35,000 to be accommodated from Shire own resources in the 2009/10 year.

**3. COUNCIL DECISION**

**ITEM 9.13**

**“Defer to the February Meeting.”**

The reason for not adopting the officer's recommendation is to allow the other two absent councillor's opportunity to attend.

**9.14 CARAVAN PARK DEVELOPMENTS – TENDER NUMBER 3/10**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010.</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the submissions for the Caravan Park Development programme as advertised in Tender number 3/10, for the Civil works, Electrical, Plumbing and Sewage requirements, in terms of the submissions as presented by Shires; Consulting engineer "Duncan Jack Group."

**BACKGROUND:**

Although this item was "Unofficially Presented" to council in December, due to the fact the data was not available until 12 noon on the day of the meeting; the item was understandably deferred to the January meeting. The closing date for submissions was Friday December 18<sup>th</sup>, 2009 at 12 Noon and at the time of writing the report for the December meeting, the closing date had not arrived and therefore the table of submissions was not available for inclusion in this agenda.

**CONSULTATION**

In consultation with Shires; consulting Engineer "Duncan Jack Group", a table of submissions is appended.

**STATUTORY ENVIRONMENT:** Functions and General Regulations clause 3.58

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:**

The two submissions received display a wide disparity in value and as such, with nearly \$400,000 between them, it is suggested that instead of one "Head Contractor" being engaged and sub-contracting out the various components, that the Shire administrate this work under the guidance and auspice of Duncan Jack with three or four individual tendered contracts issued for 'Sewerage, Civil works, Electrical and Plumbing.

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.14**

MOVED Cr Pusey

SECONDED Cr Kelly

To decline the tender submissions received under Tender number 3/10 for the Works at the Caravan Park and instead prepare for the Duncan Jack group of Consulting Engineers to project manage the four components of Sewerage, Electrical, Plumbing and Civil Works

(Roadworks and curbing) under separate tender arrangements yet to be advertised, where the Shire will be submitting to attend to the Civil Works..

**:Carried 5/0”**

**9.15 COMPLIANCE AUDIT RETURN - 2009**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	<b>N/A</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To adopt, without or without modifications the 2009 Compliance Audit Return as submitted.

**BACKGROUND:**

This is an Annual Statutory requirement and requires adoption by the Council, executed by the President and CEO and Delivered to the Department of Local Government by March 31<sup>st</sup>, annually.

**CONSULTATION:**

**COMMENT:**

**STATUTORY ENVIRONMENT:**

Local Government (Audit) Regulations. 1996 – Clause 13  
Local Government Act 1995 – Section 7.13(i.)

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Absolute Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.15**

MOVED Cr Kelly

SECONDED Cr Pusey

To adopt the "Compliance Audit Return 2009", as appended and presented, with or without modifications in terms of advices provided to the CEO during the meeting.

**"Carried 5/0"**

**9.16 REVIEW OF LOCAL LAWS**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To effect the statutory review of local laws as required every eight years in terms of Clause 3.16(1.) of the Local Government Act 1995, a copy of which is appended.

**BACKGROUND:**

This requirement is required every eight years.

**COMMENT:**

A schedule of the four current local laws for the shire of Menzies is appended, all of which are current and serve good purpose. Accordingly, it seems that these are required and that the review reflects retention of these Local Laws.

<b>CONSULTATION</b>	None.
<b>STATUTORY ENVIRONMENT:</b>	Local Government Act 1995 – Clause 3.16(1.)
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	None.
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.16**

MOVED Cr Pusey

SECONDED Cr Kelly

To adopt the review of the Local Laws schedule as presented in terms of the attached list as required laws for the Shire of Menzies.

“Carried 5/0”

**9.17 EXECUTIVE FUNCTIONS OF LOCAL GOVERNMENTS**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider that the services the Shire of Menzies provides as a Local Authority, and to satisfy itself that they:

- a.) Integrate with State and Commonwealth Government, and
- b.) Do not duplicate services provided by State or Commonwealth Governments, and
- c.) Are managed efficiently and effectively.

**BACKGROUND:**

Whilst this is a statutory requirement, there appears no obligation to report the results of this assessment, but where the authority is to satisfy itself as to the provisions of Clause 3.18 (3.) (a.), (b.), & (c.)

**COMMENT:**

Opportunity is presented for Council to consider this aspect of relationship with the other tiers of Government.

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

**POLICY IMPLICATIONS:**

None - Not Applicable

**FINANCIAL IMPLICATIONS:**

**VOTING REQUIREMENTS:**

Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.17**

MOVED Cr Kelly

SECONDED Cr Pusey

Following consideration as to the services the Shire of Menzies provides the community, that it indeed is satisfied that they:

- a.) Integrate with State and Commonwealth Government, and
- b.) Do not duplicate services provided by State or Commonwealth Governments, and
- c.) Are managed efficiently and effectively.

**“Carried 5/0”**

**9.18 TOWN PLANNING SCHEME ISSUES – SEATAINERS - KOOKYNIIE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the results of the resolution of Council relative to contain the use of sea-tainers in the residential area of Kookynie, in contravention of the Town Planning Scheme.

**BACKGROUND:**

With the advent of the recent sales of vacant land in Kookynie, it appears numerous rate-payers have elected to install sea-tainers on the sites, where it appears they may not be aware that this practice is inconsistent with the Town Planning Scheme. As a result of this, all recent vacant land purchasers were issued a standard letter and a number of applications were received seeking a variation to the scheme, and approved by Council.

**COMMENT:**

The resolution called for a subsequent advice to Council as to the results achieved and the effectiveness of these measures.

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	None
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.18**

MOVED Cr Pusey

SECONDED Cr Tucker

To accept that the report on the use of sea-tainers at Kookynie is accepted on the basis that rate-payers need to seek authority from Council before assuming permission to utilize sea-tainers on residential property where this aspect contravenes the provisions of the Town Planning Scheme No 1.

**“Carried 5/0”**

Council adjourned 12-25 pm.  
Council resumes 1-02 pm

**9.19 BUDGET VARIATION – 2009/10 (SIGNAGE CONTRACT)**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010.</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider a budget variation of \$10,000 to accommodate the additional expenditure incurred on the signage contract recently issued to John Mc Allan.

**BACKGROUND:**

Budget provision was approved by Council in the sum of \$100,000, though it was promptly determined that this was insufficient for the completion of the contract and Council approved a budget variation of an additional \$40,000. Regrettably, it seems that during the course of the contract, some roads were omitted from the assessment and the contractor advised the Works Manager of this omission, where he made a judgement to include the missing roads whilst the contractor was available and well prepared to include these at the time. The cost for the additional work (as attached) amounts to \$10,000

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	\$10,000 required.
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.19**

MOVED Cr Pusey

SECONDED Cr Kelly

To approve a budget variation of \$10,000 to accommodate the additional expenditure incurred on the signage contract recently issued to John Mc Allan, in terms of the attached account, bringing this contract to \$150,000, with the additional funding to be applied from the "Own Resources" Maintenance Grading cost centre.

"Carried 5/0"

**9.20 FREIGHT CONTRACT – TOLL-IPEC**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider embracing the freight contract of Toll-Ipec as Shire service rather than loose the service to the town.

**BACKGROUND:**

The Menzies Hotel presently accommodates the facility and “The Gov” addresses the deliveries, where allegedly 70% of the freight is for the Shire and the Hotel owners do not wish to continue with providing the service. The Road House have been approached, but already have a freight contract and support the fact that most of the freight is for the Shire and happy if the Shire takes over this contract.

**COMMENT:**

Whilst is a revenue attached to this arrangement and some administrative costs, it appears easily managed and the Works Supervisor supports the comment that this could be accommodated if approved by Council.

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:**

Limited costs will be off-set by the limited revenue.

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.20**

MOVED Cr Kelly

SECONDED Cr Dwyer

To submit an expression of interest to take over the freight contract of the Toll-Ipec facility from the Hotel from the end of January 2010 with the Depot person managing this facility.

**“Carried 5/0”**

**9.21 PROVISION OF SHADE OVER THE WATER TESTING POINT**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	<b>Status number 215/554</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the provision of a shade facility over the water testing facility in Menzies as proposed by Cr. Kelly at the December 2009 meeting and where this item was deferred to the January meeting..

**BACKGROUND:**

Cr Kelly is the Shire Water Authority representative and regularly takes samples and details from the water station, which would benefit from a shade facility as this would provide greater control over the temperature gauge.

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	This could amount to \$500.
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.21**

MOVED Cr Pusey

SECONDED Cr Dwyer (J.).

To approve the appropriateness of the provision of a shade facility over the water testing facility in Menzies as pro-posed by Cr. Kelly in terms of a design as approved by Cr. Kelly, subject to approval of the Roadhouse proprietors.

**“Carried 5/0”.**

**9.22 RESERVE – HOUSING MAINTENANCE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the creation of a reserve for Housing Maintenance with commencement in the 2010/11 budget year in order to put funds aside for emergency purposes.

**BACKGROUND:**

This comment was raised recently by a Councillor suggesting the concept will provide a back up of “Cashed Backed Reserve” to support the Council in the event of need in the future.

**COMMENT:**

It is prudent practise the put funds aside for specified purposes and this proposal is a sensible consideration for future maintenance needs.

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:** None.

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.22**

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)

To approve of the creation of a Cash – Backed Reserve for Housing Maintenance to commence in the 2010/11 year with an initial budget provision of \$50,000 with annual contributions of \$10,000 to be added to the Reserve in each subsequent year thereafter.

**“Carried 5/0”**

**9.23 GREENHOUSE FACILITY AS A SHIRE FACILITY**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010.</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the creation and provision of a Greenhouse facility in the Shire Depot for the purposes of propagation of trees and, shrubs and vegetable lines for shire use and also potentially on-sale to mining ventures where the requirement for rehabilitation of the mine site is required, to be considered in the 2010/11 budget year.

**BACKGROUND:**

Council has endorsed the concept of providing fruit and vegetables to the town's people with the provision of these edible facilities in the Shire gardens and parks and where the provision of a greenhouse facility will assist in this purpose.

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable.
<b>FINANCIAL IMPLICATIONS:</b>	Budget Provision of \$3,000 is anticipated for this purpose.
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.23**

MOVED Cr Kelly

SECONDED Cr Tucker

To approve the creation and provision of a Greenhouse facility in the Shire Depot for the purposes of propagation of trees and, shrubs and vegetable lines for shire use and also potentially on-sale to mining ventures where the requirement for rehabilitation of the mine site is required, to be considered in the 2010/11 budget year in the sum of \$3,000 for the capital cost and \$1,000 p.a. for recurrent operating costs.

“Carried 5/0”

**9.24 REFUSE SITE FACILITY FOR CAR-BODIES AND SCRAP METAL.**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider utilizing a small plot at the refuse site for the purposes of providing a facility for Car bodies and for a second facility to store scrap metal.

**BACKGROUND:**

As Council has embraced the facility of Tidy Towns”, the possibility of engaging in this recycling type service is valued, though a concern exists that this aspect may well be inconsistent with the “Land Administration Act provisions , where the reserve is provided to the Shire on the basis that it is not utilized for any alternate purpose. Should private enterprise be engaged to monitor this type of service (as Council would not to be in competition with Private Enterprise), then there is an element of profit making involved and this is interpreted as being inconsistent with the intention of the Reserve.

**COMMENT:**

David Mc Kenna from the Menzies Hotel is interested in providing this facility.

<b>CONSULTATION</b>	None
<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	None
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION****ITEM 9.24**

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)

To approve of the provision of an area at the Shire refuse site for the purpose of centralizing the location of dis-used car bodies and scrap metal for recycling with these areas being designated for these purposes and cordoned off in a suitable manner, with appropriate signage to be installed, subject to this arrangement being acceptable to the State Government office of Lands..

“Carried 5/0”

**9.25 ARTIST IN RESIDENCE – GOONGARRIE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>. 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the concept of an artist in Residency at the Goongarrie cottages, as proposed in the attached detail.

**BACKGROUND:**

Council is in receipt of the attached data, requesting accommodation at the Goongarrie Cottages for this Melbourne based Artist (Angela Leech) to conduct her workshops during March/April (approximately) 2010.

**COMMENT:**

The concept of an Artist in Residency is a wonderful concept, though the details of this presentation were not available for the December meeting, the attached data explains the concept are not fully available and I have to date been unable to contact the artist to determine the extent of support required.

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	\$10,000 in support will be required.
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.25**

MOVED Cr Kelly

SECONDED Cr Tucker

To approve "In Principle" the provision of the Goongarrie Cottages for the Artist in residency concept for Angela Leech, as a proposed in the attached data during the year of 2010, with grant funding to be sought to support this three week concept with support in the sum of \$10,000 to be funded from shire resources in the 2009/10 year.

**"Carried 5/0"**

**9.26 GOONGARRIE COTTAGES – WATER TANKS**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>. 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the provision of three water tanks to be installed at the three cottages at Goongarrie as recently requested by a Councillor at an estimated cost of \$4,000.

**BACKGROUND:**

A councillor recently raised this item during a Council meeting and it seems Council owns four large water tanks and these remain surplus to the Shire immediate needs and can effectively be re-deployed to another purpose, if approved.

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:** N/A

**POLICY IMPLICATIONS:** None - Not Applicable

**FINANCIAL IMPLICATIONS:**

It is anticipated that the cost of cleaning, delivery, plumbing, labour and site preparation for the installation of the three tanks would not exceed \$4,000

**VOTING REQUIREMENTS:**

Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.26**

MOVED Cr Kelly

SECONDED Cr Tucker

To approve of the installation of three existing water tanks, (presently housed in the shire depot) at the Goongarrie cottages at an anticipated cost of \$4,000 to be funded from Shire resources in the 2009/10 budget.

**“Carried 5/0”**

**9.27 KOOKYNIE STREET SOLAR STREET LIGHTING**

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	None
<b>DATE:</b>	January 28 <sup>th</sup> , 2010
<b>AUTHOR:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the provision of Solar Street lighting for Kookynie with eight facilities in terms of the attached data and at an anticipated cost of \$20,000

**BACKGROUND:**

This item was by a councillor recently at a Council meeting to be presented as an item for Council deliberation.

**COMMENT:** None

**CONSULTATION** None

**STATUTORY ENVIRONMENT:**

N/A

**POLICY IMPLICATIONS:**

None - Not Applicable

**FINANCIAL IMPLICATIONS:**

There is no budget provision of this item and approximately \$20,000 will be required for this purpose.

**VOTING REQUIREMENTS:**

Simple Majority required

**OFFICER RECOMMENDATION**

**ITEM 9.27**

MOVED Cr Tucker

SECONDED Cr

Kelly

To approve of the provision of \$20,000 for Solar Street Lighting for the town site of Kookynie with eight units to be accommodated in the 2009/10 budget with funding to be accommodated from Shire resources and with the units to be installed in terms of the details of location contained on the attached map.

**COUNCIL DECISION**

**ITEM 9.27**

**“Defer to the February Meeting.**

The reason for not accepting the officer’s recommendation is that Council wanted to seek public opinion first.

**9.28 DONATION - THE MENZIES SUB-BRANCH OF ST JOHN'S AMBULANCE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider a donation of \$5,000 towards the construction of a "Training Office" for the Menzies Sub-Branch of the St. John's Ambulance association anticipated to cost \$10,000

**BACKGROUND:**

Council is in receipt of advices to the effect that whilst the anticipated cost for the provision of a training room for ambulance officers is \$10,000; the following has been provided:

1. Steel work fabrication and erection	\$2,000	Donated.
2. St John's Ambulance Kalgoorlie	\$1,000	Donated
3. F.E.S.A. office	\$1,000	Donated
4. Police Dept – Kalgoorlie	\$1,000	Donated
5. Shire of Menzies	\$5,000	Proposed.

**COMMENT:**

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	\$5,000 budget variation
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.28**

MOVED Cr Kelly

SECONDED Cr Tucker

To approve a donation of \$5,000 towards the construction of a "Training Office" for the Menzies Sub-Branch of the St. John's Ambulance association anticipated to cost \$10,000 in the 29009/10 year with a budget variation being approved for this purpose and will be the subject of further advices at the March meeting addressing the budget review for the year.

**"Carried 5/0"**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the acquisition of reserve number 3898 in Mercer Street and being two lots of equal size in an area of 1,012m<sup>2</sup> each and presently vested in the Dept of Lands for the purpose of "Public Utility", for housing for the Shire of Menzies.

**BACKGROUND:**

Council is currently constructing a residence on the adjacent lot to the North of the proposed acquisitions being number 40 Mercer and where it has been identified as being built approximately 30 cm over the boundary onto this adjacent "Crown Land".

**COMMENT:**

Whilst the State Government would not ask council to remove the residence, it is much easier to readdress the boundary issue and it is this realignment of the boundary that remains the question.

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

N/A

**POLICY IMPLICATIONS:**

None - Not Applicable

**FINANCIAL IMPLICATIONS:**

Some budget provision is required a tentatively estimated at \$1,000, providing these lots can be acquired on Reserve vested in the name of the shire for the purposes of staff accommodation.

**VOTING REQUIREMENTS:**

Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.29**

MOVED Cr Kelly

SECONDED Cr Pusey

To approve the acquisition of reserve number 3898 in Mercer Street, being two lots of equal size in an area of 1,012m<sup>2</sup> each and presently vested in the Dept of Lands for the purpose of "Public Utility", to be vested in name of the shire for the purposes of Shire Housing.

**"Carried 5/0"**

**9.30 TOWN SQUARE CONCEPT**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the acquisition of the U.C.L lots in the block and the perpetual lease site lot number 1080 constituting the area bounded by Wilson St, Shenton St and Brown Streets for the purpose of developing the main Street upgrade for the Town Square Concept, as depicted in the attached plan of the town.

**BACKGROUND:**

Council has endorsed and approved the concept of the Town Square and a number of potential uses of the vacant land in the town-site.

An inhibitor for that development is the potential that the use of UCL land may prevent the appropriate growth as proposed. Thus the access, purchase, or control over these sites is critical to the project.

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

N/A

**POLICY IMPLICATIONS:**

None - Not Applicable

**FINANCIAL IMPLICATIONS:**

None.

**VOTING REQUIREMENTS:**

Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.30**

MOVED Cr Kelly

SECONDED Cr Pusey

To approve of the acquisition of the four U.C.L lots in the block constituting the area bounded by Wilson St, Shenton St and Brown Streets and the Perpetual lease site presently in favour of the Nooda Aboriginal corporation for the purpose of developing the main Street upgrade for the Town Square Concept, as depicted in the attached plan of the town and thatched brown

thereon to be acquired as Reserves vested in the name of the Shire of Menzies for the purposes of "Shire Uses".

"Carried 5/0"

**9.31 GOLDEN QUEST DISCOVERY TRAIL – SURVEY RESULTS**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the results of the survey as collated and presented to Council for action if required.

**BACKGROUND:**

A survey of travellers has been collated relative to the Trail and contains some very important statistical data where Council has the opportunity to address the issues contained therein for the purpose of promotion of tourism for this region.

**COMMENT:**

A schedule of the survey results is appended, as required for council deliberation.

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

N/A

**POLICY IMPLICATIONS:**

None - Not Applicable

**FINANCIAL IMPLICATIONS:**

No costs apply to assessing the survey, only in the determination of actions required, if applicable.

**VOTING REQUIREMENTS:**

Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.31**

MOVED Cr Pusey

SECONDED Cr Dwyer (J.)

To assess the results of the Traveller Survey as collated from the users of the Golden Quest Discovery Trail and adopt the action required, in terms of advices provided to the CEO during the meeting, with the object of a subsequent report being issued to Council with assessment of costs applicable, in terms of the report attached and submitted to Council..

**9.32 TJUNTJUNTJARA DEVELOPMENT STRATEGY**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the strategic plan for the development of the Tjuntjuntjara Community town-site in terms of the “Needs Analysis” as presented.

**BACKGROUND:**

Council engaged the services of the Red Ochre consulting group to visit the community and assess the needs of the community and develop a report reflecting a summary of the prioritised needs of the community.

**COMMENT:**

A copy of the consultant’s report is attached, as required.

**CONSULTATION**

Red Ochre Consulting.

**STATUTORY ENVIRONMENT:**

N/A

**POLICY IMPLICATIONS:**

None - Not Applicable

**FINANCIAL IMPLICATIONS:**

None.

**VOTING REQUIREMENTS:**

Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.32**

MOVED Cr Pusey

SECONDED Cr Kelly

To adopt the recommendations for the development of the Tjuntjuntjara Community, **“In Principle Only”** in terms of the report as presented to Council, as prepared by Council’s consultant and to develop a strategy for the implementation of the report, in terms of advices

provided to the CEO during the meeting, with a subsequent submission of the strategy to be submitted to Council for approval/deliberation by April 2010.

**“Carried 5/0”**

**9.33 SALE OF LOT 281 PEERS STREET - KOOKYNIE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the resumption from the deceased owner (Samual Trusdale) of lot 281 Peers Street Kookynie and effect a sale to Kimberly Russell (0427-008565) for \$3,000 following the statutory advertising term of twelve months, as required.

**BACKGROUND:**

This lot is owned by a deceased rate-payer and by 2004 the debt was \$1,274-45 and this sum was written off presumably with the approval of Council.

The lot was not offered for sale by the recent Auction of vacant lots. Subsequently, this location attracted further rate assessments in the sum of \$857-03.

**COMMENT:**

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

Section 3.58 of the Local Government Act 1995.

**POLICY IMPLICATIONS:**

None - Not Applicable

**FINANCIAL IMPLICATIONS:**

None

**VOTING REQUIREMENTS:**

Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.33**

MOVED Cr Pusey

SECONDED Cr Dwyer

To redeem lot 281 Peers Street Kookynie following the statutory period of advertising and effect a sale to Kimberly Russell for \$3,000, subject to the following:

1. Statutory advertising of twelve months, with a Memorial of advertising being recorded against the title.
2. A sale to be effected with Kimberly Russell for \$3,000 upon receipt of her written application being received.
3. The value of the outstanding rates in the sum of \$857-03 to be written off and recorded in the Bad Debts register.

**9.34 PURCHASE OF VEHICLE FOR THE DEPUTY C.E.O.**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider the purchase of a suitable vehicle for the Deputy CEO in terms of the contractual agreement entered into following the Council resolution dated December 18<sup>th</sup>, 2009.

**BACKGROUND:**

The Deputy C.E.O. has previously been provided a Shire owned vehicle with a personal use component. However, the previously provided vehicle was traded in on the purchase of the Works Supervisors Vehicle recently and subsequently the engagement of the Deputy was addressed.

**COMMENT:**

In terms of the Council approved “Purchasing Policy”, acquisitions exceeding \$20,000, but not greater than \$60,000 require two written quotes. These are attached.

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

N/A

**POLICY IMPLICATIONS:**

Council purchasing policy applies.

**FINANCIAL IMPLICATIONS:**

\$40,000 is required, where a budget variation will be required.

**VOTING REQUIREMENTS:**

Absolute Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.34**

MOVED Cr Kelly

SECONDED Cr Dwyer

To accept the quote as provided by Westland Autos of Kalgoorlie in the purchase of a suitable vehicle for the Deputy CEO (Ford Territory) in terms of the contractual agreement entered into following the Council resolution dated December 18<sup>th</sup>, 2009 for the quoted sum of \$36,423-20 and to make budget variation of \$40,000 to be accommodated from the existing budget provision of \$150,000 provided for in the installation of the Truck Bay assembly area..

“Carried 5/0”

**9.35 COUNCILLOR TRAINING**

<b>SUBMISSION TO:</b>	Ordinary Meeting of Council
<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	None
<b>DATE:</b>	January 28 <sup>th</sup> , 2010
<b>AUTHOR:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	Brian Seale, Chief Executive Officer
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider a training opportunity for Councillors, as presented in terms of the attached data.

**BACKGROUND:**

Opportunity is provided annually for councillors to participate in training if required or desired.

**COMMENT:**

None

**CONSULTATION**

None

**STATUTORY ENVIRONMENT:**

N/A

**POLICY IMPLICATIONS:**

None - Not Applicable

**FINANCIAL IMPLICATIONS:**

Existing provision of \$20,000 applies for this cost centre.

**VOTING REQUIREMENTS:**

Simple Majority required

**OFFICER RECOMMENDATION**

**ITEM 9.35**

MOVED Cr Kelly

SECONDED Cr Pusey

To make arrangements for Councillor training for the selected councillors as advised in terms of advices provided to the CEO during the meeting for the courses selected.

**COUNCIL DECISION**

**ITEM 9.35**

**“Defer to later in the year.”**

The reason for not adopting the officer’s recommendation is that the Councillors required some more detail of the programme available to them before deciding.

**9.36 SPONSORSHIP OF “WOMEN IN LOCAL GOVERNMENT” CONFERENCE**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider support of \$800 to promote the “Women in Local Government” Conference, as notified in the attached brochure.

**BACKGROUND:**

This conference focus’ attention on Women in Local Government and usually sponsors support the Local Government Conference; though at this early stage of the development of the conference sponsors have not been established. Accordingly, the LGMA is seeking support from the Industry.

**COMMENT:**

Given that Menzies has three lady members, it may be beneficial to support this facility.

**CONSULTATION**

**STATUTORY ENVIRONMENT:**

N/A

**POLICY IMPLICATIONS:**

None - Not Applicable

**FINANCIAL IMPLICATIONS:**

\$800 will be required, if supported.

**VOTING REQUIREMENTS:**

Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 9.36**

MOVED Cr Kelly

SECONDED Cr Dwyer (J.)

To support the women in Local Government conference scheduled for June 2010 with a contribution of \$800 towards the operating costs of the conference in the 2009/10 budget, in terms of the attached advices.

**“Carried 5/0”**

**9.37 PRIVATE WORKS – SCHEDULE OF CHARGES**

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	<b>None</b>
<b>DATE:</b>	<b>January 28<sup>th</sup>, 2010</b>
<b>AUTHOR:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

**SUMMARY:**

To consider a schedule of charges for the provision of sand, gravel and ballast as a service to the public.

**BACKGROUND:**

The Shire currently does not have a schedule of fees applicable to the supply of sands, gravel and ballast and when these have been provided in the past, we have been unable to apply a charge as it remains illegal for the administration to apply a fee without Council approval by absolute majority decision.

**COMMENT:**

The proposal is to apply the following fees, subject to the statutory advertising and to apply the fee from 1/2/2010

- 1. Sand \$44 per tonne
- 2. Gravel | \$44 per tonne
- 3. Yellow Sand \$55 per tonne
- 4. Ballast 50 mm \$77 per tonne

**CONSULTATION**

<b>STATUTORY ENVIRONMENT:</b>	N/A
<b>POLICY IMPLICATIONS:</b>	None - Not Applicable
<b>FINANCIAL IMPLICATIONS:</b>	Not applicable
<b>VOTING REQUIREMENTS:</b>	Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION** **ITEM 9.37**

MOVED Cr Kelly SECONDED Cr Tucker  
To approve the schedule of charges for the provision of sand, gravel and ballast as a service to the public, where the proposal is to apply the following fees, subject to the statutory advertising being conducted and to apply the fee from 1/3/2010

- 1. Sand \$44 per tonne
- 2. Gravel | \$44 per tonne
- 3. Yellow Sand \$55 per tonne
- 4. Ballast 50 mm \$77 per tonne

**“Carried 5/0”**

<b>10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>
---

10.1 Elected Members motions with previous notice.  
None

10.2 Confidential Business to be held behind closed doors.  
Moved Cr Dwyer.  
Seconded Cr Kelly "To Move to go behind closed doors."  
"Carried 5/0"  
  
Moved Dwyer (J.)  
Seconded Kelly "To come out from behind closed doors."  
"Carried 5/0"

10.3 Reports of Councillors and Staff

Cr Stubbs:  
N/A

Cr Tucker:  
1. Can the dust issue in Gregory Street be addressed with the water cart.

Cr Pusey:  
None

Cr Kelly:  
None.

Cr Bandry.  
N/A

Cr Dwyer J.  
1. Has the Washing Machine at the Caravan Park been repaired.?

Cr Dwyer G.  
1. To note the Reform meeting is scheduled for February 9<sup>TH</sup>, 2010 in Perth ,  
with Crs; Kelly, Dwyer (J.) and Dwyer(G.) attending.

Mr Seale B.

**1. Membership in the Resources Centre Committee.**  
Raise at the February Meeting for Consideration.

**2. Mining Activities at First Hit.**  
Intermin Resources Limited have indicated a desire to purchase the residential properties in Onslow Street which impedes the intention of ratepayers to construct residences along that street. No action required from Council.

**3. Accounts received from Gary Miller.**  
Council is in receipt of accounts for payment from Mr Miller for the period following his last account paid in 2008 and prior to his accident.

**4. School Issue.**

- a.) Council is in receipt of formal advices from Larry Hamilton. No further action required.
  - b.) Email advices from the school were read to Council relative to the proposed writing competition scheduled for later this year.
- 5. K.V.A. – Placement of the Plaque.**  
Request to locate the [plaque at the new Information Bay in Kookynie.  
Raise this request at the February meeting of Council.
- 6. Niagara Dam.**  
This matter was addressed during the meeting, however the following applies:
- a.) Council's consulting Engineer has been asked to quote on inspecting the Dam whilst the facility is empty.
  - b.) Contact has been made with the Heritage Council who indicated the intention of repairs being provided in like material as existing. Advice from the consulting Engineer indicated the epoxy resin proposed is applied to the cracks in the wall and not particularly visible. Council's Heritage Consultant (Laura Gray) will oversee this process.
  - c.) The Works Supervisor has been asked to prepare a cost schedule to clear the remainder of the silt at the Dam.
- 7. Main Street Upgrade.**  
Whilst a map and editorial data was received it was voluminous required evaluation. An agenda item will be prepared for the February meeting for this purpose.
- 8. Ward Representation.**  
The Advisory Board is seeking views from Council as to the restructure of the representation on the new Ward Structure. An item will be prepared for the February meeting.
- 9. Fencing Lot 83/84 Reid St.**  
Written request was received and presented to Council to consider contribution of 50% of the cost of fencing the shire boundary fence alongside the Ratepayers property. Council agreed to contribute this 50% for this approximate 50 metres of fencing.
- 10. Lady Shenton Ablutions.**  
A proposal from the builder has been received and presented to Council in an endeavour to solve the issue of the abluion error issue. The proposal suggests an external access from Brown Street for disabled access. An item is to be raised at the February meeting to consider preventing access by the public from the rear of the Lady Shenton.
- 11. CME Uranium Working Group Presentation to Council.**  
The enquiry has been received from the Uranium operators seeking a public consultation meeting in Menzies on March 17<sup>th</sup>, 2010 and where President Dwyer has agreed to officiate.
- 12. Lake Ballard Panels.**  
Copies of the proposed panels as designed by Lorna Charlton were presented to Council and expected to cost \$710. Council support will be presented to the next Lake Ballard meeting.
- 13. Ambualnce purchase of Water to \$500.**  
Request for the provision of a donation of Water from Water Corporation to be made rather than utilize the Shire account..

**11 INFORMATION BULLETIN**

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

**12 NEXT MEETING / MEETING CLOSURE**

*The next Meeting will be held on Thursday, February 25<sup>th</sup>, 2010 in Council Chambers, Menzies, commencing at 9.00am.*

There being no further business to discuss, the President declared the meeting closed at: ...4.27...pm.

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**These minutes were confirmed  
As a true and accurate record of proceedings at the  
Ordinary Meeting of Council, held Thursday, February 25<sup>th</sup>, 2010**

**Confirmed by the Shire of Menzies,  
President Gregory Dwyer** \_\_\_\_\_

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