



MINUTES
OF
ORDINARY COUNCIL MEETING

THURSDAY MARCH 26TH, 2009
COMMENCING AT 11.30 AM

MINUTES

ORDINARY COUNCIL MEETING COUNCIL CHAMBERS - MARCH 26TH, 2009

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President welcomed all elected Members and Staff and declared the meeting open at **11.30** am.

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

PRESENT:	<i>Cr S. Tonkin</i>	<i>Shire President</i>
	<i>Cr G Stubbs</i>	<i>Deputy President</i>
	<i>Cr A Kelly</i>	<i>Councillor</i>
	<i>Cr I Tucker</i>	<i>Councillor</i>
	<i>Cr J Dwyer</i>	<i>Councillor</i>
	<i>Cr G Dwyer</i>	<i>Councillor</i>
	<i>Cr K Pusey</i>	<i>Councillor</i>
STAFF:	<i>Mr B Seale</i>	<i>Chief Executive Officer</i>
VISITORS:	Nil	
APOLOGIES:	Nil	

3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.

Nil

6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

7.1 Confirmation of the Previous Minutes of Council held February 26th, 2009, as presented is adopted.

MOVED Cr Kelly

SECONDED Cr Tucker

CARRIED 7/0

7.2 Confirmation of the minutes of the Audit Committee Meeting held on Thursday 26th, March 2009

MOVED Cr Kelly

SECONDED Cr J Dwyer

CARRIED: 7/0

8 ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION

8.1.1 Public Meeting Re: General Store conducted on Wednesday evening of March 25th, 2009

8.1.2 Close Contact has been made during the month with the CEO to provide assistance in some administrative issues.

COUNCIL RESOLUTION

ITEM 8.1

MOVED Cr Jill Dwyer

SECONDED Cr Pusey

That the Presidents Report as presented be received.

CARRIED: 7/0

QUESTIONS ON NOTICE

ITEM 8.2

Nil

11.35 am Works Manager attends council chambers

12.20 pm Works Manager vacates council chambers

12.20 pm COUNCIL ADJOURNS for luncheon

1.06 pm COUNCIL RESUMES

9 REPORTS OF COMMITTEES AND OFFICERS

Chief Executive Officer

9.1 TENDER NO 12/09 – ABLUTIONS FOR THE CARAVAN PARK

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

BACKGROUND:

To consider applications from tenders as presented to council for the supply and installation of the ablutions at the Caravan Park.

COMMENT:

As the tender closes on Wednesday 25th, march 2009, the details cannot be included in the agenda, but will be submitted in a schedule at the meeting.

CONSULTATION:

STATUTORY ENVIRONMENT:

Functions and General Regulations clause 11.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

M\$1.1 is provided for in the 2008/09 budget for the development of the Caravan Park.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION	9.1
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MOVED Cr Stubbs

SECONDED Cr Pusey

To accept the tender for the supply and Installation of the Ablutions at the Caravan Park from Australian Portable Buildings in the sum of \$254.445.90 as submitted in terms of the schedule of tenders presented to Council on 26/3/09.

CARRIED: 7/0

9.2 TENDER NO 13/09 – ABLUTIONS FOR THE LADY SHENTON PREMISES.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

BACKGROUND:

To consider applications from tenders as presented to council for the supply and installation of the ablutions at the Lady Shenton Premises.

COMMENT:

As the tender closes on Wednesday 25th, march 2009, the details cannot be included in the agenda, but will be submitted in a schedule at the meeting.

CONSULTATION:

STATUTORY ENVIRONMENT:

Functions and General Regulations clause 11.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

Budget funds have been applied in the 2008/09 year to accommodate this purpose.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	9.2
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MOVED Cr Pusey

SECONDED Cr Greg Dwyer

To accept the tender for the supply and Installation of the Ablutions at the Lady Shenton Premises from Fortress Homes in the sum of \$89,430.00, as submitted in terms of the schedule of tenders presented to Council on 26/3/09.

CARRIED: 7/0

1.50 pm Works Manager attends Chambers

9.3 YARRI ROAD RE-ALIGNMENT – SARACEN GOLD.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	Status 249
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, -2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY

To proceed with the Road Closure process of the nine kilometre section of the Yarri Road at Edjudina for the Saracen Gold mine facility as requested.

BACKGROUND:

Council approved in principle the realignment of the Yarri road at Edjudina to accommodate the needs of the Saracen Gold Mine operations at that location, subject to satisfactory advices from the required statutory bodies required to be notified. To date , no objections have been received.

COMMENT:

Nil

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION 9.3

MOVED Cr Kelly

SECONDED Cr Jill Dwyer

To proceed with the Road Closure process for the nine kilometres of the Yarri Road as requested by the Saracen Gold Mine limited group.

CARRIED: 7/0

9.4 CARAVAN PARK – UPGRADE

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	Dev 3.
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

1. To consider the location of the two blocks of ablutions.
2. To adopt the edited version of the design plan, as attached
3. To approve of the use of the “old” ablution block as a temporary facility at the rear of the Town Hall for use by the patrons of the caravan park during the restoration process.

BACKGROUND:

The planning of the upgrade of the Caravan Park is scheduled to commence on Friday March 27th, 2009 and the adoption of the plan and the determination for the locations of the ablutions will require attention to enable this to occur.

COMMENT

As each ablution block is approximately 18 metres long and each caravan park bay is approximately 10 metres long, each block will require two bays to be accommodated. Furthermore, as the existing ablution has be to removed, it is suggested it be put down at the rear of the Town Hall to be used as a temporary facility for the caravanner’s use whilst the upgrade of the caravan park is undertaken. It can remain as a permanent feature, or sold as surplus to requirements.

CONSULTATION:

STATUTORY ENVIRONMENT:	Not Applicable
POLICY IMPLICATIONS:	None
FINANCIAL IMPLICATIONS:	
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION	9.4
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MOVED Cr Kelly**SECONDED Cr Jill Dwyer**

1. To adopt the design plan for the Menzies caravan Park , as proposed and presented , subject to variations as advised to the C.E.O. during the meeting., and
2. To approve of the location for the ablutions blocks for the Menzies Caravan Park as advised to the CEO during the meeting.

3. **To approve of the “Old” ablutions block being utilized as a temporary facility for the patrons of the caravan park during the restoration process, to be located at the rear of the town hall.**

CARRIED: 7/0

9.5. RECORD KEEPING PLAN

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider engaging a temporary officer/consultant to address the needs of the Statutory Records Keeping Plan, as required by the State Records Office.

BACKGROUND:

This Statutory obligation was prepared in December 2004, and “Tentatively” approved on the basis of a further submission being compiled by December 2005 to satisfy the areas of concern for the state Records Office.

COMMENT:

The final submission has not been complied and an extension has been approved to April 3rd, 2009.

CONSULTATION: Joyce Stefeni – State Records Officer.

STATUTORY ENVIRONMENT: State Records Office Act 2000.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Some, moderate wages/fees apply.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	9.5
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MOVED Cr Jill Dwyer

SECONDED Cr Pusey

To engage a temporary officer/consultant to compile the submission of the Records Keeping Plan and submit this by April 3rd, 2009, in terms of the attached details from the State Records Office.

CARRIED: 7/0

9.6 MENZIES AIR-STRIP RE-ALIGNMENT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the questions raised by the Department for Planning and infrastructure relative to the progressing of the re-alignment of the Menzies Ari-Strip.

BACKGROUND:

Council approved in principle the correction of anomalies associated with the air-strip before council can proceed with a significant upgrade planned for in the sum of M\$1.6 for sealing, fencing, lighting, and infrastructure.

COMMENT:

The attached letter from the Dept' established some questions in this matter

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION

9.6

MOVED Cr Tucker

SECONDED Cr J Dwyer

Relative to the remedy required to rectify the issues at the Menzies air-field the following recommendations are proposed as requested, in terms of the attached data from the Department for Planning and Infrastructure.

1. In terms of dot point one; it is indeed proposed to add portions of adjoining reserve no 8509 into reserve 4592 as delineated and coloured orange on the attached smart plan.
2. The un-made road as identified on the attached map and coloured blue be closed and included into Reserve 4592.
3. The Main Roads office in Kalgoorlie has indeed been made aware of the need of a realignment of the Goldfields Highway to enable the dedication and the proposed attached plan is supported.

CARRIED: 7/0

1.53 pm	Cr. Aileen Kelly vacates Chambers
2.02 pm	Cr. Aileen Kelly returns to Chambers

9.7 TOURISM STRATEGY

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider a Tourism Strategy for the Shire of Menzies, as proposed and attached.

BACKGROUND:

Comments raised in council support the concept that Tourism is important to the success and promotion of the Shire into the Long term, thus opportunity to define a strategy for the future is available, if required.

COMMENT:

CONSULTATION: Red Ochre consultancy proposal is appended.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

Amendment to the current budget to \$30,000 will be required if this proposal is to proceed.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION 9.7

MOVED Cr J Dwyer SECONDED Cr Tucker

To defer the opportunity to avail of a formal tourism strategy as proposed, and attached with budget allocation of \$30,000 to be provided for a budget deliberation for 2009/10.

CARRIED: 6/0

9.8 EMERGENCY MANAGEMENT ARRANGEMENTS

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider adoption of the “Emergency Risk Management Pan” as proposed and attached, as provided by the consultant.

BACKGROUND:

The Shire of Menzies is governed by the Leonora Police office and the Leonora plan is appended as the guideline for this office,

COMMENT:

CONSULTATION:

A group named Looranah Pty Ltd appears to have been engaged to design and prepare the plan, as attached.

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION	9.8
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MOVED Cr Pusey

SECONDED Cr Tucker

To adopt the Emergency Risk Management Plan” as presented, subject to suitable modifications as advised to the C.E.O. during the meeting.

CARRIED: 6/0

9.9 PLANT PURCHASES (2009/10 BUDGET)

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Jerry Lenane – Manager Works and Services.
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the sale and purchase of plant items as proposed in the attached proposal as designed by the Manager of Works and Services.

BACKGROUND:

Council has resolved to tender the construction work for the road programme and as a result to sell the existing plant to fund the purchase the second grader.

COMMENT:

The attached proposal supports the maintenance Grader teams, in terms of plant requirements.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

Approximately \$400,000 will be required to effect this proposal.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

9.9

MOVED Cr Pusey

SECONDED Cr Kelly

To adopt the proposal as submitted for the sale of plant and purchase of plant items required for the maintenance Grading teams with budget provision of \$400,000 required in the 2009/10 years to accommodate this programme.

CARRIED: 7/0

2.32 pm Works Manager vacates meeting

9.10 WARD BOUNDARY AND REPRESENTATIONAL REVIEW

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Status 15.
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider amendment to the Ward structure and/or the number of councillors for the Shire of Menzies, in readiness for the October 2009 election..

BACKGROUND:

The attached letters from the Dep't Advisory Board indicates pursuance of the review process.

COMMENT:

Advices of concern have been issued to the Minister seeking his response as to what it is he has in mind in terms of increased efficiencies. Copy of the Shire letter is enclosed.

CONSULTATION:

The Chief Executive Officer has spoken to the Advisory Board advising that this council has progressed the review process with a closure date of March 23rd, 2009 for the public views to be received. To date no objections have been received. Thus the most recent advice from the advisory board suggests continuance of the review process.

STATUTORY ENVIRONMENT: Local Government Act 1995 – Schedule 2.2 – Clause 6.

POLICY IMPLICATIONS: Not Applicable

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: *Absolute Majority required*

COUNCIL DECISION**9.10****MOVED Cr Pusey****SECONDED Cr Kelly**

To recommend to the advisory board the following views as a result of the advertised review process, and in terms of the attached data:

1. To retain the existing number of representative councillors at seven (7), as at present.
2. To adopt option five as advertised in the discussion paper, being the merger of the Kookynie Town and Menzies wards as one ward to be re-titled "Town Ward", with the remainder of the Shire to be re-titled as "Rural Ward."

CARRIED: 5/2 "ABSOLUTE MAJORITY"

**OPPOSED: Cr Greg Dwyer
Cr Stubbs**

9.11 APPLICATION FOR AN EXPLORATION LICENSE FOR A MINING TENEMENT NUMBER 39/1444 and 1445 – IN THE NAME RUBICON.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider an application for an exploration license, in terms of the attached data provided.

BACKGROUND:

Not applicable

COMMENT:

This application does not appear to impinge on any town sites within the boundary of the Menzies Shire and appears to be located near the Edjudina region.

CONSULTATION:	None
STATUTORY ENVIRONMENT:	N/A.
POLICY IMPLICATIONS:	N/A.
FINANCIAL IMPLICATIONS:	None.
VOTING REQUIREMENTS:	<i>Simple Majority required</i>

COUNCIL DECISION **9.11**

MOVED Cr Pusey

SECONDED Cr Jill Dwyer

To approve of the application for an exploration license number 39/1444 and 39/1445 in the name of Rubicon Resources Limited in terms of the attached application.

CARRIED: 7/0

9.12 SIGNAGE FOR THE SHIRE LOCAL ROADS.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider a budget parameter for the 2009/10 year to accommodate the requirements for appropriate signage for the Shire, in terms of the attached schedule of data..

BACKGROUND:

Council has commented that the need for adequate and appropriate signage throughout the Shire is required.

COMMENT:

A detailed schedule is attached to assist in this deliberation and a very comprehensive review of the signage requirements was recently conducted under the auspices of the Works Manager.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

It is estimated that approximately \$100,000 will be required to purchase the signs and have them installed.

VOTING REQUIREMENTS: *Simple Majority required*

COUNCIL DECISION	9.12
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MOVED Cr Pusey

SECONDED Cr Kelly

To make tentative budget provision of \$100,000 for the 2009/10 year to accommodate the purchase and installation of the required local road signs as presented in the attached schedule of signage.

CARRIED: 7/0

2.41pm Cr G Stubbs vacates Chambers

2.44pm Cr G Stubbs returns to Chambers

9.13 POLICY MANUAL REVISION.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider adoption of the Policy Manual after revision and as provided under separate cover. (Refer "Councillors Manual")

BACKGROUND:

Council adopted the policy manual some years ago and numerous amendments have been resolved since and these need to be incorporated into the manual and presented for council approval, to ensure the administration has correctly interpreted the intention of council in the design of the various policies.

COMMENT:

CONSULTATION:

STATUTORY ENVIRONMENT: N/A

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: *Simple Majority required*

COUNCIL DECISION **9.13**

MOVED Cr Kelly

SECONDED Cr Pusey

To adopt the revised policy manual as presented (under separate cover) as the policy manual for the Shire of Menzies, as presented, subject to any amendments as advised to the CEO during the meeting.

CARRIED: 6/0

9.14 APPLICATION TO CLEAR NATIVE VEGETATION.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	
DATE:	March 26th, 2009
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 Saracen Gold Mine Pty Ltd group, as attached to clear native vegetation at the "Enterprise" gold mine site.

BACKGROUND:

The company is undertaking exploratory work in the Eastern sector of the shire near Porphyry and Edjudina and seeks authority to clear native vegetation to proceed with the works.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: No cost applies to Council

VOTING REQUIREMENTS: *Simple Majority required*

COUNCIL DECISION	9.14
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MOVED Cr Pusey

SECONDED Cr Kelly

To approve the application from the Saracen Gold Mines Pty Ltd group to clear native vegetation at the Enterprise Gold mine site, in terms of the attached application and subject to other standard approvals being granted in terms of, but not limited to Environmental Protection and the Department of Minerals and Petroleum, as required.

CARRIED: 6/0

9.15 GENERAL STORE.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the issues surrounding the concept of the General Store for Menzies as addressed at the Public Consultation meeting held in the Town Hall on Wednesday March 25th, 2009

BACKGROUND:

Council addressed this concept some months ago, though elected to withdraw further consideration, in view of the impact the creation of the store would have on the Roadhouse. However, since then the community have raised the question as to re-opening the General Store and commenced a petition, as attached.

COMMENT:

CONSULTATION: None

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: *Simple Majority required*

COUNCIL DECISION	9.15
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MOVED Cr Tucker

SECONDED Cr Jill Dwyer

To consider the views as raised by the community as to the re-opening of the General Store in Menzies, as recorded in the Public Consultation meeting as conducted on Wednesday 25/3/09, as required by the petition presented to Council and resolves to respond in terms of advices issued to the Chief Executive Officer during the meeting.

CARRIED: 7/0

9.16 ANNUAL COMPLIANCE RETURN – 2008.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
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 Compliance Return for the Shire of Menzies for the 2008 year, as presented under separate cover.

BACKGROUND:

This is an annual statutory requirement as required in terms of Audit regulations 13.

COMMENT:

Council is required to adopt the return, or qualify it's adoption and submit same to the Department of Local Government and Regional Development by March 31st, 2009, where the President and C.E.O. are required to execute the declaration and where there is no statutory authority to permit a late submission,.

CONSULTATION:

STATUTORY ENVIRONMENT Local Government (Audit) Regulations 1996. – Clause 13.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: *Simple Majority required*

COUNCIL DECISION	9.16
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MOVED Cr Kelly

SECONDED Cr Pusey

To adopt the “Annual Compliance Return” for the Shire of Menzies, as sub mitted for the year ended December 31st, 2008 and to ensure the return is submitted to the Department of Local Government and Regional Development by March 31st, 2009, as required by Section 13 of the Audit regulations.

CARRIED: 7/0

9.17 THE MENZIES REMOTE COMMUNITY SCHOOL

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider support for the Menzies Remote Community School in the provision of a donation of \$1,000 towards the acquisition of reading resources costing \$2,000, in terms of the application attached.

BACKGROUND:

Not applicable

COMMENT:

It appears that in view of the economic crisis enveloping the world financial markets at present, the State Government is reticent to provide funds for schools throughout the State. Accordingly, with this reduction of funds, the Menzies Remote Community School is seeking support from the Shire to provide for this reading resource for the current year programme.

CONSULTATION:

STATUTORY ENVIRONMENT:

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

There is no specific budget provision provided for this year's budget for donations to the School and would require a budget variation if supported.

VOTING REQUIREMENTS:

Simple Majority required

COUNCIL DECISION

9.17

MOVED Cr Jill Dwyer

SECONDED Cr Pusey

To support the Menzies Remote Community School with a donation of \$1,000 to assist in the provision of essential reading resources, in the sum of \$2,000, as proposed in the attached letter of support.

CARRIED: 7/0

9.18 TOWN PLANNING SCHEME APPLICATIONS – SEA-TAINERS.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider the two applications seeking Council for approval for the provision of sea-tainers within the residential zone of the town sites of Kookynie and Menzies, in terms of the attached applications.

BACKGROUND: Not applicable

COMMENT:

1. The application from George Harold is to use a sea-tainer to store equipment within the town site of Kookynie.
2. The application from Ian Hough seeks approval to use a sea-tainer in the town site of Menzies and partly utilized for living space.

CONSULTATION:

STATUTORY ENVIRONMENT:

The Shire of Menzies Town Planning scheme determines the types and designs of the buildings that can be used in the town sites and these applications are outside of the scheme guidelines and therefore require Council consideration.

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS:

VOTING REQUIREMENTS: *Simple Majority required*

COUNCIL DECISION

9.18

MOVED Cr Stubbs

SECONDED Cr Pusey

To approve of the applications from the two applicants to utilize sea-tainers on their properties in Kookynie and Menzies, in terms of their applications as attached.

CARRIED: 4/3

OPPOSED: Cr Stubbs, Cr Jill Dwyer, Cr Greg Dwyer

9.19 TJUMA PULKA RADIO STATION FACILITY.

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To consider formal support for the provision of the Indigenous radio station (Tjuma Pulka) from Kalgoorlie.

BACKGROUND:

This opportunity was presented to council at the February meeting as part of the CEO’s supplementary report and received general support, requesting formal item be submitted to the March meeting.

COMMENT:

The attached data reflects the intention of the station to apply for funds from the “Royalties to Regions” funding for 50% of the proposed cost of the service and seeking the remaining %0% from the Shire. Accordingly the anticipated cost is \$10,090 and the value sought from the Shire is \$5,045

CONSULTATION:	Debbie Carmody
STATUTORY ENVIRONMENT:	Not Applicable
POLICY IMPLICATIONS:	N/A
FINANCIAL IMPLICATIONS:	
VOTING REQUIREMENTS:	Simple Majority required

COUNCIL DECISION	9.19
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MOVED Cr Stubbs **SECONDED Cr Greg Dwyer**

To make budget provision of \$5,045 in the 20909/10 year for the provision for the indigenous radio station Tjuma Pulka

CARRIED: 7/0

9.20 KOOKYNIE RAIL LEVEL CROSSING RE-ALIGNMENT

SUBMISSION TO:	Ordinary Meeting of Council
LOCATION:	Shire of Menzies
APPLICANT:	
FILE REF:	Dev 20
DISCLOSURE OF INTEREST:	None
DATE:	March 26th, 2009
AUTHOR:	Brian Seale, Chief Executive Officer
SIGNATURE OF AUTHOR:	.....
SENIOR OFFICER:	Brian Seale, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	.....

SUMMARY:

To progress this project promptly with the object of conclusion by June 30th, 2009.

BACKGROUND:

This project was approved in approximately 2007 and Black Spot funding in the sum of \$224,869 from the MRWA supported the Shires endeavours to remedy the safety aspect of this anomaly at the rail crossing.

COMMENT:

None

The current situation is as follows,:

1. The MRWA Letter of Level Crossing protection has been provided to the West net rail group, as required.
2. Quote has been requested from the Westnet rail group for their involvement, expected to be in the vicinity of \$200,000, which will be a Shire expense.
3. David Nichols (Westnet Rail) will advise shortly if he has adequate and appropriate plans to effect construction of the job.
4. The Shire's tender for the re-alignment of the road and subsequent sealing requires advertising as it is expected to exceed the \$100,000 threshold.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government (Functions and General) Regulations 1996 – Clause 11.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

\$337,303 is accommodated in the operating budget and \$224,868 is approved under the Black Sport Grant funding provision from the main Roads divisional office for this purpose.

VOTING REQUIREMENTS:

Simple Majority required

OFFICER'S RECOMMENDATION

9.20

To proceed with the advertising for the Tender of the Road Re-alignment work at the Kookynie Level Rail crossing as required and approve of the C.E.O. to prepare a schedule of submissions following the opening of same and contacting councillors

individually to determine a consensus of view, subject to a formal agenda item submission being prepared for the April meeting.

MOVED Cr

SECONDED Cr

COUNCIL DECISION

9.20

MOVED Cr Pusey

SECONDED Cr Greg Dwyer

To proceed with the re-design on the existing crossing without relocating this crossing.

CARRIED: 7/0

The reason for not adopting the officers recommendation is that quite a different proposal was proposed after the agenda was prepared.

10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Elected Members motions with previous notice - **NIL**

10.2 Confidential Business to be held behind closed doors - **NIL**

3.37 pm	Cr Kevin Pusey vacates Council
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3.40 pm	Cr Pusey returns to Council
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10.3 Reports of Councillors and Staff –

Cr Stubbs

1. Concerns over Capacity Building Officer's visit to Tjuntjuntjarra without invitation, risking his life and breaking basic protocol remains a concern.
2. T-Ball group performed very well and express gratitude to Council for the support and good improvement noted.

Cr Tucker

1. Unlicensed vehicles are still being used in town remains a concern.
2. Last T-Ball weekend Menzies parents had to collect the players from Kalgoorlie, remains a concern and it appears pre-determined departure and gathering points for collection of children should be in place.

Cr Pusey

1. Consider Local Laws for Niagara Dam to control activities which appear anti-social and detracts from the purpose of the site.

Cr Kelly

1. The success of the Awareness Day was wonderful and perhaps a six monthly event could be implemented.

Cr Jill Dwyer

No comments.

Cr Greg Dwyer

1. Grids have been cleaned and grader drivers continue to fill them in.

Cr Tonkin

1. Promote the Truck Bay Assembly Area.
2. Recognition to Cr. Kelly for the facilitating of the 'Awareness Day'.

CEO – B Seale

1. CD received from 'Postcards' TV programme on Menzies – Lake Ballard item.

LATE ITEMS	10.3.3
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To receive and consider Late Items:

MOVED Cr Tucker

SECONDED Cr Jill Dwyer

CARRIED: 7/0

10.3.4 APPLICATION FOR EXPLORATION LICENCES REQUIRED FROM AUSTWIDE MINING TENEMENT MANAGEMENT SERVICES
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To not object to the applications for exploration license, as applied for and attached.

MOVED Cr Kelly

SECONDED Cr Pusey

CARRIED: 7/0

11	INFORMATION BULLETIN
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11.1 Information Bulletin as presented for discussion and resolutions (if required)
- NIL

12	CLOSURE
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There being no further business to discuss, the President declared the meeting closed at 4.30 pm.

The next Meeting will be held on Thursday, April 23rd, 2009 at the Council Chambers, Menzies, commencing at 9.00am.

These minutes were confirmed as a true and accurate record of proceedings at the Ordinary Meeting of Council, held Thursday 23rd April 2009.

Confirmed

Shire President.....

