

# **Shire of Menzies**



## **MINUTES**

**MINUTES OF THE ORDINARY  
COUNCIL MEETING HELD ON  
FRIDAY 16 MARCH 2007, AT THE  
COUNCIL CHAMBERS, MENZIES**



*Take a look around!*

**COMMENCING AT 9.13 am**

<b>1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS</b>
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The Shire President welcomed all elected members and declared the meeting open at 9.13am.

He also extended a warm welcome to the visitors.

<b>2 RECORD OF ATTENDANCE / APOPOGIES / LEAVE OF ABSENCE PREVIOUSLY APPROVED</b>
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Present:	Cr S Tonkin Cr A Kelly Cr I Tucker Cr K Purchase Cr I McGregor Cr J Dwyer	Shire President Deputy President Member Member Member Member
Staff:	Mr P Crawford Mr B Pepper  Mr Gary Goldsworthy	Chief Executive Officer Deputy Chief Executive Officer  Health and Building Officer
Apologies	Cr P Kennedy Ms Marilyn Burton	Member Kookynie resident
Leave of Absence	Nil	
Visitors	Mrs Robyn McCarthy Mr Kevin Pusey Ms Judy Babb Mr Greg Dwyer	Old Miners Cottage Crafts Grand Hotel Kookynie Kookynie resident Kookynie resident

<b>3 PUBLIC QUESTION TIME</b>
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*Cr I McGregor entered at 9.20am.*

Mr Gary Goldsworthy, Environmental Health and Building Officer

- Has visited Mt Ida camp and other mining camps and issued improvement notices to upgrade sewerage facilities and kitchen areas.
- Advised that mining sites require building licences for camp setups.

Ms Judy Babb

- Asked if Gary had looked at the new community building

Gary

- He had seen it and it was structurally sound and would need the asbestos removed before the building was shifted.

Judy

- After the public meeting in Kookynie she didn't realise that she was able to obtain letters of support as some people had done.
- Mr Kevin Pusey
- Some residents feel that they have not had enough consultation in regards to the public building.
- Shire President
- Water Cop has advised that three bores had collapsed
- Kevin
- What water were they currently using, was it wast or treated water?
- President
- The water was from the dam as previously was the case
- Kevin
- Had Minara resources contacted the Council in regard to any water exploration licences that had been issued?
- President
- They (Minara) did not need to advise Council on their own properties
- Kevin
- Can the Shire contact Minara and get some information regarding this matter? (The CEO will follow up on this issue)
- Cr Dwyer
- This matter had been raised earlier in a meeting with the National Party's Brendan Grylls and Wendy Duncan
- Kevin
- Queried Cr Kennedy's eligibility to remain on Council
- President
- Advised that Cr Kennedy's attendance rate at Meetings was of some concern but that to date, Cr Kennedy had not breached any regulations.
- Kevin
- Asked if Cr Kennedy was going to renominate at the next Local Government elections.
- President
- Advised that Mr Pusey should direct that question to Cr Kennedy.
- Kevin
- Advised that the Department of Environment inspector who was recently in Kookynie inspecting the clearing permit areas had expressed concern that the Shire had cleared areas that had not had permits granted for.
- CEO
- That statement by the inspector had absolutely no truth in it as all cleared areas had had permits granted, the Shire of Menzies had waited just on eighteen months for those permits and no clearing had taken place until the permits had been received.

<b>4 APPLICATIONS FOR LEAVE OF ABSENCE</b>
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Nil

<b>5 ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION</b>
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The President attended the Lake Ballard advisory group meeting discussing infrastructure and costing

**COUNCIL DECISION**

**ITEM 5**

Moved Cr Kelly

Seconded Cr Tucker

That the Presidents Report as presented be received.

Carried 6 / 0

**6.1 MINUTES OF ORDINARY MEETING OF COUNCIL 15 DECEMBER 2006**

**COUNCIL DECISION**

**ITEM 6.1**

MOVED Cr McGregor

SECONDED Cr Dwyer

That the Minutes of the Ordinary Meeting held on Friday 16 February 2007 as previously circulated be confirmed as a true and accurate record, subject to:

- (a) A correction in Cr Dwyer's report in that the comments regarding the Yarri Road originated from Gary Penn and not Hampton's Transport
- (b) Cr Kelly queried the Resolution in Item 11.7 in that she believed that the Resolution should have contained a clause stating rental charges as discussed during deliberation. Council dismissed the objection on the grounds that the subject of rental was not discussed at the Meeting

CARRIED 6 / 0

**6.2 MINUTES OF THE LAKE BALLARD ADVISORY GROUP MEETING 1 MARCH 2007**

**COUNCIL DECISION**

**ITEM 6.2**

MOVED Cr Dwyer

SECONDED Cr Purchase

That the minutes of the Lake Ballard Advisory Group held on Friday 1 March 2007 as previously circulated be confirmed as a true and accurate record.

CARRIED 6 / 0

*Cr Kelly left the Chambers at 9.41am.  
Cr Kelly returned at 9.42am.*

**7.1 STATUS REPORT TO 31 JANUARY 2007**

**COUNCIL DECISION / OFFICER RECOMMENDATION**

**ITEM 7.1**

Moved Cr Purchase

Seconded Cr Kelly

That the Status Report to 28 February 2007 be received.

Carried 6 / 0

*The CEO commented on various issues contained in the Status Report.*

<b>8. <u>FINANCIAL REPORTS</u></b>
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<b>8.1 Financial Statements to 28 February 2007</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007

**LOCATION:** Menzies

**APPLICANT:** N/A

**FILE REF:** 103a

**DISCLOSURE OF INTEREST:** None

**DATE:** 6 March 2007

**AUTHOR:** Brad Pepper, Deputy Chief Executive Officer

**SIGNATURE OF AUTHOR:**

**SENIOR OFFICER:** Peter Crawford, Chief Executive Officer

**SIGNATURE OF SENIOR OFFICER:**

**BACKGROUND:**

The Financial Reports (AAS27) are presented monthly, generated by our off-site Accountants, 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

**CONSULTATION:**

Ms Mandy Wynne, Haines Norton.

**STATUTORY ENVIRONMENT:** As per Local Government (Financial Management) Regulations 1996 Regulation 34

**34. Financial activity statement report - s. 6.4**

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - (b) budget estimates to the end of the month to which the statement relates;

- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

- (2) Each statement of financial activity is to be accompanied by documents containing -
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
  - (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
  - (c) such other supporting information as is considered relevant by the local government.

- (3) The information in a statement of financial activity may be shown -
- (a) according to nature and type classification;
  - (b) by program; or
  - (c) by business unit.

- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be -
- (a) presented to the council -
    - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
    - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting;

and

- (b) recorded in the minutes of the meeting at which it is presented.

- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

- (6) In this regulation -
- } **committed assets**~ means revenue unspent but set aside under the annual budget for a specific purpose;
  - } **restricted assets**~ has the same meaning as in AAS 27.

*[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50.]*

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** Reporting on Financial Activity

**VOTING REQUIREMENTS:** Simple Majority required

Moved Cr Dwyer

Seconded Cr Purchase

That the Financial Statements to 28 February 2007 as presented, be adopted

Carried 6 / 0

**8.2 Accounts for Payment – February 2007**

**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007

**LOCATION:** Menzies

**APPLICANT:** N/A

**FILE REF:** 103

**DISCLOSURE OF INTEREST:** The Senior Officer has an interest to the extent that he is the co-owner of the local roadhouse, one of the creditors and the author is in receipt of a reimbursement cheque.

**DATE:** 6 March 2007

**AUTHOR:** Brad Pepper, Deputy Chief Executive Officer

**SIGNATURE OF AUTHOR:**

**SENIOR OFFICER:** Peter Crawford, Chief Executive Officer

**SIGNATURE OF SENIOR OFFICER:**

**BACKGROUND:**

Cheque numbers 4264 to 4323 and bank statement transfers totalling \$185,243.65 are presented for payment as per the submitted lists.

**COMMENT:**

An Error was made on Cheque Number 4301 which has been made void and can no longer be used. A copy is attached.

Cheque Number 4243 had a “stop payment” put on it because it never reached its destination. A copy is attached.

**CONSULTATION:**

Ms Mandy Wynne, Haines Norton

**STATUTORY ENVIRONMENT:** Local Government (Financial Management) Regulations 1996 Regulation 13

***13. LIST OF ACCOUNTS***

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid

by the CEO is to be prepared each month showing for each account paid since the last such list was prepared -

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

(2) A list of accounts for approval to be paid is to be prepared each month showing -

- (a) for each account which requires council authorisation in that month -
  - (i) the payee's name;
  - (ii) the amount of the payment; and
  - (iii) sufficient information to identify the transaction;

and

(b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under sub regulation (1) or (2) is to be -

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

*[Regulation 13 inserted in Gazette 20 Jun 1997 p. 2838-9; amended in Gazette 31 Mar 2005 p. 1048.]*

**POLICY IMPLICATIONS:** All signing of cheques were carried out as per Policy 3.8.

(All amounts over \$15,000 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>	<b>ITEM 8.2</b>
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Moved Cr Purchase

Seconded Cr McGregor

That cheques numbered 4264 to 4323 and direct bank payments totalling \$185,243.65 which have been paid by the Chief Executive Officer under delegated authority, be adopted.

Carried 6 / 0

<b>8.3</b>	<b>Inter-Account Transfer of Funds – February 2007</b>
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**SUBMISSION TO:**

Ordinary Meeting of Council Friday,



16 March 2007  
**LOCATION:** Menzies  
**APPLICANT:** N/A  
**FILE REF:** 103a  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 6 March 2007  
**AUTHOR:** Brad Pepper, Deputy Chief Executive Officer  
**SIGNATURE OF AUTHOR:**  
**SENIOR OFFICER:** Peter Crawford, Chief Executive Officer  
**SIGNATURE OF SENIOR OFFICER:**

**SUMMARY:**

This item is to advise Council of the Inter Account Transfer of Funds for the month of February 2007.

**BACKGROUND:**

The Chief Executive Officer is currently delegated authority to invest funds into interest bearing accounts under Delegation 043 – Investments and Policy No 3.9 Investments details the reporting requirements

**COMMENT:**

On the 8<sup>th</sup> February 2007 the Municipal Trading Account balance was \$23,197.12 and was insufficient to cover the accounts for payment. With this being the case \$100,000.00 was transferred from the Sweeper Account into the Municipal Account.

Attached are the supporting documents for that transaction.

**CONSULTATION:**

**Chief Executive Officer – Peter Crawford**

**STATUTORY ENVIRONMENT:** As per Local Government (Financial Management) Regulations 1996 Regulation 19

***19. Management of investments***

*(1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.*

*(2) The control procedures are to enable the identification of—*

*(a) the nature and location of all investments; and*

*(b) the transactions related to each investment.*

**POLICY IMPLICATIONS:**

***Policy No. 3.9 - INVESTMENTS***

*The Chief Executive Officer be authorised to invest monies, not required for immediate need, in short term interest bearing deposits, thereby securing the best advantage to Council. This action should be cognisant of the need to ensure that sufficient operating funds are available to offset day to day expenses.*

*The Chief Executive Officer is to prepare a monthly report to be presented to Council showing details of all previous month's transactions including:*

- a) place of investment*
- b) term of investment*
- c) interest rate*
- d) name of funds invested (eg. municipal, sweeper, reserve, trust)*

**FINANCIAL IMPLICATIONS:** Reporting on Financial Activity

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 8.3</b>
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Moved Cr McGregor

Seconded Cr Dwyer

That Council receive the above report detailing Inter Account Transfer of Funds for the month of February 2007.

Carried 6 / 0

<b>8.4</b>	<b>Investments – February 2007</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007

**LOCATION:** Menzies

**APPLICANT:** N/A

**FILE REF:** 103a

**DISCLOSURE OF INTEREST:** None

**DATE:** 7 March 2007

**AUTHOR:** Brad Pepper, Deputy Chief Executive Officer

**SIGNATURE OF AUTHOR:**

**SENIOR OFFICER:** Peter Crawford, Chief Executive Officer

**SIGNATURE OF SENIOR OFFICER:**

**SUMMARY:**

This item is to advise Council of the investment transaction for the month of February 2007.

**BACKGROUND:**

The Chief Executive Officer is currently delegated authority to invest funds into interest bearing accounts under Delegation 043 – Investments and Policy No 3.9 Investments details the reporting requirements

**COMMENT:**

The Reserve funds currently invested with the National Bank matured on 18 February 2007.

The total of the funds invested were \$969,411.35 which accumulated an amount of interest on maturity of \$14,987.37 giving an investment total of \$984,398.72

The following transaction has been actioned on 19 February 2007:

Place of investment	National Bank
Term of investment	90 days (Mature 20 May 2007)
Interest rate	6.28%pa
Name of funds invested	Surplus Reserve Account
Amount	\$984,398.72

**CONSULTATION:**

None

**STATUTORY ENVIRONMENT:** As per Local Government (Financial Management) Regulations 1996 Regulation 19

***19. Management of investments***

*(1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.*

*(2) The control procedures are to enable the identification of —*  
*(a) the nature and location of all investments; and*  
*(b) the transactions related to each investment.*

**POLICY IMPLICATIONS:**

***Policy No. 3.9 - INVESTMENTS***

*The Chief Executive Officer be authorised to invest monies, not required for immediate need, in short term interest bearing deposits, thereby securing the best advantage to Council. This action should be cognisant of the need to ensure that sufficient operating funds are available to offset day to day expenses.*

*The Chief Executive Officer is to prepare a monthly report to be presented to Council showing details of all previous month's transactions including:*

- c) place of investment*
- d) term of investment*
- c) interest rate*
- d) name of funds invested (eg. municipal, sweeper, reserve, trust)*

**FINANCIAL IMPLICATIONS:** Reporting on Financial Activity

**VOTING REQUIREMENTS:** Simple Majority required

Moved Cr Kelly

Seconded Cr Tucker

That Council receive the above report detailing investment transactions for the month of February 2007.

Carried 6 / 0

**8.5 2006/2007 Budget Review**

**SUBMISSION TO:** Ordinary Meeting of Council, Friday,  
16 March 2007  
**LOCATION:** Menzies  
**APPLICANT:** N/A  
**FILE REF:** 103a  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 9 March 2007  
**AUTHOR:** Peter Crawford, Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**SUMMARY:**

This Item is to present the Committee with a mid year Budget review.

**BACKGROUND:**

**Regulation 33A of the Local Government (Financial Management) Regulations 1996 require Council to carry out a Budget review between 1 January and 31 March in each year.**

**COMMENT:**

This Item gives an account on the current position Council is in this financial year in relation to the Adopted Budget for the same period. The report will comment on all Schedules and give explanations on income / expenditure variances.

Schedule	Operating Income	2006/2007 Budget	YTD Budget	YTD Actual	Projected Actuals
3 I	General Purpose Funding	2,169,782	1,169,782	1,897,873	2,309,258
4 I	Governance	10,000	6,672	917	1,418
5 I	Law, Order and Public Safety	21,000	17,504	13,165	22,366
7 I	Health	500	336	3	103
8 I	Education and Welfare	37,860	25,240	24,996	37,860
9 I	Housing	59,000	6,000	3,754	5,539
10 I	Community Amenities	3,960	3,960	3,630	3,740
11 I	Recreation and Culture	78,800	60,536	49,778	64,798
12 I	Transport	826,710	123,410	99,204	826,600
13 I	Economic Services	292,000	11,336	63,071	79,921

14 I	Other Property and Services	51,370	35,231	23,649	28,322
	<b>Sub Total</b>	<b>3,550,982</b>	<b>2,054,597</b>	<b>2,180,044</b>	<b>3,379,925</b>
<b>Schedule</b>	<b>Operating Expenditure</b>	<b>2006/2007 Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>	<b>Projected Actuals</b>
3 E	General Purpose Funding	138,965	92,654	67,411	132,187
4 E	Governance	302,042	203,480	174,444	265,512
5 E	Law, Order and Public Safety	42,207	28,150	18,081	32,400
7 E	Health	24,394	16,266	17,452	23,917
8 E	Education and Welfare	18,696	10,016	5,550	18,697
9 E	Housing	0	3	2,645	0
10 E	Community Amenities	52,600	35,072	30,240	45,609
11 E	Recreation and Culture	191,554	127,711	103,932	199,564
12 E	Transport	1,993,635	1,329,097	1,588,219	2,397,834
13 E	Economic Services	326,869	217,939	104,005	215,591
14 E	Other Property and Services	8,000	5,392	229,345	8,000
	<b>Sub Total</b>	<b>3,098,962</b>	<b>2,065,783</b>	<b>2,341,330</b>	<b>3,339,311</b>

**SUMMARY:**

**Schedule 3 General Purpose Funding:**

Income is above budget due to a better than expected return from rates and grants and interest on investments.

Expenditure will be down slightly in rates reimbursements and valuations

Projection is for income to exceed budget estimate by \$139,476 and expenditure to be down by approx. \$6,778

**Schedule 4 Governance:**

Income will be down in the area of sale of stationary and other income.

Expenditure will be over for conference expenses but down in other areas such as refreshments and receptions and meeting fees and other expenses

Projection is for income to be down by \$8,582 and expenditure to down by \$36,530

**Schedule 5 Law and Order:**

Income is slightly up due to the grant from the Office of Crime Prevention.

Expenditure is down in fire control expenses and ranger control

Projection is for income to be up by \$1,366 and expenditure down by \$9,807

**Schedule 7 Health:**

Health income is down quite considerably at present and is not expected to increase and expenditure is also expected to be below budget

Income to be some \$397 below budget and expenditure \$477 below.

**Schedule 8 Education and Welfare:**

Income and expenditure are both expected to meet budget estimates.

**Schedule 9 Housing:**

Income is not expected to meet budget estimates due to the DCEO's rent free status and the grant from the Country Housing Authority that will probably not be received until some time next financial year.

Expenditure will meet budget estimates

Projected income to be down by \$53,461.

**Schedule 10 Community Amenities:**

Income is not quite expected to reach budget estimates.

Expenditure to below budget in refuse collections, town planning and the subscriptions to the GEDC officer.

Projected income to be down by \$220 but under expended by \$6,991.

**Schedule 11 Recreation and Culture:**

Income is not expected to reach budget estimates due to the revised grant for the oval establishment being completed below budget.

Expenditure will be well over in maintenance to parks and gardens but under in hall maintenance, oval water expenses and library operating costs.

Projected income to be down by \$14,002 and expenditure over by \$8,010.

**Schedule 12 Transport:**

Schedule 12 – Transport is quite difficult to project at this point due to a number of factors which will be outlined. It is expected that the income will in line with budget estimates.

While expenditure is planned to fall into the estimates, the actuals will not be known for some time. During a meeting with the Department of Environment yesterday, we were advised that the approval date for our clearing applications may not be granted until after 1 July this year. This is the worst case scenario but is almost a guarantee.

This has caused management to look at alternatives for the program but all will be done to attempt to stay on target.

At this stage, income is expected to reach budget estimates and expenditure up by \$404,199.

**Schedule 13 Economic Services:**

The commencement date for the construction of the caravan park is still some time away, as a result, the grant for the caravan park will not be met in this budget. However, the successful grant applications for both the Lady Shenton and the Lake Ballard Management Plan have seen funding in this schedule increase.

Expenditure is expected to be down in Lake Ballard infrastructure, tourism brochures, Niagara dam tourism, old butcher shop / tea rooms and the cancellation of this year's Menzies annual event.

Projection is for income to be down by \$212,079 and expenditure down by \$111,278

**Schedule 14 Other Property and Services:**

Income in this schedule will be down due to: the reduction in the amount of private works, our diesel fuel rebate, gain on the sale of assets and no activity in the suspense account.

Expenditure is expected to meet budget estimates.

Projected income is to be down by \$23,048.

**CONSULTATION:**

UHY Haines Norton.

**STATUTORY ENVIRONMENT:** As per Local Government (Financial Management) Regulations 1996 *Regulation 33A. Review of budget*

*(1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*

*(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*

*(3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*\*Absolute majority required.*

*(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** Reporting on Financial Activity

**VOTING REQUIREMENTS:** Absolute Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 8.5</b>
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Moved Cr Dwyer

Seconded Cr Kelly

While income is expected to exceed projections and expenditure will be over on budget, we expect that commitments will be met for the 2006/2007 Financial Budget.

Carried 6 / 0

<b>9. <u>WORKS REPORT</u></b>
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<b>9.1 Works Supervisors Report</b>
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<b>9.1.1 Roadworks and General Report</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, Friday  
16 March 2007

**LOCATION:** Menzies Shire

**APPLICANT:** N/A

**FILE REF:** 405a

**DISCLOSURE OF INTEREST:** None

**DATE:** 11 March 2007

**AUTHOR:** Quenton Senior, Works Supervisor

**SIGNATURE OF AUTHOR:**

**SENIOR OFFICER:** Peter Crawford, Chief Executive Officer

**SIGNATURE OF SENIOR OFFICER:**

**COMMENT:**

Garry Miller has finished grading the Menzies North West Road, the Daveyhurst Road and the Daveyhurst-Mulline Road and is currently grading the Evanston Road.

A hole appeared on the side of the Evanston road just past the Mulline turn-off and we have filled it in.

The gang is starting on the Menzies North West Road sheeting some rocky sections. We are able to get water from Regal's open pit for the job.

We have changed dams for pumping water to the oval and have put a new section of pipe in.

There has been a power upgrade to the depot, the workshop, fuel bowser, container and office.



While the machine was digging the trench for the power cable, we used it to put new air and water lines in the yard.

We also put notices on the blocks in Menzies and Kookynie.

This week we have got some people from the Environmental Department looking at the verge clearing.

**STATUTORY ENVIRONMENT:** As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions provisions.

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 9.1.1</b>
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Moved Cr Kelly

Seconded Cr Dwyer

That the Works Supervisors report, as tabled, be received

*Cr Kelly said that the Menzies Northwest Road was short of pavement material around Perinvale.*

*Cr McGregor said that after recent rains the Kookynie-Yarri Road in the Yerilla area had damage to several flood crossings.*

Carried 6 / 0

<b>11. Chief Executive Officer's Report.</b>
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<b>11.1 Kookynie Community Building</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007  
**LOCATION:** Kookynie  
**APPLICANT:** N/A  
**FILE REF:** 139  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 11 March 2007  
**AUTHOR:** Peter Crawford, Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**SUMMARY:**

This Item is to request Council Resolve to reaffirm its commitment to the Kookynie community with financial assistance to erect a community building

**BACKGROUND:**

At the Ordinary Meeting of Council, held Friday 17 March 2006, Council discussed the donation of a block of land in Kookynie to the community. This donation was to provide land in order to enable members of that community to erect a community building.

As the land was not available to Council immediately at that time, the matter was left on the table until the land acquisition had been resolved.

In preparing the Budget for the 2006/2007 financial year, Council also allocated the sum of \$10,000 to assist the community with the erection of the building. Although this provision of funds was made, it was not a case of “carte blanche” for the funds to be used for any old purpose.

Any request for access to those funds would firstly, have to be subject to all building and health regulations being adhered to with the building and secondly, the purpose of the expenditure being approved by the CEO. If the CEO regarded the request to be outside the norm, the matter would be referred to Council for their consideration.

**COMMENT:**

Following on from a comment from the public that the matter had not been broadly discussed amongst the community, a public meeting was called in Kookynie for 2.00 pm on Saturday, 4 February 2007.

The purpose of the meeting was to gauge the support that this proposed community building would receive from the Kookynie community.

The Shire President (one of three Kookynie Ward Members), Cr Stephen Tonkin chaired the meeting on the day.

The discussion covered various aspects of the project concerning the construction, standards and ongoing maintenance as well as liability.

There has been quite a lot of support for the project from not only the community but also from outside organisations who had agreed to sponsor the project with materials / labour, etc. The letters of support are attached.

Unfortunately, it was crystal clear from the mood at the meeting that there are very divided opinions as to whether a community building is required.

In order for Council to remain neutral in this situation, the following action needs to be considered:

- Council commitment to the supply of the land without encumbrances.
- That the allocation of \$10,000 remains a commitment towards the community building with the emphasis being on assistance.

Other matters for discussion:

- That prior to any funds being made available towards the community building, the community provide evidence to Council of:
  - The building / renovations / additions being approved by Council's Health / Building Officer as complying with the Building Code of Australia.
  - That the building and purpose comply with Council's Town Planning Scheme for Kookynie
  - That all requests for monetary assistance be supported in writing to the CEO with estimates / quotes attached.
  - What are the ongoing maintenance requirements that the building will need and who is expected to provide that commitment.
  - Who will manage the building in the Kookynie community, what will be the conditions of use by the general community and how would these conditions be decided?
  - Who will be responsible for insuring the building and its contents / public liability?

As it may take some time for these conditions to be addressed, it would be reasonable to expect Council to carry over unexpended funds at 30 June 2007 into the next Financial Budget.

**CONSULTATION:**

Cr Stephen Tonkin - Shire President, Mr Gary Goldsworthy - Health/ Building Officer.

**STATUTORY ENVIRONMENT:** As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions provisions.

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

*Cr Kelly left the room at 10.29am.*

*Cr Tucker left the room at 10.31am.*

*Cr Tucker returned at 10.32am.*

*Cr Kelly returned at 10.37am.*

<b>OFFICER RECOMMENDATION</b>
-------------------------------

<b>ITEM 11.1</b>
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That Council Resolve to:

- (i) Supply a block of land to the Kookynie community, without encumbrances, for the purpose of the erection of a community building, and,
- (ii) That the Budget allocation of \$10,000 remains a commitment towards the community building with the emphasis being on assistance.

Moved Cr McGregor

Seconded Cr Tucker

That Council Resolve to:

- 1 Supply a block of land (with a caveat over the block) to the Kookynie community, without encumbrances, for the purpose of the erection of a community building,
- 2 That the Budget allocation of \$10,000 remains a commitment towards the community building with the emphasis being on assistance.
- 3 That Council do not accept ownership or responsibility of the building

Carried 6 / 0

*Council added clause three as they wished that it be known publicly that they would not be taking any responsibility for the building.*

*The meeting was adjourned for a break at 10.47am.*

*The meeting reconvened at 10.59am.*

*Kevin Pusey left the meeting at 10.47am*

*The Chief Executive Officer tabled a declaration from the Deputy Chief Executive Officer stating an impartial interest in the next Agenda Item*

**11.2 Keeping of Poultry and other Birds**

**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007

**LOCATION:** Menzies Townsite

**APPLICANT:** Mr Brad Pepper

**FILE REF:** 119

**DISCLOSURE OF INTEREST:** None

**DATE:** 27 February 2007

**AUTHOR:** Peter Crawford, Chief Executive Officer

**SIGNATURE OF AUTHOR:**

**SUMMARY:**

This Item is to seek Council Approval to keep assorted poultry and game birds in the Menzies Townsite.

**BACKGROUND:**

Mr Brad Pepper is seeking permission for the keeping of assorted poultry and game birds in his yard at Menzies (See attached letter).

**COMMENT:**

Division 4. Sections 5.4.2, 5.4.3 and 5.4.4 of the Shire of Menzies Local Health Laws states that all requests for the keeping of poultry etc. must be submitted to Council for their approval. Mr Pepper has provided a sketch of the area showing the locations of nearby neighbours in conjunction to the poultry yard.

As the number of birds that is involved is small considering the size of the property, I would not see any immediate problem with Council agreeing to the request, providing that the enclosure is kept in a clean and maintained condition as per Section 5.4.4 (4). This permission could also be reviewed if a complaint was lodged with the Shire regarding either noise or health related issues.

**CONSULTATION:**

Mr Gary Goldsworthy – Shire Health / Building Surveyor.

**STATUTORY ENVIRONMENT:** Sections 5.4.2, 5.4.3 and 5.4.4 of the Shire of Menzies Health Local Laws states:

*Division 4 - Keeping of Poultry and Pigeons*

**Interpretation**

5.4.1 In this Division, unless the context otherwise requires -  
"poultry" includes bantams, ducks and other domestic fowls;

**Limitation on Numbers of Poultry and Pigeons**

5.4.2 An owner or occupier of premises within a townsite shall not keep a combined total of more than 12 poultry and pigeons without the approval of Council, on any one lot of land.

**Conditions for Keeping Poultry in Limited Numbers**

5.4.3 A person who keeps poultry or permits poultry to be kept shall ensure that -

- (a) no poultry is able to approach within 9 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;
- (b) all poultry is kept in a properly constructed and securely fastened structure or enclosure;
- (c) the structure is in a yard having an otherwise unobstructed area of at least 30 square metres;
- (d) no poultry are able to approach within 9 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, Council has approved a lesser distance;
- (e) no poultry is able to approach within 1.2 metres of any side or rear boundary of the premises; and
- (f) all enclosures or cages within which poultry are kept shall be maintained at all times in a clean condition and shall be disinfected or otherwise dealt with in a way as directed by an Environmental Health Officer.

**Roosters, Geese, Turkeys, Peafowl's and Gamebirds**

5.4.4 (1) An occupier of premises within a townsite, shall not without the written approval of the Council, keep or permit to be kept on those premises, any one or more of the following fowl -

- (a) a rooster;
  - (b) a goose or gander;
  - (c) a turkey;
  - (d) a peacock or peahen;
  - (e) a gamebird (includes emus and ostriches)
- (2) The Council may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in subsection (1)
- (3) A person who has been granted approval under this Section to keep a bird may keep the bird on the premises only while he is the occupier thereof.
- (4) The Council may revoke an approval granted under this Section if it is of the opinion that the keeping of the birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health.

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

**COUNCIL DECISION / OFFICER RECOMMENDATION    ITEM 11.2**

Moved Cr McGregor

Seconded Cr Purchase

That Council Resolve to approve the application from Mr Brad Pepper to keep:

- 2 x emus
- 2 x turkeys - one female and one male
- 2 x guinea fowl - one female and one male
- 4 x ducks - three females and one male
- 10 x chooks - nine females and one male

at his place of residence, being Lots 9 & 10 Shenton Street, Menzies, subject to:

- (i) The enclosure being kept in a condition as directed by the Council Health Surveyor, and,
- (ii) Permission being reviewed if a complaint was lodged with the Shire regarding either noise or health related issues.

Carried 6 / 0

**11.3                    Altona Headframe - Kookynie**

**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007

**LOCATION:** Kookynie

**APPLICANT:** N/A

**FILE REF:** 139

**DISCLOSURE OF INTEREST:** None

**DATE:** 12 March 2007

**AUTHOR:** Peter Crawford, Chief Executive Officer

**SIGNATURE OF AUTHOR:**

**SUMMARY:**

This item is to advise Council of a request to relocate part of an old mining headframe.

**BACKGROUND:**

A request has been received at the last Ordinary Meeting of Council to relocate parts of the old Altona mine headframe on the outskirts of Kookynie into the townsite itself.

**COMMENT:**

The Altona mine is now decommissioned and the headframe, which was once quite a majestic sight, has deteriorated to the extent that it has collapsed into a heap over the top of the mine shaft. The headframe is built of huge sections of Oregon timber.

The suggestion has been to collect some of the timbers and transport them into a site in Kookynie, there to be re-erected on a smaller scale.

The liability of such an operation to remove the timbers is fraught with risks and should be carefully considered before Council becomes involved in any such operation.

Even to give support in principle would not totally alleviate any liability should an accident take place during the collection of the timbers. This operation should only be undertaken by qualified personnel.

It would be considered to be prudent for Council to make available, a block of land in Kookynie for future structures such as is discussed above to be erected without Council, in any way, supporting the removal of the headframe or any associated works.

**CONSULTATION:**

Peter Liddle – Local Government Insurance Services

**STATUTORY ENVIRONMENT:** As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to General Functions provisions.

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 11.3</b>
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Moved Cr McGregor

Seconded Cr Dwyer

That Council Resolve to make available, when the opportunity presents itself, a block of land in Kookynie, for the erection of artefacts as depicts the early history of Kookynie.

Carried 6/0

<b>11.4</b>	<b>Lake Ballard Management Plan</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007  
**LOCATION:** Menzies Shire  
**APPLICANT:** N/A  
**FILE REF:** 151  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 9 March 2007  
**AUTHOR:** Peter Crawford, Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**SUMMARY:**

This Item is to request Council to approve a Management Plan for Lake Ballard site.

**BACKGROUND:**

Prior to the granting of tenure of the Lake Ballard site to the Lake Ballard Association, the requirements of the Land Administration Act 1997 must be met.

One of those conditions is the adoption of a management plan for the area. The adoption of such a management plan will satisfy the requirements of Section 49 of the Land Administration Act 1997

A copy of this Management Plan is attached as Appendix "A".

**COMMENT:**

The contents of this Management Plan are in line with what has developed to date and all parties, including the Shire of Menzies, is in agreement with.

To adopt this management plan does not have any conditions attached that Council has not foreseen previously.

**CONSULTATION:**

None

**STATUTORY ENVIRONMENT:** As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to general Functions provisions.

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b>	<b>ITEM 11.4</b>
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Moved Cr Dwyer

Seconded Cr Kelly

That Council Resolve to Adopt the Lake Ballard Management Plan as attached as Appendix "A".

Carried 6 / 0

<b>11.5</b>	<b>Common Seal</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007  
**LOCATION:** Menzies  
**APPLICANT:** N/A  
**FILE REF:** 146  
**DISCLOSURE OF INTEREST:** None



**DATE:** 9 March 2007  
**AUTHOR:** Peter Crawford, Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**SUMMARY:**

It is a requirement that the use of the Common Seal of the Shire of Menzies be endorsed by Council.

**COMMENT:**

During the previous month, the Shire President and the Chief Executive Officer witnessed the affixing of the Common Seal of the Shire of Menzies to the following document:

1. Instrument of Authorisation – Main Roads - Western Australia

This document was to authorise the Shire of Menzies to erect regulatory road signage at special events.

**CONSULTATION:**

None

**STATUTORY ENVIRONMENT:** As per Sections 2.7 and 3.1 of the Local Government Act 1995 relating to general functions provisions

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required.

<b>COUNCIL DECISION / OFFICER RECOMMENDATION</b> <b>ITEM 11.5</b>
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Moved Cr Purchase

Seconded Cr Tucker

That Council endorse the affixing of the Common Seal to the following document:

1. Instrument of Authorisation – Main Roads - Western Australia

Carried 6 / 0

<b>12. REPORTS</b>
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<b>12.1 COUNCILLORS REPORTS</b>
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Cr Kelly        -        Attended Lake Ballard visit  
                     -        SIDE inspection at school  
                     -        Attended National Reconciliation Forum in Kalgoorlie  
                     -        Had a summons issued against her

- Cr Tucker - Enquired about the damage to Goongarrie cottages
- Cr McGregor - Flood damage to Kookynie Yarri Road in the Yerilla area
- Cr Dwyer - Eco toilets at Ularring Soak and Granite Creek are nearly complete
- Cr Tonkin - Enquired about the Town Entry Statements

## **12.2 CHIEF EXECUTIVE OFFICERS REPORT**

The CEO reported on the following items

1. Surplus blocks of land and the need for Council to formulate some policy on the future sales and conditions
- Greg Dwyer, Judy Babb and Robyn McCarthy left the meeting at 11.29am*
2. GEDC had advised of some planning changes to caravan park strategies
  3. Council had been successful in their application for a Community Sport and Recreation grant (\$23,000) to upgrade the basket ball / netball / tennis courts.
  4. Elections – postal voting may be an issue in the next Council elections
  5. WALGA was inviting nominations for association honours
  6. Preliminary costing for the amenities at Lake Ballard is in the vicinity of \$300,000.00
  7. Starlite Circle people were chasing donations
  8. Barry Hasse was seeking donations for a road safety program
  9. UHYHN – training for staff
  10. Cr Kelly had forwarded a letter regarding meeting times and formats
  11. Declaration of interest protocol will be included in the next Meeting Agenda

## **13. NEW BUSINESS OF A URGENT NATURE**

## **13. NEW BUSINESS OF A URGENT NATURE**

### **13.1 ELECTED MEMBERS**

Nil

## **13.2 CHIEF EXECUTIVE OFFICER**

### **13.2 Move into New Business of an Urgent Nature**

Moved Cr Kelly

Seconded Cr McGregor

That Council move into New Business of an Urgent Nature

Carried 6 / 0

**13.2.1 Town Planning Scheme No 1 – Amendment No 4**

**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007  
**LOCATION:** Menzies  
**APPLICANT:** Menzies Hotel  
**FILE REF:** 231  
**DISCLOSURE OF INTEREST:** None  
**DATE:** 14 March 2007  
**AUTHOR:** Peter Crawford, Chief Executive Officer  
**SIGNATURE OF AUTHOR:**

**SUMMARY:**

This Item is to request Council to propose an amendment to the Town Planning Scheme to allow the amalgamation.

**PROPOSAL TO AMEND A SCHEME**

1. **LOCAL AUTHORITY:** Shire of Menzies
2. **DESCRIPTION OF TOWN PLANNING SCHEME:** Town Planning Scheme No. 1
3. **TYPE OF SCHEME:** District Zoning Scheme
4. **SERIAL NUMBER OF AMENDMENT:** Amendment No. 4
5. **PROPOSAL**
  - a) To create a new zone ‘Special Use – Hotel Accommodation’;
  - b) To rezone Lots 36, 37, 735, 736 and 39 Reid Street, **Menzies** from ‘Residential’ zone to ‘Special Use – HA – Hotel Accommodation’ zone;
  - c) To delete the R Coding from Lots 36, 37, 735, 736 and 39 Reid Street, **Menzies**;
  - d) To rezone portion of the Right of Way adjacent to Lots 36, 37, 735, 736 and 39 Reid Street, **Menzies**, from ‘No Zone’ to ‘Special Use – Hotel Accommodation’ zone, and
  - e) To rezone portion of the Right of Way between Lots 1 and 2, and 605 off Brown Street, **Menzies** from ‘No Zone;’ to ‘Commercial’;

as more clearly shown on the Scheme Amendment Map.

## REPORT BY: Shire of Menzies

### *INTRODUCTION*

The Shire of Menzies seeks the WA Planning Commission's support and the Hon. Minister's approval to a Scheme Amendment that seeks to; a) create a new zone 'Special Use – Hotel Accommodation'; b) to rezone Lots 36, 37, 735, 736 and 39 Reid Street, **Menzies** from 'Residential' zone to 'Special Use – Hotel Accommodation' zone; c) to delete the R Coding from Lots 36, 37, 735, 736 and 39 Reid Street, **Menzies**; d) to rezone portion of the Right of Way adjacent to Lots 36, 37, 735, 736 and 39 Reid Street, **Menzies**, from 'No Zone' to 'Special Use – Hotel Accommodation' zone; and e) to rezone portion of the Right of Way between Lots 1 and 2, and 605 off Brown Street, **Menzies** from 'No Zone;' to 'Commercial'; as more clearly shown on the Scheme Amendment Map.

## 2 BACKGROUND

The Shire of Menzies Town Planning Scheme No 1 was gazetted on 13 June 2003 and covers the whole of the Shire district. The Shire has two major townsites of Menzies and Kookynie. The Shire measures around 128,353 square kilometres with over 2000 kilometres of unsealed roads as well as the sealed Highway that travels the breadth of the Shire. Menzies town is located 730 kilometres north of Perth and 130 kilometres north of Kalgoorlie.

Menzies is increasingly becoming popular as a destination for tourists in the region. The attraction of the Outback Highway from Kalgoorlie attracts tourists and travellers from both directions. There is already substantial mining activity in the region with serious prospects of increased activities – all of which will require accommodation.

## 3 THE LAND

This amendment includes several lots and portions of the right of way within the Menzies Townsite. The location plan is shown in **Figure 1** with a zoning scheme base. The legend to this map can be seen on the Existing Scheme Map in the resolution. Shenton Street, shown as the red dotted line, is the Goldfields Highway connecting Kalgoorlie to Leonora, Laverton and Leinster.

*FIGURE 1 – LOCATION MAP*



Source: DPI TPS and PLANWEST (WA) Pty Ltd

Figure 2 overleaf shows the location of the proposed Amendment area in relation to the existing zones of the Local Planning Scheme and Shenton Street.

FIGURE 2 – AMENDMENT LAND



**Source:** DPI TPS and PLANWEST (WA) Pty Ltd

### ***PURPOSE OF THE AMENDMENT***

The Menzies Hotel (shown in **Figure 3**) is the only hotel in town and currently has very limited accommodation to service the growing needs of the tourist trade. With the influx workers to the area, servicing the increased mining activity in and around the town, there is a need to provide additional accommodation. Indications are that the demand for accommodation will extend beyond three to five years. The Shire is keen to support the development as soon as possible but requires this Scheme Amendment as hotel accommodation is not a permitted use in a Residential or over a Right of Way.

The site is proposed to be ‘Special Use – Hotel Accommodation’ rather than ‘Commercial’ to avoid the opportunity for other types of commercial to be introduced into Reid Street. The Council considers that accommodation will be more compatible with the surrounding residential zone.

Procedures to close the portions of the Right of Way have been initiated with adjoining owners being notified of the proposed closure. The applicants have been advised of the need to amalgamate lots prior to the approval of any development on the land.

As can be seen from the aerial photograph in **Figure 3** there is minimal development surrounding the existing hotel.

**FIGURE 3 – AERIAL PHOTOGRAPH OF SITE**



**Source:** Google and PLANWEST (WA) Pty Ltd

### ***PROPOSAL***

The details of the Amendment include the creation Special Use – Hotel Accommodation zone on the Scheme Map legend, insertion of the Special Use in Schedule 3 of the Scheme, the rezoning from Residential and No Zone (ROW) to the new zone (as well as deletion of the R Code), the zoning of the portion of the Right of Way between Lots 1 and 2, and Lot 605 to Commercial as this area may be needed for access to the rear lane.

The Council will ensure the amenity of Reid Street is sympathetic to a residential environment - in the event that residential development occurs in this area. This will be controlled through the Council's assessment of the Outline Development Plan required by this Scheme Amendment. Access to the hotel accommodation is likely to be via the ROW or Shenton Street.

### ***CONCLUSION***

In view of the minor nature of this proposal and the current negotiations with land owners and nearby occupiers a reduced advertising period is applied.

### **CONSULTATION:**

Mr Paul Bashall - Planwest

### **STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005* -  
*Part 5-Local planning schemes*  
*Division 1-Continuation and formulation of local  
planning schemes*

#### ***75. Local planning scheme may be amended***

*A local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment*

---

*(a) prepared by the local government, approved by the Minister and*

*published in the Gazette; or*

*(b) proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.*

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION    ITEM 13.2.1</b>
---

Moved Cr McGregor

Seconded Cr Dwyer

Council Resolve that, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above town planning scheme by:

- f) Creating a new zone ‘Special Use – Hotel Accommodation’;
- g) Rezoning Lots 36, 37, 735, 736 and 39 Reid Street, **Menzies** from ‘Residential’ zone to ‘Special Use – Hotel Accommodation’ zone;
- h) Deleting the R Coding from Lots 36, 37, 735, 736 and 39 Reid Street, **Menzies**;
- i) Rezoning portion of the Right of Way adjacent to Lots 36, 37, 735, 736 and 39 Reid Street, **Menzies**, from ‘No Zone’ to ‘Special Use – Hotel Accommodation’ zone, and
- j) Rezoning portion of the Right of Way between Lots 1 and 2, and 605 off Brown Street, **Menzies** from ‘No Zone;’ to ‘Commercial’;

as more clearly shown on the Scheme Amendment Map.

Dated this .....16..... day of ...March.....2007...

Carried 6 / 0

<b>13.2.2            Ordinary Meeting of Council – April 2007 – Change of Meeting Date</b>
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**SUBMISSION TO:** Ordinary Meeting of Council Friday,  
16 March 2007

**LOCATION:** Menzies

**APPLICANT:** N/A

**FILE REF:** 109

**DISCLOSURE OF INTEREST:** None

**DATE:** 16 March 2007

**AUTHOR:** Peter Crawford, Chief Executive Officer

**SIGNATURE OF AUTHOR:**

**SUMMARY:**



This Item is to advise Council of the absence of the Shire President and Chief Executive Office from the Ordinary Meeting of Council to be held Friday, 20 April 2007.

**BACKGROUND:**

At the Ordinary Meeting of Council, held Friday, 21 July 2006, Council Resolved to set the dates for Ordinary Council Meetings for the following twelve months.

**COMMENT:**

The scheduled date for the April 2007 Ordinary Meeting of Council is Friday, 21 April.

The Chief Executive Office will be away on private business on that particular day. As well, the Shire President has also advised that he will not be able to attend on that day due to family commitments. In view of this, it is proposed that Council bring forward the April Meeting to Friday, 13 April 2007.

**CONSULTATION:**

Cr Stephen Tonkin – Shire President

**STATUTORY ENVIRONMENT: LOCAL GOVERNMENT ACT 1995 –  
SECT 5.25**

***Regulations about council and committee meetings and committees***

***5.25 (g). Regulations about council and committee meetings and committees***

*(1) Without limiting the generality of section 9.59, regulations may make provision in relation to —*

*(g) the giving of public notice of the date and agenda for council or committee meetings;*

*[Section 5.25 amended by No. 64 of 1998 s.28.]*

**POLICY IMPLICATIONS:** None

**FINANCIAL IMPLICATIONS:** None

**VOTING REQUIREMENTS:** Simple Majority required

<b>COUNCIL DECISION / OFFICER RECOMMENDATION    ITEM 13.2.2</b>
---

Moved Cr McGregor

Seconded Cr Kelly

That Council Resolve to reschedule the date of the April 2007 Ordinary Meeting of Council from Friday 20 April 2007 to Friday, 13 April 2007.

Carried 6 / 0

**14. CONFIDENTIAL BUSSINESS TO BE HEARD BEHIND CLOSED DOORS.**

*Brad Pepper and Gary Goldsworthy left the room*

**14.1 COUNCIL DECISION ITEM 14.1**

Moved Cr I McGregor

Seconded Cr A Kelly

That Council enter into Confidential Business Behind Closed Doors for a discussion on staff matters.

Carried 6 / 0

**14.1.1 COUNCIL DECISION ITEM 14.1.1**

Moved Cr J Dwyer

Seconded Cr I McGregor

That Council return from behind closed doors

Carried 6 / 0

*No Resolution of Council was made*

**15. NEXT MEETING**

The next meeting will be held on Friday, 13 April 2007 at the Council Chambers, Menzies, Commencing at 9.00 am

**16. MEETING CLOSED**

There being no further business to discuss, the President declared the meeting closed at 12.07 pm

These Minutes were confirmed as a true and accurate record of proceedings at the Ordinary Meeting of Council, held Friday 13 April 2007

UNCONFIRMED

SHIRE PRESIDENT .....