
SHIRE OF MENZIES

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF MENZIES, HELD AT THE GRAND HOTEL, KOOKYNIIE ON FRIDAY 15th SEPTEMBER 2006 COMMENCING AT 9.27AM

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The Shire President welcomed all elected members and declared the meeting open at 9.27am. He extended a warm welcome to all visitors.

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

Present:	Cr S Tonkin	Shire President
	Cr J Dwyer	Member
	Cr I Tucker	Member
	Cr K Purchase	Member
Staff:	Mr P Crawford	Chief Executive Officer
	Mr B Pepper	Senior Administration Officer
Apologies	Cr A Kelly	Deputy President
	Cr I McGregor	Member
Leave of Absence	Cr P Kennedy	Member (previously granted)
Visitors	Richard Buchanan	OIC - Menzies Police
	Nick Perich	Menzies Police
	Kevin Pusey	Grand Hotel Kookynie
	Marg Pusey	Grand Hotel Kookynie
	Robyn McCarthy	Old Miners Cottage Crafts

3. PUBLIC QUESTION TIME:

Snr Const. Buchanan:

Menzies has been fairly quiet with no matters of any consequence. He expected that The second constable would be in town to start work in the first week in October. Also, he had an undertaking that the new man would be here for at least one year. This would give some stability to the town.

Menzies has had a small increase in budget but would not make any great difference to the operations. There had been a house fire recently with no casualties other than material loss. The fire was not able to have been extinguished but had been prevented from spreading to other buildings.

The Chairperson advised that a busy bee had removed all of the iron from the house site and that the Shire would be removing the rubble from site in due course.

Snr Const. Buchanan advised that there had been a marked reduction in drink driving offences of late.

Also, as the Treasurer of the Menzies Youth and Community group, Mr Buchanan advised of some details of the MYCG constitution and what was being proposed to the LEMC group. The CEO responded that the proposal would have to be presented to Council through the LEMC group after their next meeting.

Ms Margaret Pusey:

Asked the question regarding the proposed community hall/meeting place, said that there may already be a possible venue in Kookynie. Could the old administration building be inspected for suitability? Also, that the intended site for the community meeting hall is subject to flooding during periods of inclement weather. Could there be more community consultation before the matter is finally resolved.

President advised that he will discuss the matter with the CEO and that the CEO will present a report to Council when the proposed building has been inspected.

Ms Robyn McCarthy:

Thanked Council for the opportunity to prepare an item of artwork for Council. A print of an early advertisement for the Lady Shenton mine was passed around for Council's perusal.

Mr Kevin Pusey:

Thanked Council for Council using the Grand Hotel as a suitable venue for a Council Meeting. Raised the matter that signs had been budgeted for in the past to erect signage for the Hanging / Split Rocks area, when is it intended that they are erected for tourists to follow?

CEO advised that the locations of interest are on private land and that Council has no authority to direct the general public onto private land without the permission of the land owner. As well, there was the matter of who would carry the public liability cover when the public was on that land. Council cannot be responsible for any actions on land that it (Council) has no control over. The matter had been discussed for some time with no results. The CEO will write to Council's Insurance Brokers in an attempt to have some clear ruling in writing for the public liability. The matter of the responsibility will be discussed with the DLGRD on Tuesday, 19 September when the CEO is in Perth. Mr Richard Buchanan also advised that if the public were travelling on the roads to the sites, as they were not dedicated private roads, they would fall under the Road Traffic Act and any offences whilst on those roads would be dealt with in the appropriate manner.

Mr Kevin Pusey:

Are the cemetery and rubbish tip roads under the care and control of the Council?

CEO advised yes.

Ms Robyn McCarthy:

How is the submission for the Walk Trail Grant progressing?

CEO advised that the grant application had been submitted and that it was now in the hands of Lotterywest.

Mr Kevin Pusey:

Asked what the effect of the excision of Tjuntjuntjara from that Menzies Shire would have on the Shire's finances?

President read out the decision from the DLGRD Advisory Board but said that until more information was available, the question was too difficult to answer.

Mr Kevin Pusey:

Are Haines Norton keeping a record of changes to the rates roll as some irregularities are still occurring with rates notices? Also, does Council intend to keep Haines Norton as our accountants?

CEO advised that Haines Norton are keeping a record of changes to the rates roll and that the matter would be discussed further in his report further in the Meeting.

A short discussion then ensued regarding the intentions of the Shared Services Working group and what progress had been made with the proposed forming of a Regional Local Government

The President then thanked all speakers for their attendance and invited them to stay for the remainder of the Meeting.

4. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

5. ANNOUNCEMENTS BY SHIRE PRESIDENT WITHOUT DISCUSSION

The President tabled the following report for the month of August:

17/08 Meeting in Menzies with Ray Hadlow on submission to grants commission.

30/08 Lake Ballard advisory group meeting. Successful, Plan as presented last meeting adopted so as soon as we get the OK from the aboriginal side it can all start.

6/09 Meeting in Kalgoorlie with submission writer and GEAC representative. They are very positive on being able to access up to \$350g for a joint proposal being the caravan park and the Lake Ballard project. Can't start until funding approved so may be early 07.

8/09 Breakfast meeting with Minister Ford. Spoke about no amalgamation in this term, signed off on increasing amount that can be spent before calling tenders to \$100g, discussed census and the fact that it doesn't pick up FIFO, Kal-Boulder and Coolgardie complained on grants too low. Questioned local government auditors and if they could go back to being the departments responsibility.

12/09 Meeting with Chris McLaughlin (auditor) all OK.

13/09 Grants commission hearing in Menzies. Interesting and I feel it all went well. Ray Hadlow found a few areas we were missing out and they appeared to accept our position. A decision will be made in March – April next year. Now TjunTjunTjarra is out of Menzies there will be a few changes in grants. CEO to discuss with Ray Hadlow.

COUNCIL DECISION

ITEM 5.

MOVER Cr J Dwyer

SECONDED Cr I Tucker

That the President's report be received

CARRIED 4/0

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING:

6.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL, HELD FRIDAY, 16 AUGUST 2006

COUNCIL DECISION

ITEM 6.1

MOVED Cr K Purchase

SECONDED Cr I Tucker

That the minutes of the Ordinary Meeting held on Wednesday 16th August 2006 as previously circulated be confirmed as a true and accurate record.

CARRIED 4/0

6.2 MINUTES OF THE LAKE BALLARD ADVISORY GROUP MEETING, HELD WEDNESDAY, 30 AUGUST 2006

COUNCIL DECISION

ITEM 6.2

MOVED Cr J Dwyer

SECONDED Cr I Tucker

That the minutes of the Lake Ballard Advisory Group Meeting held on Wednesday, 30 August 2006 as previously circulated be received.

CARRIED 4/0

7. STATUS REPORT:

COUNCIL DECISION

ITEM 7.1

MOVED Cr J Dwyer

SECONDED Cr K Purchase

That the Status Report as at 31 August 2006, be received.

CARRIED 4/0

The CEO reported on the items in the Status Report.

No Resolution of Council was made.

8. FINANCIAL REPORTS

8.1 Financial Statements to 31st August 2006

SUBMISSION TO:	Ordinary Meeting of Council Friday, 15 th September 2006
LOCATION:	Menzies
APPLICANT:	N/A
FILE REF:	103a
DISCLOSURE OF INTEREST:	None
DATE:	7 th September 2006
AUTHOR:	Brad Pepper, Senior Admin 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 (i) (e)

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Reporting on Financial Activity

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION/OFFICER RECOMMENDATION
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ITEM 8.1

MOVED Cr I Tucker

SECONDED Cr J Dwyer

That the Financial Statements to 31st August 2006 as presented, be adopted

CARRIED 4/0

8.2 Accounts for Payment

SUBMISSION TO: Ordinary Meeting of Council Friday,
15th September 2006

LOCATION: Menzies

APPLICANT: N/A

FILE REF: 103

DISCLOSURE OF INTEREST: None

DATE: 7th September 2006

AUTHOR: Brad Pepper, Senior Admin Officer

SIGNATURE OF AUTHOR:

SENIOR OFFICER: Peter Crawford, Chief Executive Officer

SIGNATURE OF SENIOR OFFICER:

BACKGROUND:

Cheque numbers 3867 to 3924 and bank statement transfers totalling \$166,418.84 are presented for payment as per the submitted lists.

COMMENT:

None required.

CONSULTATION:

Ms Mandy Wynne, Haines Norton

STATUTORY ENVIRONMENT: Local Government (Financial Management)
Regulations 1996 Regulation 13(2)

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

COUNCIL DECISION/OFFICER RECOMMENDATION
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ITEM 8.2

MOVED Cr K Purchase

SECONDED Cr I Tucker

That cheques numbered 3867 to 3924 and direct bank payments totalling \$166,418.84 which have been paid by the Chief Executive Officer under delegated authority, be adopted.

CARRIED 4/0

8.3 Investments – August 2006

SUBMISSION TO: Ordinary Meeting of Council Friday,
15 September 2006
LOCATION: Menzies
APPLICANT: N/A
FILE REF: 103a
DISCLOSURE OF INTEREST: None
DATE: 4 September 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This item is to advise Council of the investment transaction for the month of August 2006.

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:

As per Item 11.4 of the Ordinary Meeting of Council, held Wednesday, 16 August 2006, the following action was confirmed by the National Bank on 24 August 2006.

A new account has been opened under the heading “Surplus Funds Reserve Account” and has been credited with \$955,000. This deposit is for a 90 day term and will expire on 21 November 2006. The deposit consists of \$325,000 for the Caravan Park Upgrade and \$630,000 for Roads to Recovery. The funds will be transferred back into the Municipal Account when required.

The following transaction has been actioned on 23 August 2006:

Place of investment	National Bank
Term of investment	90 days (Mature 21 November 2006)
Interest rate	5.12% pa
Name of funds invested	Surplus Funds Reserve Account
Amount	\$955,000

Attached are the supporting documents for that transaction.

Current balance of all accounts as at 4 September 2006 is as follows:

Municipal Acct.	\$597,846.16	Interest rate 3.55% pa
Sweeper Acct.	\$89,694.40	Interest rate 5.20% pa
Reserve Acct.	\$1,245,459.29	Interest rate 5.64% pa
Surplus Funds Reserve Acct	\$955,000.00	Interest rate 5.12% pa

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:

- 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

COUNCIL DECISION/OFFICER RECOMMENDATION

ITEM 8.3

MOVED Cr J Dwyer

SECONDED Cr I Tucker

That Council receive the above report detailing investment transactions for the month of August 2006.

CARRIED 4/0

9. WORKS REPORT:

9.1 WORKS SUPERVISORS REPORT

9.1.1 Roadworks and General Report

SUBMISSION TO: Ordinary Meeting of Council, Friday
15 September 2006
LOCATION: Menzies Shire
APPLICANT: N/A
FILE REF: 405a
DISCLOSURE OF INTEREST: None
DATE: 6 September 2006
AUTHOR: Quenton Senior, Works Supervisor
SIGNATURE OF AUTHOR:
SENIOR OFFICER: Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:

MAINTENANCE GRADING:

Garry Miller has finished grading roads in the Mt. Ida vicinity and is grading between Lake Ballard and Menzies at the moment.

GENERAL:

The crew are working on the Mt Ida – Leonora Rd, widening and forming up. We have a contract water cart working with us and a second truck starting Friday, 8 August as we have a 40 klm lead. We are currently using about 200,000 litres per day of water.

Two sections on the Menzies-Evanston Rd have turned to dust and have been gravelled and graded.

Elliott's Irrigation will be in Menzies on 11 September to start grassing the oval.

STAFF:

Lloyd is back in hospital and may be off work for some time, still a bit early to tell.

Jeff Tichborne commenced work with the road crew on 24/8/06.

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

COUNCIL DECISION/OFFICER RECOMMENDATION	ITEM 9.1.1
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MOVED Cr J Dwyer

SECONDED Cr K Purchase

That the Works Supervisors report, as tabled, be received

CARRIED 4/0

10. HEALTH, BUILDING AND TOWN PLANNING BUSINESS:

10.1 Chief Executive Officer

10.1.1 Caravan Residence on Private Property

SUBMISSION TO: Ordinary Meeting of Council Friday,
15 September 2006
LOCATION: Menzies
APPLICANT: N/A
FILE REF: H14
DISCLOSURE OF INTEREST: None
DATE: 4 September 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:
BACKGROUND:

This Item is to advise Council of an application to live in a caravan on private property in Menzies.

COMMENT:

An application has been received from a Mr. Allan Henderson, seeking permission to live in a caravan which is on his mother's property at Lot 56 Reid Street, Menzies (See attached). Mr. Henderson's mother is elderly and requires constant assistance every day

CONSULTATION:

Staff have discussed the matter with Mr Henderson regarding the application and are quite satisfied that the request is genuine and worthy.

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

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENT: Simple Majority required

COUNCIL DECISION/OFFICER RECOMMENDATION	ITEM 10.1.1
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MOVED Cr K Purchase

SECONDED Cr J Dwyer

That Mr Henderson be permitted to remain living in his caravan at Lot 56 Reid Street, Menzies while he is required to assist his elderly mother.

CARRIED 4/0

10.2 RANGERS REPORT

10.2.1 Ranger's Report.

SUBMISSION TO: Ordinary Meeting of Council Friday,
15 September 2006

LOCATION: Menzies

APPLICANT: N/A

FILE REF: 125

DISCLOSURE OF INTEREST: None

DATE: 4 September 2006

AUTHOR: Patrick Kelly, Shire Ranger

SIGNATURE OF AUTHOR:

SENIOR OFFICER: Peter Crawford, Chief Executive Officer

SIGNATURE OF SENIOR OFFICER:

SUMMARY:

This Item is to advise Council of the Ranger's activities during the past month of August 2006.

COMMENT:

RANGER'S REPORT AGUGUST 2006

Dear Peter,

Here contains a report on my activities and contribution to the shire for the month of August.

- **On Monday the 14th you contacted me in regard to more dogs being baited around Niagara dam.**

Action: I contacted Tim Thompson from the Dept of Agriculture in Kalgoorlie regarding the baiting. But he was of the same opinion as both of us that there was little we could actually do short of catching the person red handed.

- **On Thursday the 17th I travelled to Menzies via Kookynie and Niagara.**

Action: First stop was to call in at Melita station to have another chat to Peter Dallas about the baiting issue. He assures me that he has not baited around the area since long before the first incident with Eric and Jeannette Stillman's dog in June.

I was also disappointed to hear that Peter was leaving Melita at the end of the month. He tells me he is moving to Edjudina station so at least he's still going to be within the shire and I may still see him from time to time.

- **Travelled on to Niagara via Tampa.**

Action: After having lunch with Peter and Roz Sutton I called in to see Greg and Jill, but as no one was at home I left a card and continued on to Niagara Dam. Here I found everything very neat and tidy, but was disappointed to see that both toilet doors had been damaged since my last visit.

On my way out I stopped and had a yarn with Mick and Roz Smith, who had been on the road for over 4 ½ years in their Winnebago “Steddy Steddy”. I mentioned to them about the baiting and they said that their King Charles Cavalier would not be off the chain at anytime. They were very grateful for the information.

- **Travelled on towards Menzies.**

Action: On leaving the Dam I met with Richard and Kellie in their Police vehicle, so we stopped for a yarn just down from the turn off into Niagara Dam. During our conversation a white 4x4 came towards us from the Kookynie direction.

I went on my way towards Menzies again, only to be passed by the very same vehicle on the Jeedamya flats doing about 140 kph! Then only to stop at the roadhouse to refuel as I came into town!

- **Arrived in Menzies.**

Action: After doing a tour around town and not seeing anything to report, I called in to the Shire and handed Carol a parcel of clothes for Kellie from Janice.

After reporting to you on the non activity with the baiting around Niagara with Bruce I went over to see Kellie in her ‘new’ house. She was just so upset about losing everything in the fire. I just wanted to give her a hug. I felt very useless. She was in my thoughts all the way back to Leonora.

**Patrick Kelly
Ranger**

Time: 10.00am-4.00pm = 5 hrs

Distance: 230kms

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

COUNCIL DECISION/OFFICER RECOMMENDATION

ITEM 10.2.1

That the Ranger's report, as presented, be received

CARRIED 4/0

11. CHIEF EXECUTIVE OFFICER'S REPORT:

11.1 Authorised Person

SUBMISSION TO: Ordinary Meeting of Council Friday,
15 September 2006
LOCATION: Menzies Shire
APPLICANT: Author, Mr N P Crawford
FILE REF: 125
DISCLOSURE OF INTEREST: None
DATE: 4 September 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to request Council to appoint another person to the list of Authorised Persons under the Dog Act 1976.

BACKGROUND:

Council has appointed a number of persons to the list of Authorised Persons under the Dog Act 1976. This act requires a Resolution by Council and the legislative advertising of that appointment.

COMMENT:

With the intention for the Chief Executive Officer to carry out more of the roads management, it will require more time spent travelling and inspecting roads in the Shire.

As a result of this time spent on the roads, especially in the remote areas, it is inevitable that the discovery of wild dogs will be found.

The CEO could be made an authorised person then able to assist in the eradication of the animals when such an occasion is met.

The local Police have been approached, are aware of the proposal and are in agreeance with the appointment.

The carrying of a fire arm in the vehicle has been addressed and will comply with all necessary legislation.

CONSULTATION:

Menzies Police.

STATUTORY ENVIRONMENT: *DOG ACT 1976*

[Heading inserted by No. 23 of 1987 s. 24.]

Division 1 – Dogs generally

[Heading inserted by No. 24 of 1996 s. 7.]

[Division 1 repealed by XXXXXXXX]

[28. Repealed by No. 23 of 1987 s. 25.]

29. Power to seize strays, etc.

(1) A local government shall, in writing, appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by this Act.

POLICY IMPLICATIONS: Will assist in the control of wild dogs in the region.

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION/OFFICER RECOMMENDATION	ITEM 11.1
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MOVED Cr I Tucker

SECONDED Cr J Dwyer

That Council Resolve to appoint Mr Peter Crawford as an authorised Person under the Dog Act 1976.

CARRIED 4/0

11.2 Tender MN 136 – Professional Engineering Services

SUBMISSION TO: Ordinary Meeting of Council Friday,
15 September 2006

LOCATION: Menzies Shire

APPLICANT: N/A

FILE REF: 408

DISCLOSURE OF INTEREST: None

DATE: 5 September 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

SUMMARY:

As per Section 3.58 of the Local Government Act 1995, Council is required to advertise for public tender for goods and services if the supply is expected to exceed the \$50,000 threshold.

BACKGROUND:

The Chief Executive Officer had discussed the issue of using a consultant to draw up plans for the Caravan Park and main street. The process is very complex and considering the amount of costs involved in the two projects, it was the most efficient option available to Council.

COMMENT:

Tender MN 136 – Professional Engineering Services was advertised in the West Australian newspaper on Saturday, 5 August 2006 and closed at 4.00 pm on Friday, 1 September 2006.

Tenders were opened in the Shire of Menzies Council Office at 11.55 am on Tuesday, 5 September 2006 in the presence of:

Mr Ian Tucker	Councillor
Mr Peter Crawford	Chief Executive Officer
Mr Brad Pepper	Senior Administration Officer

When the tender box was opened, it was discovered that no tenders had been deposited in the tender box as at the advertised closing time.

A late tender was received at 8.30 am on Monday, 4 September 2006 but as this was far outside the closing time, it will not be presented to Council.

As a result of there being no tenders, Council is now permitted to negotiate directly with engineering companies to achieve the best results available.

CONSULTATION:

Mr Darryl Forrest, DLGRD.

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

OFFICER RECOMMENDATION

ITEM 11.2

That Council Resolve to;

- (i) Ratify the decision to call tenders for engineering services, and,
- (ii) Receive the above report dealing with Tender MN 136 – Professional Engineering services.

COUNCIL DECISION

ITEM 11.2

MOVED Cr I Tucker

SECONDED Cr J Dwyer

That Council add the following amendment to the motion;

- (iii) That Council endorse the engaging of Duncan J Jack as an engineering consultant

CARRIED 4/0

MOVED Cr J Dwyer

SECONDED Cr I Tucker

That Council Resolve to;

- (i) Ratify the decision to call tenders for engineering services, and,
- (ii) Receive the above report dealing with Tender MN 136 – Professional Engineering services.
- (iii) That Council endorse the engaging of Duncan J Jack as an engineering consultant

CARRIED 4/0

*10.45 am Council adjourned for a break.**11.10am Council returned from a break***11.3 Appointment of Consultant**

SUBMISSION TO: Ordinary Meeting of Council Friday,
15 September 2006

LOCATION: Menzies Shire

APPLICANT: N/A

FILE REF: 200

DISCLOSURE OF INTEREST: None

DATE: 5 September 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

SUMMARY:

This item is to request Council appoint a consultant to manage the process of acquiring the surplus blocks of land in Menzies and Kookynie.

BACKGROUND:

Some time ago, Council was advised by the Local Government Department that the blocks of land in Menzies and Kookynie that had not had rates paid on them for many years were available to Council through a due process.

COMMENT:

The process by which Council can get access to those blocks is rather convoluted and requires an experienced person to follow the correct procedures.

Mr Lance Croft is a consultant whom we have utilised to carry out both a review of our By-Laws and the Wards Representation.

Mr Croft is available to conduct the procedure by which we can gain access to the blocks of land in the correct sequence.

CONSULTATION:

Mr Lance Croft.

STATUTORY ENVIRONMENT:

LOCAL GOVERNMENT ACT 1995 SECTION 6.64 *Actions to be taken*

6.64 . Actions to be taken

(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —

- (a) from time to time lease the land;*
- (b) sell the land;*
- (c) cause the land to be transferred to the Crown; or*
- (d) cause the land to be transferred to itself.*

(2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.

(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

POLICY IMPLICATIONS: No specific Policy is implicated but the acquisition of these blocks of land would give Council a reserve in the case that a demand for land arose.

FINANCIAL IMPLICATIONS: Consultants fees which are provided for in the current Budget.

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION/OFFICER RECOMMENDATION

ITEM 11.3

MOVED Cr I Tucker

SECONDED Cr J Dwyer

That Council Resolve to appoint Mr Lance Croft to act as Council's consultant in the procedure to acquire the vacant blocks of land in Menzies and Kookynie

CARRIED 4/0

11.4 Common Seal

SUBMISSION TO: Ordinary Meeting of Council Friday,
15 September 2006
LOCATION: Menzies
APPLICANT: N/A
FILE REF: 146
DISCLOSURE OF INTEREST: None
DATE: 5 September 2006
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. Lease Agreement with Telstra

This document was for the lease of the Telstra tower site in Brown Street, Menzies.

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.

COUNCIL DECISION/OFFICER RECOMMENDATION	ITEM 11.4
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MOVED Cr J Dwyer

SECONDED Cr I Tucker

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

1. Lease Agreement with Telstra

CARRIED 4/0

11.5	Northern Goldfields Sport and Recreation Strategies Plan
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SUBMISSION TO: Ordinary Meeting of Council
Friday, 15 September 2006
LOCATION: Menzies Shire
APPLICANT: N/A
FILE REF: 237
DISCLOSURE OF INTEREST: None
DATE: 7 September 2006
AUTHOR: Carol McAllan, Customer Service Officer.
SIGNATURE OF AUTHOR:
SENIOR OFFICER: Peter Crawford. Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:

SUMMARY:

This item is to request Council to endorse the Northern Goldfields Sport and Recreation Strategies Plan (See Appendix "A").

BACKGROUND:

Local Government Shires of Menzies, Leonora and Laverton have combined to develop the position of Northern Goldfields Sport and Recreation Officer. The advisory committee for this position includes representatives from all three Shires. The author of this Item is the Shire of Menzies' representative at those committee meetings.

The Sport and Recreation officer has prepared a Strategies Plan for the region. This Strategies Plan aims to develop an action oriented approach to the delivery of recreation and sport and recognises the contribution from all communities.

COMMENT:

As this plan is a vital part of the position of Northern Goldfields Sport and Recreation Officer, it is important that the Council of all three Shires are aware of and agree with the contents of that Plan.

CONSULTATION:

Ms. Kelly Fuhrmann, Northern Goldfields Sport and Recreation 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: Funding is provided for in the current budget if required.

VOTING REQUIREMENTS: Simple Majority required.

COUNCIL DECISION/OFFICER RECOMMENDATION	ITEM 11.5
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MOVED Cr J Dwyer

SECONDED Cr K Purchase

That Council approve and endorse the Northern Goldfields Sport and Recreation Strategies Plan incorporating the Shire of Menzies, Leonora and Laverton as prepared by Kelly Fuhrmann, Northern Goldfields Sport and Recreation Officer, in July 2006.

CARRIED 4/0

12. REPORTS:

12.1 REPORTS FROM COUNCILLORS:

Cr Purchase Would it be possible to enter a photo of the Menzies Hotel in the next Menzies Brochure

Cr Tucker Asked for an update on the Caravan Park and Town Entry Statements

Cr Dwyer Enquired about future works on the Kookynie Road, results from water testing at Niagara and graves and building ruins at Niagara.

12.2 CHIEF EXECUTIVE OFFICER'S SUPPLEMENTARY REPORT:

Chief Executive Officer:

- The 2006/2007 Road Project Submissions are due to be forwarded to Main Roads Western Australia by Friday, 22 September 2006, are Council agreeable to the Kookynie and Menzies-North West Roads being our two priority roads?
- Further discussion then took place regarding the future of the Donkey Rocks Road. The CEO will advertise the proposed closure of the road and present submissions to Council.
- A request from the Hon Ken Baston MLC for a comment on the Alternative Land Policy
- The new lease agreement for the Menzies Railway Station with the Public Transport Authority, the Shire of Menzies and Regal Resources should include the cost of Council's insurance for the building.
- An info page has been circulated by WALGA seeking feedback on the Emergency Services Act 2005
- LGMA has requested Council take up a corporate membership with the Association, Council agreed for the CEO to monitor the situation before committing and funding.
- Shire of Dundas is holding a Councillor Training Session in November for Sustainable Asset Management
- The CEO will approach the Water Corporation to install a water take off point in Menzies for tourists to access water for camping and caravanning purposes.
- The CEO advised that he would be looking at the cost of an upgrade of the rates system during this current financial year.

13 NEW BUSINESS OF AN URGENT NATURE:

13.1 ELECTED MEMBERS

Nil

13.2 CHIEF EXECUTIVE OFFICER

Nil

14. CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS:

Nil

15. NEXT MEETING:

The next Ordinary Council Meeting is scheduled for Friday 20 October at the Council Chambers, Menzies, starting at 9.00am.

16. CLOSURE:

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

These Minutes were confirmed as a true
and accurate record of proceedings, at the
Ordinary Council Meeting held on 20 October 2006

CONFIRMED

SHIRE PRESIDENT.....