
SHIRE OF MENZIES

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF MENZIES, HELD AT THE COUNCIL CHAMBERS, MENZIES ON FRIDAY 17th MARCH 2006 COMMENCING AT 9.53AM

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The Shire President welcomed all elected members and declared the meeting open at 9.53am.

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

Present:	Cr S Tonkin	Shire President
	Cr A Kelly	Deputy Shire President
	Cr J Dwyer	Member
	Cr I McGregor	Member
	Cr P Kennedy	Member
	Cr K Purchase	Member
Staff:	Mr P Crawford	Chief Executive Officer
	Mr B Pepper	Minutes
Apologies:	Cr I Tucker	Member
Visitors:	Nil	

3. PUBLIC QUESTION TIME:

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

5. ANNOUNCEMENTS BY SHIRE PRESIDENT WITHOUT DISCUSSION

The President advised the Meeting that he had attended meetings with the CEO in Ravensthorpe with the Ravensthorpe Shire and BHP Billiton. Purpose of the meetings was to ascertain the history of progress of the Ravensthorpe Nickel Project and some of the critical issues that had to be dealt with during that process.

That information was crucial if the Shire of Menzies was to prepare for the prospect of the Kalgoorlie Nickel Project getting the green light at Goongarrie.

He also advised that he attended a meeting with the GEDC in Ravensthorpe at that same period..

MOVER Cr P Kennedy

SECONDED Cr I McGregor

That the President's report be received

CARRIED 6/0

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING:

6.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL, HELD FRIDAY, 17 FEBRUARY 2006

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 6.1

MOVED Cr P Kennedy

SECONDED Cr K Purchase

That the minutes of the Ordinary Meeting held on Friday 17 February 2006 as previously circulated be confirmed as a true and accurate record.

CARRIED 6/0

7. STATUS REPORT:

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 7.1

MOVED Cr P Kennedy

SECONDED Cr I McGregor

That the Status Report as at 28 February 2006, be received.

CARRIED 6/0

Some discussion ensued from Item 8 of the Status Report on holding an event to coincide with the Year of the Outback. It was decided to form a committee to plan for an event in October of each year. This committee would report back to Council with its ideas on the feasibility of the event at the next Ordinary Meeting.

No Resolution of Council was made.

8. FINANCIAL REPORTS

8.1 Financial Statements to 28 February 2006

SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006
LOCATION: Menzies
APPLICANT: N/A
FILE REF: 103a
DISCLOSURE OF INTEREST: None
DATE: 9 March 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

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	ITEM 8.1
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MOVED Cr J Dwyer

SECONDED Cr I McGregor

That the Financial Statements to 28 February 2006 as presented, be adopted

CARRIED 6/0

8.2	Accounts for Payment
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SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006

LOCATION: Menzies

APPLICANT: N/A

FILE REF: 103

DISCLOSURE OF INTEREST: The author has an interest to the extent that he is a co-owner of a the local roadhouse, one of the creditors

DATE: 9 March 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

BACKGROUND:

Cheque numbers 3488 to 3530 and cheque number 3556 and bank statement transfers totalling \$103,273.23 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	ITEM 8.2
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MOVED Cr A Kelly

SECONDED Cr K Purchase

That cheques numbered 3488 to 3530 and cheque number 3556 and direct bank payments totalling \$103,273.23 which have been paid by the Chief Executive Officer under delegated authority, be adopted.

CARRIED 6/0

8.3	Investment Rates
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SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006
LOCATION: Menzies
APPLICANT: N/A
FILE REF: 103a
DISCLOSURE OF INTEREST: None
DATE: 7 March 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

This Item is to present Council with investment rates applicable for our Reserves Funds.

BACKGROUND:

At the Ordinary Meeting of Council held Friday, 17 February 2006, Council requested the Chief Executive Officer to contact financial institutions and secure quotes as to what interest rates they would offer should Council decide to invest the Reserve Funds with their organisation.

COMMENT:

The following is a summary of those quotes:

RATE	NATIONAL	BANKWEST	COMMONWEALTH	SUNCORP
180 Days	5.60	5.69	5.60	-
365 Days	5.67	5.75	5.66	5.75

From the information sourced, it is evident that the interest rates offered are very similar with each establishment. The difference in the amount of interest that would be applicable with a capital of \$1,200,000 for a period of up to one year is less than \$1,000.

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: To the extent as contained within Policy No 39 Investments

FINANCIAL IMPLICATIONS: Reporting on Financial Activity

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 8.3
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MOVED Cr I McGregor

SECONDED Cr J Dwyer

That the report on Investments be received.

CARRIED 6/0

9. WORKS REPORT:

9.1 WORKS SUPERVISORS REPORT

9.1.1 Roadworks and General Report

SUBMISSION TO: Ordinary Meeting of Council, Friday
17 March 2006

LOCATION: Menzies Shire

APPLICANT: N/A

FILE REF: 405a

DISCLOSURE OF INTEREST: None

DATE: 9 March 2006

AUTHOR: Brad Pepper, Works Supervisor

SIGNATURE OF AUTHOR:

SENIOR OFFICER: Peter Crawford, Chief Executive Officer

SIGNATURE OF SENIOR OFFICER:

Comment:

Garry Miller has been busy repairing washouts on the eastern side of the highway. Several roads had been repaired after the first lot of damage happened only for another heavy rain to follow and the repairs had to be duplicated. Repair work has nearly been completed and Garry will start on the maintenance programme around the Pinjin area.

Gravel sheeting damage also occurred on the Menzies Evanston Rd west of Mulline some 60km from town due to water shedding, as well as another section closer to Menzies which has had some gravel sheeting done.

The Blackspot project on the Menzies Northwest Rd is starting to take shape with the horizontal alignment dramatically improved. Fill material from the borrow pit is currently being carted to prepare to further level out the alignment.

The Mercedes Rubbish Truck has been given a work order for a few minor faults. Unfortunately because it now has to be taken over the pits other items that were not listed on the work order need to be fixed. Estimated cost \$5,000, inc use of the Leonora rubbish truck.

When entering Menzies from either side of town, there are several large areas that have no vegetation growing. A proposal would be to plant hardy type trees in these areas with the aim being to green up the town. A ripping programme would need to take place to enable young trees to take root; there are currently sufficient funds available in the Maintenance Own Resources E122035 account – the main works crew account, to carry out this operation. It is expected that some 15,000 to 20,000 seedlings could inhabit these areas at a cost of approx 20 cents per tree. Town people could again be involved in tree planting in conjunction with the Shire of Menzies. Projected total cost would be in the vicinity of \$10,000. A map will be drawn at the meeting highlighting the relevant areas.

For Councillors to consider and comment.

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: Currently contained within the present Budget

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 9.1.1

MOVED Cr P Kennedy

SECONDED Cr J Dwyer

That the Works Supervisor's report, as presented, be received.

CARRIED 6/0

10. HEALTH, BUILDING AND TOWN PLANNING BUSINESS:

10.2 RANGERS REPORT

10.2.1 Ranger's Report

SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006
LOCATION: Shire of Menzies
APPLICANT: N/A
FILE REF: 125
DISCLOSURE OF INTEREST: None
DATE: 7 March 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 February 2006.

COMMENT:

**RANGER'S REPORT
FEBRUARY 2006**

Dear Peter

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

- **On Thursday the 23rd I travelled to Menzies stopping at Jeedamya Homestead for a look around.**

Action: After having a look around the homestead and surrounds I was just about to leave when Gary Connell arrived with a chap from Elders by the name of Peter. I had not met Gary before so we had a good chat about the area in general. Gary was most impressed that we were able to drop in from time to time just to keep a eye on things.

Afterwards I had a look around the dam over the highway and was yet again disappointed to find that people had left behind a fair amount of litter yet again. Nappies and red cans were all over the place. It makes one wonder why these people have to trash such lovely spots.

- **I continued on to Menzies and had a chat to Brad about some local issues.**

Action: As I had a request from Ian Tucker for a cat trap we both went down to the depot to find one. Only to discover that it had been run over and was rather badly damaged' So much for trapping cats hey?

From the depot I went around to MAC to see Ian only to find that he was in Kalgoorlie. So I spoke to Gary and with him went out to see if we could find the dogs that Ian and asked me to get rid of during our telephone conversation some days ago. We were unable to find the dogs.

After talking to Richard and Greg (bit sad about the rubbish truck hey?) I went and had a chat to Keith and gave my condolences to Bev before leaving.

At lunchtime I went over to the old State Battery and had a look around with Tom and Norm Williams. It was grand to see the old place producing again.

I called in to see Daphne at the road house on the way out of town but she too was in Kalgoorlie.

From Menzies I went to Kookynie via Niagara Dam.

Action: Once again it was disappointing to see that people are still not making good use of the rubbish bins we have in place around the Dam. Here I met up with a chap by the name of Clive who works at the Hall of Fame in Kalgoorlie. He had not been out this way before and was impressed with the area in general.

From the Dam I called in to see Greg and Jill but only "Fred" the dog was at home, so I left a card and continued on to Kookynie. I was hoping to see Robyn and find out how the Better Business Blitz went on the 15th of February, but she was not at home and neither was Judy for that matter!

After that disappointment I had a short chat to Kevin and Margaret before heading back to Leonora via Malcolm.

Patrick Kelly Ranger

Time: 9.00am-3.30pm = 5.5 hrs
Distance: 230kms

P.S. Peter we may want to replace that damaged cat trap.

CONSULTATION:

Mr Peter Crawford – CEO Menzies

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
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MOVED Cr J Dwyer

SECONDED Cr A Kelly

That the Rangers Report for the month of February 2006, as presented, be received.

CARRIED 6/0

11. CHIEF EXECUTIVE OFFICER'S REPORT:

11.1 Donation of Land in Kookynie
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SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006

LOCATION: Kookynie
APPLICANT: Greg Dwyer
FILE REF: 039
DISCLOSURE OF INTEREST: None
DATE: 9 March 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to advise Council of a request for the donation of a block of land in Kookynie to the Kookynie Community.

BACKGROUND:

Council has received a request for the donation of a block of land in Kookynie to the Kookynie Community for the purpose of erecting a community hall/meeting place (See attached letter).

At the Ordinary Meeting of Council held Friday, 17 February 2006, Council Resolved to retain all vacant blocks of land that were available through the non payment of rates. There will be in excess of 100 blocks of land available in Kookynie to choose from when this process is finalised.

COMMENT:

Kookynie, as indicated in the attached letter, currently has no community meeting place that is available to the public. Various activities such as church meetings, places where local markets can be held etc. do not exist as a neutral venue.

The ultimate aim will be to eventually hand the building over to the Shire of Menzies as a community asset.

CONSULTATION:

Greg Dwyer, Jill Dwyer and Robyn McCarthy - Kookynie

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 within this current Budget.

VOTING REQUIREMENTS: Simple majority required

OFFICER RECOMMENDATION

ITEM 11.1

That Council Resolve to donate a block of land in Kookynie to the Kookynie Community for the purpose of erecting a Community Building, with the stipulation that all building / health regulations will be strictly complied with by the Kookynie Community in the erection of this building.

COUNCIL DECISION

ITEM 11.1

MOVED Cr A Kelly

SECONDED Cr P Kennedy

That the matter be left on the table until the question of the status of the blocks of land in Kookynie were clarified

CARRIED 6/0

MOVED Cr I McGregor

SECONDED Cr P Kennedy

That the Shire President and the Chief Executive Officer explore diplomatic channels and take all necessary action to resolve the matter of having vacant blocks of land in Menzies and Kookynie vested in the Council.

CARRIED 6/0

The reason for the change was to take every possible action to resolve the issue with the vacant blocks of land.

SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006

LOCATION: Kookynie – Mt Remarkable Road

APPLICANT: N/A

FILE REF: 400

DISCLOSURE OF INTEREST: None

DATE: 10 March 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

SUMMARY:

This Item is in response to a request from Council to present a report on the condition and proposed repairs to the flood crossing on the Kookynie – Mt Remarkable Road.

BACKGROUND:

The Kookynie – Mt Remarkable Road has had considerable funds expended at the location of the flood crossing at the lake in the previous years in an attempt to have the road trafficable as soon as possible after the road has been closed due to inclement weather.

The catchment area for this particular crossing covers a vast area with flood waters sometimes taking many days to reach the site from rains further out in the Sandstone and Leonora regions.

The crossing has been raised with sets of concrete culvert pipes installed at specific locations. The main crossing section has been lowered to accommodate the main flow and armour plating has been applied to the entire crossing on the down stream side.

COMMENT:

The crossing was inspected by the Chief Executive Officer and Mr Russell Young on Wednesday, 1 March 2006. Mr Young lives in Kookynie and has a broad knowledge of the history of the crossing as well as the works that have been carried out at the site.

The condition of the crossing was fair and could be safely negotiated by any type of vehicle on the day. It was quite evident where the water level had reached due to recent rains, however, the extent of serious damage to the site was minimal.

It is obvious from the different types of imported rock at the site that the crossing has needed several repairs since it was first constructed.

In attempting to reach any conclusion regarding repairs of a preventative or long term nature, several factors must be considered:

- Road Hierarchy
- Traffic count
- Is there an alternative route
- Who does the road service
- Previous expenditure on the crossing
- Success of previous works
- Justification for future expenditure

A permanent all weather crossing is not feasible, neither is a semi permanent crossing that is trafficable as soon as the water level recedes.

Any pretence to permanence is subject to a 20, 50, 100 year or bigger storm. The catchment area for the crossing is so huge that the remedy to the current problems would be astronomical. If one considers the issues surrounding the Lake Raeside crossing on the Goldfields Highway, the problems encountered at that location are the same as can be expected at this site.

It is the opinion of the author that to contemplate any further expenditure at the crossing would not be a constructive decision. There has already been extensive funding allocated to this crossing in the past with the same resulting inaccessibility after seasonal rains. To continue down this path is not economical.

The fact that there will always be some short term impact of inconvenience after heavy rains is guaranteed. The critical issue is what we are willing to expend to reduce the length of that term of inconvenience. That the crossing will always be untrafficable for a short period of time after inclement weather requires the closure of the road is unavoidable. What is more important is what resources are required to make the road trafficable when that water has receded.

The road is:

- Low on the Functional Road Hierarchy listing
- Has an extremely low traffic count
- If the road is closed for any length of time due to flooding, an alternative route may well be suffering a similar fate
- There are no service customers along the route
- Previous expenditure has been quite substantial
- Success of previous works is not comforting otherwise we would not be debating the current problems
- Committing future high expenditure for low return is not providing good governance

Having considered all of the above factors. I believe the most practical solution would be:

To haul and stockpile at the site, approximately 1,000 m³ of heavy rock spoil and 300 m³ of gravel.

This would allow our work force, with minimal resources, to repair the crossing to a trafficable state after flooding without having to mobilise all of the plant at a time when they may well be engaged in similar activities of a more urgent nature.

It will also be a very cost conscious operation to accomplish the same goal as further high expenditure will ultimately achieve.

CONSULTATION:

Menzies Shire work crew, Works Supervisor.

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: Permanent low cost solution

VOTING REQUIREMENTS: Simple Majority required

MOVED Cr J Dwyer

SECONDED Cr A Kelly

That the report on the Kookynie – Mt Remarkable Road be received

CARRIED 6/0

11.3 Goldfields-Esperance Country Zone

SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006

LOCATION: Menzies

APPLICANT: GECZ

FILE REF: 136b

DISCLOSURE OF INTEREST: None

DATE: 7 March 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

SUMMARY:

The purpose of this report is for Council to express its interest to participate in a Working Group (referred to as the Shared Service Working Group) to explore possibilities for implementing shared services within the Goldfields-Esperance Country Zone (GECZ) of the WA Local Government Association (WALGA).

BACKGROUND:

The establishment of a Shared Service Working Group (SSWG) was the main outcome from the joint GECZ and Local Government Managers Australia (LGMA) forum that was held in Kalgoorlie-Boulder on 31 May 2005. The Group was charged with the responsibility of further investigating the potential of shared service agreements and backend processing within the GECZ, and also including the Shires of Yilgarn and Ravensthorpe.

The Group is facilitated by Ms Karen Caple, Project Manager with the WA Government's Office of Shared Services (OSS) within the Department of Premier and Cabinet (DPC). Ms Caple's services have been generously offered to the Group by the State Treasurer, the Hon Eric Ripper MLA, who along with the former Minister for Local Government and Regional Development, the Hon John Bowler MLA, has expressed a keen desire for a shared service model to be implemented within the GECZ. Ms Caple has had extensive experience in implementing a shared service model, when the WA Government's Functional Review Implementation Team (FRIT), conducted a similar exercise some 4 years ago. As a member of FRIT, Ms Caple has indicated that all intellectual property that was gathered by the WA Government for this purpose will be made available to the Group to help develop the proposed model.

The Group was established initially comprising representation from the City of Kalgoorlie-Boulder, and the Shires of Coolgardie, Yilgarn, Dundas, Menzies and Leonora. At the Group's last meeting, it was suggested to revisit the issue through the GECZ, and invite all GECZ Members to be party to the Group, should they so wish. Subsequently, the following resolution was passed, and endorsed by the GECZ at its meeting the following day:

“That the GECZ of WALGA seeks the support of its member local governments and the Shires of Yilgarn and Ravensthorpe to establish a Regional Organisation of Councils with the initial purpose of undertaking shared service functions.”

A deadline of 31 March has been enforced for Councils to establish whether or not they want to be involved in the project to ensure the process can continue to move forward.

COMMENT:

The Group has previously submitted a proposal to the Department of Local Government and Regional Development (DLGRD) for matching funding to purchase and implement a suitable financial system within the GECZ for the purpose of implementing a shared corporate service model.

Officers from the City of Kalgoorlie Boulder have already received presentations from 3 potential software vendors, being IT Vision, Civica and TechnologyOne, but these same organisations will need to present to other SSWG members prior to a choice being made, should the SSWG choose to pursue this model further. A common financial platform is essential to ensure the success of the project, and the Minister for Local Government and Regional Development has given a strong indication that the WA Government will provide financial assistance for the purchase and implementation of financial software, which would be used as part of the shared service model.

Originally, all but two local governments within the GECZ, as well as the Shires of Yilgarn and Ravensthorpe, had expressed an interest to become involved in this process. The tyranny of distance made it difficult for the outlying local governments to participate in the Working Group, which up until this point comprised a nucleus of six local governments, being the City of Kalgoorlie-Boulder and the Shires of Yilgarn, Coolgardie, Dundas, Menzies and Leonora. As stated previously, the Group has chosen to reassess its membership, and again give all local governments within the GECZ the opportunity to participate.

The agreement to participate in this does not bind Council to any commitment other than to explore the options available as described above.

CONSULTATION:

No community consultation was considered necessary in relation to the recommendations of the report.

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
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ITEM 11.3

MOVED Cr I McGregor

SECONDED Cr P Kennedy

That Council agree to participate as part of the Shared Service Working Group to explore the possibility of establishing a Regional Local Government with the initial purpose to undertake shared service functions.

11.4	Draft Principal Activities Plan 2006/2007 to 2009/2010
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SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006

LOCATION: Menzies

APPLICANT: N/A

FILE REF: 113a

DISCLOSURE OF INTEREST: None

DATE: 9 March 2006

AUTHOR: Peter Crawford, Chief Executive Officer

SIGNATURE OF AUTHOR:

SUMMARY:

The draft 2006/2007 to 2009/2010 Principal Activities Plan is presented to Council for perusal

BACKGROUND:

Sections 5.56 and 5.57 of the Local Government Act 1995 require Local Governments to prepare and advertise for public scrutiny, a Plan of Principal Activities for the next four years.

Attached, as Appendix “A”, is a draft Principal Activities Plan for the next four years. This plan is a projection of where Council expects to be in four years time and how it will budget financially to get there.

COMMENT:

This is the last time that Council will review the Principal Activities Plan as it will be replaced by a “Plan for the Future of the District”.

After acceptance by Council, this Principal Activities Plan must be advertised for 42 days to allow the public ample opportunity to view to the Plan and make any submissions as they see fit.

After inspecting the submissions, Council must then deliberate as to whether They will make any alterations to the document before Adopting the Plan.

CONSULTATION:

Community consultation is required in the passage of this document.

STATUTORY ENVIRONMENT: LOCAL GOVERNMENT ACT 1995 - SECT 5.56
Planning principal activities

5.56 . Planning principal activities

(1) Each financial year, a local government is to prepare a plan for the next 4 or more financial years.

(2) The plan is to contain details of—

- (a) the principal activities that are proposed to be commenced or to be continued in each financial year affected by the plan;
- (b) the objectives of each principal activity;
- (c) the estimated cost of, and proposed means of funding, each principal activity;
- (d) how the local government proposes to assess its performance in relation to each principal activity;
- (e) the estimated income and expenditure for each financial year affected by the plan; and
- (f) such other matters as may be prescribed.

LOCAL GOVERNMENT ACT 1995 - SECT 5.57
Notice of proposed plans for principal activities

5.57 . Notice of proposed plans for principal activities

(1) After preparing a plan under section 5.56, the local government is to —

- (a) give local public notice in accordance with subsection (2); and
- (b) make available for public inspection copies of the proposed plan at the local government offices and at each local government library in the district.

(2) The local public notice is to contain —

- (a) notification that a plan for the local government’s principal activities for the next 4 or more years has been prepared;
- (b) details of where and when the plan may be inspected; and
- (c) an invitation for submissions in relation to the plan to be made by members of the public within 42 days of the day on which local public notice was first given.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: Provided for in the current Budget

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 11.4
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MOVED Cr A Kelly

SECONDED Cr K Purchase

That Council accepts the Draft Principal Activities Plan for 2006/2007 to 2009/2010 and advertise the Plan publicly to allow written submission from the public to be received and considered before Adopting the Principal Activities Plan for the period 2006/2007 to 2009/2010

CARRIED 6/0

11.10 am CEO left the Chambers

11.11 am CEO returned to the Chambers

11.12 am The President adjourned the Meeting to allow a representative from Australian Railroad Group to address the Councillors.

11.27 am The President reconvened the Meeting.

11.27 am Cr's Kennedy and Purchase both declared a financial interest in the next Agenda Item and left the Chambers.

11.5	Closure of Right-of Way
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SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006
LOCATION: Menzies
APPLICANT: Menzies Hotel
FILE REF: 400
DISCLOSURE OF INTEREST: None
DATE: 7 March 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to advise Council of a request to have a Right-of-Way in the Menzies townsite closed to public access.

BACKGROUND:

The attached letter was received from the Menzies Hotel seeking Council permission to have the Right-of-Way at the rear of the Hotel closed to public access. The reason for the request was that the Hotel wanted to amalgamate a number of blocks in Reid and Shenton Streets to extend the Hotel's facilities.

COMMENT:

This type of request is quite common in Local Government to enable further development plans, albeit quite complicated. A number of steps are required to enable the process to be completed, such as:

- All property owners in the entire block surrounded by Shenton, Brown, Wilson and Reid Streets must be notified and given the opportunity to lodge a protest to the proposed closure
- Council must consider any objections to the closure before making a final decision
- The RoW must be re-zoned from public access to commercial, prior to the erection any buildings over the RoW
- If the request to close the RoW is granted, the land must then be purchased from the crown
- The RoW will then be amalgamated into the adjoining blocks and title issued to the Hotel.

The unfortunate side issue is that the entire process could take anywhere from 6 months to 2 years to be finalised. The sooner the action is commenced, the sooner it is completed.

CONSULTATION:

Mr Paul Kennedy – Menzies Hotel, Mr Ken McCracken – DPI,
Mr Paul Bashall – Planwest,

STATUTORY ENVIRONMENT: LOCAL GOVERNMENT ACT 1995 - SECT 3.50
Closing certain thoroughfares to vehicles

3.50 . Closing certain thoroughfares to vehicles

(1) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles.

(2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

(3) The order cannot be made to have effect beyond 4 years after the first day when it has effect, but this subsection does not prevent the making of another order that continues the closure of the thoroughfare.

(4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —

(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission;

(b) give written notice to each person who —

(i) is prescribed for the purposes of this section; or

(ii) owns land that is prescribed for the purposes of this section;

and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).

(6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.

(7) Subsections (4) and (5) do not prevent the temporary closure of a thoroughfare, without giving local public notice, to the extent that the closure may be required in circumstances in which it may be impracticable to give local public notice before closing the thoroughfare.

(8) If, under subsection (7), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.

(9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.

[Section 3.50 amended by No. 1 of 1998 s.11; No. 64 of 1998 s.15.]

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: None

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION
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ITEM 11.5

MOVED Cr I McGregor

SECONDED Cr J Dwyer

That Council Resolve to support the application from the Menzies Hotel to have a section of the Right-of Way between Brown and Shenton Streets, closed to public access between Brown Street and Lot 36 Reid Street.

CARRIED 4/0

11.31 am Cr's Kennedy and Purchase returned the Chambers

12. REPORTS:

12.1 REPORTS FROM COUNCILLORS:

Cr Kelly:

- The RoW at the back of the Hotel should be blocked off with No Thru Road signs to prevent traffic damaging water meters when they take a short cut through vacant blocks, CEO to advise Police and request assistance as the matter of traffic on private land was a matter for the Police.

Cr Purchase:

- Drain at junction of Brown and Shenton Streets has collapsed, CEO advised that this will be included as part of the next Budget to repair

Cr Kennedy:

- Requested the latest progress on the Town Street upgrading, CEO advised that Council had been presented with plans and that it was now up to them to decide what design that they wanted. It was discussed that bricks across the walkways should be deleted and the crossings painted instead. Also, toilets could be constructed in the middle of town rather than at the end of town in the truck bay.

The CEO suggested that Council's current consultant on Town Planning issues be invited to attend the next Ordinary Meeting of Council to further discuss the matter.

Queried whether the location of the owner of the Mori Hotel had been established, CEO replied that it hadn't. Discussion ensued re the condition of the building. CEO to write to the last known address of the owner and request that he make the building safe in regards to access from the public.

Cr Tonkin:

- Requested an update on progress of the Town Entry Statement. CEO advised that earlier today, the Engineering Company had provided information regarding the construction of the sculptures and that they would present a costing within ten days.

The road inspection trip should go ahead, a date was set for the 6 and 7 April 2006. Also, a suitable small bus should be hired for the inspection.

Cr Tonkin advised that Mrs Tonkin has been awarded the OAM and should Council send her a letter of congratulations on her achievement. It was unanimously agreed that Council forward a letter of congratulations to Mrs Tonkin.

12.2 CHIEF EXECUTIVE OFFICER'S SUPPLEMENTARY REPORT:

- WorkSafe WA – Council has recently had a visit from an inspector from WorkSafe WA who issued six Improvement Notices, these notices are currently being rectified
- Caravan Park – letter of complaint re the ablutions block. Future of the caravan park and ablutions block will become clearer after the issues re the blocks of land surrounding the park are resolved.
- Menzies Hotel – a late application for an extension of licensed premises has been received, the matter will be handed to the EHO to inspect and make recommendation to Council
- Insurance – Council to revise the property register
- EHO – a contract EHO, Mr Gary Goldsworthy will be commencing duties later this month
- Regal Resources – an invitation to be extended to Regal Resources to attend the next Meeting of Council
- Heron Resources – an invitation to be extended to Heron Resources to attend the next Meeting of Council
- Telstra – advice that mobile coverage should be up and running by the end of the month, early next month at the very latest
- WASO – an invitation has been received from the West Australian Symphony Orchestra to sponsor some free tickets for the early payment of rates in the next Financial Year
- MR WA – advice that they are inviting comments from relevant organisations on matters concerning various long term maintenance contracts
- LGGC – Advice from the Local Government Grants Commission that they will be conducting a public hearing in Menzies between 12 and 15 September 2006, more advice will be provided at a later date.
- Prospecting Licence Application – Advice received regarding the granting of a prospecting licence to operate in the vicinity of the Mulwarrie townsite. Only objection is to not carry out operations in the immediate vicinity of the Mulwarrie cemetery
- 2006/2007 Budget – CEO requested Councillors to begin submitting items for the next budget
- Daylight Saving – CEO called for Councillors to submit their comments regarding the issue of daylight savings
- Anzac day – Invitation from the Leonora branch of the RSL to attend the Anzac day services in Leonora
- 2006 Association Honours – CEO requested Councillors to consider nominations for the 2006 Association Honours

13 NEW BUSINESS OF AN URGENT NATURE:

13.2 OFFICERS

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 13.2
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MOVED Cr I McGregor

SECONDED Cr J Dwyer

That Council receive New Business of an Urgent Nature

CARRIED 6/0

13.2.1	Minutes of the Audit Committee Meeting Held 17 March 2006
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SUBMISSION TO: Ordinary Meeting of Council Friday,
17 March 2006
LOCATION: Menzies
APPLICANT: N/A
FILE REF: 114
DISCLOSURE OF INTEREST: None
DATE: 17 March 2006
AUTHOR: Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:

SUMMARY:

This Item is to present Council with the Minutes of the Audit Committee Meeting Held Friday, 17 March 2006.

COMMENT:

A Meeting of Audit Committee was held on Friday, 17 March 2006. A full copy of the Minutes of the Committee Meeting is attached for this Agenda.

At that Meeting of the Audit Committee, the Committee passed the following recommendations for Council to consider to adopt as resolutions of Council:

4. Election of Presiding Member
5. Election of Deputy Presiding Member
6. Election of Audit Committee delegate
7. Adoption of 2005/2006 Budget Review

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: As to the extent as indicated in the respective committee report

FINANCIAL IMPLICATIONS: As to the extent as indicated in the respective committee report

VOTING REQUIREMENTS: Simple Majority required

COUNCIL DECISION / OFFICER RECOMMENDATION	ITEM 13.2.1
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MOVED Cr J Dwyer

SECONDED Cr P Kennedy

That the Minutes of the Audit Committee Meeting, held Friday, 17 March 2006, as presented, be Adopted.

CARRIED 6/0

14. CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS:

Nil

15. NEXT MEETING:

The next Ordinary Council Meeting is scheduled for Friday 21 April 2006 at the Council Chambers, Menzies, commencing at 9.00 am

16. CLOSURE:

There being no further business to discuss, the Shire President declared the Meeting closed at 12.30 pm

These Minutes were confirmed as a true and accurate record of proceedings, at the Ordinary Council Meeting held on 21 April 2006

CONFIRMED

SHIRE PRESIDENT.....